
ISLAMIC LAW PERSPECTIVE: THE ISSUE OF INTERFAITH MARRIAGE AND ITS IMPACT ON SOCIETY IN INDONESIA

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ABSTRACT

Indonesia has different cultures, customs, and religions, as well as different beliefs; of course, each society has different rules, including marriage. Every marriage cannot be separated from the important influence of religion, belief, and culture of the community and religious leaders in the area where the community is located. The aim of this research is to explore knowledge about the perspective of Islamic religious law in interfaith marriages. This research also aims to determine the possible social impacts that can occur for those who enter into interfaith marriages in Indonesia. The research method used in this research is a normative legal research method, namely using legal material sources in the form of statutory regulations, court decisions/decisions, contracts/agreements/agreements, legal theory, and expert opinions. The results of the research obtained are that there are no loopholes, and potential interfaith marriages can be legalized according to religious law and law in Indonesia, apart from that, interfaith marriages can trigger potential conflicts between communities, family relationships, husband and wife relationships as well as the resulting negative impact on the resulting children, from interfaith marriages. This research has implications for comparisons of how other Muslim-majority countries handle interfaith marriages within the framework of Islamic law. This can provide valuable insight into alternative approaches and potential best practices for Indonesia.

Keywords: islamic law, interfaith marriage, social impact on society.

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INTRODUCTION

Indonesia has different cultures, customs, and religions, as well as different beliefs; of course, each society has different rules, including marriage. Various marriage movements cannot be separated from the important influence of religion, belief, and culture of the community and religious leaders in the area where the community is located. To harmonize different legal regulations, the national marriage law was born in Indonesia as the legal basis and basic rules of marriage, namely Marriage Law Number 1 of 1974. Article 1 of the Law explains the meaning of marriage: "Marriage is an inner and outer bond between one person. a man with a woman as husband/wife, whose aim is to form a happy and eternal family (household) based on faith in God Almighty." (Baihaqi, 2023).

The term "marriage" comes from Arabic, namely (النكاح). There are also those who say that according to fiqh terms, marriage uses the word nikah and the word zawaj. The current Indonesian term is "marriage". Today, a distinction is often made between "marriage" and "marriage", but basically, "marriage" and "marriage" differ only in finding the root word. In addition, the notion of marriage also means an agreement according to marriage law. Marriage here means the union of two people of different sexes, namely men and women, who are brought together through a

contract or agreement. The Compilation of Islamic Law states that marriage is marriage, namely a strong agreement or mistaken ghalizhan to obey Allah's commands, and fulfilling them is worship. (Ruslan, 2021).

The sacred and legal bond in a marriage relationship, according to Islam and applicable law in Indonesia, are two bonds between a man and a woman who have the goal of living together and building their household, whose goal is to gain religious and legal recognition. Apart from that, a marriage that is considered valid according to religious law and state law certainly has a psychological impact on both husband and wife pairs because recognition in society is very important for prospective brides as their understanding to be accepted in society. The legal process of marriage in Islam states that before marriage, the prospective husband and wife in Islam must fulfill several conditions (Maksum, 2023).

First, both of them must have the ability to marry. This means they must be in good health, have sufficient financial resources, and have the mental and emotional capacity to marry. In addition, in Islam, the marriage process consists of three stages. The first step is the application, where the prospective husband proposes to the future wife with a marriage proposal. If the application is accepted, then the marriage process continues with a marriage contract where the marriage guardian pronounces the marriage contract and the prospective husband accepts by saying the word qabul, after which the marriage is formalized by signing the marriage contract. This marriage contract is carried out by the marriage guardian, the groom, witnessed by witnesses.

In addition to following the teachings of Islam, the desire to marry also aims to fulfill the biological needs of husband and wife, which are considered valid by religion and law in Indonesia. This is in accordance with what previous research explained that marriage is a religious command. On the other hand, it is the only way to channel sex that has been legalized by religion (Shamad, 2017). From this point of view, people who are married at the same time not only have a desire to satisfy their biological needs, which must be channeled naturally. Apart from biological needs, marriage also has the goal of giving a feeling of peace in a harmonious life with a new family. Biological needs must be met. The Islamic religion has also stipulated that the only way to fulfill one's biological needs is through marriage. The Qur'an explains that marriage can also bring peace in life. That is, marriage is not only a means to channel sexual needs, but marriage also promises peace for human life, where everyone can build a paradise on earth. All of these things happen when the marriage is actually carried out in a way that is in accordance with the way prescribed by Islam (Shamad, 2017).

Islam views marriage as something noble and holy, meaning worship to Allah, obedience to the sunnah of the Prophet, and being carried out sincerely, responsibly, and in accordance with legal rules that must be respected. (Wibisana, 2016). According to the Law of the Republic of Indonesia No. 1 of 1974 concerning Marriage, Chapter 1 Article 1, marriage is a physical and spiritual bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on belief in God Almighty. Furthermore, the purpose of marriage as in Surah Ar-Rum verse 21, namely And among the signs of His power is that He created for you a life partner of your own kind so that you are inclined and feel at ease to him and made Him between you affection (mawaddah warahmah). Indeed, such things will be a sign of his greatness to those who think." Sakinah mawaddah wa rahmah is a gift from Allah to humans when they marry. Apart

from that, marriage is a sunnah of the Prophet Muhammad SAW in the sense of following the behavior of the Prophet Muhammad SAW. Marriage is done so that humans have legal offspring and families to lead a happy life in this world and in the hereafter under the protection and blessing of Allah SWT.

The Marriage Law does not specifically allow for the legalization of interfaith marriages, but the life of couples of different religions as husband and wife is an undeniable fact, and indeed, many couples want to live together as husband and wife but are limited by religious or belief conditions. Different. Some choose a lifestyle to be together without marriage or marriage ties while maintaining their respective beliefs and beliefs. This existence is allowed to continue without resolution, or their behavior will be considered a social waste that must be handled with control. What about the consequences of their relationship that are not protected by the law in force in that country, such as having children who are born, property that will be born, and other rights? (Baihaqi, 2023).

In fact, there is still no legal framework in Indonesia that specifically regulates the complex issue of interfaith marriages. Therefore, so far, interfaith couples have had to make more legal and illegal efforts to legalize their marriage in Indonesia. Often, the dream of interfaith couples is to marry twice according to the religious requirements of both parties, for example, in the morning with an agreement according to Islamic law, followed by the bride and groom, and on the same day with the blessing of the wedding in the church according to what is accepted by Christian bridal law. However, these efforts also raise questions about which marriages are valid. Another possibility is that one of the parties changes religion temporarily. In fact, this is also prohibited in all religions because it is considered a religious game. The last effort that many people make is holding weddings abroad. However, this business also caused controversy because it was considered legal smuggling. There are many phenomena of interfaith marriages in Indonesia, which indicate the need for clear regulation regarding this issue so that legal loopholes or prejudices do not arise in the future, which can cause confusion in society (Probolinggo, 2023).

Therefore, this research aims to explore knowledge about the perspective of Islamic law in interfaith marriages. The next aim of this research is to find out and analyze the possible social impacts that can occur for those who enter into interfaith marriages in Indonesia. Therefore, the benefits of this research are that it can help in understanding to what extent Indonesian society can accept interfaith marriages as a sign of interreligious tolerance, provide insights to the government and policymakers about the impact of interfaith marriages, enabling them to develop more inclusive and supportive policies for interfaith couples, and this research can serve as an academic source of knowledge on the dynamics of interfaith marriages in Indonesia, which can be used as a basis for further research.

METHOD

The research method used in this study is a normative legal research method (legal research). Normative legal research (legal research), namely using legal sources of material in the form of statutory regulations, court decisions/decisions, contracts/agreements/contracts, legal theory, and expert opinions. Another name for normative legal research is doctrinal legal research, also referred to as library research or document study (Muhaimin, 2020).

This research is normative legal research, which is a type of research that is commonly known in the study of law. This research is part of legal research, namely by researching library materials called normative legal research or library law research. This study uses the literature study research method by collecting written data such as books, journal articles, and laws and regulations related to this research.

Secondary data in the form of library research was carried out on various sources of legal materials, which can be classified into 3 (three) types, namely primary legal materials, secondary legal materials, and tertiary legal materials (Mozes, 2020). Legal materials obtained, inventoried, and identified are then processed and analyzed qualitatively by using deductive logical thinking. The analysis technique is used with a qualitative approach.

In normative legal research, the legal materials studied are primary, secondary, and tertiary legal materials. The technique for collecting the three legal materials is to use documentary studies. A documentary study is a study of various documents, both related to laws and regulations and other documents (Salim & Nurbani, 2017).

RESULTS AND DISCUSSION

According to a search on the Supreme Court's Directory website, there are 73 copies of interfaith marriage decisions throughout Indonesia. The court explained that registration applications had been made since 2007. In fact, in Indonesia, the city of Surakarta seems to be the city where most applications have been submitted. Also, in 2007, the application for civil registration at the Surakarta District Court (PN) was the first in Indonesia (Pratama, 2022). Apart from data from that year, according to data from the Indonesian Conference on Religion and Peace (ICRP), since 2005, there have been 1,425 interfaith couples married in Indonesia. (Iskandar, 2022) .

Below is data with the most cities applying for civil registration of interfaith marriages in 2007.

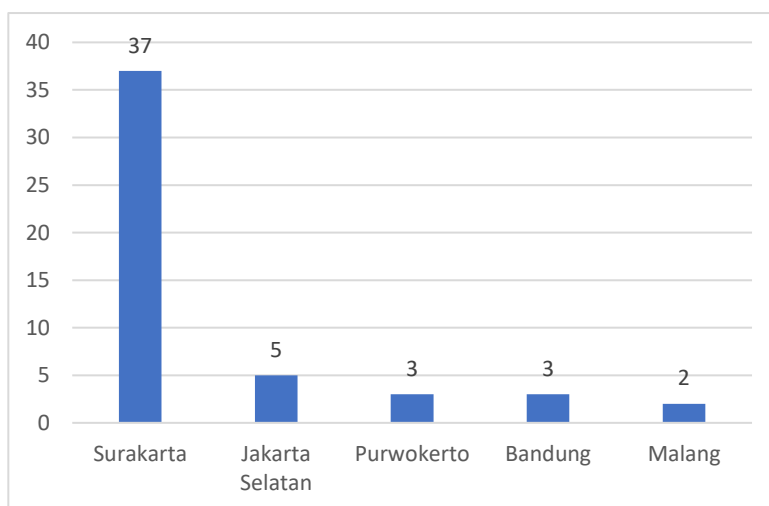


Figure 1. City-Data with the Most Files for Civil Registration Interfaith Marriage in Indonesia (Primary, 2022)

Thus, 37 out of 73 decisions of Indonesian interfaith marriage judges are in the Surakarta District Court. This means that 50.7 percent of interfaith marriage cases brought to court occurred in an area of 44 square kilometers. The large number of copies of the decision in Surakarta practically

makes Central Java the province with the highest number of interfaith marriages in the country, namely 46 cases, and East Java follows with 8 cases (Pratama, 2022).

According to Ahmad Nurcholis, one of the perpetrators of interfaith marriages and author of the book "Answering 101 Problems of Interfaith Marriage", from 2004 to 2012, there were 1,109 couples carrying out interfaith marriages, with the largest number being Muslim and Christian couples, then Muslim and Catholicism, then Islam and Hinduism, then Islam and Buddhism. The fewest are Christian and Buddhist couples (Jalil, 2018). Furthermore, based on the results of a special interview with BBC Indonesia, Ahmad Nurcholis said that in 2015, the Indonesian Conference on Religion and Peace (ICRP) or the Center for Research on Religion and Peace married at least 638 couples of different religions throughout Indonesia.

The problem of interfaith marriages for Muslims in Indonesia is based on the provisions of the Al-Qur'an al-Baqarah verse 221, which states that Muslims are prohibited from marrying polytheist men and polytheist women. In addition to the mandate of this verse, most Muslims agree with the prohibition of interfaith marriages (Daud et al., 2022).

If we look at the marriage law, we cannot find any element of the article that contains the permissibility of inter-religious marriages. It can be seen that in Article 2 of Law Number 1 of 1974 concerning marriage, it is stated that a marriage can be said to be a valid marriage if the marriage is carried out according to the laws of each religion and belief. He continued that the meaning explained above had very clearly given direction only to each other's beliefs. Therefore, as a result of the discrepancy in these regulations, many people resort to other solutions to carry out marriages with partners of different religions (Ilham, 2020).

Interfaith marriage in Surah Al-Baqarah: 221, which explains the prohibition against marrying polytheists until they believe. Apart from that, in Surah Al-Mumtahanah verse 10, there is a prohibition on returning Muslim women who emigrated from Mecca to Medina to their husbands in Mecca and continuing domestic relations with unbeliever women. It was further explained that although in Islam there is a prohibition on various religious marriages in theory, there is a theory in it that gives rise to opportunities for marriages outside the class, namely between Muslims and women in the people of the book, the permissibility of marriage with those in the book is stated in the surah al-Maidah verse 5 explains the legalization of marriage with women of the book for Muslims (Dardiri et al., 2013).

An interfaith marriage is a marriage between a man and a woman who have different religions or beliefs from each other. Laws and regulations only provide legitimacy to same-sex religious marriages, as Article 2 paragraph (1) of Law Number 1 the Year 1974 reads as follows: "Marriage is legal if it is carried out according to the laws of each religion and belief". Whereas what is meant by the law of each religion and belief in the explanation of the article includes statutory provisions that apply to their religious groups and beliefs as long as they do not contradict or are not specified otherwise in the Law (Baihaqi, 2023).

Furthermore, the prohibition of interfaith marriage is contained in Surah al-Baqarah verse 221 in Jalalain's commentary:

(And do not marry) O Muslims (musyrik women), meaning disbelieving women (before they believe. In fact, a believing slave is better than a polytheist woman) even though she is free.

The reason for the revelation of this verse is that there are those who criticize men who marry

slave girls and like men who marry free women who are polytheists (*even though they attract your heart*) because of their wealth and beauty. This is specifically for women who are not people of the book with the verse "And women who are preserved among the people of the book". (*And do not marry or marry (mushrik men)*), meaning infidel men with believing women (*before they believe. Indeed, a believing slave is better than a polytheist man even though he attracts your heart*) because of his wealth and good looks. (*They are*) or shirk experts (*inviting them to hell*) to actions that lead to hell, so it is not good to marry them. (*While Allah invites*) through the words of His messengers (*to heaven and forgiveness*), meaning deeds that lead to both (*with His permission*), meaning with His will, it is obligatory for you or their guardians to grant marriage (*And He explains His verses to people so that they receive a warning*) or get a lesson.

Article 44 of the Compilation of Islamic Law confirms that it reads: "A Muslim woman is prohibited from marrying a man who is not Muslim." So, according to Islam as the religion that is adhered to by the majority of the population in Indonesia, it strongly opposes the existence of marriages carried out by couples of different religions in Indonesian society.

The MUI fatwa regarding interfaith marriages interprets the verse of Surah Al-Baqarah: 221 that the majority of ulama (the majority of ulama) agree that interfaith marriages are haram for any reason. This is the fatwa stated by the Indonesian Ulema Council (MUI) regarding interfaith marriages: (1) Interfaith marriages are haram and invalid. (2) The marriage of a Muslim man with a woman from the People of the Book, according to *qaul mu'tamad*, is illegitimate and invalid. Not only are marriages of different religions fatwa, but the Indonesian Ulema Council (MUI) also said in the second point that the marriage of Muslim men with women from Ahlu Kitab, according to *qaul mu'tamad*, is haram and invalid. In essence, the Law of the Republic of Indonesia Number 1 of 1974 concerning Marriage in Article 8 point F states that marriage is prohibited between two people who have a relationship whose religion or other applicable regulations prohibit marriage.

Marriage, according to Law Number 1 of 1974, is not only a legal act but also a religious act, so whether a marriage is valid or not depends entirely on the laws of each religion and the beliefs held by the people. Indonesia (Handayani, 2014) .

Marriage has been regulated in Article 2 of Law Number 1 of 1974 concerning Marriage (Hanifah, 2019), which stipulates as follows:

1. Marriage is valid if it is carried out according to the laws of each religion and belief.
2. Every marriage is recorded according to applicable laws and regulations.

It is further explained in his explanation that it is stated that there is no marriage outside the law of each religion and belief. This is in accordance with Article 29 of the 1945 Constitution, which reads: The State is based on Belief in One Almighty God; The state guarantees the freedom of every citizen to embrace their own religion and worship according to their religion and belief. From the provisions of Article 2 paragraph (1) of Law Number 1 of 1974 concerning Marriage, it is clear that Law Number 1 of 1974 concerning Marriage determines the validity of marriage according to the religious laws and beliefs of each adherent. After the marriage takes place according to the procedures of their respective religions and beliefs, the bride and groom sign the marriage certificate, which has been prepared by the marriage registrar.

Furthermore, Article 2 of the Compilation of Islamic Law states that marriage, according to Islamic law, is a very strong contract or *mistaken ghalizhan* to obey Allah's commands and carry them out as worship.

In the pillars of marriage in Islam, there are several conditions that must be fulfilled (Handayani, 2014), namely:

1. Prospective husband: Muslim, certain man, not a mahram man with a prospective wife, knows the true guardian for the marriage contract, not in ihram for Hajj or Umrah, with his own consent and not coercion, does not have four legal wives at one time, knowing that the woman he wants to marry is legally his wife.
2. Candidates for wives: Islam, certain women, not mahram women with potential husbands, not khunsa, not in ihram for Hajj or Umrah, not during iddah, not someone else's wife.
3. Marriage guardian: Muslim, male, mature, of his own free will and not coerced, not in ihram for Hajj or Umrah, not wicked, not mentally handicapped, crazy, too old and so on, independent, not controlled by power rather than spending his wealth.
4. Witnesses for marriage: at least two people, Muslim, intelligent, mature, male, understand the contents of the pronouncement of consent and Kabul, can hear, see and speak, fair (don't commit big sins and don't commit too many small sins), independent.
5. Ijab: This marriage must be correct, may not use satirical words uttered by the guardian or his representative, and must not be bound by a time period such as a mut'ah (contract marriage or valid marriage within a certain time as promised in the mut'ah marriage agreement), not by convention (there are no preconditions when the hijab is pronounced).
6. Qobul: The utterance must be in accordance with the words of consent; there are no satirical words pronounced by the prospective husband or his representative (for certain reasons) not bound by a time period such as mut'ah (such as a contract marriage), not tactic (no term prerequisites when Kabul is pronounced), mentioning the name of the future wife, not adding other words.

According to Article 1 of Law Number 1 of 1974 concerning Marriage, marriage is a physical and spiritual bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family or household based on Belief in One Supreme God. The word "outer and inner bond" in this sense means that marriage is not enough just to have an external bond or only to have an inner bond; both must be present in marriage (Hanifah, 2019). The birth bond can be interpreted as marriage, which is a bond that can be seen, meaning there is a legal relationship between a man and a woman to live together as husband and wife. This bond can also be called a "formal bond," namely a formal relationship that binds oneself, other people, and society. Whereas "inner bond" can be interpreted as an informal relationship, meaning a bond that cannot be seen but must exist because, in the absence of an inner bond in marriage, the outer bond will be fragile.

The definition of marriage above contains several aspects. The first is the legal aspect because it contains birth or a formal bond that gives birth to a legal relationship between husband and wife. The second is the social aspect, where marriage is a relationship that binds oneself, other people, and society. Third, the religious aspect, namely the existence of goals based on belief in the Almighty God as the basis for forming an eternal and happy family. Marriage is an agreement that is a legal act with legal consequences. The existence of legal consequences is very important for the validity

of a legal action. In Article 2 of the Marriage Law, it is stated that the conditions for a marriage to be valid are: (1) The marriage is valid if it is performed solemnly according to the laws of each religion and belief; (2) All marriages are recorded according to applicable laws and regulations (Karim, 2017).

The legal status of interfaith marriage cannot be ratified because it does not follow the religious teachings adhered to by each prospective bride and groom (Amri, 2020). In Article 2 of the Marriage Law, there is an affirmation that marriage can only be categorized as a legal act if it is carried out according to the provisions of each religion and belief, as in the explanation of Article 2 of the Marriage Law that there is no marriage outside the law of each religion and belief (Amri, 2020).

From the results of the analysis above, there are several points that cannot justify interfaith marriage according to the law in force in Indonesia. Then, the legal status of interfaith marriages is also explained in detail by previous research. According to the understanding of legal experts and practitioners in Law Number 1 of 1974, in general, three views can be found in interfaith marriages. First, interfaith marriage cannot be justified and is a violation of the Marriage Law Article 2 paragraph (1): Marriage is legal if it is carried out according to the laws of each religion and belief, and Article 8 letter (f): that marriage is prohibited between two people who have a relationship in which marriage is prohibited by their religion or other regulations. So, according to this article, interfaith marriages are considered invalid and null and void by law by the marriage executive (Amri, 2020).

The majority of Muslim communities in Indonesia are of the view that the Marriage Law does not need to be refined by including the law on interfaith marriages in the law, because according to them, Law Number 1 of 1974 has regulated the law on interfaith marriages clearly and firmly (Amri, 2020). There is some truth in this expression because Muslims, as the majority population in Indonesia, feel that they benefit from Article 2 paragraph (1) of the Marriage Law because with this article, the possibility of having a "secular" marriage is closed, and the possibility of a Muslim woman also being closed. Marrying a non-Muslim man, as well as the marriage of a Muslim man with a polytheist woman, because such marriages are prohibited (considered invalid) according to Islamic law. In fact, the prohibition on holding interfaith marriages is an important problem for Muslims because the Dutch marriage regulations (PPC/Mixed Marriage Regulations) allow Indonesians to perform interfaith marriages.

According to the marriage law that applies in Indonesia, this is also in accordance with the results of the conclusions of studies that have been carried out by previous research; marrying polytheistic women is clearly a forbidden act by law (Ilham, 2020). While marrying women of the Ahl al-Kitab, even though there are many differences of opinion, of course, it must be seen from the aspect of the most important benefit. Therefore, by looking at these conditions, the legal status is unlawful. This is supported by the MUI Fatwa and the absence of rules governing interfaith marriage in the Compilation of Islamic Law and Law Number 1 of 1974 concerning Marriage.

To strengthen the position of Islamic law in the midst of society, especially in relation to the civil sector, along with the establishment of the Religious Courts for Muslims, representatives of Indonesian Islamic clerics or experts then tried to compile an Islamic Law Compilation (KHI). Based on Presidential Instruction No. 1 of 1991, this compilation is then used as the main reference by the Religious Courts to decide Islamic civil cases that are filed. Regarding the prohibition of interfaith marriages, KHI specifically mentions it in Article 40 letter (c), Article 44, and Article 61. This provision

is clearly in line with and even reinforces the 1980 MUI fatwa concerning the prohibition of religious-based mixed marriages (Mursalin, 2023).

In general, the religious laws and marriage laws that apply in Indonesia do contain polemic potential among society because, in this case, they contain a context that is sensitive to social society. In previous research, Indonesia does not yet have a legal umbrella that explicitly regulates the very complex issue of interfaith marriage (Probolinggo, 2023). So, up to now, couples in interfaith marriages have had to fight harder, both through legal and illegal means, so that their marriage can be legalized in Indonesia. Various efforts that are often taken by interfaith marriage couples are to marry twice according to the provisions of each party's religion, for example, in the morning, carrying out the contract according to the Islamic law adhered to by one of the bride and groom, then on the same day also holding the marriage blessing in the church according to Christian religious laws adhered to by the other bride and groom. However, this effort also raises questions about which marriages can be considered valid. Another way is for one of the parties to change religion temporarily, but this is actually prohibited by any religion because it is considered playing with religion. The final effort that many people make is holding weddings abroad, as is done by many artists in Indonesia. However, this effort also caused controversy because it was considered legal smuggling. The large number of interfaith marriage phenomena in Indonesia has resulted in the need for explicit regulation regarding this issue so that in the future, there will no longer be a vacuum or legal bias that results in confusion in society.

The diversity of religions and beliefs in Indonesia can have implications for marriages between followers of religions and beliefs (Probolinggo, 2023). Interfaith marriages are not something new and have been going on for a long time in multicultural Indonesian society. However, this does not mean that cases of interfaith marriages do not cause problems; in fact, they tend to always generate controversy in society.

Apart from that, the polemic about permission from a religious and legal point of view is indeed very small, so religious marriage can be recognized legally and religiously and can be accepted by society. If this cannot be ensured by the law in force in Indonesia, then there will be gaps and the potential for protests from the community to live and live together with those who marry with different religions. In particular, apart from the community, the families of the bride and groom also certainly have the potential to adversely affect their social relations because it is undeniable that the marriage has the approval of the two extended families. The analysis above is also in line with the conclusions of the results of studies conducted by previous research that interfaith marriage is something that cannot be justified based on the Marriage Law and the Compilation of Islamic Law, with the consideration that the issuance of these rules is to avoid bad/loss (*mafsadat*) which is greater besides the goodness/benefits (*maslahah*) that arise (Probolinggo, 2023). However, the presence of the Population Administration Law, especially Article 35, opens up opportunities to legalize interfaith marriages. The legal conflict between these two laws naturally creates multiple interpretations among the public, especially judges, in determining interfaith marriages. As a consequence, there can be a disparity in judges' decisions, some rejecting but some also granting the decision for interfaith marriages. If this continues, it will create legal uncertainty.

The next way that can be done for couples with different beliefs is to ask for a ruling from the District Court. Article 35 of Law Number 24 of 2013 concerning Amendments to Law Number 23 of

2006 concerning Population Administration states that registration of marriages also applies to marriages determined by the court. The decision of the District Court can be used as a basis for legal force for couples of different religions to be able to register their marriage at the Civil Registry Office, which may not refuse it. This is based on the description of Article 7 Paragraph (2) letter (1) of Law Number 30 of 2014 concerning Government Administration, whereby government officials are obliged to comply with court decisions that have permanent legal force.

Responding to this, the Supreme Court of the Republic of Indonesia finally prohibited court judges from granting requests for interfaith marriages. This prohibition is contained in the Supreme Court Circular Letter (SEMA) Number 2 of 2023 concerning Guidelines for Judges in Trying Cases for Requests for Registration of Inter-Religious Marriages of Different Religions and Beliefs.

In SEMA Number 2 of 2023, it is explained that in order to provide certainty and legal unity in adjudicating applications for the registration of marriages between people of different religions and beliefs, judges must be guided by the following provisions:

1. A valid marriage is one that is carried out according to the laws of each religion and belief, in accordance with Article 2 paragraph 1 and Article 8 letter f of Law Number 1 of 1974 concerning Marriage.
2. The court did not grant the request for registration of marriages between people of different religions and beliefs.

In addition to causing conflict in the community, interfaith marriages will also have a potentially adverse impact on the offspring they produce. The results of studies conducted by previous research show that apart from having a negative impact on family life (husband and wife), the most terrible impact is on offspring (Kaharuddin & Syafruddin, 2020). It is clear that children of parents of different religions will have two religious personalities. On the one hand, you have to be good at dealing with your father, who is Muslim, for example, and on the other hand, you have to be able to adapt to your mother's religious beliefs, Christianity, for example.

Another conflict is also explained by other research, namely that legally, interfaith marriages give rise to legal issues related to marriage registration, the legal status of children born, including guardianship and inheritance, and inheritance between partners (Sahrim, 2022). This is in view of the different legal provisions applied in the Islamic religion and Indonesian laws and regulations. Furthermore, psychologically and sociologically, interfaith marriages can trigger disputes and even strengthen pre-existing disputes. Next, interfaith marriages are also considered to cause psychological and educational problems for children because they are confused about which religion to follow.

The risks and impacts resulting from marrying from a different religion. In his study, he explained that the negative impact of interfaith marriage could lead to conflict in relations with the family and social environment (AP, 2023). Rejection or disapproval will arise from families who tend to be conservative towards such marriages. Also, in households with different religions, there are times when one partner has to compromise and sacrifice their beliefs for the sake of their husband or wife. Another fact is that it is not easy to live with a partner who has different beliefs. Especially if you cannot respect the traditions and values held by your partner. If you cannot respect and tolerate each other, sensitive matters related to religious issues can cause conflict in couples of different religions. The final impact is that interfaith marriages can trigger tension when faced with

religious celebrations and traditions. Especially if the couple already has children. The child can become a victim of the parents' religious conflict if there is a dispute in observing certain religious celebrations and traditions.

CONCLUSION

Based on the results of the analysis of the description above, it can be concluded that interfaith marriage, when viewed from a religious perspective, clearly does not allow people to marry someone who is not of the Islamic religion, and the law is *haram*, and this is also in accordance with the fatwa of the Indonesian Ulema Council (MUI). Meanwhile, from the perspective of the Compilation of Islamic Law and Law Number 1 of 1974 concerning marriage, it does not regulate procedures and or activities that allow interfaith marriages to be legalized. As well as the prohibition of court judges from granting requests for the determination of interfaith marriages through the Supreme Court Circular Letter (SEMA) Number 2 of 2023 concerning Guidelines for Judges in Trying Cases for Applications for Registration of Inter-Religious Marriages of Different Religions and Beliefs. Potential conflicts and impacts arising from interfaith marriages can threaten social relations between communities for those who reject interfaith marriages based on religious and legal laws in Indonesia. Besides that, conflicts between families, husband and wife relationships, and children will have an impact due to a lack of mutual understanding. Appreciate the religious beliefs and tensions children will face.

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