



## Zina in the Digital Era: New Challenges for the Enforcement of Islamic Criminal Law

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E-mail: <sup>1</sup>[122203011040@uin-suka.ac.id](mailto:122203011040@uin-suka.ac.id), <sup>2</sup>[rahmaftriaamelia@gmail.com](mailto:rahmaftriaamelia@gmail.com), <sup>3</sup>[dindaayu29758@gmail.com](mailto:dindaayu29758@gmail.com),  
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<p><b>Article History</b> Received: 2026-04-03 Revised: 2026-04-13 Published: 2026-05-09</p> <p><b>Keywords:</b> <i>Zina; Digital Era; Islamic; Criminal Law; Digital Evidence</i></p>	<p>This paper examines the transformation of zina in the digital era and its implications for the enforcement of Islamic criminal law. The background of the study is rooted in the emergence of technology-mediated sexual practices such as sexting, cybersex, and the online dissemination of intimate content that challenge the classical fiqh conception of zina as a physical act subject to strict <i>ḥudūd</i> evidentiary standards. Using a qualitative normative-empirical research method, the study analyzes classical fiqh sources, contemporary legal literature, and documented digital practices. The research stages include problem identification, literature review, data collection on digital behaviors, analysis through <i>maqāṣid al-sharīʿah</i> and <i>ijtihād</i> frameworks, and synthesis of findings. The results show a significant juridical gap between traditional evidentiary mechanisms and digitally mediated sexual misconduct, compounded by issues of digital evidence reliability, jurisdiction, and privacy protection. The discussion highlights both the enduring relevance and structural limitations of classical evidentiary paradigms, underscoring the need for adaptive, multidimensional legal approaches within Islamic criminal law.</p>

### I. INTRODUCTION

Advances in digital technology have brought fundamental changes to patterns of social interaction, communication, and human behavior. Various digital platforms, such as social media, instant messaging applications, and other virtual spaces, have increasingly become extensive and intensive mediums of interaction, including in the realm of sexual behavior. This phenomenon presents new challenges for the application of Islamic criminal law, particularly regarding zina, which in fiqh is classified as a *jarīmah ḥudūd* with strict penalties for offenders. Traditionally, zina is understood as sexual relations outside a legitimate marital bond and has been strictly regulated in the Qur'an, Hadith, and classical fiqh literature of the madhhabs. However, in the digital era, zina has taken on new forms, such as online pornography, sexting, cybersex, and the dissemination of intimate content over the

internet, which were previously unknown in classical social contexts (Agustini et al., 2021).

The phenomenon of zina in digital spaces gives rise to complex, layered legal issues. One of the most critical aspects is the challenge of evidence and verification, as sexual interactions in this context do not necessarily occur directly or physically, but are mediated by technology within virtual environments. In the classical fiqh framework, the implementation of *ḥudūd* punishments for zina requires highly stringent evidentiary standards, such as the testimony of four eyewitnesses who directly witness the act, or a voluntary confession by the perpetrator. The absence of physical witnesses in cases of digital zina creates significant juridical dilemmas, particularly regarding how fiqh provisions can be applied fairly without compromising legitimate standards of evidence. Moreover, the often anonymous and concealed nature of digital zina further complicates law enforcement efforts,

whether through formal legal apparatuses or social control mechanisms within communities (Pratama et al., 2022).

In addition to evidentiary challenges, legal issues in the digital era are closely linked to data protection, privacy, and jurisdictional limitations. Cases of digital zina frequently involve technology devices and platforms operating across national borders, including data stored on servers located outside the territory of national law or the authority of Islamic law. This situation raises serious concerns regarding the legitimacy of enforcement authority, the scope of sanctions, and the effectiveness of inter-agency and international cooperation mechanisms to address such violations. Therefore, addressing digital zina requires an adaptive and coordinated legal framework capable of responding to technology-driven offenses without compromising principles of justice and legal certainty (Muzakir, 2022).

Within contemporary fiqh, several scholars have begun developing more responsive legal approaches to phenomena arising from technological advancements. Modern fuqahā' emphasize the importance of ijtihad and reinterpretation of ḥudūd laws to ensure alignment with Sharia principles while remaining relevant to the dynamics of the times. This approach employs legal principles such as qiyās (analogy), maṣlaḥah (public interest), and sadd al-ḍarā'ī' (preventive measures) as instruments to adapt classical rulings to current digital realities. Consequently, Islamic criminal law maintains practical relevance, yet demands contextual adaptation to address challenges posed by zina practices in virtual environments (Kurniawan, 2022).

The phenomenon of digital zina not only challenges legal frameworks but also impacts education, da'wah, and broader preventive strategies. Solely relying on legal measures is considered insufficient to address the complexity of the problem. Preventive efforts through moral education, digital literacy, and the reinforcement of ethical values within society become essential components of a comprehensive prevention strategy. This underscores that the enforcement of Islamic criminal law in the digital era must be

multidimensional, integrating preventive, repressive, and rehabilitative measures to ensure effectiveness and long-term impact (Zama et al., 2020).

## **II. RESEARCH METHODS**

This study adopts a qualitative normative-empirical approach, combining historical and doctrinal analysis with an examination of contemporary cases related to zina in the digital era (Suyanto, 2023). The normative dimension involves reviewing primary and secondary legal sources, including the Qur'an, Hadith, classical fiqh works, and recent literature on Islamic criminal law. Meanwhile, the empirical dimension focuses on observing online behaviors, the characteristics of digital platforms, and documented real-world cases to understand the manifestations of zina within digital spaces. The integration of these two approaches allows for a comprehensive analysis that bridges classical Islamic legal principles with contemporary societal challenges. Data collection is carried out through literature review, digital content analysis, and interviews with legal and religious experts, producing insights that are both textual and contextual.

The research is conducted through a sequence of stages: (1) problem formulation and identification, (2) literature review encompassing classical fiqh sources and contemporary references, (3) collection of data on digital practices and relevant case studies, (4) analysis and interpretation using the frameworks of maqāsid al-sharī'ah and ijtihad, and (5) synthesis and reporting of findings. The research process is visualized in a flow diagram illustrating the linkages between normative classical sources and digital case analysis, emphasizing iterative dialogue between textual norms and contemporary contexts.

The population or unit of analysis includes documented cases of zina on digital platforms, expert opinions, and literature on Islamic criminal law, with a primary focus on the Indonesian context due to the country's majority Muslim population and high digital penetration. The research location is not confined to a single geographic area, but encompasses national digital

spaces as well as institutional contexts such as Islamic legal offices, universities, and regulatory bodies engaged in cyber ethics and contemporary fiqh studies

### III. RESULTS AND DISCUSSION

#### A. The Concept of Zina in the Perspective of Islamic Criminal Law and Its Normative Boundaries

From a linguistic perspective, the term zina derives from the Arabic root *zanā-yaznī*, which refers to sexual intercourse conducted in violation of the provisions of Islamic law. In fiqh discourse, scholars define zina as an intimate relationship between a man and a woman conducted without a valid marriage bond under Islamic law and without the presence of *shubha* (legal ambiguity) that could negate criminal liability. Imam al-Māwardī defines zina as “the insertion of a man’s sexual organ into the sexual organ of a woman who is unlawful to him, without being preceded by a valid marriage contract according to Islamic law. This definition emphasizes that the core element of zina lies in the occurrence of actual sexual intercourse, carried out consciously and voluntarily by the parties involved, thereby giving rise to criminal legal consequences within the framework of Islamic law (Amanina, 2024).

According to the Hanafi school of thought, zina is understood as sexual intercourse committed by a legally accountable person (*mukallaf*) with a person of the opposite sex who is not lawfully married to them, through sexual organs that are legally prohibited, and in the absence of *shubha*, whether related to ownership (*shubhat al-milk*) or marriage (*shubhat al-nikāḥ*). Meanwhile, the Shāfi‘ī and Ḥanbalī schools regard *al-waṭ’* complete sexual intercourse as the key element of the crime of zina, marked by the penetration of the *ḥashafah* (the tip of the male genital organ) into the vaginal cavity of the female.<sup>3</sup> Based on these criteria, fiqh *jināyah* establishes strict and detailed standards for classifying an act as zina, such that not every form of deviant sexual behavior can automatically be categorized as zina in the technical and normative sense of Islamic criminal law (Rakib, 2021).

The prohibition of zina is explicitly articulated in the Qur’an, particularly in Surah al-Isrā’ verse 32, which states: And do not approach zina; indeed, it is an abomination and an evil way. This formulation not only affirms the unlawfulness of zina as an act, but also encompasses a prohibition against all actions, conditions, and means that may potentially lead to its commission. The choice of the phrase “do not approach” reflects a preventive approach within Islamic law, consistent with the principle of *sadd al-dharā’i’*, which aims to block all avenues leading to sinful conduct. Furthermore, the penal aspect of zina is regulated more specifically in Surah al-Nūr verse 2, which prescribes a punishment of one hundred lashes for unmarried offenders (*ghayr muḥṣan* or *bikr*) (Irfan, 2013).

The Prophetic traditions (*ḥadīth*) provide more detailed explanations regarding the classification of the crime of zina and the variations of sanctions attached to it, particularly in distinguishing between offenders who are *muḥṣan* those who are or have been validly married and *ghayr muḥṣan*, namely individuals who have never been married. In a narration recorded by Imam Muslim, the Prophet Muhammad (peace be upon him) imposed the punishment of stoning (*rajm*) on a *muḥṣan* adulterer. These Prophetic narrations subsequently served as a normative foundation for the majority of fiqh scholars in formulating a differentiated penal system based on marital status, ultimately resulting in two fundamentally distinct punitive regimes within Islamic criminal law (Kurniawan, 2022).

In addition, the Sunnah of the Prophet underscores the importance of applying the principles of *iḥtiyāṭ* (prudence) and *tawarru’* (moral restraint) in the enforcement of *ḥudūd* punishments for zina. Various narrations indicate that the Prophet consistently encouraged the practice of *satr al-‘ayb* concealing personal faults and urged offenders to undertake sincere personal repentance (*tawbah naṣūḥah*) as long as the act had not been legally proven before a judicial authority. This approach demonstrates that the essential objective of Islamic criminal law is not merely retribution or deterrence, but rather the protection of collective morality and the

preservation of social order (*ḥifẓ al-‘ird* and *ḥifẓ al-nasl*), while still providing space for individual spiritual rehabilitation (Abdurahman, 2023).

A distinctive feature of the regulation of zina in Islamic criminal law is reflected in the stringent evidentiary standards required for the application of *ḥudūd* sanctions. The establishment of the crime of zina is only possible through two evidentiary mechanisms. First, the testimony of four male witnesses possessing moral integrity (*‘adālah*) who directly and clearly observe the act of intercourse with absolute certainty, leaving no room for doubt. Second, through a voluntary confession (*i‘tirāf*) by the offender, delivered consciously, without coercion, and repeated on several separate occasions (Muzakir, 2022).

This highly restrictive procedural framework embodies a dual preventive rationale. On the one hand, it serves to prevent the occurrence of *qadhf*, namely unfounded accusations of zina, as well as slanderous practices that could undermine personal honor and dignity. On the other hand, it is intended to prevent the abuse of authority in judicial practice, ensuring that Islamic criminal law does not transform into an instrument of repression, but instead functions as a mechanism for safeguarding human dignity and upholding social justice (Septia, 2024).

Within the framework of Islamic criminal law, zina is not perceived merely as a personal ethical violation, but rather as a *jarīmah* with broad social implications affecting collective interests. Such behavior has the potential to undermine family structures, create ambiguity in lineage (*ikhtilāf al-ansāb*), and weaken moral values and social solidarity within society. Consequently, the prohibition of zina is constructed through a comprehensive and interconnected approach that encompasses theological-spiritual dimensions as violations of divine commands, juridical-normative aspects regulating sanctions and enforcement mechanisms, and sociological-anthropological considerations highlighting its impact on social stability and order.

## B. Forms and Characteristics of Zina Practices in the Digital Era

The rapid advancement of digital technology and modern communication systems has brought about fundamental changes in patterns of human interaction, including in the realm of relationships and sexual expression. Digitalization, supported by widespread internet access, the growth of social media, and the use of connectivity-based applications, has given rise to new virtual spaces that enable sexual interactions to occur without being constrained by spatial and temporal boundaries as in conventional contexts. In this situation, zina is no longer understood solely as a direct physical encounter, but has transformed into various contemporary forms that take place in cyberspace. Activities such as sexting, cybersex, and the dissemination of pornographic content through digital media reflect a shift in the character of zina from overt sexual behavior toward technology-mediated actions that are more complex, difficult to monitor, and harder to control. This condition indicates a significant transition from traditional sexual deviance to increasingly fluid, borderless forms of sexual violations that challenge existing legal regulatory frameworks (Nst, 2011).

Sexting represents one of the most prevalent forms of technology-based sexual behavior in modern society. The term refers to the activity of sending, receiving, or storing sexually explicit digital materials whether in the form of text messages, images, or videos via communication devices such as smartphones and various social media platforms. This practice is generally conducted privately by individuals who are not bound by a lawful marital relationship under Islamic law. Therefore, from the perspective of Islamic criminal law, sexting can be positioned as part of *muqaddimāt al-zinā*, namely preliminary acts that may lead to the commission of zina (Agustini et al., 2021). Although it does not involve direct physical contact, sexting contains elements of sexual stimulation, indulgence of desire, and exposure of *‘awrah*, all of which are prohibited in Islamic teachings. Accordingly, this practice is viewed as violating the principles of personal chastity (*‘iffah*) and the protection of human

honor (*ḥifẓ al-ʿird*), which constitute core objectives within the framework of *maqāṣid al-sharīʿah* as the foundational values of Islamic law.

The primary characteristic of sexting lies in the contradiction between claims of privacy and the high risk of public exposure in digital spaces. Sexual content initially shared within a private context is highly vulnerable to widespread dissemination without the consent of the parties involved, resulting in serious social and psychological consequences. These impacts may include cyberbullying, technology-based extortion, and long-term reputational damage that is difficult to reverse (Amanina, 2024). Within the dynamics of *zina* in the digital era, sexting often functions as a gateway leading to actual physical sexual relations, as virtual intimacy can foster strong emotional closeness and encourage the realization of such relationships through physical meetings. On this basis, sexting cannot be regarded as a value-neutral behavior free from moral implications, but rather must be understood as part of a continuum of sexual conduct that contradicts the normative standards of Islamic criminal law. This practice forms a causal chain that may gradually shift offenders from initial transgressions toward more serious sexual crimes within the classification of *jarīmah* under Islamic law.

In addition to sexting, the phenomenon of cybersex has shown a significant increase alongside the rapid development of digital communication technologies. Cybersex may be understood as sexual activities conducted in virtual spaces through technological means, such as video conferencing services, online chat rooms, or specialized platforms that allow real-time sexual interaction without requiring the physical presence of the parties involved (Ulfiyati & Muniri, 2022). In practice, cybersex involves various behaviors, including exposing body parts categorized as *ʿawrah*, performing erotic gestures or expressions, and simulating sexual intimacy for the purpose of satisfying sexual desire. From the perspective of Islamic criminal law, cybersex may be positioned as conduct that is substantively analogous to *zina*, even though it does not fulfill the classical technical requirement of *al-waṭʿ* in

the form of biological penetration necessary for the establishment of the crime of *zina*.

The defining characteristic of cybersex lies in the formation of illusory psychological intimacy combined with a high degree of anonymity that typifies cyberspace. Participants often experience a false sense of security due to the absence of direct physical encounters and the opportunity to conceal or even fabricate personal identities. This situation contributes to an increased potential for sexual deviance in virtual environments, including engagement in digital sexual relationships with complete strangers or with individuals who are legally bound in valid marriages with other partners (ANISAH, 2024). The conditions of pseudonymity and perceived “invisibility” on digital platforms give rise to a disinhibition effect, a psychological state in which individuals feel freer to engage in behaviors that they would typically avoid in offline settings.

Another form of sexual deviation in the digital realm is evident in the dissemination of explicit sexual materials via the internet, whether in the form of organized pornography or personal intimate content circulated through social media and file-sharing networks. The expansion of digital sexual content is not limited to the production and consumption of pornography, but also encompasses phenomena such as revenge pornography, non-consensual disclosure of intimate materials, and various patterns of technology-facilitated sexual exploitation conducted systematically. These dynamics reflect a fundamental shift in the character of sexual violations in the digital era from actions that were once individual and relational to practices involving extensive networks with significant collective impacts.

The core characteristics of sexual violations in the digital era can be identified through three key aspects: their exponentially expanding scale, their near-instantaneous speed of dissemination, and their resistance to conventional forms of surveillance and control. Advances in information technology infrastructure enable the production and circulation of sexually explicit content to occur within extremely short timeframes even within seconds and to transcend geographical

boundaries and differing legal regimes. This condition poses serious challenges for the enforcement of Islamic criminal law, particularly in relation to evidentiary standards and the effectiveness of sanction implementation. Unlike the classical concept of zina, which requires highly stringent forms of evidence such as the testimony of four qualified witnesses or a voluntary confession the practice of zina in digital spaces more often leaves behind electronic traces that are indirect, contextual, and susceptible to manipulation (Oktaviani & Agusmidah, 2023).

### **C. Challenges in the Enforcement of Islamic Criminal Law on Zina in the Digital Era**

The most fundamental challenge in enforcing Islamic criminal law against practices of zina in digital spaces lies in the aspect of *al-ithbāt*, namely the legal evidentiary mechanism. Within the framework of classical *fiqh jināyah*, zina is classified as a *jarīmah ḥudūd* that can only be established through extremely stringent standards of proof, namely a voluntary confession by the offender or the testimony of four witnesses who directly and clearly observe the occurrence of *al-waṭʿ* (sexual penetration). This procedural formulation is designed to achieve two primary objectives: protecting individual honor and preventing criminal punishment based merely on allegations lacking strong factual foundations. However, in cases of digitally mediated sexual misconduct such as sexting and cybersex, the element of physical intercourse that constitutes the essential component of zina is often absent, thereby failing to satisfy the evidentiary qualifications articulated in classical *fiqh* literature (Magfiroh & Zafi, 2020). Consequently, a significant juridical vacuum emerges, in which various forms of online sexual deviance that are substantively inconsistent with *Sharīʿah* values remain beyond the reach of conventional Islamic criminal law sanctions. This condition ultimately creates an enforcement gap that complicates efforts to safeguard public morality within the context of contemporary digital societies.

Furthermore, evidentiary materials derived from digital media such as electronic communications, visual images, audiovisual

recordings, and various forms of online documentation raise distinct juridical issues within the framework of Islamic law. The inherent characteristics of digital evidence, which are relatively easy to manipulate, fabricate, and disseminate without adequate control, render their authenticity and reliability subject to serious scrutiny. From the perspective of *fiqh jināyah*, any form of evidence must meet the standard of *qaṭʿiyyah*, namely clear legal certainty devoid of ambiguity, in order to avoid *shubha* that may nullify criminal liability (Septia, 2024).

More broadly, evidentiary materials originating from the digital ecosystem including electronic message exchanges, digital images and visuals, audiovisual recordings, and diverse online archives introduce distinctive legal complexities within Islamic jurisprudence. The inherent flexibility of digital evidence and its susceptibility to alteration, manipulation, and uncontrolled dissemination in the absence of robust verification mechanisms often place its validity and credibility in a contested domain. In *fiqh jināyah*, every evidentiary instrument is required to attain the level of *qaṭʿiyyah*, signifying definitive legal certainty and clarity of meaning free from ambiguity, so as to leave no room for *shubha* as a form of juridical doubt capable of negating criminal responsibility and precluding the application of sanctions. Accordingly, the burden of proof in Islamic legal tradition imposes a high epistemological threshold, whereby any rational doubt including that arising from the problematic nature of digital evidence functions as a protective legal mechanism for the accused, particularly in *ḥudūd* cases that entail severe and irreversible consequences (Hadi, 2022).

The complexity of these issues is further exacerbated by the absence of Islamic criminal courts possessing formal legitimacy and executive authority in most Muslim-majority countries, including Indonesia, thereby giving rise to multilayered jurisdictional challenges. In practice, the application of Islamic criminal law often remains confined to normative-doctrinal discourse or is implemented only in limited and exceptional regions, such as the Province of Aceh, which enjoys special autonomy in the application

of Islamic law. As a result, various forms of digitally based sexual violations are predominantly addressed through secular positive law regimes, such as cybercrime regulations, electronic information and transaction laws, and anti-pornography legislation. These legal frameworks do not always align with the conceptual foundations, value orientations, and *maqāṣid al-sharī'ah* that underpin *fiqh jināyah* (Marsaid, 2020).

Another critical issue concerns the protection of individual privacy (*ḥifz al-khuṣūṣiyyah*) in the process of law enforcement. Islamic law strongly condemns the practice of *tajassus*, namely intrusive surveillance or spying into an individual's private sphere, and emphasizes the obligation to safeguard personal dignity and conceal faults through the principle of *satr al-ʿayb*. In addressing digitally mediated sexual violations, investigative and enforcement processes often require the use of digital surveillance technologies, interception of electronic communications, and large-scale collection of personal data. Without strict, proportionate, and precautionary regulation, such practices risk constituting serious violations of the core values of *Sharī'ah*, particularly those related to the protection of human dignity and the sanctity of private space. In such circumstances, the objectives of law enforcement may become counterproductive, undermining the very moral and ethical foundations that Islamic criminal law seeks to uphold (Marsaid, 2020).

#### **D. The Relevance and Limitations of Classical Zina Evidentiary Mechanisms in the Face of Digital Technological Realities**

Within the corpus of classical *fiqh*, the evidentiary paradigm retains strong contemporary relevance, particularly in ensuring the principle of prudence and the protection of individual honor. In *fiqh jināyah*, *zina* is classified as a *jarīmah ḥudūd* that requires exceptionally stringent standards of proof, whether through a voluntary confession by the offender or the testimony of four witnesses who directly and unequivocally observe the act of sexual intercourse (*al-waṭʿ*) without leaving any room for

doubt. Such a procedural design reflects the philosophical foundation of Islamic criminal law, which is not solely oriented toward punishment, but rather prioritizes the preservation of human dignity (*ḥifz al-ʿird*) and the prevention of slanderous accusations and destructive allegations unsupported by adequate evidence (Surya, 2018).

Nevertheless, the classical evidentiary framework encounters fundamental limitations when confronted with the complexity of contemporary digital technological ecosystems. Forms of sexual misconduct that arise in digital spaces generally do not involve direct biological intercourse, but instead manifest through virtual sexual interactions such as sexting and cybersex conducted within cyberspace. These behavioral patterns inherently fail to satisfy the essential physical-biological elements of *zina* as articulated in classical *fiqh* literature. As a result, such practices fall outside the juridical reach of established *ḥudūd* evidentiary mechanisms, thereby generating a problematic space in the enforcement of Islamic criminal law in the digital era (Syahputra, n.d.).

Moreover, the limitations of the classical evidentiary framework become increasingly apparent in light of the complexities of modern digital realities. The spectrum of sexual violations emerging in cyberspace typically lacks direct physical-biological relations and instead takes the form of technology-mediated sexual interactions, such as sexting and cybersex, occurring in virtual domains. These patterns of conduct inherently do not fulfill the essential corporeal elements of *zina* as conceptualized in the classical *fiqh* tradition. Consequently, such acts remain beyond the juridical scope of the established *ḥudūd* evidentiary mechanisms, giving rise to a problematic area in the enforcement of Islamic criminal law amid the accelerating wave of digitalization (Dermawan & Harisudin, 2020).

Despite its enduring relevance in safeguarding legal caution and moral integrity, the classical evidentiary paradigm of *fiqh* thus reveals inherent structural limitations when applied to digitally mediated sexual conduct. The inability of traditional *ḥudūd* proof mechanisms to

accommodate non-physical forms of sexual deviance underscores the need for renewed scholarly engagement, doctrinal interpretation, and contextual legal reasoning (ijtihād) to address the evolving challenges posed by digital technologies, while remaining faithful to the foundational values and objectives of Islamic law (Ramdlany et al., 2022).

#### IV. CONCLUSION AND SUGGESTIONS

##### A. Conclusion

This study demonstrates that the phenomenon of zina in the digital era represents a profound transformation in the manifestation of sexual misconduct, shifting from direct physical relations to technology-mediated interactions within virtual spaces. While classical Islamic criminal law conceptualizes zina as a *jarimah hudud* grounded in physical-biological intercourse and governed by exceptionally stringent evidentiary standards, contemporary digital practices such as sexting, cybersex, and the dissemination of intimate content do not neatly fit within these traditional legal parameters. As a result, a significant normative and juridical gap emerges, wherein behaviors that clearly contradict the moral and ethical values of *Shari'ah* remain largely beyond the reach of conventional *hudud* mechanisms. This gap is further complicated by the problematic nature of digital evidence, jurisdictional fragmentation, and the tension between law enforcement and the protection of privacy, all of which challenge the effective application of Islamic criminal law in modern digital societies.

At the same time, the findings affirm that the classical evidentiary paradigm of *fiqh jinayah* retains enduring relevance as a safeguard for human dignity, legal certainty, and the prevention of unjust punishment. However, its structural limitations in addressing non-physical forms of sexual misconduct highlight the necessity of contextual legal reasoning (ijtihād) grounded in the objectives of Islamic law (*maqasid al-shari'ah*). An adaptive and multidimensional approach integrating preventive strategies, ethical education, digital literacy, and proportionate legal frameworks is therefore essential to respond effectively to zina-related practices in the digital

era. By harmonizing classical principles with contemporary realities, Islamic criminal law can maintain its normative authority while remaining responsive to the evolving challenges posed by rapid technological change.

##### B. Suggestion

Future research on Zina in the Digital Era: New Challenges for the Enforcement of Islamic Criminal Law should prioritize the development of an integrative legal framework that bridges classical *fiqh jinayah* principles with contemporary digital realities. Scholars are encouraged to advance interdisciplinary approaches that combine Islamic jurisprudence, cyber law, digital forensics, and ethics in order to formulate evidentiary models that remain faithful to *Shari'ah* values while addressing the distinctive characteristics of virtual misconduct. Additionally, sustained scholarly engagement with *maqasid al-shari'ah*-based reasoning is essential to expand the discourse beyond punitive mechanisms toward preventive, educational, and restorative strategies, thereby strengthening the relevance and adaptability of Islamic criminal law in responding to the evolving moral and legal challenges of digital society.

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