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## ANALYSIS OF FORMS OF PUNISHMENT IN ASBABUN NUZUL VERSES ABOUT THE PROHIBITION OF ADULTERY

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**ABSTRACTS**

Islam teaches ethical norms in life. One of these norms is the prohibition of committing adultery, as stated in the Qur'an. Adultery is an immoral act that is forbidden by Allah SWT. However, there are still individuals in society who engage in adultery due to various factors, such as an inability to control their desires and a lack of faith. The purpose of punishing those who commit adultery is to protect their dignity as servants of God. This literature research uses a descriptive-qualitative method. The data is obtained from representative literature sources, followed by content analysis and concluding the findings. The research results show that the punishment for unmarried offenders (ghairu muhsan) is flogging one hundred times and exiling them for one year, while the punishment for married offenders (muhsan) is stoning until death.

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## A. INTRODUCTION

Islam is a religion that teaches good norms, this is proven by the prohibition of adultery in the Koran, the act of adultery is one of the acts that is not praiseworthy and one of the acts that is forbidden by Allah SWT, where a man and a woman are alone and are still not married and act like husband and wife. The development of increasingly advanced and sophisticated technology has brought very rapid changes throughout the world, especially in terms of the dissemination of information. Through this flow of information, people gain a lot of useful knowledge. However, apart from the positive impacts, there are also negative impacts that cannot be avoided. In Islamic law, one the role of religion in minimizing crime, there are several rules in the form of sanctions that will be obtained by the perpetrator as a lesson and prevention and effects deterrent so that the person doesn't do it again the perpetrator or other people after get the punishment, crimes in Islamic criminal law is called jarimah, namely the Sharia prohibitions that are threatened by Allah SWT with limited punishment is a threat of punishment the form and quantity have been determined and it is the right of Allah alone determine it, but deep its application according to the country context and nations, of course not all countries in the world implement the law Islam as the legal basis applied in his country, incl Indonesia, a country with a population the largest Muslim in the world, is the country that adopted the 1945 Constitution as its legal basis and Pancasila as the basis of the country (Syahputra, 2021) This negative impact is a problem, especially among the younger generation of Muslims in Indonesia, The word Zina in the Koran with various pronunciation derivations is repeated six times mentioned in the Koran. Each of them is contained in the QS. Al-furqan: 68, QS. Al-Mumtahanah: 12, QS. Al-Isra; 32, QS. Al-Nur; 2, QS. Al-Nisa; 24 and 25.<sup>3</sup> The term adultery has entered the Indonesian language (etymology), but for understand sharia law on this issue we need to return it to meaning according to Arabic and sharia. In Arabic, zina is taken from زِنَاء : word زَنِىَ which means doing fajir (insult). Meanwhile in terms (epistemology) Shari'ah adultery is having sexual relations (jima') without a legal marriage, owning slaves and not also because of doubt. So Zina is the occurrence of sexual relations between men and women without any ties legal marriage (Talebe, 2019) which also contributes to the occurrence of adultery. There are still many people who fall into adultery due to various factors, including the inability to control their lust and lack of faith. According to Ibn Rushd, adultery is any sexual relationship that occurs without a legal marriage bond, not because of doubt (syubhat), and also not because of a relationship with a slave. In general, this definition has been agreed upon by Islamic scholars, although there are still differences of opinion regarding what is meant by syubhat which can avoid hadd punishment and which (Rusyd, n.d.) According to Quriash Shihab, sex in the Islamic view is something that is holy, but the existence of adultery makes sex a dirty act, resulting in causing diseases that affect human life. Looking at the phenomenon of adultery, the Al-Qur'an as a holy book that is not studied in text alone can also answer all life's problems because understanding the Al-Qur'an can become a practice in social life in the context of culture and social life. interaction, because Therefore, the author feels it is important to discuss the concept of adultery, In general, law is a set of regulations agreed to organize society naturally is coercive and there are sanctions for violators. The law will do it regulate people's lives with certain rules very simple and limited which then developed in line with societal development. Rule These laws will continue to develop and theories will continue to develop

continues to develop along with its increase and diversity the needs of society and the progress of thought and science knowledge and politeness. The law will evolve along with it rapidly when the social order also develops rapidly fast. This means that society creates appropriate laws with the need to organize life between them. Laws such as these continue to develop in connection with development of society (Huda, 2015).

The word Adultery in the Qur'an has a deviation from its meaning general to specific. Originally the word Adultery interpreted by classical and contemporary commentators as everything which was considered beautiful on earth, then in the present context deviant which is interpreted specifically as heredity, beauty female body (Subaidah, 2023).

## **B. METHOD**

This research uses a qualitative approach with descriptive analytical method to examine the concept of adultery in the Qur'an law and its impact on society. Qualitative research was chosen because it allows interpretative and contextual data collection. The data sources in this research come from. The data sources in this research come from literature studies which include scientific journals, reference books related to law, social health Islam, and relevant religious literature. The data collection technique used in this research is a document study conducted by analyzing religious texts, scientific journals, and books that discuss the research.

## **C. RESULT AND DISCUSSION**

Zina in the context of the Islamic religion refers to sexual relations between two people who are not bound by legal marriage. In many religious teachings, adultery is considered a major sin and is prohibited. In general, adultery includes various forms of sexual behavior outside the bonds of marriage, whether full sexual relations or other acts that are considered close to adultery. In a legal context, adultery can also have social and legal consequences, depending on each culture and country. Apart from a religious perspective, adultery is also often discussed in the context of ethics and morality in society. According to the jurists, adultery is sexual relations between a man and a woman without a legal marriage bond, namely inserting the male genitals into the female genitals, at least until they reach the limit of the *hasyafah* (head of the penis) (Zumaro, 2021). Or the relationship does not involve servants (slaves) who belong to and are married to (Fauzi, 2022).

Al-Shaykh al-Imam Muhammad al-Nawawi al-Jawi al-Banteni, in the book *Nihayah Al-Zain*, stated that for a free person who is not a slave who commits adultery, the ruler is obliged to sentence him to one hundred lashes and exile him for one year. Imam Nawawi al-Banteni's statement shows that adultery is a very disgraceful act and can damage family honor, which corresponds to a sentence of one year of exile. The word adultery in the Qur'an is mentioned six times with various forms of pronunciation, According to Ali Akbar, that is lust This desire has existed since humans were born and he began to appreciate it as he did found both lips with nipples mother's breasts, to breastfeed because hungry. He enjoys a sense of pleasure that is not feeling of fullness. And this is the first taste of sex that humans experience. (Zubir & Rezi, 2017) The verses that explain adultery are found in three letters, namely Surah Al-Isra' verse 32, Surah

An-Nur verses 2 and 3, and Surah Al-Furqan verse 68. The first letter was revealed in Mecca, the second letter in Medina, and the third letter was revealed again in Mecca.

The first verse explains about adultery in Surah Al-Isra Verse 32.

وَلَا تَقْرَبُوا الزَّانِيَ إِنَّهُ كَانَ فَحِشَةً وَسَاءَ سَبِيلًا

*“And do not approach adultery; Indeed, adultery is a heinous act. And a bad way”.*

It can be understood that the prohibition on approaching is more than just a prohibition against committing adultery, because approaching him is prohibited, let alone doing it. In the verse above, Quraish Shihab interprets the sentence "la taqrabu" as a prohibition on approaching something that stimulates the soul or lust to commit true adultery (Rahman, 2017). Allah determines that the prohibition on adultery is not liwat, even though liwat (having sex through the back door) is liwat. This is a worse and greater sin than adultery, because adultery is rampant among humans Arab, while the passing was mostly done by Prophet Lut's people who were actually happy fellow (Talebe, 2019).

The second verse of Surah An Nur verses 2 and 3 explains about adultery is:

الزَّانِيَةُ وَالزَّانِي فَاجْلِدُوا كُلَّ وَاحِدٍ مِّنْهُمَا مِائَةً جَلْدَةً وَلَا تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ فِي دِينِ اللَّهِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَلْيَشْهَدْ عَذَابُهُمَا طَائِفَةٌ مِّنَ الْمُؤْمِنِينَ الزَّانِي لَا يَنْكِحُ إِلَّا زَانِيَةً أَوْ مُشْرِكَةً وَالزَّانِيَةُ لَا يَنْكِحُهَا إِلَّا زَانٍ أَوْ مُشْرِكٌ وَحُرِّمَ ذَلِكَ عَلَى الْمُؤْمِنِينَ

*“The woman who commits adultery and the man who commits adultery, then lash each of them a hundred lashes, and let no mercy on either of them prevent you from (practicing) the religion of Allah, if you believe in Allah, and the Hereafter, and let ( the execution) of their punishment was witnessed by a group of believers. A man who commits adultery does not marry a woman who commits adultery, or a woman who is an idolater; and a woman who commits adultery is not married except to a man who commits adultery or a polytheist man, and this is prohibited for believers”.*

The third verse of Surah Al-Furqon verse 68 explains about adultery as follows:

وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ وَلَا يَزْنُونَ وَمَنْ يَفْعَلْ ذَلِكَ يَلْقَ أَثَامًا

*“And those who do not worship other gods along with Allah and do not kill souls which Allah has forbidden (to kill) except for the right (reason), and do not commit adultery, whoever does that, surely he will receive (retribution) for his sins”.*

In the Islamic view, adultery is divided into two parts: the first division is called muhsan zina, muhsan zina is adultery committed by a person who is mature, intelligent, independent and legally married, the scholars agree that the punishment for the perpetrator of muhsan adultery is stoning and death. Bury within a certain limit and stoned until death. This provision has been explained in the hadith of the Prophet which says there was a man who came to the Messenger of Allah when he was in the mosque (Ilmu & Dan, 2014). The man called out to the Prophet and said, "O Messenger of Allah, I have committed adultery, but I regret it." He repeated these words four times. After the Prophet heard the statement which had been repeated four times, he called him,

saying, "Are you crazy?" No, answered the man, the Prophet asked again, "Are you a muhsan?" "Yes!" he answered. Then, the Prophet said again, "Take this man and immediately stone him all of you." (HR. Bukhari Muslim)

The second division of zina ghoiru muhsan is virgins or virgins who have sexual relations. For them, they are whipped a hundred times and exiled for one year. Based on the word of Allah in Surah An-Nur Verse 2:

الزَّانِيَةُ وَالزَّانِي فَاجْلِدُوا كُلَّ وَاحِدٍ مِّنْهُمَا مِائَةَ جَلْدَةٍ وَلَا تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ فِي دِينِ اللَّهِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ  
وَالْيَوْمِ الْآخِرِ وَلْيَشْهَدْ عَذَابُهُمَا طَائِفَةٌ مِّنَ الْمُؤْمِنِينَ

*"The woman who commits adultery and the man who commits adultery, then lash each of them a hundred lashes, and let no mercy on either of them prevent you from (practicing) the religion of Allah, if you believe in Allah, and the Hereafter, and let ( the execution) of their punishment was witnessed by a group of believers".*

Wahba al-Zuhaili argues in al-Munir's commentary that in al-zani's lafaz in this verse, grammatically (i'rab), the word functions as muftada, and the khabr is found in the word fajlidu. Some scholars say that this khabr consists of information that comes first, with the word being wasted, namely fiima yutla 'alaykum (regarding what has been revealed to you). According to Wahbah Az-Zuhaili, the prohibition on approaching adultery can also be interpreted on the prohibition to approach the cause and everything that encourages to committed that abomination, as stated in the fahishah because it contains a violation of human self-respect, there is a mixing of lines between one man and another, the impact also with injustice towards the rights of others (Pipit Muliyah, Dyah Aminatun, Sukma Septian Nasution, Tommy Hastomo, Setiana Sri Wahyuni Sitepu, 2020) The letter fa in the fajlidu sentence functions as fa' ziyadah, namely an addition that does not affect the meaning, but when it functions as fa' fashilah, then this letter has a relationship with the previous sentence. Thus, this sentence becomes more complete and interconnected, showing that the perpetrator of adultery must be punished. The mention of women as perpetrators of adultery comes first because most adultery occurs as a result of a woman's attitudes and actions which then motivate men to commit adultery. Apart from that, the negative impacts and disgrace arising from adultery are greater for women than men, because women are the main component in adultery (Penelitian, 2004).

**Analysis of the Verse on Zina in the Qur'an Prohibition of Approaching Zina**  
Surah Al-Isra (QS. 17:32)

وَلَا تَقْرَبُوا الزَّانِيَ إِنَّهُ كَانَ فَحِشَةً وَسَاءَ سَبِيلًا

*"And do not approach adultery; indeed, adultery is an abominable act and a bad path."*

Surah al-Isra consists of 111 verses, this surah is included in the Makiyah surah group which has several names, among them the popular ones are surahal-Isra and bani israil, it is called surah al-Isra because the beginning of the verse talks about the journey of the Prophet from the Grand Mosque in Mecca to the Al Aqsah Mosque in Baitul Maqdis in Palestine, this letter is also named Bani Israel (descendants of Israel) because in this letter it mentions the Bani Israel became a strong nation and great and then turned into a nation that was humiliated and deviated from the teachings of allah (Shihab, 2007). The theme related to the prohibition on approaching adultery is one thing that will continue hotly discussed. On the other hand, understanding the Koran and its interpretation carried out by Islamic scholars plays an important role as well as

providing guidelines for maintaining moral and spiritual integrity. The interpreters agreed without there is doubt in this matter. But what makes this topic increasingly hotter day by day is any behavior that might be said to be close to adultery or what actions are labeled as approaching adultery, especially in the contemporary era which will continue to grow. In the theme of this discussion, the interpreters, both implied or expressly, in a directed and unified manner stating the reasons for the importance of the prohibition it comes down to its dangerous and despicable side. From classic to contemporary interpretations, all of them are in the same position. In the classical era, for example, Muqātil Ibn Sulayman (d. 767 AD), interpreting the words *wa sā'a sabīlā*, the final redaction of this verse, by saying that at that time there was no punishment for those who committed adultery until the type was determined and dropped in Medina as stated in surah al-Nūr. 25 This is in line with one of the biggest taglines from the sending of the Prophet Muhammad as the last apostle and also the revelation of the Qur'an to him, namely intermediary for the arrival of guidelines to improve existing morals or morals that period until the end of time (Nabila, 2024) Al-Maraghi, one of the commentators in the modern period, interpreted the sentence *lataqrabualzina* is a form of prohibition from Allah SWT to his servants not to do so approach the act of adultery by avoiding all kinds of causes and its motives. This prohibition on approaching adultery, for al-Maraghi, as a form of emphasis on the despicable act of adultery. AsySyaukani was also a mufasir in this period, as were the mufasir previously, interpreted the phrase *lataqrabu alzina* as emphasizing the prohibition approaching various kinds of things that trigger adultery (Rozy & Nirwana AN, 2022)

Al-Bukhari and Ibnu Mardawaih narrated from Ibnu Mas'ud r.a. which says about Surah Bani Isra'il, Surah al-Kahf, Maryam, Thaha, and al-Anbiya'. These suras were among the first to be revealed and have the advantage of containing various stories. That is, these surahs are the surahs that were first revealed in Mecca and contain important stories (Saputra, 2022)

The key word is don't get close in applying this verse. This verse not only prohibits adultery, but also prohibits anything that has a relationship that can bring someone closer to committing adultery, such as unlimited relationships, pornography, or tempting situations. Adultery as a heinous act, This emphasizes that adultery is not just a personal sin, but also an act that violates universal morals. Bad way: Reminding that adultery can bring social destruction such as the destruction of households, infectious diseases, and children without legal status (Huda, 2015),

According to Wahba Azzuhaili, the prohibition on approaching adultery can also be understood as a prohibition on approaching anything that is the cause and encouragement to commit this disgraceful act. This is called *fahisyah* because it contains violations of human honor, including mixing lines between men, tyranny of other people's rights, destruction of the structure of society through the collapse of the family, as well as the spread and source of chaos. Apart from that, this act can also cause the spread of deadly venereal diseases and lead to humiliation and weakness in life (Penelitian, 2004)

From several sources, especially Ibn Kathir's interpretation, with regard to the *asbab al-nuzul* of the revelation of Surah Al-Isra verse 32, at that time there was a young man who came to the Messenger of Allah and asked for permission to commit adultery, suddenly the Messenger of Allah firmly forbade it, then this verse came down (Ummah, 2019)

### Analysis of Surah An-Nur Verses 2 and 3

الزَّانِيَةُ وَالزَّانِي فَاجْلِدُوا كُلَّ وَاحِدٍ مِّنْهُمَا مِائَةً جَلْدَةً<sup>ط</sup> وَلَا تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ فِي دِينِ اللَّهِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ  
وَالْيَوْمِ الْآخِرِ<sup>ط</sup> وَلْيَشْهَدْ عَذَابُهُمَا طَائِفَةٌ مِّنَ الْمُؤْمِنِينَ الزَّانِي لَا يَنْكِحُ إِلَّا زَانِيَةً أَوْ مُشْرِكَةً وَالزَّانِيَةُ لَا يَنْكِحُهَا إِلَّا زَانٍ  
أَوْ مُشْرِكٌ وَحُرِّمَ ذَلِكَ عَلَى الْمُؤْمِنِينَ

*"The woman who commits adultery and the man who commits adultery, then lash each of them a hundred lashes, and let no mercy on either of them prevent you from (practicing) the religion of Allah, if you believe in Allah, and the Hereafter, and let ( the execution) of their punishment was witnessed by a group of believers. A man who commits adultery does not marry a woman who commits adultery, or a woman who is an idolater; and a woman who commits adultery is not married except to a man who commits adultery or a polytheist man, and this is prohibited for believers"* (Dr. Fitri Wahyuni, S.H, 2018).

Surah an-Nur, is a Madaniya surah which has verse 64, named surah an-nur (light) because it is taken from the word an-nur which is found in verse 35. In this surah Allah says about the divine nur, namely the al-qur 'an which contains guidance as light (IIKNur Shobichah, 2020). Imam Al-Qurthubi said Qs. Aln-Nur (24), 2 has several discussion, first, the word of Allah zina is the term that states) was known to Arabs during the pre-Islamic Jahiliyah era, as well as the terms murder and theft. This verse is the nasikh verse habs (enclosed) and the adza verse contained in Surah An-Nisa (4): 15 with the agreement of para cleric(Riyadi, 2020)

An-Nasa'i narrated from Abdullah bin Amr that once there was a woman named Umm Mahzul who worked as a prostitute. Then, a friend of the Prophet saw. intends to marry her. Then, Allah revealed a verse which reads, "A man who commits adultery will not marry except a woman who commits adultery or a woman who commits idolatry, and a woman who commits adultery will not marry except a man who commits adultery or a man who commits polytheism.

The main contents of Surah An Nur can be seen from several aspects, including the legal aspects, especially those related to adultery, this is mentioned in paragraphs two and three, the punishment for accusations of adultery which must be confirmed by oath, the etiquette of social relations outside and in the household(Fahrurrozi et al., n.d.)

#### Analysis

Appropriate marriage: This verse shows that adultery not only tarnishes the perpetrator morally, but also affects the appropriateness of their relationship with believers. Moral message: Reminds the importance of chastity in marriage relationships and the need for repentance before building a household. From several specialized sources asbab al-nuzul was revealed in verses two and three of An-nur when "A man who commits adultery does not marry a woman who commits adultery, or a woman who is an idolater. and women who commit adultery are not married but by men who commit adultery or polytheist men, We teach sex continuously, gradually and informally to our children. In the Islamic view, sex education is impossible separated from moral education. Separating ethics from sex education will lead children to sexual abuse (Martono, 2019)

## Analysis of Surah Al-Furqon Verse 68

وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ وَلَا يَزْنُونَ وَمَنْ يَفْعَلْ ذَلِكَ يَلْقَ أَثَامًا

*“And those who do not worship other gods along with Allah and do not kill a soul which Allah has forbidden (to kill) except for the right (reason), and do not commit adultery, whoever does that, surely he will receive (retribution) for his sin,”*

Surah al-furqon, included in the group of Makkiyah letters which total 77 verses, is called Al-Furqon (distinction) because it is taken from the word al-furqon which is found in the first verse of the letter, what is meant by al-furqon in the first verse is Al-Qur'an, the main content of Surah Al-Furqon can be viewed from several aspects, one of which is the legal aspect relating to the following matters: *The First*, You cannot ignore the Koran. *The Second*, Prohibition of spending wealth wastefully. *The Third*, Prohibition of killing and committing adultery. *The Fourth*, Prohibition of giving false testimony.

### Verse Analysis

**The Position of Adultery as a Major Sin.** In this verse, adultery is mentioned on a par with shirk (associating partners with Allah) and murder without a valid reason. This shows that adultery is not just a small sin, but is a major sin that carries serious consequences in this world and the hereafter.

Adultery pollutes the honor of the perpetrator, destroys the family structure, and harms society. **Anaman of Punishment and Sin.** This verse emphasizes that those who commit adultery (and other major sins) will suffer multiple sins (yudha'af lahum 'adzaab). This means that the consequences are more severe because this violation has a broad impact, both spiritual, social and moral. In the context of the afterlife, this refers to severe punishment in hell unless they repent.

**Context of the Prohibition of Zina,** Zina destroys human relationships: Just as murder takes away life, zina destroys a person's dignity and honor. In society, adultery also triggers conflict, children without clear status, and other social ills

## D. CONCLUSION

Adultery is committing sexual intercourse (jima) at the sexual level without legal marriage, belonging to a slave and without suspicion. Or it is also called jimaa (sexual relations between a man and a woman who do not have a halal relationship between them). Zina is discussed in three stages in the Al-Qur'an. The first step is simply to specifically prohibit approaching and committing adultery (QS. al-Israa verse 32). This was followed by action against adulterers and the prohibition on marrying adulterers (QS. al-Nur verse 2-3). Next, in the third stage, explaining the punishment in the eyes of Allah for adulterers (QS. Al-Furqan. The verse of adultery in Islam is divided into two parts, first muhsan and second ghairu muhsan. The conditions for imposing punishment on adulterers are: mukallaaf, the author states clearly, including private parts, real private parts, no ambiguity in one's actions, etc. Furthermore, Allah gives wisdom in this prohibition, including: avoiding disease, minimizing crime, maintaining



women's honor, regulating nasab for children so that they are not influenced by confusion about nasab and other things.

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