



Comprehensive Maqasid Shariah Analysis of Qur'anic Verses on Adultery Prohibition and Its Social-Legal Implications

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Abstract

In Islamic law, Muslims are prohibited from committing adultery because it causes moral damage to individuals and society. However, the rate of adultery continues to increase in Indonesia, which has the largest Muslim population. Previous studies on the adultery prohibition have mainly focused on the normative aspect. Therefore, an in-depth analysis using the maqasid shariah is needed to uncover more comprehensive implications. The focus is to explore the prohibition as a normative rule and a comprehensive safeguard for individuals, families, and society. This study employs a thematic exegesis method with a hermeneutic interpretation in library research, analyzing Surah al-Isra' 17:32, al-Nur 24:2, 24:30-31, al-Furqan 25:68-69, al-Nisa' 4:24, and al-Ahzab 33:59, along with the commentaries including *Al-Tahrir wa al-Tanwir*, *Fi Zilalil Qur'an*, *Al-Munir*, *Tafsir al-Tabari*, and *Tafsir al-Qurtubi*. The study analyzes Quranic verses prohibiting adultery in relation to the five maqasid shariah: *hifz al-din*, *al-aql*, *al-nasl*, *al-nafs*, and *al-mal*. This study reveals that the prohibition protects the maqasid shariah holistically to prevent damage to religion, intellect, offspring, life, and property. It also addresses supporting factors, such as dating, which can trigger unwanted pregnancy and abortion. Research findings reveal that adultery undermines social structures. The prohibition of adultery through hudud laws is a comprehensive Sharia strategy to safeguard societal well-being. This prohibition goes beyond normative prohibitions to safeguard human life universally. This research is expected to enrich the understanding of the objectives of Islamic law and encourage its contextual application in Indonesia.

Keywords:

Adultery Prohibition, Maqasid Shariah, Exegesis, Qur'anic Verses, Islamic Law.

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Introduction

Adultery has become increasingly widespread in Indonesian Muslim communities, directly challenging Islamic moral boundaries. According to the Indonesian Supreme Court (Directorate General of Religious Justice Affairs), divorce cases due to adultery in 2024 increased by 29 percent (1,005 cases) from the previous year (780 cases).¹ Meanwhile, the Indonesian National Population and Family Planning Agency (BKKBN) also reports that free sex among teenagers has drastically increased by more than 50 percent,² along with an increase in the number of teenagers becoming pregnant out of wedlock in Indonesia.³ Several underlying social factors may contribute to this behavioral trend in the context of modern society, including the increasing influence of social media and lifestyles that conflict with traditional norms and Islamic beliefs.⁴ These trends underscore the prevalent situation in Indonesia, where cultural influences and religious teachings intersect in complex ways. Adultery often originates from dating behavior, especially among teenagers. Nevertheless, it should be noted that the majority of Indonesian Muslims understand that adultery is prohibited under Islamic sharia and violates societal morals, potentially leading to crucial implications for women's dignity, families, and future generations.

Previous studies have not comprehensively explored the interpretation of the verse prohibiting adultery from the perspective of *maqasid shariah*, nor its implications for the objectives of Islamic sharia for the benefit of Muslims. Research on the prohibition of adultery in tafsir studies demonstrates two primary tendencies. First, Wiranto and Akib examine the normative aspects of the prohibition within Islamic teachings through Surah al-Isra 17:32.⁵ Meanwhile, Kanggas et al. use a

¹ "Jumlah Perceraian Menurut Provinsi dan Faktor Penyebab Perceraian (perkara), 2024," Badan Pusat Statistik (BPS - Statistics Indonesia), February 14, 2025, <https://www.bps.go.id/en/statistics-table/3/YVdoU1lwVmITM2h4YzFoV1psWkViRXhqTIZwRFVUMDkjMw==/jumlah-perceraian-menurut-provinsi-dan-faktor-penyebab-perceraian-perkara---2024.html?year=2024>.

² "Jumlah Perceraian Menurut Provinsi dan Faktor, 2023," Badan Pusat Statistik (BPS - Statistics Indonesia), February 22, 2024, <https://www.bps.go.id/en/statistics-table/3/YVdoU1lwVmITM2h4YzFoV1psWkViRXhqTIZwRFVUMDkjMw==/jumlah-perceraian-menurut-provinsi-dan-faktor-penyebab-perceraian-perkara---2024.html?year=2023>.

³ Yopi Makdori, "BKKBN: Jumlah Kawin Dini Menurun, Perzinaan Remaja Meroket," *Asumsi.co*, August 13, 2024, <https://asumsi.co/post/94323/bkkbn-jumlah-kawin-dini-menurun-perzinaan-remaja-meroket/>.

⁴ Anisa Putri Alifah, Nurliana Cipta Apsari, and Budi Muhammad Taftazani, "Faktor yang Mempengaruhi Remaja Hamil di Luar Nikah," *Jurnal Penelitian dan Pengabdian Kepada Masyarakat (JPPM)* 2, no. 3 (2021): 529-537, <https://doi.org/10.24198/jppm.v2i3.38077>.

⁵ Muhammad Wiranto and Nasri Akib. "Larangan Mendekati Zina dalam QS. Al-Isra' 17:32: Analisis Kajian Tahlili," *El-Maqrā': Tafsir, Hadis dan Teologi* 2, no. 1 (2022): 33-51, <https://doi.org/10.31332/elmaqr.v2i1.3989>.

normative-comparative juridical approach to compare the Indonesian Criminal Code (KUHP) with Islamic Jurisprudence.⁶ Second, Mubarakah and Bakri explore the moral values of Islamic teachings through Surah al-Nur 24:31.⁷ Roiba'ah et al. focus on Hamka's *Tafsir al-Azhar* through Surah al-Isra 17:32.⁸ Irhamni et al. also examine morality by considering wisdom (*hikmah*) and cause-and-effect in Quraish Shihab's *Tafsir al-Mishbah*, referencing Surah al-Isra 17:32.⁹ In addition, Subaidah addresses the issue using Surah al-Kahfi 18:7.¹⁰ Nabila¹¹ and Atika et al.¹² reference Surah al-Isra 17:32 and also assess modern social morality through the latest Surah. These tendencies show that the prohibition of adultery is predominantly examined from normative and conceptual perspectives, and is done only through a few of the Quranic verses.

Consequently, this study addresses gaps in previous research by examining the interpretation of verses prohibiting adultery within the context of the maqasid shariah. It examines the verses prohibiting adultery through a thematic exegesis approach, focusing on maqasid shariah in preserving *maslaha* (public interest). This has related to individuals, families, and society. Implementation involves identifying each aspect of adultery connected to the five maqasid shariah: *hifz al-din* (preservation of religion) through preventing social apostasy; *hifz al-aql* (preservation of intellect) because adultery damages mental health; *hifz al-nasl* (preservation of lineage) via threats to the family institution; *hifz al-nafs* (preservation of life) from abortion and other deadly impacts; and *hifz al-mal* (preservation of property) through inheritance conflicts. The study also considers other Quranic verses and

⁶ Fazari Zul Hasmi Kanggas et al., "Perbandingan Efektivitas Larangan Zina antara Kitab Undang-Undang Hukum Pidana (KUHP) dan Fikih Jinayah di Indonesia," *Ijtihad: Jurnal Hukum dan Ekonomi Islam* 19, no. 1 (2025): 43–62, <https://doi.org/10.21111/ijtihad.v19i1.14442>.

⁷ Sri Rahmah Mubarakah and Syamsul Bakri, "Pendidikan Kewanitaan dalam Surat al-Nur Ayat 31 Tafsir al-Azhar," *Yinyang: Jurnal Studi Islam Gender dan Anak* 17, no. 1 (2022): 73–88, <https://doi.org/10.24090/yinyang.v17i1.5186>.

⁸ Robi'ah et al., "Zina dalam Perspektif al-Qur'an Surah al-Isra' Ayat 32 Menurut Tafsir al-Azhar," *Jetish: Journal of Education, Technology, and Social Issues* 4, no. 1 (2025): 676–689, <https://doi.org/10.57235/jetish.v4i1.4961>.

⁹ Saskia Irhamni, Cece Nurhikmah, dan Amit Saepul Malik, "Hikmah Larangan Mendekati Zina dalam Surah al-Isra' Ayat 32 Perspektif Tafsir al-Mishbah," *Muttaqien; Indonesian Journal of Multidisciplinary Islamic Studies* 5, no. 1 (2024): 49–61, <https://doi.org/10.52593/mtq.05.1.04>.

¹⁰ Subaidah, "Konsep Zinah dalam al-Qur'an: Aplikasi Semiotika Roland Barthes terhadap QS. al-Kahfi Ayat 7," *Jurnal Penelitian Ilmu Ushuluddin* 3, no. 2 (2023): 249–262, <https://doi.org/10.15575/jpiu.24757>.

¹¹ Ida Fitri Nabila, "Tafsir Ayat Larangan Mendekati Zina pada Q.S. al-Isra [17]: 32: Perspektif Teori Mitologi Roland Barthes," *Ulumul Qur'an: Jurnal Kajian Ulumul Qur'an dan Tafsir* 4, no. 1 (2024): 47–60, <https://ojs.stiudq.ac.id/JUQDQ/article/view/194>.

¹² Elok Atika, and Raisa Zuhra Salsabila Awaluddin, "Makna Lā Taqrabū al-Zinā dalam QS. al-Isra' [17] Ayat 32: Tinjauan Bertrand Russell," *Jurnal Semiotika-Q: Kajian Ilmu al-Quran dan Tafsir* 5, no. 2 (2025): 508–524, <https://jurnal.radenfatah.ac.id/index.php/jsq/article/view/27246>.

reviews classical and contemporary prominent exegetical scholars: Ibn 'Ashur's *Al-Tahrir wa al-Tanwir*, Sayyid Qutb's *Tafsir fi Zilalil Qur'an*, Wahbah al-Zuhayli's *Tafsir al-Munir*, Muhammad ibn Jarir al-Tabari's *Tafsir al-Tabari*, and al-Qurtubi's *Tafsir al-Qurtubi*. This integrates classical exegesis with contemporary Islamic law, applying it to daily life.

The study offers a contemporary understanding of Quranic verses prohibiting adultery. It aims to strengthen legal policy due to its role in preventing social problems. This maqasid sharia approach is operationalized as an analytical lens in a thematic interpretation that draws on classical and modern tafsir. It reveals the purpose (*maqasid*) of the reasons for the prohibition of adultery, not just a normative prohibition. This is connected to Surah al-Isra 17: 32, al-Nur 24: 2, al-Nur 24: 30-31, al-Furqan 25: 68-69, al-Nisa 40: 24, and al-Ahzab 33: 59. Thus, this study comprehensively examines the Quranic verses prohibiting adultery from a maqasid shariah perspective, enriched by integrating contemporary legal and social contexts in Indonesia.

Methods

The method employed is qualitative, with a hermeneutic interpretation approach (interpretation of the Qur'an's text). The researcher collected primary data from six main verses of the Qur'an related to the prohibition of adultery, such as Surah al-Isra 17:32, Surah al-Nur 24:2, 24:30-31, Surah al-Furqan 25:68-69, Surah al-Nisa 4:24, and Surah al-Ahzab 33:59. Secondary data comes from five leading books of interpretation, including Muhammad ibn Jarir al-Tabari's *Tafsir al-Tabari*, al-Qurtubi's *Tafsir al-Qurtubi*, *Tafsir fi Zilalil Qur'an* by Sayyid Qutb, Wahbah al-Zuhayli's *Tafsir al-Munir*, and Ibn 'Ashur's *Al-Tahrir wa al-Tanwir*. The collection method involves library research to analyze the interpretation of the tafsir, with a focus on the implications of maqasid sharia. This research is descriptive-analytic in nature, filling a gap in previous studies, which have tended to be normative and limited to one verse or a single interpretation. It considers the Indonesian social context, including divorce data from the Supreme Court and BKKN regarding teenage promiscuity.

This article is based on the theory of Maqasid Syariah (the goals of Islamic sharia), which was developed by scholars such as al-Shatibi and further developed in contemporary studies. This theory emphasizes five main essentials that Islamic law must protect to benefit the people (*maslahah*), including the preservation of religion (*hifz al-din*), the self (*al-nafs*), intellect (*al-aql*), lineage (*al-nasl*), and property (*al-mal*). In the context of the prohibition of adultery, this theory is employed to analyze how the prohibition is not merely a moral norm, but a comprehensive

mechanism that protects individuals, families, and society from socio-legal harm. The article integrates classical perspectives (such as those of al-Tabari and al-Qurtubi) with contemporary ones (such as Sayyid Qutb and Wahbah az-Zuhayli) to demonstrate the relevance of maqasid in the modern era, where adultery is linked to issues including divorce, out-of-wedlock pregnancy, and moral degradation resulting from the use of social media. In Islamic law, Muslims are prohibited from committing adultery because it causes moral damage to individuals and society.

The analysis was conducted through a thematic-comparative approach that integrated maqasid shariah as the primary framework. First, the verses of the Qur'an are classified based on the theme of the prohibition of adultery and its preventive elements (for example, lowering the gaze or veiling). Second, the interpretations of the five tafsirs are compared to extract the implications of maqasid, such as how adultery damages the lineage or reason through psychosocial impacts. Third, a holistic analysis is conducted by compiling the interpretations of verses and the implications of maqasid to examine the relationship between the essences of maqasid, including the destructive impact of adultery on household harmony, the marginalization of women, and the stability of society. This approach is interdisciplinary, combining fiqh, tafsir, and social studies to produce applicable conclusions, such as recommendations for adaptive Islamic legal policies in modern society. Overall, the analysis emphasizes that the prohibition of adultery is a comprehensive safeguard with global relevance.

Maqasid Shariah in the Quranic Verses on Prohibiting Adultery: Holistic Findings from Classical and Contemporary Exegeses

The word "*zina*" (adultery) comes from the Arabic word "*zanaa – yazni – zinaa-an*." It literally means sexual intercourse between a man and a woman without a legal marriage in Islamic law or without ownership status in ancient slavery.¹³ Therefore, this is considered a *fahisha* behaviour or despicable acts that are immoral and violate religious and social norms. In Ibn Ashur's *Tafsir al-Tahrir wa al-Tanwir*, *zina* is emphasized as sexual intercourse between a man and a woman who is not his wife or slave.¹⁴ Adultery can be identified by two things: first, sexual intercourse

¹³ Marsaid, *Al-Fiqh Al-Jinayah (Hukum Pidana Islam): Memahami Tindak Pidana dalam Hukum Islam* (Palembang: Rafah Press, 2020).

¹⁴ Wahbah al-Zuhaili, *Tafsir Al-Munir: Akidah, Syariah, dan Manhaj*, trans. Abdul Hayyie al Kattani et al. (Jakarta: Gema Insani, 2005), Vol. 8.

between individuals of different genders without marriage; second, the act is committed consciously and intentionally, not by forced mistake or accident.¹⁵

In addition, adultery does not only mean acts involving the genitals. It also includes acts committed through the five senses (*zina al-laman* or minor sin), such as eye adultery (*zina al-ain*), heart adultery (*zina al-qalbi*), hand adultery (*zina al-yadin*), mouth adultery (*zina al-lisan*), and others. This concept shows that every human sense can be involved in the sin of adultery.¹⁶ Therefore, Islam considers adultery as an act that goes beyond reasonable limits. In *Fath al-Qorib*, adultery is divided into *zina al-muhsan* and *zina ghairu al-muhsan*. *Zina al-muhsan* refers to adultery by someone who fulfills specific requirements: being an adult (*mukallaf*), having a sound mind (able to distinguish right from wrong, or not insane), having free status (not a slave), and having been legally married according to Islamic law. *Zina ghairu al-muhsan* is adultery committed by someone who is not legally married or does not meet these requirements.¹⁷

Islamic law (*fiqh*) strictly condemns adultery as a major sin, described as a *fahisha* or destructive despotism.¹⁸ This adultery, as clarified by the commentators, refers to having sex in which the penis is inserted into the woman's genitals, at least the glans (*hashafah*).¹⁹ Sayyid Qutb, in his commentary, states the strict punishments imposed by Islamic law (*hadd*) for adulterers, including both unmarried individuals (*ghairu al-muhsan*) and married individuals (*al-muhsan*).²⁰ The Prophet's hadith details that *ghairu al-muhsan* adulterers are lashed with 100 lashes and exiled for a year, while *al-muhsan* adulterers are lashed with 100 lashes and stoning (*rajam*). These punishments are confirmed in Surah al-Nur 24:2. This surah also requires exile to a distance sufficient to warrant the shortening of prayers (*qasar*) at least 85 kilometers.²¹ Al-Zamakhsyari, in his *Tafsir al-Kashaf*, explains that flogs do not injure the flesh or penetrate the skin, thereby creating visible flesh

¹⁵ Eka Saputri and Tiara Vania Wijaya Putri, "Analogi Praktik Zina dan Dating App Menurut Islam," *Iqtida: Journal of Da'wah and Communication* 3, no. 2 (2023): 193–202, <https://doi.org/10.28918/iqtida.v3i2.2100>.

¹⁶ Saputri dan Putri.

¹⁷ Muhammad ibn Qasim ibn Muhammad al-Ghazi ibn al-Gharabali Abu Abdillah Syamsuddin, *Terjemah Fathul Qorib*, trans. Muhammad Hamim HR. (Kediri: Lirboy Press, 2021).

¹⁸ Ahmad Zumaro, "Konsep Pencegahan Zina dalam Hadits Nabi SAW," *Al-Dzikra: Jurnal Studi Ilmu al-Qur'an dan al-Hadits* 15, no. 1 (2021): 139–160, <https://doi.org/10.24042/al-dzikra.v15i1.8408>.

¹⁹ Kahar Muzakir, "Zina dalam Perspektif Hukum Islam dan Kitab Undang Undang Hukum Pidana," *Formosa Journal of Science and Technology* 1, no. 1 (2022): 33–46, <https://doi.org/10.55927/fjst.v1i1.664>.

²⁰ Muzakir, "Zina dalam Perspektif Hukum Islam."

²¹ Achmad, "Zina Menurut Pandangan al-Qur'an: Kajian Tafsir Tematik tentang Ayat-ayat Zina," *Syaikhuna: Jurnal Pendidikan dan Pranata Islam* 9, no. 2 (2018): 285–297, <https://doi.org/10.36835/syaikhuna.v9i2.3264>.

wounds.²² This punishment aims to cause pain without physically harming the person. Egyptian scholars agree that light flogging is performed with a flexible leather whip, similar to a horse whip, on a strong, resilient part of the body, such as the back.²³ Imam al-Malik also holds this opinion. Imam al-Shafi'i, however, allows flogging all over the body except for the face and genitals.²⁴ These different punishments apply because a married Muslim is not supposed to violate marriage laws, whereas an unmarried Muslim may be tempted to commit adultery. Furthermore, the punishment must be carried out in a crowd to have a deterrent effect and to influence those who witness it.²⁵

A comprehensive understanding of adultery, both in terms of its definition, categories, and scope, demonstrates that Islam places a strong emphasis on the negative impacts of this deviation. Adultery, whether in physical form or through all the senses, not only damages humanity's relationship with the Creator but also disrupts social order, honor, and morality. Furthermore, the division of adultery into *al-muhsan* and *ghairu al-muhsan* reflects the level of justice of Islamic law by adjusting punishment based on the perpetrator's situation. Therefore, the prohibition of adultery in Islam is not merely a restriction but a preventive measure to maintain personal purity, protect family honor, and build a prosperous society.

Table 1. *Interpretation of Quranic verses regarding the prohibition of adultery*

Verses	Interpretation	Source
Surah al-Furqan 25: 68-69	Adultery is a major sin that violates human honor, carries the threat of painful punishment and humiliation in the afterlife, and can only be avoided by living a dignified life according to God's guidance.	Wahbah al-Zuhayli, <i>Tafsir al-Munir</i> ; Sayyid Qutb, <i>Tafsir fi Zilalil Qur'an</i> .
Surah al-Isra 17: 32	Adultery is a heinous act that damages lineage, triggers social conflict, marginalizes women, diminishes honor, and often leads to the murder of fetuses or the marginalization of children due to unclear lineage.	Wahbah al-Zuhayli, <i>Tafsir al-Munir</i> ; Ibn Ashur, <i>Tafsir Tanwir wa al-Tanwir</i> ; Sayyid Qutb, <i>Tafsir fi Zilalil Qur'an</i> .
Surah al-Nur 24: 2	The use of the term " <i>al-zaniah</i> " (adulterous woman) before " <i>al-zani</i> " (adulterous man) indicates a stern warning against women as instigators of adultery. At the same time, Islam condemns adultery as a deviation from human nature that destroys human	Ibn Ashur, <i>Tafsir Tanwir wa al-Tanwir</i> ; Sayyid Qutb, <i>Tafsir fi Zilalil Qur'an</i> .

²² Al-Zamakhshari, *Tafsir al-Kasysyaf*, Vol. 3 (Beirut: Dar al-Marefah, n.d.), 209-210.

²³ Etim E. Okon, "Hudud Punishments in Islamic Criminal Law," *European Scientific Journal* 10, no. 14 (2014): 227-238, <https://ejournal.org/index.php/esj/article/viewFile/3405/316>.

²⁴ Kuwait Ministry of Awqaf and Islamic Affairs, *Al-Mausū'ah al-Fiqhīyah al-Kuwaytiyyah*, Vol. 15 (Kuwait: Dar al-Salasil, 1983), 247-248; Sherifa Zuhur, "Somen's Crimes and the Criminalization of Sex," *Al-Raida* 23, no. 113 (Spring 2006): 28-37,

²⁵ Sayyid Qutb, *Tafsir fi Zhilalil Qur'an di bawah Naungan Al-Qur'an*, trans. As'ad Yasin et al. (Jakarta: Gema Insani, 2003), Vol. 8.

	values, destroys domestic harmony, and causes negative impacts such as the mixing of lineages and social hatred. Marriage is the solution to prevent adultery and protect lineage.	
Surah al-Nisa 4: 24	Marriage is a solution to prevent adultery and protect the lineage (<i>nasb</i>).	Sayyid Qutb, <i>Tafsir fi Zilalil Qur'an</i> .
Surah al-Nur 24: 30-31	Lowering the gaze and covering the 'awrah (private parts) are preventive measures to prevent adultery. This commandment serves as a means of protecting honor and preventing slander.	Al-Tabari, <i>Tafsir ath-Tabari</i> ; Sayyid Qutb, <i>Tafsir fi Zilalil Qur'an</i> ; Wahbah al-Zuhayli, <i>Tafsir al-Munir</i> ; Al-Qurtubi, <i>Tafsir al-Qurtubi</i> .
Surah al-Ahzab 33:59	The hijab protects women from harassment and affirms their identity as free women. This body covering also minimizes temptation and slander in society.	Ibn Ashur, <i>Tafsir Tanwir wa al-Tanwir</i> ; Sayyid Qutb, <i>Tafsir fi Zilalil Qur'an</i> .

Table 1 shows five main books used to interpret Qur'anic verses about the prohibition of adultery: *Tafsir al-Munir* (Wahbah al-Zuhayli), *Tafsir fi Zilalil Qur'an* (Sayyid Qutb), *Tafsir Tanwir wa al-Tanwir* (Ibn Ashur), *Tafsir al-Tabari* (al-Tabari), and *Tafsir al-Qurtubi* (al-Qurtubi). Classical scholars, such as Imam al-Tabari and al-Qurtubi (9th-13th centuries AD), focused on in-depth textual interpretation. In contrast, contemporary scholars such as Sayyid Qutb, Ibn Ashur, and Wahbah al-Zuhayli (20th century) included the modern social context. Their interpretations highlight the damaging impact of adultery: it harms honor, lineage, family harmony, individuals, and society. For example, Surah al-Isra 17: 32 describes it as a shameful act that breeds conflict and marginalization; Surah al-Nur 24: 2 condemns it as a deviation from natural law; and Surah al-Furqan 25: 68-69 warns of punishment in the afterlife. Preventative solutions include marriage (Surah al-Nisa 4: 24), lowering the gaze and covering the aurat (Surah al-Nur 24: 30-31), and wearing the hijab to avoid slander (Surah al-Ahzab 33: 59). These verses are interpreted with maqasid shariah in mind, emphasizing *hifz al-nasl*, *al-nafs*, and *al-aql* as ways to protect Islamic values.

In interpreting Surah al-Furqan 25: 69, al-Zuhayli explained that adultery is a major sin because the act reflects hostility to human rights and is a violation of worldly honor. Allah threatens the perpetrator of this grave sin with a painful punishment in the afterlife of hell, with eternal hell (*jahanam*) in a state full of humiliation, reproach, and ridicule; even the sentence for the perpetrator will be doubled due to his disobedience and disbelief. Thus, the punishment that will befall them will be in the form of psychological and physical punishment.²⁶ Meanwhile, Sayyid Qutb revealed that preventing oneself from committing adultery is the right

²⁶ Wahbah al-Zuhayli, *Tafsir al-Munir: Akidah, Syariah, dan Manhaj*, trans. Abdul Hayyie al-Kattani et al. (Jakarta: Gema Insani, 2005), Vol. 10.

decision in life. He illustrates the distinction between a life with dignity and one driven solely by animal instincts. Sexual intercourse with the opposite sex has a nobler purpose and is not merely a matter of satisfying lust. People who avoid committing adultery are among the most noble creatures in the sight of Allah. In contrast, those who commit these sins will later be punished with double and full humiliation.²⁷

Furthermore, in interpreting Surah al-Isra 17: 32, al-Zuhayli describes adultery as having three characteristics. First, it is a despicable behavior (*fahisha*) because it damages the lineage and triggers social conflict. Second, it is a "*maqtan*" (hated behavior), because adulterers, especially female adulterers, are negatively stigmatized in society. Third, it is a "*saa'a al-sabila*" (worst path), as immoral behavior resembles that of animals and leaves an unforgettable stigma that leads to distrust and rejection by society, as it violates prevailing norms and values.²⁸ Meanwhile, Ibn Ashur, in *Tahrir wa al-Tanwir*, explains that this verse is still related to events from the *jahiliyyah* period. During that era, baby girls were often buried alive as a disgrace—seen as a cause of family shame. If not killed, they were subordinated and neglected due to concerns about poverty.²⁹ Another reason was fear that a daughter might fall into prostitution or damage the lineage (*nasb*) because adultery could cause an unclear lineage for the child.³⁰

In line with Ibn Ashur's interpretation, Sayyid Qutb also explains the correlation between child murder and adultery. He examines adultery from various perspectives, equating it with murder or homicide. The adulterer feels guilty and fears the consequences, so he may desire to kill the fetus. If the fetus is not killed, it is considered to be born in a despicable condition and is thus marginalized in society, although this assumption is incorrect. This is considered murder because blood and lineage relationships become unclear. Trust in the honor of children and family is lost in society. Additionally, fulfilling sexual lust through adultery damages married life or the institution of marriage itself. In fact, a good generation emerges from a good household life. There is no guarantee that someone will avoid adultery if exposed to the causes or if he does not avoid them.³¹

In the Jahiliyyah era, adultery occurred through agreement between a man and a woman without coercion or the motive of mutual love. Regardless of whether it

²⁷ Sayyid Qutb, *Tafsir fi Zhilalil Qur'an*, Vol. 8.

²⁸ Al-Zuhaili, *Tafsir Al-Munir*, Vol. 8.

²⁹ Al-Zuhaili, *Tafsir Al-Munir*, Vol. 9.

³⁰ Muhammad al-Thohir ibn 'Ashur. *Tafsir al-Tahrir wa al-Tanwir* (Tunis: Dar Suhnun li al-Nasyr wa al-Tauzi', 1984), Vol. 15.

³¹ Qutb, *Tafsir fi Zhilalil Qur'an*, Vol. 7, 252.

was non-transactional or transactional—which more often involved female slaves—it was still considered adultery. To mark such arrangements, people in the past identified themselves by flying a flag in front of their homes.³² Furthermore, Ibn Ashur specifically noted the term *al-zaniah* (adulterous woman) before *al-zani* (adulterous man) in Surah al-Nūr 24:2 as a more specific warning to women. He argued that if women restrained themselves, then men would not commit adultery. This emphasis, he believes, reflects the view of women as the instigators of adultery in that misogynistic era.

According to Sayyid Qutb, Islam prescribes strict and firm laws against adultery, not necessarily ignoring and fighting against human natural urges because they affect the life and prosperity of humans who have a primary role as caliphs on earth. Islam condemns and only fights animal desires that cannot distinguish between halal and haram. Islam considers it essential to regulate male-female sexual relations because this has a noble purpose, giving birth to a new generation of dignity and growing up in a righteous household, having parents who are responsible for caring for and guiding them. Therefore, Islam strictly punishes adultery and equates it with animal deviation, even more despicable than animals, as there are animals that are loyal to their partners until death, destroying these noble values and goals.³³

Furthermore, in his interpretation of Surah al-Nisa 4:24, Sayyid Qutb discusses the guidance on family. This teaching prohibits marriage to a woman who is already married and living with her husband. The verse also mentions intercourse hated by Allah, such as mistress, concubinage, and prostitution. These practices were popular during the Jahiliyyah era and even today. This is because the purpose of Islamic law (*maqasid shariah*) is to protect family members and their descendants (*nasb*). Marriage also means there is *sifa'ah* (*mufa'alah*, derived from *safh*, which means flowing or spilling water to a lower place). This refers to a man and a woman releasing sperm to reproduce, care for, educate, and nurture their lineage. Marriage is a sacred means (*wasilah*), the path that Allah approves for men and women in a family to fulfill their duties and educate children as the next civilized generation. Humans are responsible for maintaining life through legal marriage. Adultery threatens the household, affects future generations, and disrupts civilized life. Marriage is not just about fulfilling sexual desires or breeding offspring like animals.

³² Ibn Asyur, *Tafsir al-Tahrir wa al-Tanwir*, Vol. 18.

³³ Ibn 'Ashur, *Tafsir al-Tahrir wa al-Tanwir*, Vol. 22.

Thus, the household has a significant impact on society's welfare. In other words, adultery causes three harms: it depraves the self, endangers children's futures, and leads to divorce that brings God's curses.³⁴

Therefore, Islam commands its followers to have faith by preventing adultery, as instructed in Surah al-Nūr 24:30. For Sayyid Qutb, this is the first step to avoid slander (*fitnah*) and immorality (*sin*), as well as ensuring against sexual urges (*shahwat*).³⁵ Meanwhile, al-Tabari explains that this is a command to believing men to keep their gazes away from anything that could potentially lead to adultery, and to women to cover their intimate parts of the body (*awrat*) from unauthorized persons. According to him, this is an act that prioritizes purity (dignity) and is more valuable to Allah. This interpretation aligns with several narrations, such as that of Ali ibn Sahl al-Ramli, which refers to turning away from what Allah hates, and that of Yunus, which advises lowering the gaze and refraining from looking at it. Although this narration also explains that no one can completely subdue the gaze.³⁶

Ibn Kathir also agrees with this interpretation, that is, if someone accidentally looks at it, then it is better to immediately look away, as in the authentic hadith narrated by Muslim from Abu Zur'ah ibn 'Amr ibn Jarir, from his grandfather; and the narration of Abu Dawud from 'Abdullah ibn Buraidah, from his father, he said about this, that the Prophet said to Ali: "O Ali, do not follow the first glance with a second glance. Because the first glance is for you (forgiven) and the second glance is not for you (not forgiven)." Ibn Kathir also illustrates that the gaze is like a poisoned arrow that attacks the heart and encourages lust. Some narrations reveal that if someone can keep their gaze and their private parts covered, then Allah will give them *nur* (light) to their gaze and heart, replacing it with the sweetness of worship and faith in their heart, and vice versa.³⁷ Likewise, al-Zuhayli said that gazes are considered the "entrance" to adultery. Thus, for him, the purpose of this prohibition is to close the gap that can be a path to humiliation and depraved acts, as well as to prevent sinful and immoral acts.

In addition, al-Tabari explains that Surah al-Nūr 24:31 prohibits women from displaying their jewelry (such as anklets or earrings) to non-mahrams and from extending their headscarves to cover their chests. However, this is permissible for husbands, other Muslim women, owned female slaves, non-Muslim female slaves, or

³⁴ Sayyid Qutb, *Tafsir fi Zhilalil Qur'an*, Vol. 2.

³⁵ Sayyid Qutb, *Tafsir fi Zhilalil Qur'an*, Vol. 8.

³⁶ Abu Ja'far Muhammad ibn Jarir al-Tabari, *Tafsir al-Tabari (Jami' al-Bayan fi Ta'wil al-Qur'an)*, trans. Misbah et al. (Jakarta: Pustaka Azzam, 2007).

³⁷ Abdullah ibn Muhammad ibn Abdurahman ibn Ishaq al-Sheikh, *Tafsir Ibnu Katsir*, trans. M. Abdul Ghoftar E.M and Abu Ihsan al-Atsari (Bogor: Pustaka Imam Syafi'i, 2004), Vol. 6.

small children who do not yet understand the meaning of women's private parts.³⁸ Al-Qurtubi also explains that this serves as an affirmation to women to avoid causing *fitnah*.³⁹ Sayyid Qutb adds that jewelry is permitted for women due to their natural tendency to appear beautiful and attractive; however, Islam regulates its display by limiting it to husbands, mahrams, and the people mentioned in the verse. Thus, believers obey this prohibition even though they naturally want to appear beautiful. Sayyid Qutb notes that beauty involving the display of private parts is a low form of beauty, akin to the way animals attract mates. Therefore, this prohibition aims to maintain women's honor by encouraging modesty and resisting enslavement by desire.⁴⁰

Ibn Ashur, in his commentary on Surah al-Aḥzāb 33:59, explains that efforts to avoid the causes are consistent with preventing the effects. The verse begins by mentioning the Prophet's wives and daughters, signaling special attention to exemplary women who cover their *awrat* as a symbol of free women, unlike slaves, who do not. Wearing the hijab when leaving the house identifies these honorable women, helping them avoid the slander of hypocrites and harassment from immoral men. Sayyid Qutb supports this interpretation and further notes that the dignity of honorable women induces guilt and shame in those who try to find fault or ridicule them. Collectively, these regulations show that Islam seeks to replace the existing Arab morality with Islamic traditions that regulate conduct and prevent social problems.⁴¹

Social-Legal Implications of Adultery Prohibition: Integrating Maqasid Shariah for Contemporary Muslim Societal Flourishing

This analysis of the maqasid shariah and its implications demonstrates that the prohibition of adultery is not merely a moral prohibition, but rather an integrated protection system that encompasses the preserving of *al-din* (religion), *al-nafs* (life), *al-aql* (intellect), *al-nasl* (lineage), and *al-mal* (property). Islamic teachings pay close attention to the private aspect of sexuality and regulate it as it relates to social affairs. It also cares for individual needs and the future development of society, anticipating the consequences of deviance in every aspect. Each of these areas holds significant implications for regulating and controlling human beha-

³⁸ Al-Tabari, *Tafsir al-Tabari*.

³⁹ Al-Qurtubi, *Tafsir al-Qurtubi*, ta'aliq Muhammad Ibrahim al-Hifnawi, tahqiq by Mahmud Hamid Utsman (Bogor: Pustaka Azzam, 2007), Vol. 12.

⁴⁰ Sayyid Qutb, *Tafsir fi Zhilalil Qur'an*, Vol. 8.

⁴¹ Qutb, *Tafsir fi Zhilalil Qur'an*, Vol. 9.

viator, with the goal of establishing moral and social values within a more civilized community life.

Table 2. *Maqasid shariah analysis of Quranic verses on the prohibition of adultery and their implications*

Maqasid Shariah	Implications	Evidence
<i>Hifz al-din</i> (the preservation of religion)	Islam prohibits adultery because it violates the sacred teachings of Islam, making it a major sin that can potentially lead to other reprehensible acts.	Surah al-Isra': 32 describes adultery as a vile act (<i>fahisha</i>) and an evil path (<i>sa'a sabiila</i>). Wahbah al-Zuhayli, in his commentary, Al-Munir, emphasizes the destructive impact of adultery on individuals and society. ⁴²
<i>Hifz al-nafs</i> (the preservation of self)	Avoiding adultery is an important step to protect oneself from various risks, such as premarital pregnancy, social stigma, the spread of sexually transmitted infections, and triggering dangerous behaviors like abortion or other violence.	Many cases reveal the devastating consequences of adultery, including physical and mental health problems. ⁴³ Adherence to Islamic law protects against these negative impacts, such as murder and other criminal acts, as a consequence of conflicting decisions with one's partner. ⁴⁴
<i>Hifz al-nasl</i> (the preservation of lineage)	Avoiding adultery preserves the lineage, which is essential for ensuring clarity in one's ancestry. This clarity impacts inheritance rights, guardianship, and family honor. Islam regards lineage as a fundamental aspect of maintaining social order, underscoring the significance of these rights within the community.	Ibn Qayyim identified lineage as a significant blessing. The Indonesian Ulema Council (MUI) Fatwa No. 11 of 2022 states that children born of adultery do not possess lineage with their biological father, ⁴⁵ consistent with Article 100 of the Compilation of Indonesian Islamic Law (KHI), which provides the legal basis for laws regarding lineage in Indonesia. ⁴⁶
<i>Hifz al-aql</i> (the preservation of intellect)	The Quran prohibits adultery to preserve the intellect, as it can cause mental decline, like	Stigma and social pressure often cause problems for both individuals and their social relationships. As a result, Islam

⁴² Al-Zuhayli, *Tafsir al-Munir*, Vol. 8.

⁴³ Shanty Natalia et al., "Resiko Seks Bebas dan Pernikahan Dini bagi Kesehatan Reproduksi pada Remaja," *Journal of Community Engagement in Health* 4, no. 1 (2021): 76–81, <https://doi.org/10.30994/jceh.v4i1.113>.

⁴⁴ Nina Yusnia et al., "Edukasi Kesehatan Reproduksi Remaja mengenai Bahaya Seks Bebas," *Jurnal Pemberdayaan dan Pendidikan Kesehatan* 1, no. 2 (2022): 114–23, <https://doi.org/10.34305/jppk.v1i02.428>.

⁴⁵ Ida Ayu Verennia Surya Putri and Made Diah Lestari, "Penerimaan Diri pada Wanita yang Hamil Diluar Nikah," *Ulil Albab: Jurnal Ilmiah Multidisiplin* 3, no. 2 (2024): 337–43, <https://doi.org/10.56799/jim.v3i2.2804>.

⁴⁶ Abd. Latif, "Status Nasab Anak Luar Nikah dan Warisannya," Direktorat Jenderal Badan Peradilan Agama, Mahkamah Agung Republik Indonesia, April 2, 2013, <https://badilag.mahkamahagung.go.id/artikel/publikasi/artikel/status-nasab-anak-luar-nikah-dan-warisannya-oleh-abd-latif-sh-mh-24>.

	impulsive actions, depression, self-doubt, and irrational thoughts.	highlights the importance of maintaining intellectual well-being and mental health. ⁴⁷
<i>Hifz al-mal</i> (the preservation of property)	Children born of adultery are related only to their mother. They have no right to inherit from their biological father. ⁴⁸ Avoiding adultery can prevent injustice in the distribution of inheritance.	Al-Shafi'i holds that children born of adultery do not have inheritance rights but may receive obligatory property; ⁴⁹ in contrast, al-Hanafi maintains that they have neither inheritance nor obligatory property rights. ⁵⁰

Based on *maqasid shariah*, the prohibition of adultery aims to maintain *al-dharuriyyat al-khamsah* (the five fundamental principles) in Islamic law.⁵¹ This focuses particularly on children's rights. Determining lineage subsequently impacts guardianship, alimony, childcare (*hadhanah*), inheritance, and marriage (*al-muharramat al-nikah*).⁵² Islam positions children highly and nobly. Surah al-Kahfi 18:46 states that children are a blessing to the world and a source of pleasant entertainment.⁵³ Ibn Qayyim also emphasized the prevention of problems that harm children's lineage and honor. According to him, determining lineage involves fulfilling rights to Allah, including the rights of children and fathers. It impacts legal relations between individuals and helps maintain the common good of society.⁵⁴ The importance of this issue has led to the issuance of Fatwa No. 11 of 2022 by

⁴⁷ Higria Anugrah Samawati and Nurchayati Nurchayati, "Self-Acceptance Remaja yang Hamil di luar Nikah," *Character: Jurnal Penelitian Psikologi* 8, no. 9 (2021): 1–13, <https://doi.org/10.26740/cjpp.v8i9.41770>.

⁴⁸ Abdul Hamid Dunggio, Zulkarnain Suleman, and Dedi Sumanto, "Status Hukum Anak di luar Nikah dalam Perspektif Fikih Islam dan Hukum Positif Indonesia," *As-Syams* 2, no. 1 (2021): 12–21, <https://ejournal.iaingorontalo.ac.id/index.php/AS-SYAMS/article/view/193>.

⁴⁹ Faizatul Fil Ula et al., "Hak Waris Bagi Anak Hasil Zina dalam Kajian Ilmu Matematika dan Hukum Islam," *Fokus: Jurnal Kajian Keislaman dan Kemasyarakatan* 5, no. 2 (2020): 197–220, <https://doi.org/10.29240/jf.v5i2.1797>.

⁵⁰ Wahbah al-Zuhayli, *Al-Fiqh al-Islāmī wa Adillatuh* [Islamic Jurisprudence and Its Proofs] (Beirut: Dār al-Fikr, nd.), 7905, accessed via Maktabat al-Shāmilah (Shamela Library), December 11, 2024, <https://shamela.ws/book/384/7650>.

⁵¹ Mufti Umma Rosyidah, "Tinjauan Status Nasab Seorang Anak di luar Nikah dalam Pandangan Hukum Islam: Menurut Madzhab Syafi'i," *An Nahdhoh: Jurnal Kajian Islam Aswaja* 3 no. 1 (2023): 34–43, <https://riset.unisma.ac.id/index.php/nahdloh/article/view/19993>.

⁵² Moh Dliya'ul Chaq, "Nasab Anak dalam Hukum Islam: Membaca Peluang Sains dan Teknologi dalam Penetapan Nasab," *Tafaqquh: Jurnal Penelitian dan Kajian Keislaman* 6, no. 1 (2018): 60–75, <https://doi.org/10.52431/tafaqquh.v6i1.130>.

⁵³ Siti Nurbaeti, "Hadis tentang Nasab Anak Zina dalam Perspektif Ibnu Qayyim al-Jauziyyah," *Holistic al-Hadis* 4, no. 2 (2018): 114–134, <https://doi.org/10.32678/holistic.v4i02.3232>.

⁵⁴ Deni Purnama and Dhiauddin Tanjung, "Islam dan Perlindungan Hak Anak: Tinjauan Fikih terhadap Nasab Anak di luar Nikah," *Al-Mashlahah Jurnal Hukum Islam dan Pranata Sosial* 12, no. 1 (2024): 41–52, <https://doi.org/10.30868/am.v12i01.6085>.

the Indonesian Ulema Council (MUI) and Article 100 of the Indonesian Compilation of Islamic Law (KHI). Building on this foundation, the maqashid analysis [Table 2], in line with Saeed's view, reveals the wisdom of the prohibition in Islamic teachings, focusing on the overall benefit to human life for individuals, families, and society.⁵⁵

In this context, reason is a crucial element for perpetrators, victims, children, families, and society in determining attitudes, considering right and wrong, and distinguishing between good and evil. Shifting to the psychological implications, reason can be problematic when faced with the issue of adultery. From a psychological perspective, a person's ability to accept oneself is pressured or lacking in personal and social aspects.⁵⁶ In more extreme cases, addiction to adultery can cause a person to lose self-control, so that reason no longer functions properly. Furthermore, addiction to adultery can lead to a degradation of rational thinking skills and a tendency to engage in impulsive behavior. Therefore, the prohibition of adultery needs to be done to preserve the human mind (*hifz al-aql*) so that it remains healthy, rational, and able to carry out its duties and obligations optimally.

From the perspective of maqasid shariah, adultery as a personal act also has spiritual implications that affect the material aspects of the individual, family, and society. A sinful adulterer is implicated in social crimes such as murder and acts that harm themselves and others, especially their family and descendants. In Islamic teachings, the institution of the family receives significant attention. The formation and maintenance of a family are crucial elements in the social, moral, spiritual, and material order. Profane moral aspects of actions are closely related to the spiritual afterlife. The values of individual and social dignity and honor align with or embody divine values. Compassion and justice in familial relationships—between children and parents, and between men and women—are considered integral in spiritual, material, and social terms. This analysis shows that every command and prohibition, especially regarding adultery, has consequences for the future rather than *only* the present.

The maqasid shariah in Islamic law focuses on principles that shape the life of society and reach into the afterlife. Al-Shatibi, in *al-Muwafaqat fi Usul al-Shariah*, states that the primary objective of Islamic law is to create benefits (*maslahah*) in both the worldly and afterlife realms.⁵⁷ This view relates to Auda, who emphasizes the importance of maqasid shariah. It encompasses *daruriyat* (necessities), *hajiyyat*

⁵⁵ Nur Faizin et al., "Fenomena Penggunaan Hijab Syar'i di Indonesia: Analisis Kontekstualisasi Ayat Jilbab Perspektif Teori Penafsiran Abdullah Saeed," *Al-Bayan: Jurnal Studi Al-Qur'an dan Tafsir* 7, no. 1 (2022): 1–13, <https://journal.uinsgd.ac.id/index.php/Al-Bayan/article/view/18929>.

⁵⁶ Putri and Lestari, "Penerimaan Diri pada Wanita yang Hamil di luar Nikah."

⁵⁷ Abu Ishaq al-Shatibi, *Al-Muwafaqat fi Usul al-Shariah* (Cairo: Dar al-Hadith, 2005).

(needs), and *tahsiniyyat* (refinements).⁵⁸ Table 2 illustrates the interconnected implications between the maqasid sharia items. It depicts this holistically through interpretations of verses, highlighting how prohibitions against adultery are linked. Damage to one aspect can trigger a domino effect on others. This strengthens the argument that adultery threatens the welfare of the community comprehensively.

Conclusion

This research reveals that the adultery prohibition in Islam has profound relevance to the maqasid shariah's five principles, namely protecting religion, life, lineage, intellect, and property. This finding answers the research focus that prohibiting verses from the Quran against adultery has an impact on individuals and society. From the interpretations of five books: classical scholars such as al-Tabari and al-Qurtubi and contemporary scholars (Sayyid Qutb, Ibn Ashur, and al-Zuhayli), the prohibition of adultery is not only a moral rule, but also a preventive strategy designed to protect social structure, family honor, and physical and mental health. The prohibition of adultery remains relevant to address modern social challenges, such as the degradation of family values, social stigma, and moral crises. The prohibition of adultery in Islam is not just a normative rule, but also has a holistic protection goal as emphasized in the maqasid shariah. The maqasidi approach provides a deeper understanding of the destructive impacts of adultery, such as moral decay, health threats, family disharmony, and potential violations of social rights. Thus, the prohibition of adultery serves as a preventive measure to maintain individual chastity, protect social order, and ensure the collective well-being of society. Therefore, this study emphasizes the importance of implementing sharia values to create a harmonious and dignified life in accordance with the noble goals of Islam.

This study makes two main contributions. Conceptually, it links religious values and contemporary issues via the maqasid shariah approach, offering analysis that is morally and socially relevant. Methodologically, it integrates classical interpretation with modern analysis, providing a reference for studies exploring Islamic law in the contemporary context. This research thus enriches academic discussion on Islamic law and its everyday application.

However, this study has limitations that inform recommendations for further research. Its scope is limited to an Islamic perspective and does not cover interfaith or other cultural viewpoints on social morality. Additionally, the solu-

⁵⁸ Jasser Auda, *Maqasid Al-Shariah: A Beginner's Guide* (Herndon: International Institute of Islamic Thought (IIIT), 2008).

tions presented are conceptual and need further exploration for practical implementation in policy or society. Future research could employ an interdisciplinary approach to examine the impact of the adultery prohibition across various societal contexts.

Authors Contribution

Author contributions to this article: A. Amir Firmansyah contributed as data analyzer and interpreter; Ragil Hidayat and Dian Rizqi Pratiwi contributed as initiator and drafter of the article; Graiguer Abdelmounaim as validator of data and analysis results as well as contributed to collecting data and critically revising the article. All authors agree to be accountable for all aspects of this work.

Statement of Interest

All authors declare that they have no conflicts of interest.

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