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IMPLEMENTATION OF THE MA'NA CUM MAGHZA APPROACH IN UNDERSTANDING WITNESSES OF ADULTERY IN THE QUR'AN

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ABSTRACT

In the testimony of adultery, scholars do not accept women's testimony as witnesses. At this time, women and men have the same opportunities in access to education, social, and so on. Unlike women in ancient times who were ordered to stay at home. Seeing this phenomenon, researchers try to study the witness of adultery contained in Q.S. An-Nūr verse 04 analyzing it using the Ma'na cum maghza approach, namely an approach that emphasizes interpretation based on two main factors, namely the historical meaning/main message (ma'na), and the main message/historical significance (maghza) then the significance of the text is developed into the current context and discipline. The purpose of this study is to re-examine the case of witnesses in adultery cases whether women can be witnesses in adultery cases. The findings in this thesis are: (1) The historical meaning (ma'na at-tarikhi) of Q.S. An-Nūr verse 04. Proving a case of adultery requires 4 male witnesses who saw the case directly. (2) The historical phenomenal significance (maghza at-tarikhi) of Q.S. An-Nūr verse 04 is a warning to society at that time that establishing a case of accusation of adultery is not something trivial, it requires conditions that are difficult to fulfill.

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Introduction

Nowadays, one of the serious problems faced by the Islamic world is the problem of adultery, including in Indonesia, the problem of adultery really needs to be considered. Indonesia as one of the countries whose majority population adheres to Islam and has the ideology of Pancasila must certainly uphold noble morals and reject all forms of jarimah (criminal acts) of adulter (Islamu Haq, 2020).

But in reality, there has been a shift in moral values in society. This can be seen from the behavior shown by adulterers who do not feel guilty about the actions they have done, some even dare to openly commit these despicable acts. Of course, the increasingly

rampant acts of adultery have a negative impact on the surrounding environment. This is one of the problems that must be immediately addressed by the relevant parties (Islamu Haq, 2020, 2).

In Islamic law, there are several provisions that must be set for each witness in each crime, including adultery, which must be considered. The provisions for witnesses in this crime must be four people. As stated in QS. An-Nūr, Verse 4:

وَالَّذِيْنَ يَرْمُوْنَ الْمُحْصَنٰتِ ثُمَّ لَمْ يَأْتُوْا بِاَرْبَعَةِ شُهَدَاۤءَ فَاجْلِدُوْهُمْ ثَمٰنِيْنَ جَلْدَةً وَّلَا تَقْبَلُوْا لَهُمْ شَهَادَةً اَبَدًاۚ وَاُولٰۤىِٕكَ هُمُ الْفٰسِقُوْنَۙ

"And those who accuse chaste women and do not produce four witnesses, lash them with eighty stripes and accept not their testimony ever. Those are the wicked" (Tim Penyusun, 2019).

The verse above shows that witnesses must be four people, and testimony is not accepted without knowledge. Of course what is known is obtained by seeing, hearing and experiencing, which is generally how to have knowledge. There is no knowledge that is obtained without hearing and seeing in general (Nurulina Rosdiawati, 2018).

This is the opinion of the scholars of the 4 schools of thought that one of the requirements for adultery testimony must be men in the number of four people. In adultery testimony, scholars do not accept female testimony as witnesses. Based on the text of the Qur'an so that there is no doubt, because in adultery testimony there should not be the slightest doubt (Niza Rahayu, 2021).

However, by looking at the progress and development in society. It has been found that many women do not only stay at home, but women can also outperform men in government. For example, many women become leaders, as well as in the fields of economy, social, culture, politics and so on. So it is not impossible to witness various problems that occur in the midst of society (Mukhsin Nyak Umar, 2017: 43).

Such facts provide a picture of women in contemporary society, then also a picture of women taking part in various things, so that sometimes we are faced with two alternatives, namely rejecting women's testimony in adultery testimony or accepting their testimony. Seeing the problems above, the verse in Q.S. An-Nūr verse 4 needs to be re-examined in order to obtain a meaning that is in accordance with the current conditions of society. One of the interpretive approaches in this contemporary era is the ma'na cum maghza approach.

Method

The research method used in this study is a literature study with a content analysis approach using the Ma'na Cum Maghza theory. Literature studies are conducted by collecting, reading, and reviewing various relevant literature sources, such as books, scientific articles, journals, official documents, and other credible digital sources. Content analysis is used to examine the meaning contained in the text systematically, objectively,

and in depth. In this approach, researchers not only identify themes or patterns that appear in library data, but also explore the depth of meaning (ma'na) and value implications (maghza) of the text being analyzed. Using the Ma'na Cum Maghza theory, this study seeks to understand text as a dynamic reality of life, by tracing the historical, social, and cultural contexts that underlie it. The analysis process involves three main stages, namely: (1) exploration of textual meaning (ma'na dhahir) from library sources, (2) interpretation of contextual meaning by considering social and cultural backgrounds, and (3) elaboration of values or messages (maghza) that can be taken and actualized in the current context. With this approach, research does not merely describe the contents of the literature, but also explores the deepest dimensions of meaning to produce a more reflective and transformative understan ding.

Findings and Discussion

Witness of Adultery in the Qur'an Surah An-Nur Verse 4

1. Linguistic Analysis

Understanding a text, especially the verses of the Qur'an, cannot be done simply by reading it. However, if you want to understand what the text means, you must conduct in-depth studies of the text. The most important and first thing that must be done to understand the text is to understand the language used by the text. According to Abdullah Saeed, understanding language is the main way to understand the meaning of the text or in the context of this writing is the verses of the Qur'an. This language study is a medium for Mufassir to understand the meaning contained in a verse, especially verses that require historical understanding. This step is taken with the aim of obtaining clues to the meaning contained in the verse through its linguistic aspects (Abdullah Saeed, 2016: 166).

In other words, this step tries to get the meaning of the verse by breaking down the language structure in the verse. This will certainly help the Mufassir to know the meaning intended when the verse was revealed. Furthermore, understanding this language will have a major role in understanding the verse in addition to the historical traces at the time the verse was revealed. This step is considered very necessary, because according to language experts, any language, including Arabic, experiences diachrony or developments that occur from time to time, both in terms of the structure of its word arrangement and the meaning of the word (Sahiron Syamsuddin, 2020: 9). From this statement, when translating or interpreting the words of the verses of the Qur'an, one must try to understand the meaning of the verse according to its meaning when it was revealed. This article attempts to reveal the contextual meaning of the witness of adultery contained in Q.S. An-Nūr verse 04, so the first step that must be taken is to analyze the language contained in the vers.

وَالَّذِيْنَ يَرْمُوْنَ الْمُحْصَنٰتِ ثُمَّ لَمْ يَأْتُوْا بِاَرْبَعَةِ شُهَدَاۤءَ فَاجْلِدُوْهُمْ ثَمٰنِيْنَ جَلْدَةً وَّلَا تَقْبَلُوْا لَهُمْ شَهَادَةً اَبَدًاۚ وَاُولٰۤىِٕكَ هُمُ الْفٰسِقُوْنَ ۙ

"And those who accuse chaste women and do not produce four witnesses, lash them with eighty stripes and accept not their testimony ever. Those are the wicked" (Tim Penyusun, 2019).

In this discussion of linguistic analysis, the author applies several keywords. First, sentences يَرْمُوْنَ الْمُحْصَنٰتِ . In the Lisan Al-'Arab dictionary, the word يَرْمُوْنَ comes from the word رمى which means to throw (Manzur, 1990: 35). In Lisan Al-'Arab muhṣanat comes from the word haṣona which means fortress, while the word muhṣanat itself is interpreted as a woman who is clean and holy. Second, the sentence لَّمْ يَأْتُوْا بِاَرْبَعَةِ شُهَدَآءَ. In the Lisan Al-'Arab dictionary the word يَأْتُوْا comes from the word اتي which means come. Then the word شُهَدَآءَ which comes from the word shahida. In Oral Al-'Arab the word shahida is interpreted as "present". Third, the sentence فَاجْلِدُوْهُمْ ثَمٰنِيْنَ جَلْدَةً in the Lisan Al-'Arabic dictionary فَاجْلِدُوْهُمْ comes from the word جلد, which means hard and strong (Manzur, 1990: 172).

Ar-Ramyu etymologically means throwing something dangerous or painful. This word was borrowed to express the meaning of throwing accusations of committing adultery because this also contains harm and hurts. As for accusations other than zina, such as calling, "O wicked people," or "O wine drinkers," the punishment is in the form of ta'zir punishment, not had punishment.

In this verse the word is used وَالْمُحْصَنَاتُ , الاِحْصَان to give a signal that carrying out qodzaf actions against people who are 'afiif (good people, people who keep themselves from vile and depraved acts) both men and women, is an action that has implications for the punishment of had qodzaf. As for people who are already known to be depraved and naughty, there is no had punishment sanction for someone who carries out qodzaf actions against such people. Because wicked people do not have honor and dignity that must be maintained and respected (Wahbah Az-Zuhaili, 2009).

The meaning of the sentence above is that in reality, people who curse, badmouth, and defame women who have the characteristic of 'iffah (protecting themselves from immoral acts), are free, and Muslim women by accusing them of committing adultery (qodzaf) without being able to prove the truth and validity of their accusations by bringing four witnesses who witnessed it themselves.

2. Intratextuality of Verses

Intratextuality is carried out as an effort to ensure the meaning of the words used in the verse, which means comparing and analyzing the words being interpreted with the same words found in other verses. This step is taken to sharpen the analysis of the meaning of the verse, with the aim that the meaning of the verse is in accordance with what is intended and can also be easily understood. Intratextuality is also often called the science of munasabah.

Of the several suras and verses in the Al-Qur'ān that are related to the discussion of this research, namely surah An-Nur verse 6, verse 13 and also in surah An-Nisā verse 15. Al-Qurtubi in his interpretation explains that, فَاسْتَشْهِدُوْا عَلَيْهِنَّ اَرْبَعَةً مِّنْكُمْ "Let there be four witnesses among you (who witness it)." That is, among Muslims, Allah SWT requires four witnesses in the accusation of adultery as a firm stance against the accuser and to cover up the servant's shame. Requiring four witnesses regarding adultery is a law that is contained in the Torah, the Gospel and the Qur'an (Al-Qurtubi, 2007: 199).

As Abu Daud narrated from Jabir bin Abdullah, he said that a Jew brought a man and a woman from among them who had committed adultery to the Prophet SAW, he said, "Bring me two pious people from among you," then two Syrians confronted him, then he said to them, "What do you know in the Torah about this matter?", both of them answered "We know in the Torah, if there were four witnesses who saw a man's penis entering a woman's vagina like a celandel stick being inserted. into the bottle, then both of them were stoned." He said, "Then what prevents you from stoning them both?" both answered, "Our leader is gone and we don't like it." Then Rasulullah SAW asked for witnesses to be brought in, they came and testified that they saw his penis entering the woman's vagina (genital area) like a stick of kohl in a bottle, so Rasulullah SAW ordered both of them to be stoned ((Al-Qurtubi, 2007: 199).

Al-Qurtubi also said that the person who is a witness should be a man as intended by the word of Allah SWT, مِّنْكُمْ In Surah An-Nisā verse 15, in this matter there is no dispute between the scholars (Al-Qurtubi, 2007: 201). At-Thabari in his tafsir book quotes Abu Ja'far's opinion that meaning فَاسْتَشْهِدُوْا عَلَيْهِنَّ اَرْبَعَةً مِّنْكُمْ ""There should be four witnesses among you (who witnessed it)", is "there should be four witnesses to their heinous deed". The meaning is also explained أَرْبَعَةً "four witnesses", is, four witnesses from men (At-Thabari, 2007: 585).

3. Intertextuality Analysis of Verses

Intertextuality analysis is analysis by connecting and comparing verses of the Al-Qur'ān with other texts around the Al-Qur'ān. In the hadith narrated by Abu Daud from Ibn Abbas, Hilal bin Umayyah accused his wife of adultery with Syarik bin As-Sahma in front of the Prophet SAW, then he said to Hilal bin Umayyah, "Give testimony or will your back be beaten?" Hilal bin Umayyah said, "O Rasulallah, if one of us sees a man having sex with our wife, should we seek testimony?" The Prophet SAW said to Hilal bin Umayyah, "Give testimony or will your back be beaten?" Hilal bin Umayyah then said, "By the Almighty who has sent you with the truth, indeed I am an honest person, and indeed Allah SWT will send down something that frees my back from had)".

According to one opinion, when the verse was revealed to people who accused good women of adultery, whose zhasir included husbands and others, Sa'd bin Ubadah said, "O

Messenger of Allah, if I find a man with my wife, should I leave him alone until I bring four witnesses? By Allah, I will surely strike him with the blunt part of the sword. "The Messenger of Allah SAW said, "Are you amazed at Sa'd's jealousy? Indeed, I am more jealous than he is, and Allah is more jealous than I am.

Regarding the lafadz stated by Sa'ad, there are many different histories. The lafadz listed here are the meaning. After that, Hilal bin Umayyah Al-Waqifi came (to Rasulullah SAW) and accused his wife of adultery with Syarik bin As-Sahma Al-Balawi, as we have mentioned above. The Prophet SAW then intended to impose had qadzaf on him. But that's when the verse came down. He then gathered the two of them in the mosque, and both of them performed li'an to each other. Then the woman hesitated on the fifth vow, when she was advised. According to one opinion, the woman actually made sure. He said, I will not shame my people forever. So he did li'an.

Then the Messenger of Allah SAW separated the two, and the woman gave birth to a child who resembled a striped camel "a trait that is not liked". Uwaimir Al-Aljani also came to the Prophet SAW then he accused his wife of adultery, and she committed li'an. In this case, this incident is the reason for the revelation of the verse. However, according to one opinion, the incident of Uwaimir bin Ashqar happened first. This incident is what is explained in the famous authentic hadith and narrated by the imams. Abu Abdullah bin Abu Shufrah said, “The correct opinion is that the one who accused his wife was Uwaimir. Hilal bin Umayyah was mistaken” (Al-Qurtubi, 2007: 473).

4. Macro Historical Analysis

Macro historical analysis is an analysis related to the conditions and situations in Arabia at the time of the revelation of the Qur'an. The main purpose of paying attention to the historical context of the revelation of verses is that in addition to understanding the historical meaning of the vocabulary in a particular verse, it can also capture what is meant by the "significance of historical phenomena" or the main purpose of the verse (maqṣad al-ayah) when it was revealed to the Prophet Muhammad SAW (Sahiron Syamsuddin, et.al, 2020: 130).

Surah An-Nur is the 24th surah in the Al-Qur'ān which consists of 64 verses. This surah is a madaniyah surah, because this surah was revealed when the Prophet Muhammad SAW had migrated to Medina. Surah An-Nūr is a surah that discusses the laws of adultery, social ethics, and contains matters relating to social and household issues. Apart from that, in Q.S. An-Nūr verse 31 also contains the characteristics of a Madaniyah surah, including explaining the laws of mu'amalah, explaining social laws, containing verses about the call given to the people of Madinah, who are usually called "believers” (Sahid, 2016).

Medina as a place of migration accompanied by the Prophet Muhammad SAW who not only positioned himself as the leader of the Muslims, but also as the founder of the

legal rules that were revealed by Allah SWT by providing deep understandings related to Islamic teachings that were different from Islamic teachings when in Mecca, belief in the truth of the delivery of the rules set by the Qur'an through the Prophet SAW became an inevitability, differences in understanding each verse led to him, this situation continued until the death of the Prophet Muhammad SAW (Fabian Fadhly Jambak, 2020: 30).

The Prophet's migration to Medina was the second period in the development of Islamic law. The Medina period is known as the period of arrangement and establishment of society. Therefore, it was in the Medina period that verses containing laws began to be revealed, both ritual and social. The factors that caused the legal project, were widely discussed in the Medina period, namely because in this period Muslims already had a strong moral and aqidah foundation as a foundation for other aspects of the lives of Muslim society.

Before this verse of An-Nūr was revealed, people in the Jahiliyah era often made accusations against women. If they saw a woman having a close relationship with a man, they would not hesitate to accuse the woman of adultery. In fact, if they saw a child born who did not resemble its father, then the mother who gave birth was considered to have committed adultery with another man (Tim Penyusun, 2011).

Seeing the habits carried out by ignorant people, Allah SAW regulates the sanctions given to people who accuse good women of adultery, if they cannot produce witnesses, they will be punished with lashings eighty times. This is done as a form of protection and care from Allah SWT towards believing women.

5. Micro Historical Analysis

Micro historical analysis is an analysis of small events that form the background to the revelation of a verse. This verse was revealed about people who were accused of adultery, Sa'id bin Jubair said, because this verse was revealed as an accusation (of adultery) addressed to Aisyah Ummul Mukminin. According to one tradition, the reason this verse was revealed was a general accusation of adultery, meaning it was not because of the incident that the accusation was made against Aisyah (Al-Qurtubi, 2007). Abdul Qadir Al-Jailani in his book of interpretation states that this verse was revealed because of the frequent accusations directed at women (Qadir Al-Jailani, 2022: 517).

The opinion of the majority of scholars is that the reason this verse was revealed is related to the case of Hilal bin Umayyah. It is narrated from Ibn Abbas that, when Q.S. An-Nūr verse 4, a Sayyid from the Ansar said "Is that the verse that was revealed, O Messenger of Allah?" Then the Messenger of Allah said, "O people of the Ansar, did you not hear what your leader said? They answered, "O Messenger of Allah, don't say that, because he is a very jealous person." By Allah, there is no woman whom he marries and then (after divorce) a man among us marries that woman, because of his intense jealousy.

Then Sa'ad said, "O Messenger of Allah, indeed I know that it is something that is

right and that it comes from Allah SWT. However, I would be surprised if I met an insolent man who took "Between his thighs", I would not bully him and chase him away until I could bring four witnesses. By Allah, I am not able to bring four witnesses until he completes his wish (Al-Wahidi An-Naisaburi, 2014: 495).

Not long after that, Hilal bin Umayyah came, he told the Messenger of Allah SAW that he saw with his own eyes and heard with his own ears that there was a man with his wife. He did not react at all until dawn arrived. In the morning, he came to see the Messenger of Allah, he said, "O Messenger of Allah, I really found my wife at Isha time with another man. I saw her with my own eyes and heard her with my own ears". The Messenger of Allah did not like what Hilal reported and felt heavy-hearted (Imam As-Suyuthi, 2014: 369).

When the Prophet asked Hilal bin Umayyah to bring four witnesses, he could not comply. The Ansar people gathered and said, "Indeed, we have experienced a trial as stated by Sa'ad bin Ubadah. Now the Messenger of Allah will whip Hilal bin Umayyah and cancel his testimony to humans.

Hilal said "By Allah, I really hope Allah will make a way out for me." Hilal said, "O Messenger of Allah, I really see that you are burdened with the case that I brought to you. But truly, Allah SWT knows that I am a truthful person (not lying)." Indeed, the Messenger of Allah ordered him to be punished, but suddenly a revelation came to him. When the revelation came to Rasulullah SAW, they knew about it from the frown on his skin and face (as if he was receiving something big). So they left him alone until the process of receiving the revelation was complete, then Surah An-Nur verses four, seven, eight and nine came down. The Messenger of Allah looked radiant and said, "Rejoice, O Hilal, Allah has provided a solution and a way out for you." Then Hilal said, “I really hope for that from my Lord” (An-Naisaburi, 2014: 497).

Key Messages and Historical Phenomenal Significance

The main historical message referred to here is maqshad or maghza al-ayah or what can be interpreted as the purpose or main message of the verse that is being interpreted at the time the verse was revealed, namely during the time of the Prophet SAW. The main historical message of this verse is carried out by carefully analyzing the linguistic structure contained in the verse, as well as paying attention to the historical context in which the verse was revealed.

By paying attention to the explanation above, Q.S. An-Nūr verse 4 discusses the proof of accusations or the number of witnesses in adultery cases, this verse is also very closely related to the verse after it, namely Q.S>. An-Nūr verses 6 and 13, and is also related to Q.S. An-Nisā' verse 15, because in the three verses also discuss witnesses in adultery cases.

Maqsad and maghza al-ayah Q.S. An-Nūr verse 4 is an order to be careful in accusing

someone of adultery. When accusing someone of adultery, he must bring four witnesses who saw the case with their own eyes. Who saw it not because they were waiting or planning it, but saw the case accidentally. Therefore, if the accusation does not meet the requirements, the person who accused will be subject to sanctions. The purpose of the requirement is to maintain the honor of the accused, as well as the honor of his family.

Furthermore, after analyzing the linguistic aspects of the verse and paying attention to the historical context of the revelation of the verse, it was found that the historical phenomenal significance (maghza at-tarikhi) of Q.S. An-Nūr verse 04 is a warning to society at that time that determining the case of an accusation of adultery is not something trivial and requires difficult requirements to fulfill.

This verse also emphasizes not to accuse someone of adultery because it is required to bring four male witnesses and must also meet the requirements to be a witness. Q.S. Verse 4 of An-Nur teaches us not to easily accuse and punish people who commit adultery, and teaches us to cover up the shame of our fellow Muslims and protect each other's honor.

QS. An-Nūr verse 4 teaches the great principle of maintaining the honor and dignity of fellow humans, especially among Muslims. This verse confirms that whoever accuses a believing woman of adultery without presenting four credible witnesses, she must be sentenced to lashings eighty times, her testimony rejected forever, and branded as a wicked person. This provision shows how highly Islam protects personal honor, strictly prohibits careless accusations without valid evidence, and instills the principle of caution in speaking.

Through this verse, Islam teaches its followers not to accuse easily, not to rush into judgment, and to require strong evidence before passing judgment on someone. This verse also contains a very deep moral message about the importance of protecting fellow Muslims' disgrace and covering their shortcomings, as in the hadith of the Messenger of Allah which states that whoever covers his brother's disgrace, Allah will cover his disgrace in this world and the hereafter.

From a social perspective, this provision builds a culture of husnuzhan (good prejudice), strengthens mutual trust in society, and prevents damage due to slander and gossip. In the context of modern life, lessons from QS. An-Nūr verse 4 is becoming increasingly relevant, considering the rapid spread of news and slander on social media. Therefore, this verse does not only regulate criminal law (hudud) matters, but also shapes the character of Muslims so that they always uphold truth, justice and maintain the honor of others in their daily lives.

Conclusions

Witnesses of adultery are people who witness an event with their own eyes without intention and without any doubt, the witnesses consist of 4 (four) men. The historical

meaning (ma'na al-tarikhi) of Q.S. An-Nūr verse 04 is a command to society to guard the disgrace of others and to determine a case must be with an expert in the field of the case. As well as a command to society to be careful in accusing people of adultery because it requires 4 male witnesses. Then the historical phenomenal significance (maghza at-tarikh) of Q.S. An-Nūr verse 04 is a warning to society at that time that determining a case of accusation of adultery is not something trivial and requires difficult conditions to fulfill.

Conflict of Interest

The manuscript author has absolutely no financial or non-financial conflict of interest regarding the subject matter or material discussed in this manuscript.

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