



Analysis of Jinayah Fiqh on Adultery and the Moral Damage of the Younger Generation

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<p>Article History Received: 2024-12-15 Revised: 2024-12-23 Published: 2024-12-30</p> <p>Keywords: <i>Fiqh Jinayah; Zina; Moral Decay; Young Generation</i></p>	<p>Adultery is viewed in Islamic law as an act that not only violates moral norms but also has broad legal and moral implications, especially for the character formation of the younger generation. The weakening of moral awareness due to the normalization of sexual relations outside of marriage raises concerns about the destruction of the value system protected by Islamic law. This article aims to examine the views of Islamic jurisprudence (fiqh jinayah) on adultery as a crime, its impact on the moral decay of the younger generation, and the purpose of establishing sanctions for adultery as a preventive measure. The research method used is normative legal research with a fiqh jinayah approach. The approaches applied include a normative Islamic regulatory approach (statute approach) through a study of the Qur'an and Hadith, and a conceptual approach (conceptual approach) by examining the thoughts of Islamic scholars regarding adultery and its punishment in Islamic criminal law. The research data sources are secondary legal materials obtained through literature studies, including fiqh jinayah books, Islamic criminal law books, scientific journals, and the opinions of relevant Islamic legal experts. Data analysis is conducted qualitatively by interpreting and constructing Islamic legal norms to obtain a comprehensive understanding. The results of the study show that jinayah fiqh views adultery sanctions as an instrument for maintaining morals and protecting society, which is directed at preventing the spread of moral damage, especially among the younger generation.</p>

I. INTRODUCTION

Changes in social patterns in modern society have significantly influenced the younger generation's perspective on moral values, particularly regarding relationships between men and women. Sexual relations outside of marriage are increasingly perceived as part of individual freedom, blurring the boundaries between permissible and prohibited behaviors according to religious norms. This situation poses a serious problem in Muslim society because it contradicts the fundamental principles of Islamic teachings, which prioritize honor, chastity, and moral responsibility as values that must be upheld. In Islamic law, this behavior is known as zina (adultery) and is considered a prohibited act with moral and legal consequences.

Islamic jurisprudence (fiqh jinayah), a branch of Islamic law that regulates criminal acts, pays

special attention to adultery (zina) because this act is directly related to the protection of human honor and posterity. Zina is not understood merely as a violation of personal ethics, but as a crime with the potential for widespread social impact. When adultery occurs repeatedly and is socially accepted, it can lead to moral decay that affects the value structure within society. The younger generation, who are in the phase of character formation and internalizing norms, are the group most vulnerable to these impacts. A weakened sense of shame, a decreased awareness of the boundaries between what is permissible and what is forbidden, and a diminished moral responsibility in social relations are some forms of harm considered serious in Islamic jurisprudence (fiqh jinayah).

From the perspective of Islamic criminal law, the moral damage of the younger generation due to adultery cannot be separated from the

objectives of the Shari'a in safeguarding the benefit of the people. Jinayah fiqh views that deviant behavior in the sexual field has long-term implications for social life, especially in family formation and the continuity of religious values. Therefore, legal regulation of adultery is not only directed at assessing the act, but also at efforts to maintain the moral order of society as a whole. This shows that fiqh jinayah has a strong preventive dimension in dealing with potential moral damage.

The imposition of sanctions for adultery in Islamic jurisprudence (fiqh jinayah) is part of the mechanism for protecting these values. Criminal sanctions in Islamic law are not intended solely as a form of retribution, but rather as an instrument to affirm moral boundaries and prevent the spread of deviant behavior. The existence of sanctions for adultery conveys a normative message that sexual relations are not merely private matters but have social and moral dimensions that must be accounted for. In this context, sanctions serve as a means of social education, expected to foster legal and moral awareness, particularly among the younger generation.

Discussions on adultery, the moral decay of the younger generation, and the objectives of establishing sanctions require a study based on Islamic legal norms. Therefore, this paper is structured using normative legal research focusing on the study of Islamic jurisprudence (fiqh jinayah). The approach used is directed at examining sources of Islamic law, such as the Qur'an, hadith, and the thoughts of scholars discussing adultery and its punishment in Islamic criminal law. Furthermore, this study also uses a conceptual approach to understand the relationship between the crime of adultery, the morality of the younger generation, and the objectives of sharia in establishing criminal sanctions.

Through this normative study, this article is aimed at providing a comprehensive understanding of the concept and position of adultery as a Jarimah in Jinayah fiqh, how Jinayah fiqh views the moral damage to the younger generation caused by the act of adultery, as well as the purpose of establishing sanctions for adultery in Jinayah fiqh as an effort to prevent the moral damage of the younger generation. This introduction provides the initial basis for further examining the construction of Islamic criminal law in maintaining public morals and

emphasizes the role of fiqh jinayah in facing the challenge of moral degradation among the younger generation.

II. RESEARCH METHODS

The research method used in this paper is normative legal research or doctrinal legal research. This research focuses on the study of Islamic legal norms that regulate the act of adultery as a crime in Islamic jurisprudence (fiqh jinayah), including the perspective of Islamic criminal law on the impact of such acts on the moral decay of the younger generation and the purpose of establishing sanctions. Normative research was chosen because this study emphasizes conceptual and normative analysis of Islamic legal principles as stated in Islamic legal sources and fiqh literature.

The approach used in this research is a statute approach in the normative sense of Islam, namely by examining legal provisions originating from the Qur'an, the hadith of the Prophet Muhammad SAW, as well as the opinions of Islamic jurisprudence scholars discussing adultery and its sanctions. Furthermore, a conceptual approach is used to understand the concept of adultery as a crime, the moral decay of the younger generation, and the objectives of punishment in Islamic criminal law based on the *maqāṣid al-syarī'ah* framework.

The legal sources used in this study are secondary legal sources obtained through literature review. These include primary legal sources in the context of Islamic law, namely the Qur'an and hadith related to the prohibition of adultery and the determination of its sanctions. Secondary legal sources consist of books on Islamic jurisprudence (fiqh jinayah), Islamic criminal law textbooks, scientific journals, and writings by Islamic legal experts relevant to the discussion of adultery and the morality of the younger generation. Tertiary legal sources, such as legal dictionaries and Islamic encyclopedias, are used as supporting sources to clarify the terms and concepts used in this study.

The legal material collection technique was carried out through a literature study by systematically tracing, inventorying, and reviewing various literature related to the research object. The collected legal material was then analyzed using qualitative data analysis techniques, namely by classifying legal norms, interpreting the provisions of Islamic jurisprudence (fiqh jinayah), and constructing an

understanding of the law related to adultery and efforts to prevent moral decay of the younger generation. The results of this analysis are then presented descriptively and analytically to provide a complete picture of the Islamic jurisprudence's view of adultery and the purpose of establishing sanctions in maintaining public morals.

III. RESULTS AND DISCUSSION

A. The Concept and Position of Zina as a Crime in Islamic Jurisprudence

In Islamic jurisprudence (jurisprudence), adultery is considered a very serious crime because it directly affects the protection of human honor, offspring, and the moral order of society. Adultery is understood as sexual intercourse between a man and a woman without a valid marriage bond according to Islamic law. This concept is based on the text of the Qur'an and the Sunnah of the Prophet Muhammad SAW, as well as the consensus of Islamic scholars, which affirms that sexual relations outside of marriage are prohibited and have widespread impacts on the social and moral life of Muslims. Within the framework of Islamic jurisprudence (fiqh jinayah), this prohibition is interpreted not only as a religious ethical norm but also as a criminal law provision that carries specific sanctions if its elements are met. (Aditya Renaldi, et al., 2024)

The definition of adultery as a crime demonstrates that Islam views such acts not merely as a violation of personal morality, but also as a violation of public order and the objectives of sharia. Islamic jurisprudence (fiqh jinayah) defines adultery as an act that has the potential to damage the foundations of social life, particularly the family institution, which is the primary foundation of society. Therefore, the concept of adultery in Islamic jurisprudence has a broader scope than the definition of adultery in modern positive law, which is often limited by the element of complaint or certain marital status. From a sharia perspective, any sexual intercourse outside of a legal marriage is sufficient to be categorized as adultery, regardless of whether the act is committed voluntarily or hidden from the public. (Pairuz Amanina, 2024)

The status of adultery as a crime can also be understood from its classification in Islamic criminal law. In Islamic jurisprudence (fiqh jinayah) literature, crimes are divided into

several categories based on the type of sanction, and zina is classically included in the hudud crimes. This means that zina is an act whose sanctions have been determined precisely by sharia and are not left entirely to the discretion of the judge. However, Islamic jurisprudence also recognizes the principle of strict prudence in proving zina. High standards of proof, such as the requirement to present four fair witnesses or a voluntary and repeated confession from the perpetrator, demonstrate that despite the serious legal status of zina, Islam still prioritizes the protection of individual honor and prevents arbitrary criminalization. (Islamul Haq, et al., 2022)

In this context, the position of adultery as a crime cannot be separated from the primary objective of Islamic jurisprudence (jurisprudence), namely to safeguard public welfare and prevent harm. The imposition of criminal sanctions for adultery is not intended solely as a form of retribution, but rather as a preventive mechanism to suppress the spread of behavior that can damage public morals. Islamic jurisprudence believes that if adultery is allowed to continue without clear legal boundaries, it will have broader social impacts, such as the destruction of lineage, the weakening of the family institution, and increased social conflict rooted in issues of honor and morality. Therefore, adultery is positioned as a crime directly related to the public interest, not merely a private matter between two individuals. (Ema Dusti Tatri, et al., 2025)

The development of contemporary Islamic jurisprudence (fiqh jinayah) demonstrates an effort to re-understand the position of adultery in the context of modern society without eliminating its normative substance. Although the formal implementation of hudud (fornication) faces challenges in modern state legal systems, the concept of adultery as a crime remains relevant as a foundation for Islamic morality and law. In practice, many contemporary Islamic scholars and legal scholars emphasize the ta'zīr approach when the requirements of hudud are not met, allowing sanctions to be imposed proportionately, taking into account the public interest and social conditions. This approach demonstrates the flexibility of Islamic jurisprudence in maintaining the basic values of sharia while adapting them to contemporary legal realities. (Rya Elita Br Sembiring, et al., 2026)

Thus, the concept and position of adultery as a crime in Islamic jurisprudence (*fiqh jinayah*) reflect Islam's comprehensive perspective on the protection of morals, honor, and social order. Adultery is not merely positioned as a violation of religious norms but also as a crime with broad legal and social implications. The definition of adultery as a crime emphasizes that Islamic jurisprudence aims to maintain a balance between justice, the protection of individual rights, and the interests of society as a whole. Within this framework, Islamic criminal law focuses not only on punishment but also on prevention and the moral development of the community, particularly in addressing the challenges of moral degradation among the younger generation in the modern era.

B. Fiqh Jinayah's view of the moral damage of the younger generation caused by the act of adultery

The act of adultery in Islamic law, particularly in the realm of Islamic jurisprudence (*fiqh jinayah*), is viewed as an act that not only violates moral norms and sharia law, but also as a crime that has a destructive impact on the social order, including the morals of the younger generation. The legal basis of Islamic jurisprudence (*fiqh jinayah*) places the prohibition on sexual relations outside of a legal marriage not only as a theological norm, but also as a basis for criminal law that has broad implications for the formation of character and ethics in Islamic society. In the Qur'an, this prohibition is explicitly stated, including in Surah al-Isra' verse 32 which prohibits Muslims from approaching adultery as a form of moral and social crime, so that this norm becomes the legal basis in Islamic jurisprudence. The statement from this text shows that adultery is not merely an individual sin but includes actions against which sharia stipulates a strict prohibition and the consequences of criminal punishment if proven to have occurred. (Andara Isnaini, et al., 2025)

Islamic jurisprudence (*fiqh jinayah*), as a branch of Islamic law, classifies zina as a serious crime. This distinction is based on its impact on personal honor, family, and social structure. In Islamic law, zina is not only understood as premarital sexual relations, but also as an act that has the potential to erode the morals and self-discipline of the younger generation, a key component of society. In Islamic legal studies,

this act is seen as potentially leading to various other harms, such as the destruction of lineage, the weakening of family structures, and the loss of a sense of shame and moral ethics among young people. These impacts demonstrate that zina is not merely a violation of sexual norms but also a moral hazard that impacts overall social well-being. (Erniwati, 2023)

Furthermore, scholars of Islamic jurisprudence (*fiqh jinayah*) emphasize that such acts have the potential to distort the moral education efforts that should be implemented within the family and community. Balanced religious education and the integrated strengthening of social norms are part of Islamic law's response to this moral phenomenon. In several Islamic legal studies on zina, such acts are referred to as violations of the *maqasid* of sharia, particularly those concerning the preservation of offspring (*hifzh al-nasl*), the preservation of reason (*hifzh al-'aql*), and the preservation of honor (*hifzh al-'irdh*). When any of these *maqasid* is disrupted by zina, the consequences are not only for the individual involved, but also for the morals of the generation that serves as role models and successors to society (Leisinger, 1987).

In the context of Islamic criminal law, adultery is considered a serious offense that requires strict legal attention. This is reflected in the Islamic jurisprudence (*fiqh jinayah*) approach to sexual crimes, where adultery is considered to have a negative impact on social and moral structures, thus ensuring that punishments and law enforcement mechanisms are designed to prevent further damage to society. This normative approach places the prohibition of adultery as a foundation for instilling moral values in the younger generation from an early age, thus preventing them from engaging in behavior that conflicts with Islamic values. (Firmansyah Amsyari, et al, 2025)

The study of Islamic jurisprudence (*fiqh jinayah*) also serves as a powerful moral education instrument in shaping the character of the younger generation. The aspects of Islamic criminal law encompass not only sanctions but also efforts to protect young people from behavior that could destroy their morals and social lives. When law enforcement efforts serve as a deterrent, young people can understand that adultery not only violates religious norms but also undermines social harmony and personal dignity. Practically, this means that the Islamic

jurisprudence perspective on adultery encompasses moral concerns that touch on the formation of young people's behavior in adhering to sharia values, as well as efforts to prevent the accompanying moral degradation.

The broad outline of the Islamic jurisprudence (fiqh jinayah) perspective demonstrates that adultery is classified as a crime that has serious implications for morals and social stability because it is not only illegal according to sharia but also has a multifaceted effect on the moral development of generations. Legally, Islamic law places adultery within the criminal realm and must be prosecuted, not only because of its nature as a sexual offense but also because its effects can systematically damage the structure of society's moral values. Thus, the Islamic jurisprudence perspective emphasizes that maintaining honor, acting in accordance with religious norms, and maintaining strong morals are the functions of Islamic criminal law in the context of protecting social values, including those related to the younger generation.

C. The Purpose of Establishing Sanctions for Adultery in Islamic Jurisprudence as an Effort to Prevent Moral Damage to the Younger Generation

Islamic jurisprudence views the imposition of sanctions against adultery as an integral part of the Islamic legal system, aimed at maintaining moral, social, and humanitarian order. Sanctions for adultery are not positioned solely as a form of retribution for violations of the law, but rather as a sharia instrument oriented toward protection and prevention against broader harm, particularly the moral damage of the younger generation. Within the framework of Islamic criminal law, the younger generation is viewed as a strategic group in the sustainability of Islamic values, so any form of behavior that has the potential to damage their morals and integrity is a primary concern of sharia.

The imposition of sanctions for zina is rooted in the Islamic jurisprudence (jurisprudence) view that sexual relations outside of a legal marriage are not merely a private matter between the perpetrators, but an act that directly impacts public order and collective morals. Zina is considered capable of destroying a sense of shame (ḥayā'), lowering moral standards, and weakening self-control, which can ultimately form deviant behavior patterns among the

younger generation. In this context, sanctions for zina serve as a stern reminder that Islamic law places a high value on self-respect and the sanctity of human relationships.

Jinayah fiqh also places the aim of establishing sanctions for adultery within the framework of maintaining maqāsid al-syarī'ah. Protection of offspring (ḥifẓ al-nasl) is one of the main goals that is very relevant to the morals of the younger generation. The act of adultery has the potential to cause unclear lines, weaken family responsibilities, and create social conditions that are not conducive to character development for children and adolescents. Therefore, sanctions for adultery are directed at closing the path to this damage by providing strict legal limits to deviant sexual behavior.

In addition to protecting offspring, establishing sanctions for zina is also closely related to protecting reason (ḥifẓ al-'aql) and honor (ḥifẓ al-'irdh). From the perspective of Islamic jurisprudence (fiqh jinayah), young people accustomed to zina behavior risk experiencing a decline in self-control and moral reasoning. When religious norms are no longer the reference point for sexual behavior, the line between what is permissible (halal) and what is forbidden (haram) becomes blurred, and ethical values gradually lose their authority. Sanctions for zina, in this case, function as a legal mechanism that restores clarity to norms and emphasizes the consequences of violations of one's own and others' honor.

The preventive purpose of adultery sanctions is also evident in the very strict evidentiary requirements in Islamic jurisprudence (fiqh jinayah). The high standard of proof demonstrates that Islam does not encourage arbitrary punishment, but rather emphasizes that sanctions are imposed only when the act is conclusively proven. This principle conveys a strong moral message to the younger generation that Islamic law is not repressive, but rather strikes a balance between protecting individual rights and safeguarding societal morals. When sanctions are imposed, they serve as social lessons that adultery is not tolerated, while also acting as a bulwark against the younger generation falling into destructive lifestyles.

In Islamic jurisprudence (jurisprudence), sanctions for zina are also understood as a means of moral education (ta'dīb). Punishment does not stand alone as physical or social suffering, but has an educational dimension aimed at fostering

legal and religious awareness. Through the existence of clear rules and sanctions, the younger generation is guided to understand that unlimited sexual freedom is not a form of progress, but rather a source of moral decay. With sanctions, Islamic law emphasizes that freedom must always be framed by responsibility and divine values.

The establishment of sanctions for adultery in Islamic jurisprudence also serves as protection for potential victims from moral damage. (Maulidya Mora Matondang, et al., 2025) Young people living in a social environment that is permissive towards adultery are at risk of becoming victims of exploitation, social pressure, and psychological damage. With the existence of strict criminal norms, Islamic jurisprudence seeks to create a safer and more dignified social space, where relations between men and women are governed by the principles of chastity and responsibility. In this context, sanctions for adultery become an instrument to enforce clear moral boundaries, so that young people do not get caught in relationships that are detrimental to themselves.

Criminal law (fiqh jinayah) also views that preventing moral decay in the younger generation cannot be separated from legal exemplars. When Islamic law consistently emphasizes the prohibition of adultery and establishes sanctions for it, it creates a legal culture that supports moral development. Young people who grow up in an environment with strict legal norms will more easily internalize the values of purity, responsibility, and respect for themselves and others. Therefore, sanctions for adultery not only function individually but also foster collective awareness of the importance of maintaining morality in social life.

Within the framework of Islamic jurisprudence (fiqh jinayah), the purpose of establishing sanctions for zina is also related to preventing the domino effect of moral decay. Zina is seen as a gateway to various other forms of deviance, such as sexual violence, exploitation, and the breakdown of family structures. Young people exposed to the normalization of zina are at risk of losing their value orientation, easily falling into behavior that increasingly deviates from sharia principles. By establishing sanctions for zina, Islamic law seeks to close these doors before the damage becomes more widespread and difficult to control.

The affirmation of sanctions for adultery in Islamic jurisprudence (fiqh jinayah) also reflects the responsibility of the state or Islamic legal authorities to safeguard the public interest. The younger generation is not only a biological asset of society, but also a moral and spiritual asset. Moral damage to this group will have long-term consequences for the sustainability of values of justice and humanity. Therefore, sanctions for adultery are positioned as part of a legal policy oriented towards protecting the future of the community, not simply a reaction to individual violations.

These objectives demonstrate that in Islamic jurisprudence (fiqh jinayah), the sanction for zina has a much broader meaning than mere punishment. It is a manifestation of Islamic law's commitment to maintaining morality, honor, and social balance, particularly for the younger generation who are in the process of character formation. This sanction affirms that freedom and morality must go hand in hand, and that Islamic law exists to guide humanity towards a life of dignity and justice.

IV. CONCLUSION AND SUGGESTIONS

A. Conclusion

From the perspective of Islamic jurisprudence (fiqh jinayah), adultery is understood as a criminal act with interrelated moral, social, and legal implications. This act is not only considered a violation of individual moral norms but also a crime with the potential to undermine the value system within society. The status of adultery as a crime demonstrates that Islamic law places the protection of honor and the sanctity of human relationships as a crucial component of safeguarding the well-being of the community.

The moral damage caused by adultery to the younger generation is viewed in Islamic jurisprudence as a serious problem because it is related to character formation and the internalization of Islamic values. Normalizing sexual behavior outside of marriage has the potential to weaken moral awareness, blur the boundaries between what is permissible and what is forbidden, and diminish social responsibility in interpersonal relationships. This situation demonstrates that adultery cannot be understood as a purely personal act, but rather as an act that has structural impacts on the social and moral life of society.

The imposition of sanctions for adultery in Islamic jurisprudence (fiqh jinayah) is aimed at upholding moral values and preventing the spread of deviant behavior, particularly among the younger generation. Sanctions are not interpreted merely as a form of retribution, but as an instrument of sharia to affirm moral boundaries and foster legal awareness. The principle of caution in proving adultery demonstrates that Islamic criminal law prioritizes justice and the protection of individual honor, while maintaining the moral order of society. Thus, Islamic jurisprudence positions sanctions for adultery as part of an effort to maintain a balance between individual interests and social welfare.

B. Suggestion

Based on the results of this study, it is necessary to strengthen understanding of jinayah fiqh as a legal system that is not only oriented towards punishment, but also towards fostering community morals. A comprehensive understanding of the purpose of establishing sanctions for adultery needs to be disseminated so that Islamic criminal law is not perceived solely as a repressive instrument, but rather as a means of protecting values and moral education.

Apart from that, efforts to prevent moral damage to the younger generation should not only rely on the sanctions aspect, but should also be supported by moral development through religious education and a conducive social environment. Synergy between families, educational institutions and society is important in instilling awareness of the value of honor and moral responsibility in accordance with the principles of fiqh jinayah.

For the development of Islamic law studies, further research can expand the discussion regarding the application of jinayah fiqh values in more diverse social contexts, without ignoring the normative principles of sharia. It is hoped that an in-depth study of the relationship between Islamic criminal law and the moral development of the younger generation can enrich scientific knowledge and contribute to strengthening Islamic values in social life.

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