

SEXUAL BEHAVIOR OUTSIDE MARRIAGE AMONG STUDENTS: A SOCIO-LEGAL ANALYSIS OF THE PREVENTION OF DISINTEGRATION OF FAMILY VALUES FROM THE PERSPECTIVE OF ISLAMIC FAMILY LAW

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ABSTRACT

The phenomenon of premarital sexual behavior among students has become one of the most alarming moral challenges in the modern era. Cultural globalization, technological advancement, and the weakening of family and social control have accelerated behavioral changes toward sexuality. This condition not only causes individual moral and psychological degradation but also leads to the disintegration of family values as the

main moral foundation of society. This study aims to analyze premarital sexual behavior from socio-legal and Islamic legal perspectives, focusing on prevention and the reintegration of family values. The research employs a qualitative descriptive method with a normative-sociological approach, examining social phenomena and legal norms within Islamic and national contexts. The findings show that premarital sexual behavior is influenced by family dysfunction, spiritual crisis, media exposure, and weak moral education. In Islamic law, zina is a grave sin with severe moral and legal consequences. Prevention (sadd al-dharī'ah) is emphasized through faith strengthening, moral education, and family empowerment. The integration of Islamic law, social policies, and family roles provides an effective strategy to protect young generations from moral disorientation and prevent family value disintegration.

Keywords: *sexual behavior, students, Islamic law, family value disintegration, socio-legal*

INTRODUCTION

In the last two decades, Indonesian society has faced significant social changes due to globalization, technological advances, and the rapid flow of information. One of the most serious impacts of such changes is the rise in sexual behavior outside of marriage, especially among students and university students. This phenomenon is not just a moral issue, but has also become a complex legal, social, and religious issue. Data from various national surveys show an increase in premarital sexual behavior among adolescents. Reports by BKKBN and several social research institutions show that some students have had physical contact and sexual intercourse before marriage (Syafitriani, Trihandini, & Irfandi, 2022: 56). On the other hand, Indonesia's religious and cultural values that have been upholding the sanctity of relationships in marriage are increasingly eroded by permissive and hedonistic lifestyles.

This phenomenon has far-reaching implications such as unwanted pregnancies, illegal abortions, rising cases of sexually transmitted diseases, and fractures in family values. Not a few students or female students also have to bear the social burden due to societal stigma (Musahwi, Anika, & Pitriyani, 2022: 132). Meanwhile, educational institutions and families often fail to play a preventive role due to weak communication, supervision, and internalization of moral values. From the perspective of Islamic law, sexual

behavior outside of marriage (adultery) is a major sin (*kabā'ir*) that has severe legal consequences, both worldly and ukhrawi (Amsyari et al., 2025: 34). Islam places the institution of the family as the main fortress to maintain human honor and morality. The disintegration of family values, characterized by the loss of purity, responsibility, and moral control, is a serious threat to the Islamic social order (Hidayatullah, 2021: 26). However, handling this phenomenon cannot rely solely on legal sanctions. A socio-legal approach, which blends religious norms, social policies, and family development, is needed to build a comprehensive prevention system.

Previous studies related to the topic “Phenomenon of sexual behavior outside marriage among students: socio-legal analysis and prevention from the perspective of Islamic Law”, are as follows: the first research conducted by Respati Wulandari entitled “*Exploring patterns and determinants of premarital sexual behavior among Indonesian university students*”. In this study, a small percentage of respondents had premarital sex, most did not use condoms, exposure to pornography (especially online) was significantly correlated with premarital practices ($p < 0.001$). Reproductive knowledge is relatively good, but attitudes and behaviors are not always in harmony (Wulandari, Aprianti, Ashari, & Waluyo, 2024: 121). Second, a study conducted by Desy Ayu Wardani entitled “*Efficacy of Programs Designed to Reduce the Incidence of Premarital Sexual Behavior Among Adolescents: A Systematic Review*”. The study found that interventions that combined comprehensive sexual education, skill strengthening (resilience/assertiveness), parent/community involvement, showed the most consistent results in reducing risky behaviors. Interventions that are only informative are less effective; The use of social media as an intervention platform is promising but needs a design based on cultural context (Wardani, Ahmad Sharoni, & Triyanto, 2024: 37).

Third, the research conducted by Cecep Eli Kosasih et al with the title “*Determinants of Premarital Sexual Behavior amongst Adolescents in Indonesia*”. The study identified significant determinants including age, gender, education, media exposure, parental supervision, and socio-economic background. These national findings confirm that structural factors (education, poverty, urbanization) are just as important as individual factors (Kosasih, Solehati, Utomo, Heru, & Sholihah, 2021). Furthermore, research conducted by Luthfiyah entitled “*Premarital Sexual Behavior, Sexual Assertiveness, and Sex Guilt Among College Students*”. This study found that higher sexual assertiveness and certain sex-guilt rates were associated with reduced risk of premarital practice. However, there are differences based on gender and religious/family value background (Luthfiyah & Hayati, 2025: 124).

The four studies concluded that sexual behavior outside marriage among students and university students is influenced by factors of knowledge, attitudes, media exposure, moral values, and family supervision. Pornography exposure and weak self-control are the main triggers, while religious values-based sexual education and community involvement are effective in reducing risky behaviors. Interventions that combine moral strengthening, assertiveness, and socio-legal approaches based on Islamic values have proven to be more relevant to prevent the disintegration of family values and maintain individual honor and social order.

Based on this background, this study proposes several formulations of the problem, What are the forms and factors that cause sexual behavior outside of marriage among students and university students? What are the social and legal implications of this phenomenon on the disintegration of family values? What is the approach of Islamic law in preventing and tackling sexual behavior outside of marriage among the younger generation? Modernization and globalization have led to a shift in value orientation among the younger generation. The culture of “free expression” is often mistaken for unlimited freedom, including in the realm of sexuality. Digital media and social platforms provide easy access to pornographic content that triggers imitative behavior (Pradja, Ratnasari, Sulistyaningrum, & Sari, 2025: 80). Meanwhile, education systems tend to emphasize the cognitive aspect more than the formation of spiritual character.

The phenomenon of free boarding houses, intense dating, and *cohabitation* in big cities is concrete evidence of the fading of social norms. In many cases, this behavior is rooted in the weak role of the family and the environment that is no longer a space of social control. As a result, the younger generation experiences a disorientation of values, a loss of moral direction, and a distance from religious teachings. The study of sexual behavior outside of marriage needs to be seen not only as a personal moral problem, but as an indicator of the crisis of the family value system. In the context of nation-building based on Pancasila and religious values, the weakening of the family institution means the weakening of the social foundation of society. Therefore, this study seeks to provide a comprehensive analysis to understand the social roots, legal consequences, and solutions based on Islamic law in preventing the disintegration of family values.

RESEARCH METHODS

This research uses a qualitative approach with a descriptive-analytical method that aims to deeply understand the phenomenon of sexual behavior outside

marriage among students and university students, and analyze it from a socio-legal perspective and Islamic law. Data is obtained through *library research* by examining various scientific sources, such as fiqh books, sociological works, laws and regulations, and relevant academic articles. The analysis was carried out critically and comparatively, by comparing the views of Islamic law, national law, and legal sociology theories in looking at the root causes and implications of sexual behavior outside of marriage on the disintegration of family values. The socio-legal approach is used to understand the relationship between legal norms and social reality, while the *framework of maqāṣid al-sharī'ah* is used to assess the moral values and goals of Islamic law in the context of the protection of honor and posterity (*ḥifẓ al-'irdh wa ḥifẓ al-nasl*). With this method, the research seeks to provide a complete picture of the role of Islamic law in preventing moral deviations from the younger generation and reinforcing family values in modern society.

THE PHENOMENON OF SEXUAL BEHAVIOR OUTSIDE OF MARRIAGE AMONG STUDENTS AND UNIVERSITY STUDENTS

Sexual behavior outside of marriage among students and university students is no longer an individual or isolated phenomenon, but has become a structural social phenomenon in modern society. Various studies reveal that changes in sexual values among adolescents and university students are influenced by the process of modernization, secularization, and the massive flow of global information (Agung Mulyaningsih & Noviana, 2021: 36). Various studies have shown that changes in sexual values among adolescents and university students are influenced by modernization, secularization, and the massive flow of global information. These transformations alter perspectives on relationships, moral norms, and sexual behavior, often shifting traditional values due to the influence of digital culture and globalization. These changes significantly affect the way the younger generation views the body, love, and relationships between the opposite sex. Shifting values in the higher education environment, which should function as a forum for intellectual and moral development, often turns into a social space with minimal ethical control (Firdaos et al., 2024: 145).

The shift of values in higher education indicates a transformation of universities from spaces of intellectual and moral cultivation into social environments with weakening ethical oversight. This condition risks diminishing academic integrity, character formation, and students' moral responsibility, thereby challenging universities' essential role in shaping ethical and critical citizens. Phenomena such as free boarding houses, intensive dating,

and physical relations before marriage, are now starting to be considered commonplace by some students. Many of them interpret sexual relations no longer as a moral transgression, but as a form of expression of love, evidence of emotional closeness, and even a symbol of personal freedom.

From a sociological perspective, the phenomenon of extramarital relationships shows a shift in the value paradigm from moral-religious orientation to pragmatic and hedonistic values (Iriyanto & Gusnita, 2024: 76). From a sociological perspective, extramarital relationships reflect a transformation of social values, where moral-religious norms gradually lose authority and are replaced by pragmatic and hedonistic orientations. Individuals increasingly prioritize personal satisfaction, emotional fulfillment, and material interests over social ethics, marital commitment, and religious obligations. This shift signaled a crisis of values in the social system, where Islamic principles such as personal purity (*iffah*), moral responsibility, and respect for the institution of marriage began to be replaced by liberal views that emphasized the unlimited freedom of the individual.

This condition is further exacerbated by the weak understanding of students and university students on the law and ethics of sexual relations. Sex education provided in schools and colleges is generally biological and medical, emphasizing the technical aspects of reproduction rather than instilling moral and spiritual values (Farhana et al., 2022: 22). Sex education in schools and universities generally focuses on biological and medical aspects, focusing on reproductive mechanisms, reproductive health, and sexual risk prevention. However, this approach is often criticized for not integrating the moral, ethical, and spiritual dimensions that form the foundation for character development and fostering students' sexual responsibility. As a result, many students know how the body works scientifically, but lose ethical and religious awareness in interpreting sexuality.

The lack of integration between moral education and sex education makes the younger generation vulnerable to deviant behavior (Cut Kumala Sari, Melianda Putri, & Delima Putri, 2025: 57), which in turn can threaten the values of family purity and the social order based on Islamic teachings. The lack of integration between moral education and sex education leaves young people vulnerable to deviant behavior because they acquire sexual knowledge without a strong ethical foundation. This can lead to abuse of freedom, risky sexual behavior, and a decreased awareness of the values of responsibility, social norms, and religion.

The following data is the result of a researcher who provides a comprehensive overview of the trends and dynamics of sexual behavior outside of marriage

among students and university students in Indonesia during the period 2023 to 2025, covering social, moral, and educational aspects that affect the behavior change of the young generation.

Table 1: Sexual Behavior Outside of Marriage Among University Students (2023-2025)

Year	Source	Population	Indicator	Findings	Methodological Notes
2023	Indonesia Health Profile Report 2023 (Ministry of Health)	Youth ages 10-19	Proportion of having been pregnant	64.4% have been pregnant; 12.8% are pregnant	The definition of having been pregnant is broad, not specific to students/ students
2024	Local research articles (Jurnal. akperdharmawacana. ac.id)	Youth ages 14-17	Having had premarital sex	20% (ages 14-15); 60% (ages 16-17)	Local studies, small samples, not national
2025	BKKBN Survey (quoted jatimtimes.com)	Youth ages 15-19	Having had sexual relations outside of marriage	59% female and 74% male	Media data, need to verify the original methodology

Data from various sources show an increasing trend of sexual behavior outside of marriage among adolescents and university students. The number of risky behaviors is getting higher, especially at the age of 15-19 years. However, most of the research has methodological limitations and does not cover the student population nationally. The need for more structured and valid data is very important so that education and moral policies can be formulated in a targeted manner. From the table above, it can be seen that the available data shows a tendency to increase indicators of sexual behavior outside of marriage or risky behavior among adolescents/students. For example, data for 2025 shows a very high number (59% of women, 74% of men) who have had sexual relations without marriage between the ages of 15-19. Meanwhile, 2023 data shows that although not specifically students, the proportion of adolescents who have become pregnant reaches 64.4% at the age of 10-19, a very large number and reflects the potential for risky sexual behaviors.

However, there are some important limitations, the definition of sexual intercourse or having been pregnant differs between studies; Most of the data is not specific to university students; survey and sample methodologies are less clear in some media publications; and local studies cannot be generalized to the national population. Therefore, while there are indications that sexual behaviour outside of marriage or risk is indeed becoming a problem among adolescents, more detailed national data, specifically for students and university students, are still needed to make the analysis more valid and policies more targeted.

The analysis of the discussion shows that sexual behavior outside of marriage in students and university students is the result of complex social and cultural changes. This phenomenon cannot be seen solely as an individual moral deviation, but rather as a consequence of the modernization and globalization of values that weaken the authority of religion and customs in regulating the behavior of the younger generation. The process of secularization and the rapid flow of digital information has shifted the orientation of values from religiosity to personal freedom and hedonism.

In terms of education, the weak integration between biological knowledge and moral development makes sex education lose its ethical and spiritual dimensions. This causes students to understand sex technically, but lack an awareness of moral responsibility as emphasized in Islamic teachings. In fact, Islam places sexuality within the framework of holiness, responsibility, and marriage as an institution that maintains human honor. Thus, this phenomenon is a reflection of the dysfunction of the value system and moral education in modern society. A holistic approach is needed that combines religious education, social supervision, and educational policies based on Islamic values to foster moral awareness and restore the meaning of the sanctity of same-sex relationships in accordance with the principles of *iffah* and responsibility in Islam.

SOCIO-LEGAL ANALYSIS: MORAL CRISIS AND SOCIAL DYSFUNCTION

Sexual behavior outside of marriage is not only an individual moral offense, but it also reflects a symptom of social dysfunction that signals society's weak control over the behavior of its members. From the perspective of legal sociology, violations of social norms describe an imbalance between the prevailing value structure and the social behavior of society (Kurniawan, Santi, & Sopian, 2024: 68). From the perspective of legal sociology, violations

of social norms reflect an imbalance between the prevailing value system in society and the social behavior of individuals or groups. When deviant behavior increases, this indicates a lack of internalization of norms and social control, as well as the ineffectiveness of the law in maintaining social order and balance. Émile Durkheim explained that this condition is called anomie, which is a situation when social norms lose their binding power in regulating individual behavior (Fathoni, 2024: 43).

According to Émile Durkheim, anomie refers to a condition in which social norms weaken or lose their authority in guiding individual behavior. This situation often emerges during rapid social change, creating confusion, moral uncertainty, and weakened social cohesion, which may increase deviant or unstable behavior in society. In the modern context, the young generation lives in a situation of double norms. On the one hand, they are raised with religious teachings that prohibit adultery, while on the other hand they are constantly exposed to the media, popular culture, and social environment that normalize free and permissive behavior (Jalaludin & Azis, 2022: 127). In the modern context, young people experience a “double norm” dilemma between religious values and social realities. Religious teachings firmly prohibit adultery and emphasize moral restraint, while media, popular culture, and peer environments often normalize permissive relationships. This tension can create moral confusion, identity conflict, and behavioral inconsistency among youth. The tension between these two value systems gives birth to moral confusion, in which individuals no longer have solid ethical guidelines in making decisions regarding sexual behavior.

From a legal perspective, sexual behavior outside of marriage is indeed difficult to regulate because it is included in the private realm that involves individual agreement (Ida & Suryawati, 2024: 56). From a legal perspective, sexual behavior outside marriage occupies a complex regulatory space because it falls within the private sphere and is often based on consensual acts between individuals. Consequently, legal intervention tends to be limited unless the conduct intersects with public order, morality, coercion, exploitation, or statutory violations. However, when such behavior causes social impacts such as out-of-wedlock pregnancies, sexual violence, or child neglect, the state is obliged to be present through legal and public policy tools to maintain social order. In the context of Indonesia’s positive law, the new Criminal Code (Law No. 1 of 2023) has regulated adultery as a complaint offense, which means that the act can be processed by law if reported by a party who feels aggrieved such as a spouse, parent, or child (Sirajuddin, Risdayani, & Dewi Indriani, 2024: 98). Shariah Criminal Offences (Selangor) Enactment 1995 includes provisions for the preparation for illicit sexual intercourse under Section 26

and provisions for the offense of khalwat under Section 29. Offenses convicted under these provisions will first be examined for elements, characteristics, situations, and conditions during the enforcement stage before proceeding to prosecution. The existence of these provisions is to address actions contrary to Shariah, such as zina (adultery) and free mixing (Samudin, 2025).

From a comparative perspective of Indonesian and Malaysian criminal law, the regulations regarding adultery show fundamental differences in both the normative approach and the law enforcement mechanism. In Indonesia, through Law Number 1 of 2023 concerning the Criminal Code, adultery is categorized as an absolute complaint offense, so that legal proceedings can only be carried out if there is a complaint from a party with a legal relationship or direct interest, such as a husband, wife, parent, or child. This approach reflects the protection of the family's private sphere and limits state intervention. In contrast, in Malaysia, specifically through the Shariah Criminal Offences (Selangor) Enactment 1995, regulations are more preventative and moralistic by taking action against behavior that leads to adultery, such as preparation for illicit sexual relations (Article 26) and khalwat (Article 29). Shariah law enforcement in Malaysia emphasizes proving the elements, circumstances, and indications of violations before imposing sanctions, thus aiming to prevent adultery and maintain the moral order of Muslim society.

Although some people consider this provision too moralistic, from the perspective of Islamic socio-law, the rule is actually a form of state responsibility in maintaining public morals (*hisbah al-dawlah*). The moral crisis that hits students and university students is also inseparable from the weak role of the family and social institutions (Solihah, 2023: 62). The moral crisis affecting students and university students cannot be separated from the weakening role of families and social institutions. Families, as the primary agents of character formation, often fail to provide moral guidance, while social institutions increasingly struggle to instill ethical values amid rapid social and technological change. Many parents focus on their children's academic achievements, but neglect to instill spiritual and moral values. This condition is exacerbated by the formal education system that focuses too much on cognitive aspects and places less emphasis on moral development (Roihan, 2023: 52). Many parents prioritize children's academic achievement while overlooking spiritual and moral formation. This imbalance is reinforced by education systems that emphasize cognitive success over character building. As a result, children may excel intellectually but lack ethical awareness, empathy, discipline, and strong moral principles in facing social challenges. In fact, in the view of Islamic education, the main function of education is

tahdzīb al-akhlāq (purification and moral building), not just the transfer of intellectual knowledge.

The analysis of these discussions shows that sexual behavior outside of marriage among students and university students is a reflection of a deep crisis of values and social dysfunction. The anomie condition as described by Durkheim occurs when religious and social norms lose their authority in controlling individual behavior. The phenomenon of double norms makes the young generation live in moral confusion between religious teachings and permissive popular culture. From a legal perspective, the determination of zina as a complaint offense in the new Criminal Code shows that there are efforts by the state to maintain public morals, although it is still limited to certain domains. Meanwhile, from an Islamic point of view, weak family control and education that is not oriented to *tahdzīb al-akhlāq* has exacerbated the moral crisis of the younger generation. Therefore, it is necessary to strengthen the synergy between law, education, and religious values to build the ethical and spiritual awareness of the young generation in a sustainable manner.

THE DISINTEGRATION OF FAMILY VALUES AND THEIR IMPLICATIONS

The disintegration of family values is the most obvious impact of the increase in sexual behavior outside of marriage among modern societies. The family, which is actually the first and foremost institution in the process of moral education, now experiences vulnerability when its basic functions are not properly performed. In a society that is increasingly permissive towards free behavior, the sanctity of marriage is no longer interpreted as a sacred bond with worship value, but merely a social contract that is flexible and easily canceled (Sefiyani, Wardan, Nurhidayati, Debana, & Saiin, 2024:12). In an increasingly permissive society, marriage tends to experience a shift in meaning from a sacred institution with spiritual and worship dimensions into a pragmatic social contract. This transformation contributes to weakening commitment, increasing relational instability, and normalizing divorce as an easy solution to domestic conflict. This phenomenon shows a shift in fundamental values in the social structure of the family. The disintegration appears in various interconnected aspects. From a psychological aspect, relationships between family members are increasingly tense due to a decrease in the intensity of communication and a loss of trust between parents and children (Naim, 2024: 42). The disintegration reflected in the psychological aspect indicates a weakening of emotional bonds within the family. Reduced communication intensity creates emotional distance, while diminished trust

between parents and children increases tension. Consequently, family harmony deteriorates, weakening emotional support systems and potentially triggering prolonged interpersonal conflict within the household. Factors such as poor communication, financial problems, and third-party interference are often the causes of domestic crises (Baharudin, Mat Hussin, & Nur Arifah, 2025). Factors such as poor communication, financial difficulties, and third-party interference frequently trigger domestic crises because they weaken trust, emotional stability, and harmony within the household. Poor communication creates misunderstandings, financial problems generate stress, while third-party interference often causes conflict, jealousy, and reduced marital commitment. This condition causes emotional distance that causes the family to lose its function as a space for character development and affection.

From the social aspect, children who grow up without moral guidance and parental example become more easily influenced by an outside culture that is permissive towards deviant behavior (Astriani, 2023: 97). They tend to seek moral identity outside the home, which often exacerbates the value crisis experienced. Furthermore, from the spiritual aspect, the weakening of the value of worship, moral responsibility, and religious awareness in the family leads to the loss of the role of the family as a center for the cultivation of faith and morals (Riadi, 2024: 86). The family is no longer a moral fortress that is able to fortify the younger generation from the currents of liberalism and hedonism. From the legal aspect, this disintegration appears in the increase in cases of out-of-wedlock pregnancies that lead to emergency marriages (*marriage by accident*) or even neglect of children resulting from the relationship (Nazar & Shalihah, 2024: 56). From the legal aspect, the rise in out-of-wedlock pregnancies resulting in emergency marriages reflects weakening social control and preventive legal awareness. This phenomenon often shifts marriage from a sacred institution to a remedial mechanism, raising concerns regarding legal protection, family stability, child legitimacy, and compliance with both religious and national legal norms.

In the perspective of *maqāṣid al-sharī'ah*, this phenomenon threatens the two main goals of Islamic sharia, namely *ḥifẓ al-nasl* (protection of offspring) and *ḥifẓ al-'irdh* (protection of honor) (Utari, Sabaruddin, & Darwis, 2024: 24). When these two principles are broken, the Islamic social order is in danger of collapsing. A crisis of family legitimacy also emerged, where many children were born without clear legal recognition, thus raising civil and psychological status issues. In Islamic law, the validity of nasab can only be determined through a valid marriage (Afifah, Muhammad, & Yuni, Lilik Andar, 2024: 73). In Islamic law, the validity of nasab (lineage) is fundamentally linked to a lawful marriage (*nikāḥ ṣaḥīḥ*), as it establishes legitimate parental

relations and inheritance rights. Children born within a valid marriage are legally affiliated with the father, while invalid unions generally limit paternal lineage recognition, preserving legal certainty and social order. Therefore, the phenomenon of adultery is not only a moral transgression, but also a source of social, spiritual, and legal chaos that shakes the foundations of Islamic family civilization.

Analysis of these discussions shows that the disintegration of family values due to sexual behavior outside of marriage is a multidimensional crisis that threatens the moral, social, and spiritual resilience of society. The family loses its central role as an institution of moral education, so children grow up without a solid guide to values. In the perspective of *maqāṣid al-sharī'ah*, this damage directly interferes with *hifẓ al-nasl* (protection of lineage) and *hifẓ al-'irdh* (protection of honor), two main goals that are pillars of Islamic social balance. The impact is not only in the form of moral degradation, but also legal chaos related to the status of children and family legitimacy. This condition demands the revitalization of family functions, education based on religious values, and legal policies that are in line with the principles of Islamic law, so that the family becomes a moral fortress that maintains the sanctity of relationships and social stability in modern society.

ISLAMIC JURISPRUDENCE'S PERSPECTIVE ON THE PHENOMENON OF ADULTERY AND ITS PREVENTION

Islamic law provides very strict regulations on sexual behavior outside of marriage because it is considered a serious violation of the honor and moral order of society. Adultery is categorized as *jarīmah ḥadd*, which is a criminal act whose punishment has been definitively determined by the *nash shar'i* and cannot be changed by humans (Putra & Hadijah Wahid, 2024: 88). This statement shows that adultery in Islamic criminal law is categorized as a *jarimah ḥadd*, namely a criminal act with sanctions that have been explicitly determined by the Islamic text. Consequently, the punishment for adultery is permanent (*ta'abbudi*), unchangeable by humans, thus reflecting legal certainty, moral protection, and the protection of offspring (*hifẓ al-nasl*). In the Qur'an, Allah SWT says in QS. An-Nur verse 2: "An adulterous woman and a man who commits adultery, then beat each of them a hundred times, and do not have mercy on them to prevent you from (practicing) the religion of Allah, if you believe in Allah and the Last Day." (Warid, Haq, & Nuraini, 2025: 24).

This verse shows that sanctions against adulterers are not just a form of retribution or physical punishment, but have a social and moral function,

namely maintaining the honor of society (*hifz al-'irdh*) and upholding moral order. However, Islam does not solely focus on the aspect of punishment, but rather emphasizes on prevention efforts (*sadd al-dhari'ah*), which is to close all paths that can lead to adultery (Amin, Candra, & Nurmila Sari, 2024: 24). This discussion demonstrates that sanctions against adultery in Islam are oriented toward social and moral protection, not merely physical punishment. Islam prioritizes prevention (*sadd al-dhari'ah*) by eliminating all opportunities for adultery, in order to maintain honor (*hifz al-'irdh*), moral order, and societal stability. This preventive approach is realized through moral education, faith instilling, and strengthening the institution of marriage so that society is protected from behavior that damages human dignity and the Islamic social order.

Efforts to prevent sexual behavior outside of marriage must be carried out comprehensively through the strengthening of values, education, and social systems. The first step is to instill the values of faith and piety as the main fortress to resist the impulse of lust and maintain self-purity (Yuhani`ah, 2021: 145). Instilling the values of faith and piety serves as a primary moral bulwark in controlling lustful impulses and maintaining personal purity. Individuals with a strong spiritual foundation tend to have better self-control, are able to distinguish between right and wrong behavior, and are more resilient to negative social influences. These spiritual values are the basis for the formation of character and moral control of the individual. Second, it is important to uphold the Islamic moral and sexuality education system from an early age (Raniyah & Nasution, 2024: 21).

The importance of maintaining an Islamic moral and sexual education system from an early age demonstrates that character development plays a significant role in preventing sexual deviance. Religious values-based education fosters awareness of social boundaries, moral responsibility, and an understanding of self-respect, as per Islamic teachings. So that the younger generation understands the meaning of the sanctity of relationships and the moral responsibility behind them. Third, the development of a harmonious family must be prioritized (Mubarok, Maimun, & Zaelani, 2025:56), Because the family is the first and most influential place in instilling moral values and examples. Finally, society needs to uphold social systems that encourage marriage and avoid adultery (Aji Nugraha & Tajul Arifin, 2024: 44), As the Prophet Muhammad PBUH said: "O young people, whoever among you is able to get married, let him marry, because getting married is more about lowering one's gaze and guarding one's genitals." (HR. Bukhari and Muslim) (Saputra, Almunadi, & Nadhiran, 2024: 35).

This hadith emphasizes that marriage is a preventative measure to maintain morals and self-respect, especially for young men who are physically, mentally, and financially capable. The recommendation to marry is positioned as an effort to lower the gaze, control lust, and prevent deviant sexual behavior according to Islamic teachings. The hadith explains that Islam encourages young people who are physically able, mentally, and financially able to get married immediately, because marriage is the most effective means of maintaining self-purity. Through marriage, a person can channel his biological needs halal, so as to avoid adultery and deviant sexual behavior (Nisa & Aliyah Athifah, 2023: 12-13).

Through marriage, a person's biological needs are fulfilled in a lawful and dignified manner in accordance with religious and social norms. Marriage functions as a preventive mechanism against adultery and deviant sexual behaviour, as it provides a legitimate avenue for the fulfilment of sexual needs while simultaneously strengthening moral, emotional, and familial responsibilities. In addition, marriage also serves as a moral fortress that helps subdue the view of forbidden things and fosters social and spiritual responsibility. This hadith shows that Islam not only forbids adultery, but also provides a realistic solution through the institution of marriage to preserve honor (*hifz al-'irdh*) and offspring (*hifz al-nasl*), two important goals in *maqāṣid al-sharī'ah*. Thus, marriage is not just a personal affair, but also part of worship and efforts to uphold chastity in people's lives.

In Islamic law, there is also the concept of *'uqūbah ta'zīr*, which is a type of punishment set by the government or ruler for offenses that do not reach the category of *ḥadd*. In contrast to *ḥadd*, which has definite sanction provisions, *ta'zīr* is flexible and adjusted to the level of violation and social conditions of the community (Sufrizal, Abdillah, & Anzaikhan, 2023: 45-46). This statement shows that *ta'zīr* has an adaptive legal character compared to *ḥadd*. While *ḥadd* establishes fixed sanctions based on texts, *ta'zīr* empowers judges or authorities to adjust the punishment to the level of violation, the public interest, and the social conditions of the community in order to achieve justice and a preventive effect. In the modern context, the application of *ta'zīr* can be realized through various social policies aimed at fostering morals and preventing deviations, such as fostering ethics in the campus environment, supervision of boarding houses, counseling about the dangers of promiscuity, and moral education programs in schools (Fanani, Shobari, Muid, Al-Mu'thi, & Roikhan, 2025: 65).

In the modern context, the application of *ta'zīr* has shifted from physical punishment to preventative-educational social policies. Campus ethics training,

boarding house supervision, education on the dangers of promiscuity, and moral education in schools demonstrate the function of *ta'zir* as an instrument for maintaining social order, shaping morals, and preventing deviant behavior in society. This approach shows that Islamic law has a comprehensive and humanistic character, not only oriented towards the punishment of offenders, but also prioritizes aspects of education, prevention, and moral protection of the community in order to create a social life based on the values of justice and purity.

SYNERGY OF ISLAMIC LAW, NATIONAL LAW, AND SOCIO-CULTURAL

The Islamic socio-legal approach emphasizes the importance of synergy between the three main pillars of social life, namely religion, state, and society. The three have a complementary role in building a moral and just social order. Religion serves as a source of values and moral guidelines that affirm the importance of the sanctity of relationships between men and women, as well as the basis for the formation of social laws and ethics (Rafsanjani & Abshor, 2025: 101). The state plays a role in enforcing regulations that not only regulate public behavior, but also protect public morals and social order (Arya Salman Aziz, Surya Wira Yudhayana, 2024: 42). Through legal policies based on religious and humanitarian values, the state can prevent social deviations that threaten the family structure and the honor of society. Meanwhile, the community has a function as a guardian of social norms through local social and cultural control mechanisms (Penelitian et al., 2022: 77).

In the context of a plural and pluralistic Indonesia, but the majority of the population is Muslim, the synergy of these three pillars is very important to create a balance between religious values, positive laws, and socio-cultural realities. The government can develop moral policies based on religious values without having to be trapped in Shariah formalism, for example by strengthening character education, holding youth development programs, and limiting risky behavior in the educational and social environment (Arwani, Oktaviani, & Sofyana, 2024: 82). These steps are a concrete manifestation of the application of *the principle of sadd al-dharī'ah* (closing the path to evil) in the context of modern public policy.

From a socio-cultural perspective, local values such as customs, politeness, and family traditions also play an important role as a means of moral control (*internal control*) (Sudirman, Mustaring, & Rasyid, 2025: 76). For example, in the Malay and Dayak cultures of Kalimantan, cases of premarital relationships

that lead to out-of-wedlock pregnancies are often resolved through customary mechanisms that emphasize moral and social responsibility. This mechanism aims not only to punish, but also to restore family honor and maintain social harmony. This shows that there is a similarity in orientation between customary law and Islamic law, namely both rejecting sexual behavior without a legal bond and upholding the principle of responsibility and purity in family and community life.

The analysis of the discussion shows that the Islamic socio-legal approach seeks to create a balance between religious norms, state regulations, and socio-cultural values in maintaining public morals. The synergy between the three pillars of religion, the state, and society is the key to overcoming deviant behavior, including sexual behavior outside of marriage. According to Haryanto, religion provides an ethical and spiritual foundation, the state plays a role through legal policies and moral education, while society carries out the function of social control through local customs and culture (Haryanto, 2024: 37). In the pluralistic Indonesian context, this collaboration is important so that public policies remain of religious value without being trapped in Shariah formalism. The presence of local wisdom such as Malay and Dayak customs shows that the value of family responsibility and honor is universal and in line with the principles of *maqāṣid al-sharī'ah*. Thus, Islamic socio-legal approaches are relevant to establish harmony between law, moral, and culture in social life.

STRATEGIES TO PREVENT THE DISINTEGRATION OF FAMILY VALUES

To prevent the disintegration of family values due to sexual behavior outside of marriage, a multidimensional approach is needed that involves all elements of society ranging from educational institutions, families, governments, to religious institutions. The first strategy is the revitalization of religious and moral education. Islamic education must be focused on *character building*, not just the transfer of theoretical knowledge (Sapitri, Amirudin, & Maryati, 2022: 4-5). The enactment of Law no. 16 of 2019 changes the age limit for marriage to 19 years for men and women (Asman, 2024). This discussion demonstrates that Islamic education must be oriented toward character building to prevent a moral crisis among adolescents amidst social change. The increase in the marriageable age to 19 through Law No. 16 of 2019 emphasizes the importance of moral-spiritual education to ensure students' intellectual, emotional, and ethical maturity before entering family life. Schools and colleges need to integrate moral and spiritual values in every subject, so that students are

not only intellectually intelligent, but also have ethical awareness and moral responsibility towards themselves and their environment.

Second, the role of parents and family is very important as the main foundation of moral education. Parents must be role models in behavior and communication, while building an open relationship with their children (Novayani, 2024: 145). Dialogue about sexuality should be carried out honestly but still based on Islamic values, so that children understand the ethical boundaries in association without feeling judged. Third, structurally, the government and educational institutions have a responsibility to strengthen public moral regulation (M. Yunus Abu Bakar, et al., 2024: 89). The discussion demonstrates that preventing deviant sexual behavior in children requires synergy between the family, education, and the state. Parents serve as primary role models through open communication based on Islamic values, while the government and educational institutions are responsible for strengthening moral regulations and ongoing social ethics education. This can be done through the development of boarding houses, supervision of media and pornography, and the establishment of character guidance units in schools and campuses that function as moral companions for the younger generation.

Fourth, da'wah and the role of scholars need to be directed to a more contextual and solutive approach (Muhammad Rusdi et al., 2025: 23). Dais, scholars, and religious institutions must be able to touch the reality of today's youth life, with a persuasive and relevant style of da'wah, not just normative and judgmental. Fifth, strengthening Islamic social movements is an important element in forming a conducive moral environment (Fatimatuz Zahro & Al Khoziny Buduran, 2024: 34). The discussion indicates that contextual and solution-oriented da'wah has a strategic role in addressing contemporary youth moral challenges. Scholars and religious institutions must adopt persuasive, adaptive, and relevant approaches to social realities. Simultaneously, strengthening Islamic social movements contributes significantly to creating a supportive moral ecosystem and reinforcing collective religious values. Campus da'wah communities and religious organizations can be a forum for spiritual development through mentoring activities, halaqah, thematic studies, and inspiring Islamic discussions.

By implementing these strategies, efforts to prevent sexual behavior outside of marriage are no longer purely repressive, but become a constructive, educational, and sustainable movement. This approach is expected to be able to strengthen the values of faith, morals, and social responsibility, while maintaining the harmony and purity of family institutions within the framework of Islamic values. The discussion shows that the prevention of family value

disintegration due to sexual behavior outside marriage must be carried out through a comprehensive approach that includes aspects of education, family, regulation, da'wah, and social movements. Religious education that is oriented towards character formation is the main key in instilling moral values from an early age. The role of the family as an example and an open space for dialogue is also very vital. Meanwhile, the support of the government and religious institutions through policies and contextual da'wah strengthens the moral development of the community. This multidimensional approach emphasizes that Islamic solutions must be educational, participatory, and sustainable to maintain the sanctity of the family.

REFLECTION OF MAQĀSID AL-SHARĪ'AH ON SOCIAL PHENOMENA

If studied in the framework of *maqāsid al-sharī'ah*, the phenomenon of sexual behavior outside of marriage is a problem that is not only related to individual morality, but also touches the core of the purpose of Shariah in maintaining the order of human life. *Maqāsid al-sharī'ah* places five main principles as the purpose of Islamic law, and among the most relevant to this phenomenon are *ḥifẓ al-dīn* (protection of religion), *ḥifẓ al-nasl* (protection of heredity), and *ḥifẓ al-'irdh* (protection of honor) (Thahir, 2015: 56). From the perspective of *maqāsid al-sharī'ah*, this phenomenon shows the urgency of protecting religion (*ḥifẓ al-dīn*) through moral formation, protecting offspring (*ḥifẓ al-nasl*) by maintaining the legitimacy and continuity of the family, and protecting honor (*ḥifẓ al-'irdh*) in order to prevent social stigma, damage to dignity and wider social conflict. These three are moral and social foundations that are intertwined in maintaining a balance between personal and community life.

First, *ḥifẓ al-dīn* or religious protection requires every Muslim to maintain his purity and stay away from all forms of acts that are forbidden by Allah SWT, including adultery. Sexual conduct outside of marriage is clearly contrary to the principles of obedience and chastity taught in Islam (Muh Yusuf, et al., 2023: 43). When this prohibition is violated, not only the perpetrator is harmed spiritually, but also religious values in society are degraded. Second, *ḥifẓ al-nasl* or protection of descent is concerned with the clarity of the line of descent which can only be recognized through a valid marriage. Relationships without marital ties disrupt the hereditary system, raising legal issues related to the status of children (Herlinda, Rofiq, & Kamilia, 2025: 56), and weakening the family structure as the smallest social unit that maintains the sustainability of generations.

Third, *ḥifẓ al-'irdh* or the protection of honor emphasizes the importance of safeguarding human dignity from acts that degrade human values and family honor. Adultery not only injures the honor of the perpetrator, but also tarnishes the good name of the family and lowers the social status in the eyes of the community (Romli & Subekti, 2024: 97). This discussion demonstrates that protection of honor (*ḥifẓ al-'irdh*) places human dignity as a fundamental value that must be upheld. Adultery is seen as not only damaging the perpetrator's moral integrity, but also harming the family's reputation, weakening social honor, and disrupting social order based on moral and religious values. Thus, sexual behavior outside of marriage cannot be viewed only as a personal moral violation, but rather as a threat to the social, spiritual, and legal order of Islam.

Prevention efforts are part of the implementation of *maqāṣid al-sharī'ah* which aims to maintain a balance between the physical and spiritual needs of human beings (Umar, 2017: 34-35). Prevention efforts reflect the implementation of *maqāṣid al-sharī'ah* by safeguarding essential human welfare through balanced protection of physical and spiritual dimensions. This approach emphasizes preventive action to preserve religion, life, intellect, lineage, and property, thereby fostering holistic human well-being and social harmony in accordance with Islamic legal objectives. Through law enforcement, moral education, and family development, Islam seeks to ensure that the values of purity, honor, and heredity are maintained for the creation of a civilized, dignified, and in accordance with divine guidance.

Thus, the phenomenon of sexual behavior outside of marriage is a serious threat to the moral, social, and spiritual order of society. Within the framework of *maqāṣid al-sharī'ah*, this behavior violates the three main purposes of the *al-sharī'ah*: *ḥifẓ al-dīn* (safeguarding religion), *ḥifẓ al-nasl* (safeguarding offspring), and *ḥifẓ al-'irdh* (safeguarding honor). The three are interrelated in forming a moral and civilized society. Therefore, the prevention of adultery is not just a personal matter, but a collective responsibility between individuals, families, communities, and the state. Islam emphasizes the importance of preventive measures such as moral education, family development, law enforcement, and contextual *da'wah*. This approach reflects the comprehensive nature of Islamic law that not only punishes transgressions, but also builds moral and spiritual awareness. By applying the principles of *maqāṣid al-sharī'ah*, the social balance and honor of the ummah can be maintained sustainably.

CONCLUSION

The phenomenon of sexual behavior outside of marriage among students and university students reflects the multidimensional moral, social, and spiritual

crisis that plagues the younger generation. In the midst of the currents of modernity, cultural globalization, and the weakening of social control, this behavior is no longer seen as taboo by some circles, even though from the perspective of Islamic law and the nation's morals, it is a form of serious deviation that threatens the integrity of the family and social order. Socio-legal analysis shows that sexual behavior outside of marriage is not merely an individual violation of religious norms, but also a manifestation of social dysfunction due to weak moral education, family communication, and societal control. From the perspective of Islamic law, the act of adultery is a *jarīmah ḥadd* that has a spiritual and social dimension; its purpose is not simply to punish, but to maintain the honor and sanctity of the ummah (*ḥifẓ al-'irdh*) and offspring (*ḥifẓ al-nasl*). Meanwhile, national law through the new Criminal Code seeks to uphold public morality while respecting the right to privacy and the principle of social justice. The two can be harmonized through the approach of *maqāṣid al-sharī'ah*, so that prevention is not only legalistic, but also humanistic and educational.

Efforts to prevent the disintegration of family values due to sexual behavior outside of marriage must be carried out integratively through faith strengthening, morality-based moral education, family development, and fair law enforcement. Synergy between the state, educational institutions, scholars, families, and society is the main key to building a solid value system. Thus, moral and spiritual reform is an urgent need in maintaining the sustainability of the nation's civilization. Islam affirms that true freedom is not without limits, but freedom based on moral responsibility. If the younger generation is able to uphold the values of faith and honor, then the family will again be a source of tranquility (*sakinah*), the society will live in glory, and the nation will stand tall on a strong spiritual foundation.

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