



Hermeneutics of the Qur'an and Gender Justice in Marital Sexual Relations: A Critical Analysis of the Issue of Marital Rape in the Family

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ARTICLE INFO	ABSTRACT
Keywords: Feminist tafsir; Marital rape; Qur'anic hermeneutics; Sexual consent.	This study explores marital sexual relations through the perspective of feminist Qur'anic interpretation, with particular emphasis on sexual consent and the normalization of marital rape within patriarchal interpretations and sociocultural practices. In Islamic teachings, marriage is fundamentally understood as a relationship grounded in love, compassion, justice, mutual respect, and reciprocal responsibility. Nevertheless, certain classical interpretations, particularly those associated with Qur'an 4:34, have frequently been employed to reinforce hierarchical relationships between husbands and wives and, in some contexts, to legitimize forms of sexual coercion within marriage. Such interpretations raise important questions concerning the relationship between Qur'anic principles and patriarchal social structures that have historically influenced understandings of marital obligations. This research employs a qualitative library-based method by examining relevant Qur'anic verses, exegetical works, and contemporary scholarly literature. The analysis employs Amina Wadud's feminist hermeneutical framework and Asma Barlas's concept of "unreadable patriarchy" to critically reassess conventional interpretations of marital relations. Particular attention is given to Qur'an 4:19 and Qur'an 30:21, which emphasize ethical treatment, affection, compassion, and the establishment of peaceful relationships between spouses. The study demonstrates that patriarchal interpretations cannot simply be attributed to the Qur'anic text itself but are significantly shaped by particular historical, social, cultural, and interpretive contexts. From this perspective, sexual consent should be understood as an integral dimension of <i>mu'āsharah bil ma'rūf</i>, namely the ethical obligation to treat one's spouse appropriately and respectfully. Incorporating principles of gender justice, <i>maqāṣid al-sharī'ah</i>, mutuality, and the broader ethical objectives of the Qur'an provides a more balanced framework for interpreting marital sexuality. Accordingly, this study underscores the importance of developing contextual, ethical, and gender-sensitive approaches to Qur'anic interpretation in order to challenge coercive understandings and promote equitable marital relationships within contemporary Muslim societies.
Article history: Received 2026-04-03 Revised 2026-04-03 Accepted 2026-10-04	

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1. INTRODUCTION

Marriage is an important institution in human life, both in individual life and social life. Islam places marriage as a noble bond to build a harmonious family, and a life full of honor and based on religious values (Fuad, 2022). In Indonesia, marriage is regulated in Marriage Law No. 1 of 1974, article (1) which states; marriage is a physical and spiritual bond between a man and a woman as husband and wife with the aim of building a happy and eternal household based on the One Almighty God (Ash-Shufi, 2024). In addition, marriage also aims to regulate husband and wife relations based on the principles of mutual help, affection, and respect between partners.

However, in practice, marital relations do not always align with the principles of justice and equality taught in Islam. Social realities still demonstrate a strong patriarchal culture that positions men as the dominant party and wives as the party who must always submit to their husbands. This understanding, which limits a wife's role to solely domestic matters, such as kitchen chores and bathing, is still prevalent in today's society. In the context of sexual relations, some people still interpret a wife's obligation to serve her husband absolutely, even when sexual coercion by a husband against his wife is not considered a crime but rather a normal part of married life (Mutasir & Busyro, 2023). This type of sexual violence is a form of husband domination over his wife that is difficult to detect because it occurs in the private sphere. Even when a wife reveals sexual coercion (marital rape) perpetrated by her husband, it is considered a household disgrace that should not be made public. As a result, many victims suffer both physical and psychological injuries because they lack the courage to report the incident.

According to data from the Ministry of Women's Empowerment and Child Protection in 2024, it was found that there were 31,947 cases of complaints of violence experienced by women in Indonesia, and as many as 60.6% occurred within the household sphere. This indicates that cases of Domestic Violence (KDRT) in Indonesia are still very high. However, only around 15% of victims of domestic sexual violence report to the police, this is due to fear of discrimination and victimization (Prasojo, 2025). Cases of domestic sexual violence, such as the one that occurred in Tasikmalaya in 2023, show that forced intimate relations (marital rape) is a real form of Domestic Violence (KDRT) that is often overlooked. Although there is legal protection such as Law No. 23 of 2004 concerning the Elimination of Domestic Violence, public awareness is still low because violence is often disguised in the name of religion and custom (Mutasir & Busyro, 2023).

In fact, the Qur'an, through QS. Ar-Rum verse 21, clearly describes the ideal relationship between husband and wife, that Allah created husband and wife to achieve peace (*sakinah*), based on affection (*mawaddah*), and mercy (*rahmah*). And through the principle of *mu'asyar bil ma'ruf* (associating in a good way) which is the basis of husband and wife relations to achieve happiness in the household. However, some classical scholars understand the verse *الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ* in QS. An-Nisa verse 34 within the framework of male domination as absolute leader. As a result, there is a legitimacy for discriminatory practices, such as restrictions on women's public roles, unequal rights in divorce, and acceptance of unilateral polygamy.

Recent studies have shown a shift in thinking patterns in reading verses on husband-wife relations, particularly QS. al-Nisā' (4):34, from a hierarchical paradigm to an ethical approach based on mutuality. Hayati (2024) offers a reinterpretation of the verse through contemporary hermeneutics that separates the universal normative dimension from the patriarchal socio-historical context, thus opening up space for egalitarian reading within the family structure (Hayati, 2024). Another study by Nurdin (2024) deepens the semantic issue by reexamining the meaning of *al-dharb*, and concludes that the meaning of physical violence is not an ideal form within the *maqā* framework. *yesid al-syar'i'ah*, so it cannot be used to legitimize acts of coercion or sexual violence (Nurdin et al., 2024). In line with this, Alamsyah (2024) and Furqoni (2022–2023) developed normative arguments based on *maqāyesid*, *date d'Arar*, and *Ihsan* to show that sexual consent is still necessary in marriage and that the concept of absolute ownership of the wife's body is not supported by Qur'anic ethics (Alamsyah, 2025; Furqoni & Thabrani, 2022).

Beyond interpretive studies, research from the legal and psychological fields has also made important contributions to understanding the issue of marital rape empirically and regulatoryly. A legal study by Sinaga revealed the lack of formal recognition of marital rape in Indonesia, despite the existence of a legal framework such as the Domestic Violence Law (Sinaga & Apriyani, 2024). Meanwhile, field research by Puspita (2024) showed that social stigma, economic factors, and domestic power relations discourage victims from reporting and cause long-term psychological impacts (Puspita & Umami, 2024).

An analysis of the existing literature shows that the discourse on reinterpreting verses on husband-wife relations in the Qur'an has undergone significant development, particularly through contemporary feminist and hermeneutic interpretation approaches. However, despite the increasing number of studies revisiting the concepts of *qiwāmah*, male leadership, and gender relations in QS. al-Nisā' (4):34, the focus on the issue of sexual consent

in marital relations remains very limited. The majority of works in the field of exegesis tend to discuss power structures, the rights and obligations of couples, or the semantics of the word *al-dharb*, but have not explicitly examined the implications of these verses on bodily rights, sexual consent, and the limits of a husband's authority in intimate relationships. This lack of perspective shows that although the discourse on gender equality in the family is increasingly gaining ground, the most private and vulnerable aspect, namely sexual consent in marriage, remains a silent area in contemporary Qur'anic exegesis studies.

Furthermore, the legal, psychological, and gender studies literature in Indonesia demonstrates increasing documentation of marital rape cases and structural barriers to reporting and law enforcement. However, these studies focus more on regulatory aspects and victims' experiences, without directly connecting them to the religious epistemological basis often used as a social legitimization for domestic domination practices. This situation indicates a methodological gap between textual studies, which discuss verses on husband-wife relations normatively, and local empirical research that reveals the real impact of sexual coercion in marriage. Thus, an interdisciplinary approach is needed that not only contextualizes the Qur'anic text through a feminist exegetical approach but also integrates local empirical data and legal frameworks to present a socially grounded and practically relevant reading. This research aims to bridge this gap by offering an interpretive analysis model that explicitly positions sexual consent as an ethical and hermeneutical variable in understanding husband-wife sexual relations from a Qur'anic perspective, while simultaneously formulating legal and policy implications based on the values of mutuality and gender justice.

In the context of the development of contemporary exegetical thought, a number of female scholars and progressive Muslim thinkers such as Amina Wadud, Asma Barlas, Husain Muhammad, and Nasaruddin Umar offer a hermeneutic framework that affirms that the Qur'an ethically supports the principles of mutuality, equal dignity, and gender justice. Their approach differs from the classical exegetical tradition, which often understands the husband-wife relationship through a hierarchical structure and the dichotomy of authority-versus-obedience, which then produces social legitimacy for unequal relations within the household. In line with this critique, Zulaiha (Zulaiha, 2024) asserts that the root of the problem of gender relations in the exegetical tradition lies not in the text of the Qur'an itself, but in the paradigm of reading formed in a patriarchal sociocultural context that has influenced the construction of law and interpretation for centuries.

Thus, the urge to reread verses on husband-wife relations, including those often used as the basis for legitimizing women's subordination, is becoming increasingly relevant. The need for reinterpretation based on the paradigm of *'adl al-jinsi* (gender justice) aims not only to correct past interpretative biases but also to ensure that the teachings of the Qur'an are applied within an ethical framework consistent with the mission of the Prophet Muhammad (peace be upon him). *ḥmatan li al-'ālamīn*. This approach allows the sacred text to be read as an ethical foundation for relationships based on *sakinah*, *mawaddah*, and *rahmah*, while also opening up space to place contemporary issues such as sexual consent, bodily autonomy, and protection from domestic sexual violence as an integral part of Qur'anic ethics.

Methodologically, this study employed a qualitative approach using library research, examining primary and secondary sources relevant to the theme of husband-wife relations from a gender justice perspective according to the Qur'an. This method was chosen because the primary focus lies in analyzing the thoughts, commentaries, and theoretical works of contemporary Muslim feminist figures. According to Darmalaksana (Darmalaksana, 2020), library research is conducted through systematic stages: source identification, data classification, content analysis, and theoretical conclusion drawing. In the identification stage, the literature reviewed includes verses from the Qur'an related to husband-wife relations, classical and contemporary interpretations, and Islamic feminist works such as *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* by Amina Wadud (Wadud, 1999), and *"Believing Women" in Islam: Unreading Patriarchal Interpretations of the Qur'an* by Asma Barlas (Barlas, 2002), as well as several other literature sources with similar or at least overlapping material (Pamungkas, 2023; Zulaiha, 2024). Data are classified based on interpretive approaches, namely normative-patriarchal, contextual, and feminist, and then analyzed using the principles of justice-based contextual hermeneutics and the unreading patriarchy method to explore bias and the construction of gender meaning in interpretation (Barros, 2020). The final stage is drawing theoretical conclusions, to develop a new understanding of equal husband-wife relations from the Qur'anic perspective.

Meanwhile, theoretically, this research is based on two main frameworks. First, Amina Wadud (Wadud, 1999) emphasizes feminist heresy based on the concept of *tawḥīd* (the oneness of God) which affirms ontological equality between men and women (Wadud, 1999), with three interpretive pillars, namely the context of revelation (*asbāb al-nuzūl*), Arabic linguistic analysis, and the Qur'anic worldview (*weltanschauung*) (Riyani, 2017). This approach is used to review verses such as QS. An-Nisa' 4: 19 and 34 as well as QS. Ar-Rūm 30:21 to show the

value of equal partnership between husband and wife. Second, Asma Barlas, through the concept of unreading patriarchy, dismantles patriarchal interpretations that obscure the egalitarian message of the Qur'an, emphasizing God's justice (Barlas, 2002; Barlas & Finn, 2019). By integrating these two frameworks, the study attempts to analyze three main points: first, exploring how the verses of the Qur'an voice the value of partnership and gender justice in husband-wife relations; second, examining how the tradition of patriarchal interpretation and culture distorts this meaning; third, exploring how feminist reinterpretation can build a new framework of understanding that is more just, contextual, and in line with the principles of Qur'anic justice.

2. RESULTS AND DISCUSSION

2.1 Definition of Husband-Wife Relationship

Relationships within the family are the foundation of the smallest social structure, not only built through formal bonds in the form of marriage between adult men and women, but also through the process of interaction, role distribution, and the construction of values that develop in household life. These relationships reflect how authority, responsibility, and access to resources are understood, negotiated, and implemented by husbands and wives in their daily lives. Therefore, relationship patterns within the family are not static, but can change according to developments in culture, education, economics, and the discourse of gender equality in modern society. Regarding relationship patterns in modern families from a gender perspective, there are at least four models of husband-wife relationships: owner-property, head-complement, senior-junior partner, and equal partner (Yupidus, 2017).

In the first pattern, owner-property, the wife is positioned as part of her husband's ownership, like an asset or valuable item. The husband is responsible for providing the bread, while the wife is fully responsible for domestic duties. The husband's authority in the household rests with the wife due to her economic dependence (Yupidus, 2017). The second pattern, head-complement, describes a relationship in which the wife functions as a companion. The husband remains the primary authority, but there is room for communication, cooperation, and a more flexible division of roles. The wife continues to manage the household, while the husband is more open to helping with domestic chores; however, the final decision still rests with the husband.

The third pattern is the senior-junior partner, a relationship in which the wife works and develops her career, but the husband's income is still expected to be higher. At this stage, the relationship begins to demonstrate functional equality, although the authority structure is not yet fully symmetrical. The final pattern is the equal partner, where the husband and wife are viewed as equal in terms of rights, obligations, decision-making, and economic contribution. There is no dominance by either party, and the personal development of both is seen as part of the shared goal of building a family (Mardlatillah & Saadah, 2022). This final pattern is considered most in line with Islamic principles.

In the context of Islamic law, the relationship between husband and wife is not merely a legal matter or a social contract, but a relationship that touches on physical and spiritual aspects based on love, affection, and justice. Suparman, Isnaini, and Nasrulloh explain that the essence of marriage is not only a means to prevent haram acts, but also a way to build togetherness and continue human life (Nasution & Nasution, 2020), because in a marriage there is a spirit of togetherness, and affection as a common goal (Purwari & Murisal, 2019). Marriage brings many benefits for both individuals and society (Atabik & Mudhiyah, 2016), because in marriage there are values, namely tranquility (*sakinah*), affection (*mawaddah*) and mercy (*rahmah*) (Musthapar et al., 2020).

Reviewing the normative perspective of Indonesian positive law, Law No. 1 of 1974, Article 1, states that "marriage is a physical and spiritual bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family based on the One Almighty God" (Datau et al., 2024). This definition emphasizes that the husband-wife relationship is not merely a temporary or pragmatic relationship, but rather a sacred dimension involving rights, obligations, partnership, and transcendent goals. Furthermore, research by Miswanto and colleagues confirms that the concepts of *sakinah*, *mawaddah*, and *rahmah* are three internal indicators that mark the ideal quality of husband-wife relations in Islam (Miswanto et al., 2023).

In this context, the husband-wife relationship is understood as a form of equal partnership, even though both parties have different roles. Research by Miswanto, Fikri, and Susiolo critiques the traditional view that positions the husband solely as the head of the household, and the wife merely as a domestic caretaker. Such a hierarchical pattern is considered to create a negative stigma and contradict the principles of gender equality (Alamsyah, 2025). Therefore, the husband-wife relationship should be understood as a form of cooperation between two complementary parties, with equal rights and obligations, based on the values of honor, compassion, and spirituality.

In practice, this means that husband and wife have equal rights and obligations, exercised in a spirit of mutual respect, not domination. Research on the rights and obligations in building a harmonious family also confirms that

the rights of husband and wife are always balanced with obligations towards each other (Imron Rosyidi & Masrifatul Jannah, 2025). However, in reality, this relationship is often far from ideal, due to socio-cultural and traditional interpretations that place the wife in a subordinate position. Therefore, this study defines the husband-wife relationship as a sacred partnership that complements each other with love (sakinah, mawaddah, and rahmah), and is built on the foundation of justice and gender equality in accordance with the values of the Qur'an. This definition serves as a fundamental legitimacy for feminist interpretations of verses discussing the relationship between husband and wife.

2.2 Analysis of Gender-Based Interpretation of Verses on Sexual Relations Between Husband and Wife

A critical reading of the verses of the Qur'an that touch on intimate relations between husband and wife must be placed within two hermeneutic realms simultaneously: (a) textual-linguistic meaning and the context of revelation; and (b) ethical-normative consequences concerning rights, obligations, and the concept of consent in sexual relations. This study emphasizes the discussion of three main verses that directly touch on the issue of intimate relations in the household and the problem of marital rape, namely QS. An-Nisa' 4: 19, 34, and QS. Ar-Rūm [30]: 21. Traditional interpretation of the first verse (الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ) is often read normatively as legitimizing male authority over women. This reading, when used to justify domestic violence or sexual coercion, has serious consequences because it ignores women's autonomy and rights, while simultaneously normalizing gender-based violence (Agarwal et al., 2022).

Some of the most prominent classical mufasssīrūn, such as al-Ṭabarī (d. 310 H), interpreted the term قَوَّامُونَ (qawwāmūn) as referring to leaders, supervisors, and those responsible for managing women's affairs. He emphasized that men possess a certain degree of superiority (faḍl), particularly in terms of reason, intellectual capacity, and authority (amr) in matters of governance and decision-making, as well as the obligation to provide financial support for their wives (Al-Ṭabarī, 2000). Al-Qurṭubī (w. 671 H) also affirmed the hierarchical structure. He stated that the position of men is not only based on their function of providing for others, but also because of their creative nature and reason (Al-Qurṭubī, 1964). Meanwhile, the junior of the two commentators, Ibn Kathīr (d. 774 H) emphasized that men are leaders because of their innate superiority and financial responsibility. He added that the obedience of wives is part of the sharia (Kathīr, 1999). Al-Baḡawī (w. 516 H) concisely defines the meaning of male leadership as authority based on physical ability, reason, and responsibility for livelihood (Al-Baḡawī, 1997). Meanwhile, textually, in other verses, for example in [30]: 21:

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ

Feminist interpretations tend to read the verses emphasizing peace, love, and mercy as hermeneutical principles that guide the reading of other legal verses (al-nuzūl). If a reading of a verse endorses a practice that clearly undermines tranquility, compassion, and mercy, then that reading contradicts the Qur'anic vision of the marital relationship (Sipayung & Sahid, 2022).

An interpretive analysis of verses related to husband-wife relations, particularly those that touch on the aspects of authority, sexual obligation, and mu'āsyarah bil-ma'ruf, must begin with the theological premise that the Qur'an places humanity and justice as central moral categories. This is evident in the affirmation of the command to have intercourse with one's wife using various methods and approaches that are bil-ma'ruf in the Qur'an. An Nisā' verse 19 follows:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ كَرِهًا وَلَا تَعْضُلُوهُنَّ لِيَذْهَبُوا بِبَعْضِ مَا آتَيْنَهُنَّ إِلَّا أَنْ يَأْتِيَنَّ بِفَاحِشَةٍ مُبِينَةٍ وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى أَنْ تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا

O you who believe, it is not lawful for you to inherit women by force. Do not make it difficult for them to take back part of what you have given them, except if they commit a manifest indecency. Deal with them in a way that is just. If you dislike them, it may be that you dislike a thing, while Allah has placed in it much good.

Feminist interpretive approaches challenge textual readings that treat patriarchal socio-cultural norms as the standard textual interpretation. In Amina Wadud's view, every verse needs to be read through the lens of tawhid, namely the view of the oneness of God that demands justice and fundamental equality between men and women (Nurmila, 2021). Wadud places women's lived experiences and social context as part of the "interpretive data," and encourages interpretations to emphasize the values of complementarity and reciprocity rather than maintaining old, patriarchal-biased interpretations (Abdullah et al., 2018). Asma Barlas complements this approach from the perspective of unreading patriarchy: she asserts that the problem is not the Quranic text itself, but rather the layers of patriarchal interpretation that have for centuries obscured its normative, egalitarian message (Sari et al., 2025). In the context of sexual relations, Barlas invites interpreters to unread the patriarchal reading system that considers the wife's sexual obligations as an "absolute right" owned by the husband, a construction that, according to him, contradicts the principles of justice inherent in the text of revelation (Mutasir & Busyro, 2023).

When Wadud and Barlas's approach is applied to the empirical phenomenon of marital rape, namely forced sexual intercourse by a husband on his wife, the gap between text (the Qur'an as a source of ethics) and practice (social norms that justify coercion) becomes very apparent. Various contemporary studies show that in the context of Muslim societies, including Indonesia, patriarchal religious and cultural discourses are often used to normalize sexual violence in the household and hinder legal recognition of this crime. Social and political research in Indonesia shows that literal interpretations of religion, patriarchal sentiments, and social stigma are the main factors causing minimal reporting and protection for victims of marital rape. Empirical examples of this argument include case investigations, debates on the RUU-PKS (Sexual Protection Bill), and public resistance to the criminalization of marital rape (Joseph et al., 2025). From both a legal and psychosocial perspective, the consequences of sexual coercion in marriage equally undermine the rights to bodily safety, mental health, and dignity of victims—values that, according to the maqāṣid and Qur'anic ethics, must be protected (Renta-Davids et al., 2025).

Applying Wadud and Barlas' theory in reading verses such as QS. An-Nisa (4:34) and the principle of mu'āsyarah bil-ma'rūf (An-Nisā':19) means rejecting interpretations that equate qiwamah with the right of sexual domination or the legitimacy of coercion. Wadud emphasizes the importance of reading the verse within the linguistic strictures and historical context of revelation, and asserts that the division of roles is contextual, not absolutely authoritative. Therefore, sexual relations in marriage must be understood as a reciprocal agreement that demands consent, respect, and the common good (Noor, 2024). Barlas adds that interpretations that legitimize oppression contradict God's just nature, and therefore such interpretations must be viewed as hermeneutically flawed, not authentic representations of revelation (Barlas, 2002).

Practically and analytically, this feminist interpretation has three main implications. First, consent must be the primary principle in intimate relationships, as the Qur'an upholds the protection of human life and dignity (Mutasir & Busyro, 2023). Second, the classical interpretation, which demands that wives always fulfill "sexual obligations" without considering physical and psychological safety, needs to be reconstructed into a moral obligation based on compassion and mutual agreement (Wadud, 2019). Third, legal reformulation and religious education based on Wadud-Barlas' egalitarian interpretation are crucial for fostering public awareness that rejects domestic sexual violence and provides a safe space for victims to report it. Legal academics and practitioners emphasize that without a shift in hermeneutics and policies, formal criminalization alone will not be sufficient to address the marginalization caused by stigma and misinterpretation of religion (Rohmah et al., 2019).

Gender-based interpretation of husband-wife sexual relations requires a combination of textual hermeneutics (which examines language and context), ethical hermeneutics (which emphasizes maqāyēsjustice and protection), and dialogue with empirical reality. Wadud and Barlas's approach suggests that the problem lies not with the Quran, but rather with the patriarchal tradition of interpretation that obscures its egalitarian meaning. Therefore, restoring the Quranic meaning of partnership, dignity, and consent provides both theological and practical foundation for combating the normalization of domestic sexual violence.

2.3 The Principle of Equality of Rights and Obligations in Household Intimacy

Intimate relationships within a household should not be understood as a sphere of subordination or an instrument for fulfilling one party's needs, but rather as a form of ethical partnership that respects the equal rights and obligations of both partners. Within the ethical framework of the Qur'an, the ideal husband-wife relationship is based on three fundamental principles: *sakinah* (existential tranquility), *mawaddah* (affection and emotional bond), and *rahmah* (compassion that protects human dignity). These values, as emphasized in QS. Ar-Rūm [30]:21, are not merely spiritual ideals, but also a representation of a reciprocal relationship (mutuality) that rejects any form of domination, exploitation, or negation of the partner's bodily autonomy.

In contemporary interpretive discourse, feminist readings of religious texts show that intimate relationships in the household must be experienced as part of *ta'awudh al-huqūq wa al-wājibāt* (mutual rights and obligations). Amina Wadud, for example, emphasized that the principle of *tawhīd*, the foundation of Islamic theology, not only establishes a vertical relationship between humans and God, but also serves as an ethical framework for horizontal relations between humans, including domestic relations within marriage. From this perspective, any form of inequality that places one party as the subject of power and the other as the object of ownership violates the moral significance of *tawfīh*, because it creates a structure of domination that resembles the "servitude" of humans to other humans (Wadud, 1999).

The *maqāṣid al-syarī'ah* approach reinforces this conclusion through the primary principle of protecting human dignity and well-being (*hifz al-nafs, al-'irdh, wa al-karāmah al-insāniyyah*). In sexual relations between husband and wife, the *maqāṣid* places consent (*riḍā*), the moral continuity of the relationship, and physical and psychological protection as the goals of sharia, not merely the legality of the biological relationship through the marriage contract. Therefore, the practice of intimate relations that occur without consent, under conditions of coercion, or through physical and emotional violence, not only contradicts Qur'anic ethical values but also denies the goals of Islamic law itself.

Theoretically, the combination of the feminist interpretive framework and the *maqasidiyah* approach produces a hermeneutic perspective that views intimate relationships as a realm of morality and justice, not as a realm of one-sided authority. That is, sexual relationships in the household are not simply *ḥaqq al-mutā'* (sexual rights), but *mu'amalah* is based on mutual consent, reflecting equal empowerment, trust, and respect for the bodily integrity of the couple. This formulation is not only theologically relevant but also has social and legal implications in the context of protecting women from forms of marital sexual violence.

Therefore, the concept of equality in sexual relations between husband and wife is an integral part of Islamic law's goal of preserving human dignity and maintaining marital harmony. This equality does not mean eliminating different social or biological roles, but rather ensuring that intimate relationships operate within a framework of justice, shared responsibility, and respect for the subjectivity of each partner. Theoretically, this principle rests on four main dimensions.

1. Moral and ontological equality, namely that the Qur'an views men and women as equal in human values. Therefore, any interpretation that demeans one party must be criticized. Amina Wadud and Asma Barlas emphasize that seemingly asymmetrical verses need to be reread through the lens of monotheism and justice, so that intimate obligations are not understood as the husband's unilateral right (Barlas, 2002).
2. Consent is a fundamental principle in sexual relations. Without consent, sexual activity risks becoming a form of covert violence. Studies on marital rape demonstrate serious impacts on physical and mental health, making it crucial to revise interpretations and laws to recognize the concept of consent as a shared right and obligation. Verses and hadith that emphasize the wife's "service" must be reinterpreted within the framework of *mu'amalah. 'āsyarah bil-ma'rūf*, a humane relationship, free from suffering, and mutual agreement (Sharifnia et al., 2025).
3. Reciprocity and non-exploitation. Islamic principles such as sustenance, family responsibilities, and caregiving should be interpreted as a relationship of mutual giving, not as a legitimization of exploitation. Feminist interpretations correct the often-misused interpretation of *qiwāmah* to claim absolute power over the husband, and emphasize the balance of rights and obligations as the essence of justice. The *maqāṣid* approach also rejects interpretations that undermine the protection of life, offspring, and honor (*hifz al-nafs, al-nasl, al-'ird*) (Agarwal et al., 2022).
4. Legal protection and access to justice. When rights and obligations in the intimate sphere are not equally recognized, victims, especially women, often struggle to obtain protection. Therefore, legal reform is needed that recognizes sexual violence within marriage, provides recovery services, and establishes a gender-sensitive legal system and policies in accordance with Qur'anic values of justice (An Noor et al., 2024).

The application of the principle of equality in domestic intimacy is not sufficient at the level of theory or hermeneutic discourse, but requires practical transformation through three main domains: religious education, interpretive reconstruction, and legal reform. In the educational realm, the values of mutuality, consent, and respect for bodily autonomy must be introduced early through the curricula of families, schools, and religious institutions. Gender-biased education, which normalizes the wife's unilateral sexual obligations or positions the husband as absolute authority, must be replaced with education based on the Qur'anic values of *mu'āsyarah bil-ma'rūf*, compassion, and deliberation in intimate relationships. In the epistemological-theological dimension, updating

interpretive law is imperative to prevent the text from being used to legitimize violence. The *maqāṣid al-syarī'ah* approach serves as a critical evaluation tool to assess whether an interpretation strengthens the values of *sakinah*, *rahmah*, and *'adl*, or instead normalizes women's subordination and opens up space for sexual violence in the household. Thus, interpretation is not only an intellectual activity, but also an ethics that determines how the verses of the Qur'an are implemented in social and legal structures (Khumairoh et al., 2024).

In the legal realm, legal reform is needed to ensure that the experiences of intimate violence victims, especially women, are not marginalized due to the lack of legal recognition of sexual consent and the definition of marital violence. Strengthening legal instruments and victim support services are concrete steps to internalize the Qur'anic value of justice into state policy and the social protection system. Without this reform, the principle of equality will remain merely a normative idealism without any implementable power.

Thus, equality of rights and obligations in intimate relationships is not merely an ethical notion, but a hermeneutical demand and a legal mandate. Feminist interpretations developed by thinkers such as Amina Wadud, Asma Barlas, Rifat Hasan, Laleh Bahtiar, and several other prominent thinkers attempt to provide an epistemological framework for transforming the teachings of the Qur'an into just, dialogical, and consent-based relational practices. This approach asserts that intimacy in Islam is not a space of power (territoriality) or patriarchy, but rather a spiritual and moral space that can only be realized through the principles of equality, justice, and respect for the dignity of partners, both as and for men and women (Barlas, 2019).

2.4 Sexual Relations as a Manifestation of Justice and Reciprocity in the Household

Sexual relations in Muslim households should ideally not be interpreted as a space of unilateral power or merely biological fulfillment, but as a real manifestation of Qur'anic ethical values: justice (*'adl*), affection (*mawaddah*), and tranquility (*sakinah*). QS. Ar-Rūm [30]:21 describes couples as sources of tranquility for each other, not as objects to satisfy one's needs. Therefore, intimate relationships must be carried out in a spirit of reciprocity, respecting the autonomy, consent, and dignity of the couple. Contemporary feminist interpretations view these verses as ethical norms that serve as benchmarks in assessing the interpretation of family law. If an interpretation actually causes injustice or damages *sakinah* and *mawaddah*, then that interpretation is contrary to the message of the Qur'an (Wadud, 1999).

Hermeneutically, Amina Wadud and Asma Barlas offer two main corrections. First, placing *tawhīd* and *'adl* as a guiding principle of interpretation, so that seemingly asymmetrical verses need to be tested against the values of the oneness of God and justice, rather than being directly used as social legitimacy. Second, they emphasize contextual analysis, both historical and linguistic, to distinguish universal norms from temporary rules. In this way, the obligation of a wife's "service" can no longer be interpreted as an absolute sexual obligation without consent, but must be read within the framework of *mu'āsyarah bil-ma'ruf* which demands mutual respect and loving interaction (Barlas, 2002).

Empirical evidence shows that inequality in the realm of intimacy has serious implications for psychological well-being, family harmony, and the goals of *maqāyesh* Islamic law, such as the protection of life, honor, and offspring. Various studies have found a high prevalence of hidden marital rape and sexual violence, accompanied by low reporting due to social stigma and religious or customary justifications. This fact reinforces the need to uphold consent not only as a principle of modern law but also as an Islamic theological norm (Mutasir & Busyro, 2023).

Positioning sexual relations as a manifestation of justice has three main implications. First, the *maqāṣidiyah* orientation: every sexual practice must be tested based on the objectives of sharia, whether it strengthens compassion and protection, or undermines dignity and well-being. Coercive practices clearly contradict the principle of preserving life and honor. Second, the normativity of consent: active consent (affirmative consent) is an integral part of the rights and obligations of both parties. A husband has no right to coerce, and a wife is not obligated to comply with actions that violate her will, because *mu'āsyarah bil-ma'ruf* means a relationship conducted with kindness and consent. Third, institutional responsibility: the state and religious communities must recognize and protect victims of violations in the private sphere. Recognition of marital rape, reparation services, and consent-based religious education are concrete forms of implementing this principle of justice (Agarwal et al., 2022).

From an interpretive perspective, a verse such as QS. An-Nisa' [4]:34 should not be read as legitimizing sexual domination, but rather as a responsibility for care (*qiwamah*). A gender-sensitive interpretation links this verse with QS. Ar-Rum [30]:21 and other compassionate verses to emphasize that a husband's leadership is moral and functional, not authoritative. Thus, a just and dignified sexual relationship is the result of a synthesis of text and context: balancing rights and obligations, upholding consent, and safeguarding honor (Shaikh, 2022).

In social practice, this transformation of meaning requires multi-layered interventions. At the level of religious education, in madrasas, Islamic boarding schools, and mosques, curricula and sermons need to teach the values

of consent, sexual rights, and the ethics of mu'āsyarah bil-ma'ruf (consensus based on good judgment). At the legal level, regulations that recognize marital rape and strengthen protection for victims are needed. At the community level, religious institutions must provide support without stigma. The experience of Indonesia and other Muslim countries shows that without these structural measures, tafsir reform will not be able to change patriarchal social norms (Sharifnia et al., 2025).

Ultimately, reading sexual relations as a manifestation of justice is not merely a normative demand, but rather a methodological agenda: *ijtihad* that continually reconciles the Qur'anic text with empirical reality. Islamic feminist thought such as Wadud, Barlas, and Sa'diyya Shaikh, as well as the study of *maqāyes* contemporary *id*, provides a theoretical framework for building family practices based on dignity, consent, and reciprocity. When these principles are brought to life, sexual relations are no longer instruments of domination, but rather a reflection of the mercy and justice of the Qur'an that affirm the noble purpose of marriage.

The findings of this study indicate that reinterpretation of the verses of the Qur'an regarding husband-wife relations, particularly QS. al-Nisā' (4):34, QS. al-Nisā' (4):19, and QS. al-Rūm (30):21, can open up new spaces of meaning that are more in line with the principles of gender justice and Qur'anic ethics. This is in line with the research objectives, which from the outset sought to answer whether the Qur'an can be read within the framework of sexual consent and the position of marital rape in the perspective of contemporary interpretation. The results of the analysis indicate that the feminist hermeneutic framework and *maqāyes* *The id al-syarī'ah* allows for a rereading of the text, not merely as a legal-hierarchical instruction, but as a moral guideline for building equal, civilized, and mutually satisfying relationships. Thus, the results of this study confirm that sexual relations in marriage cannot be understood as a unilateral right, but rather as a practice that requires consent, mutuality, and respect for the bodily dignity of each partner.

Scientific interpretation of these results shows that the practice of marital rape is contrary to the core values of the Qur'an which rejects acts of harm (*lāḍarar time day ḍirār*), honoring humans as dignified beings (*karāmah insāniyyah*), and positioning marital relations as a space of *sakinah*, not domination and coercion. This reading strengthens the argument that interpretive bias stems not from sacred texts, but from historical patriarchal structures that frame legal and interpretive traditions. In line with the unreading patriarchy approach, this study provides a theoretical foundation for reexamining the old paradigm that normalizes inequality and sexual violence within the institution of marriage.

Furthermore, the findings of this study are consistent with the trend of contemporary studies conducted by figures such as Amina Wadud, Asma Barlas, Nasaruddin Umar, and a number of local studies in the past five years that point to a reinterpretation of the Quran toward a relational ethics based on justice and consent. However, this study makes a new contribution through its explicit link between Quranic interpretation, the concept of sexual consent, and the legal discourse and empirical experiences of marital rape victims in Indonesia. This distinction demonstrates that the study of interpretation can no longer stand apart from the social and legal contexts and the lived realities of women directly impacted by interpretive constructions. Therefore, the results of this study not only enrich the academic discourse on feminist interpretation but also provide practical implications for policy development, public education, and advocacy for justice based on Quranic ethics

3. CONCLUSION

This study confirms that the Qur'an does not legitimize sexual coercion in marriage (marital rape), either explicitly or implicitly. Instead, Qur'anic principles indicate that the husband-wife relationship is built on the principles of mutual consent (*tarāḍī*), and respect for human dignity. This argument is strengthened through a critical reading of QS. an-Nisā' (4):34, QS. al-Nisā' (4):19, and QS. al-Rūm (30):21 using a feminist interpretation approach and the methodology of *maqāsid al-syarī'ah*. The results of the analysis show that these verses do not represent a hierarchy of gender authority, but emphasize relationship ethics oriented towards justice, empathy, and emotional togetherness in marriage. Thus, sexual consent can be positioned as a Qur'anic value inherent in the principles of justice, deliberation, and the prohibition of committing injustice against one's partner. This finding also corrects the assumption that marriage automatically grants a husband absolute rights over his wife's body. Instead, this research demonstrates that sexual relations in Islam are a spiritual and emotional safe space that requires consent, not simply a biological or legal-formal mandate. Practically, the findings of this study have important implications for domestic legal reform, particularly in strengthening protection for victims of sexual violence within marriage. Furthermore, the findings encourage the renewal of religious curricula and more gender-equitable public education strategies, so that the concept of intimacy in Islam can be understood as an emotional relationship based on compassion and mutual benefit, rather than domination. However, this study is limited to a

literature review and has not explored the empirical dimensions and broader methodological dialogue between classical and contemporary interpretations. Therefore, further research needs to be directed at the study of living interpretations, observation of social practices, and the development of a more contextual, inclusive, and humanistic interpretive framework. With this approach, the sexual relationship between husband and wife from a Qur'anic perspective can be understood as an ethical and spiritual realm that upholds mercy, justice, and peace as the foundation of a civilized family.

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