

Proceeding IConIGC: International Conference on Islamic and Global Civilization

Faculty of Islamic Studies – University of Islam Malang

PROS AND CONS OF THE INTERFAITH MARRIAGE'S ISSUE AMONG INDONESIAN MUSLIMS

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Abstract

The issue of interfaith marriage never seems to have come to a conclusion in the form of specific rules to accommodate this practice. Although the government through the Presidential Instruction has issued a compilation of Islamic law which contains rules prohibiting interfaith marriage, and is also supported by the MUI Fatwa which prohibits this practice, in reality, interfaith marriages always occur in society. It is undeniable that the courage of the people to continue to hold marriages is difficult to legalize, according to the 1974 UUP, partly because of the arguments of Muslim scholars who are pro in this practice. Therefore, this article will explore the arguments of pro and con groups on the issue of interfaith marriage and examine how society reacts to this issue. This article uses a library research method in which the data used is sourced from written text and analyzed philosophically. The results obtained from the analysis show that people who want to perform interfaith marriages, tend to continue to do so even though they know of the prohibition and are considered invalid by the 1974 UUP. This courage arises because of the arguments of pro group on interfaith marriages that are openly presented by Muslim scholars who carry liberal thinking, where they want to separate social life from religion.

Key words: interfaith marriages, pro and con arguments, Indonesian marriage law

INTRODUCTION

Every time news appears about interfaith marriages carried out by public figures, the Indonesian people are busy responding to it with opinions that are divided between pros and cons. The issue of interfaith marriage that is most recently discussed by the Indonesian people is carried out by one of the President's special staff, where she is a Muslimah and her Catholic husband performed a marriage contract (*akad*) in Islam Way and continued the marriage blessing at the Jakarta Cathedral Church. People are busy commenting on this

event to dominate the conversation on the Twitter platform on their wedding day.

Interfaith marriage is still an endless problem in society. This is because it is directly related to social integration between couples with different religious backgrounds, both before and after they get married, plus their position and the position of the child from interfaith marriage. In essence, interfaith marriage law in Indonesia is not specifically regulated, what is regulated is whether marriage is legal or not. The validity of a marriage, according to the law, is in line with the provisions of the religion and beliefs of each of its adherents. This shows that the law is subject to religious rules and does not establish any specific rules (Septiandani, Triasih, and Muryati 2018).

The purpose of marriage is to bring harmony and happiness to life. To achieve this, humans need regulations or rules in their lives, one of which is the rules of marriage. Marriage rules have been regulated in Law Number 1 of 1974 concerning Marriage (UUP) and Presidential Instruction (Inpres) no. 1 of 1991 concerning the Compilation of Islamic Law (KHI). The UUP in Article 2 paragraph (1) states that marriage is considered valid if it follows certain religious rules. This statement underscores the provision that a marriage is legitimized if it follows the rules of a particular religious marriage. It is therefore impossible for Muslims to marry non-Muslims by following religious laws outside of Islam or non-Muslims marrying Muslims by following Islamic law or marriages following the laws of two religions at once (Suhasti, Djazimah, and Hartini 2018) as practiced by the President's staff that mention above.

Marriage regulations in Indonesia are indeed regulated by the government, this has existed since the Dutch colonial era. Governments under Dutch rule applied different marriage laws to Muslims and Christians. Muslims have Islamic religious courts to register marriages and Christians record their marriages in civil courts. As for adherents of religions outside of Islam and Christianity follow their respective marriage traditions (Richmond 2009).

However, although the government has regulated the rules of marriage in the 1974 UUP and the existence of clearer provisions in the Compilation of Islamic Law Article 40 c, article 443 and article 61, in reality interfaith marriages still occur in the community. Many experts give their arguments in this regard, based on the arguments that sometimes contradict each other, then pros and cons emerge in society. This certainly causes confusion. On the other hand, government rules seem to only serve as a negligible piece of writing and have no binding authority.

Research on interfaith marriage has indeed been carried out by many previous researchers, so far each of these studies looks at it from one perspective, for example about Islamic law, the depiction of phenomena, or the demand for new rules that can accommodate this action. Some of the previous studies in question are research entitled "Legal Formulation Of Marriage Of Different Religions For The Benefit Of Society" written by Dian Septiandani, et al (2018). This research seeks to convey a message for the need for new legal regulations related to interfaith marriage because the Indonesian nation does have a lot of diversity, including religion. This diversity is the cause of interaction between religious people and it is very difficult to avoid the occurrence of interfaith marriages. Therefore, Indonesia needs new rules that can overshadow interfaith marriages in terms of this plurality.

Another research entitled "Polemics On Interfaith Marriage In Indonesia Between Rules And Practices" written by Ermi Suhasti, et al (2018). This study describes the phenomenon of interfaith marriage in society where there is an inequality between the rule of law (UUP and KHI) that has been established and the practices that occur in society due to differences in interpretation. Although it cannot be legally legalized, married couples of different religions try to find loopholes to get recognition as legal partners, for example by registering their marriages on the civil registry.

Another research entitled "Intermarriage of Different Religions in the

Nature of Islamic Law Studies and Indonesian Laws and Regulations" written by Sarifudin (2019). This study seeks to summarize various perspectives on interfaith marriage which includes an understanding of Islamic law and applicable laws in Indonesia, including differences in interpretations related to several verses of the Quran which are considered as a postulate for prohibiting or allowing interfaith marriages. From the three studies, it can be seen that the difference with this study where the subject of the study is the Muslim community which is the majority in Indonesia.

Referring to the background that has been described above, the focus of this research is to examine the pros and cons in the Indonesian Muslim community related to the issue of interfaith marriage, where the practice continues to occur even though it cannot be considered valid by the 1974 UUP and KHI. The number of arguments derived from the interpretation of experts and figures related to Quranic verses, Islamic law, and even applicable law in Indonesia can lead to confusion and apathy. This can certainly cause more friction in the community. As one of the legally based actions, marriage certainly also has legal consequences that greatly affect the validity or not of the act.

METHOD

This research used the library research method by making written sources as data. These data were obtained from journal articles, books, news stories written in the mass media, and other written sources related to the issue of interfaith marriage. According to Sugiyono (2013) the library research is a theoretical study, reference, and other scientific literature related to culture, values, and norms that develop in the social situation under study. Library research includes general processes such as systematically identifying theories, finding appropriate literature, and analyzing documents that include information related to the research topic.

Library research requires more philosophical and theoretical processing than empirical tests in the field. It is because it's theoretical and philosophical that library research more often uses a philosophical approach than other approaches (Muhadjir 1996).

RESULT AND DISCUSSION

Argumentation of group pro interfaith marriage

The main argument that is often used by interfaith marriages pros is the Quran surah al-Maidah verse 5 which is written as follows:

In this verse Allah Swt. allows Muslim men to marry women of the book (ahlul kitab) who are likened to believer women as long as they maintain their honor. There is no clear statement in this verse about the obligation to marry a believer woman only and to prohibit marrying a woman other than a believer. From this verse it can also be interpreted that not only believer men can marry women of the book, but also vice versa believer women marry men of the book, expert assuming that in Arabic it is known by the style of *al-iktifa* as in the hadith *thalabul-'ilmi faridhatun 'ala kulli muslim* (seek a knowledge compulsory for muslim men). Of course, what is meant in this hadith is not only Muslim men, but also Muslim women. The same can be applied to the interpretation of the above verse (Sarifudin 2019) (Ghazali 2005).

Another argument is based on the thought of Imam Shafi'i who considers that marriage is the same basic human need as eating and drinking. Therefore, it is not necessary to recommend any moreover obliged because naturally all human beings will be inclined to it. Based on this, Imam Shafi'i considered that the law of

marriage is *mubah*, not *sunnah* let alone *wajib* (mandatory). The human need for marriage (sexual intercourse) is universal, where not only for men, but also women, not only Muslims, but also adherents of other religions. Referring to imam Shafi'i's thinking, what should be underlined is that marriage is not an act of worship value, but a mere worldly social action (Ghazali 2005).

Responding to UUP 1974 article 2 paragraph 1 (Anon n.d.) which reads "Marriage is valid, if it is carried out according to the laws of each religion and its beliefs", some institutions expressed disapproval, namely the Indonesian Conference on Religion and Peace (ICRP), Human Rights Working Group (HRWG) Indonesia, The National Commission on Violence againts Women (Komnas Perempuan), The National Commission on Human Rights (Komnas HAM), Communion of Churches in Indonesia (PGI), The Bishops Conference of Indonesia (KWI), The Indonesian Buddhist Council (WALUBI), and The Indonesian Khonghucu Religious Council (MATAKIN). This is based on the assumption that interfaith marriage is part of human rights that refer to international agreements. The international law instrument in question is the *Universal Declaration of Human* Rights 1948 (UDHR), precisely in article 16 of 3 paragraphs whose content is as follows: (1) men and women who are adults with no restrictions on nationality, citizenship or religion have the right to marry and to form a family, have the same rights in the matter of marriage, in the period of marriage and at the time of divorce (2) marriage can only be carried out based on free choice and consent by the bride and groom, (3) the family is a natural and fundamental unity of society and is entitled to protection from society and the state. UDHR underlines that every human being has the right to build a family regardless of religious considerations (Rosdiana, Saumin, and Maisarah 2019).

Another argument from this group is to respond to the 1974 UUP above, returning it to the *regeling op de Gemengde Huwelijken*, abbreviated as GHR or the Regulation on Mixed Marriages as contained in the *Staatsblaad* of 1898 No. 158 which has existed and was established by the Dutch East Indies government

(Richmond 2009). Article 1 of the Mixed Marriage Regulation (GHR) states that, the so-called mixed marriage is a marriage between people who in Indonesia are subject to different laws, including different religions (Sarifudin 2019).

Various efforts were made so that interfaith marriages could be recognized by the state directly by referring to special laws. Different groups over the years have campaigned to revise Indonesia's Marriage Law in order to address the legal vacuum relating to interfaith marriage. In 1995 a draft 'Civil Registration Bill' based on the Supreme Court Jurisprudence relating to intermarriage and a consortium for the establishment of the Civil Registration Bill, called for the Civil Registry Office to be given the power to register interfaith marriages as a fundamental human right. Throughout 2003 and 2004 there were further attempts to revise the marriage law of 1974 with consideration to accommodate a number of proposed amendments, but this has not been successful. The first step to draft a proposed law on Religious Harmony which also discusses the issue of interfaith marriage was also set aside. However, the Population Administration Law passed in December 2006 specifically mentions 'those whose interfaith marriages have been enforced through the District Court' signaling the fact that the presence of interfaith couples is explicitly recognized in the Indonesian population, meaning that it cannot be enforced state categorically that interfaith marriage is prohibited in Indonesia (Richmond 2009).

Referring to Moqsith's opinion (Ghazali 2005), one of the liberalists who are pro-interfaith marriage, that the existence of the al-Quran verse and the Hadith that blatantly prohibits interfaith marriage, more because of the context in which the verse descends and the recitation of the hadith, there is a bad relationship between the religion brought by Muhammad (Islam) with non-Muslims. It was this less harmonious relationship that later resulted in a strict ban on marriage between Muslims and non-Muslims. Thus, the prohibition of religious texts is contextual. Whereas nowadays relations between religious believers are more

harmonious, let alone having an attachment in one political contract called a nation-state, interfaith marriage should no longer be a problem.

The pro-interfaith marriage group stands on the principle that marriage is not part of worship but rather as a way to fulfill human instinctive desires alone, which are equivalent to desires to eat and drink. The fulfillment of this desire is part of the human rights that have been inherent in every human being since he was born. Therefore, marriage is only a part of life that has an impact on social aspects alone, not on religiosity, especially for Indonesia which has a high level of diversity.

Arguments of group con interfaith marriage

Islam provides guidance for each of its followers, both in the aspect of worship (*ibadah*) and dealings (*muamalah*). Islamic Sharia manages all aspects of life including marriage which purpose is to benefit mankind (the concept of *maqasid as-shari'a*). In Islam, marriage is defined as a legal event in the form of a contract or agreement made between a man and a woman on the basis of voluntary to form a loving family and based on the path established by Allah Swt. Religion plays a role in determining and arranging marriage as part of its teachings. Therefore, marriage cannot be seen only as a civil relationship that has purely social implications, but must also be understood as part of the concept of worship based on human nature (Heriawanto 2019).

Groups that are completely opposed to interfaith marriages obey surah Al Baqarah verse 221 which contains the following,

In the passage above it is clearly stated, "you shall not marry a polytheist (*mushrik*) woman until they have faith, truly the servant woman of faith is better than the

woman of the *mushrik* even though she attracts your heart..." this verse also applying the same rules to women of faith and followed by the statement, "they invite to hell, while God invites them to heaven ...". This statement underscores the difference between the purpose that Allah Swt. wants from a marriage and the other purpose of an interfaith marriage.

In addition to surah al-Baqarah verse 221 above, there is another verse that is the main postulate for this group, namely surah al-Mumtahanah verse 10 which contains the following,

يَتَأَيُّهُا ٱلَّذِينَ ءَامَنُوۤا إِذَا جَآءَكُمُ ٱلْمُؤۡمِنَتُ مُهَجِرَاتٍ فَٱمۡتَحِنُوهُنَّ ٱللَّهُ أَعۡلَمُ بِإِيمَنِهِنَ ۖ فَإِنْ عَلِمۡتُمُوهُنَّ مُهَجِرَاتٍ فَٱمۡتَحِنُوهُنَّ ٱللَّهُ أَعۡلَمُ بِإِيمَنِهِنَّ فَإِنْ عَلِمۡتُمُوهُنَّ مُهَا عَلَيْ مُ وَلَا هُمۡ يَحِلُونَ هَٰنَ أَعُوهُم مَّا أَنفَقُوا ۚ وَلَا جُناحَ مُؤۡمِنَتٍ فَلَا تَرْجِعُوهُنَ إِلَى ٱلۡكُفَّارِ لَا هُنَّ حِلُّ هُمْ وَلَا هُمۡ تَكِلُونَ هَٰنَ أَوْمَاتُوا مَا أَنفَقُتُم وَلَيسَعَلُوا مَآ عَلَيْمُ وَلَا تُمۡسِكُوا بِعِصَمِ ٱلۡكَوَافِرِ وَسَعَلُوا مَآ أَنفَقَتُم وَلَيسَعَلُوا مَآ أَنفَقُتُم وَلَيسَعَلُوا مَآ أَنفَقُوا ۚ وَلَا تُمَعِيمُ اللّهُ عَلَيْمُ حَكِيمٌ اللّهَ عَلَيْمُ عَلَيْمُ عَلِيمُ عَلَيْمُ عَلِيمً عَلِيمً عَلِيمً عَلَيْمُ عَلِيمً عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلِيمً عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلِيمً عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمٌ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلِيمً عَلَيْمُ عَلَيْمٌ عَلَيْمُ عَلَيْمُ عَلِيمٌ عَلَيْمُ عَلَيْمٌ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمٌ عَلَيْمُ عَلَيْمٌ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمٌ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمٌ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلِيمُ عَلَيْمُ عَلَيْمٌ عَلَيْمُ عَلَيْمٌ عَلَيْمُ عَلَيْمُ عَلِيمٌ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلِيمُ عَلَيْمُ عَلَيمُ عَلَيْمُ عَلِيمٌ عَلَيْمُ عَلَيْمُ عَلِيمٌ عَلَيْمُ عَلَيْمُ عَلِيمٌ عَلِيمٌ عَلِيمٌ عَلِيمٌ عَلِيمٌ عَلَيْمُ عَلِيمٌ عَلِيمٌ عَلَيْمُ عَلَيْمُ عَلِيمٌ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلِيمٌ عَلَيْمُ عَلَيْمُ عَلِيمٌ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلَيْمُ عَلِيمٌ عَلَيْمُ عَلِيمُ عَلِيمُ عَلَيْمُ عَلِيمُ عَلَي

This fragment of the verse states, "... you shall not cling to the ropes (marriages) with pagan women...". This verse clearly forbids Muslim men from marrying non-Muslim women, it also prohibits Muslim women from marrying infidel men and even Allah forbids (haram) muslim women are returned to their infidel husbands (the context of this verse during the hijra of the Prophet Saw.), "... they are not lawful to those infidels and those infidels are not lawful to them. And give to their (husbands) the dowry they have given ...". In the perspective of interpreters, the above two verses belong to the group of Madaniyah verses, where the verses carry a special message expressed by Allah Swt. clearly so that Muslims do not marry mushrik women and vice versa. This verse can be concluded that marrying the mushriks is prohibited and the law is haram (Sarifudin 2019).

For groups that are completely con to interfaith marriage, have a different view than the pro group in defining *ahlul-kitab*. According to them, the current *ahlul-kitab* include pagans as well and are categorized as *mushriks*. This is because the Jews worship 'Uzair and the Christians worship 'Isa ibn Maryam. According to

this group, the women of *Ahlul-Kitab* referred to in Sura al-Maidah verse 5 are women who have faith in the Prophet Saw. or scriptures handed down directly by Allah Swt. (Suhasti et al. 2018).

The Indonesian Ulema Council (MUI) is part of this group. In July 2005 in the VII National Deliberation, the MUI established a rejection of interfaith marriage. In the preamble of Fatwa No. 4/2005 the MUI stated that it had decided to reissue the 1980 fatwa based on the argument that "interfaith marriages are common and public debates around interfaith marriages (including the views of Muslims who support marriages like this) have contributed to the anxiety in the midst of Muslim community". The fatwa issued by the MUI is recognized as the result of an analysis of the postulates derived from verses from the Quran about marriage and hadith narrated by Abu Hurairah. The fatwa contains two points whose sentences are expressly composed, namely (1) interfaith marriages are haram and invalid, (2) marriages of Muslim men with Ahlul-Kitab women, according to *qaul mu'tamad*, are haram and invalid (Richmond 2009). MUI fatwas do not have legal consequences, but have considerable authority in providing moral principles in guiding the Indonesian Muslim community.

The group cons interfaith marriage stands in a position to oppose pluralism and liberal interpretations of verses from the Quran that are used as a pretext for marriage, including discussions about the *Ahlul-Kitab*, the *mushriks*, and infidels mentioned in some verses of the Quran when talking about marriage. This group is supported by the MUI with its fatwa on interfaith marriage, also supported by the government with the establishment of the Compilation of Islamic Law (KHI) which further emphasizes the prohibition of interfaith marriage and the provisions of the illegitimate law.

Interfaith Marriage Couple vs. Indonesian Marriage Law

Due to the pros and cons among Muslim scholars and activists in responding to interfaith marriage, there is confusion in some people to determine

attitudes and others actually make their own decisions by referring to arguments that are in accordance with their wishes. This makes Indonesian Muslims divided and feel entitled to do their own *ijtihad*. In fact, as previously mentioned, there has been a Fatwa issued by the MUI regarding this issue, as well as the legal provisions contained in the KHI. In principle the KHI was conceived and formulated to fill the substantial legal void imposed on the courts in the religious judicial environment. KHI which stipulates the laws of marriage, inheritance, and representation, after being enacted, becomes a positive law written in the Indonesian legal system as well as being the basis for making legal decisions related to these three things in the religious judicial environment (Harahab and Omara 2010).

There were several cases of interfaith marriages that wanted to get legality against the marriage, applying for marriage determination in the district court (PN) so that it could be recorded with the Population and Civil Registration Service. Two of these requests recorded in the media and granted by the District Court occurred in PN Pontianak, in 2021 (Anon n.d.), and PN Surabaya, in 2022 (Anon n.d.). However, there was a debate after the decision of PN Surabaya which resulted in the filing of a lawsuit for the marriage rules of different religions contained in the Administration to the Constitutional Court of the Republic of Indonesia. This is because PN Surabaya in its decision refers to Article 35 letter of the Administrative Law which reads, "What is meant by 'marriage determined by the court' is a marriage carried out between people of different religions (Anon n.d.).

In June 2022, a person who is Catholic made an application to the Constitutional Court of the Republic of Indonesia to test the articles in the 1974 UUP relating to interfaith marriage. He did this because he felt that he was not given freedom when he wanted to marry his lover who was Muslim, also felt forced to leave his religion if he still wanted to marry, and by itself he considered losing the freedom to obtain offspring (Anon n.d.). Based on this application, then the Constitutional Court began to conduct plenary sessions. In its material test, the

Constitutional Court brought in several experts to hear their opinions, especially the MUI represented by the Deputy Chairman of the MUI Law and Human Rights Commission, while the applicant presented the Director of Amnesty Indonesia who in his presentation referred to the decisions of world and UN human rights institutions whose essence is that the right to marry and form a family is part of human rights (Anon n.d.).

The Constitutional Court has not yet reached the stage of formulating a decision regarding the application for testing of the 1974 UUP above. Several parties have made statements in response to this. The MUI was adamant with the Fatwa they had decreed that interfaith marriage was haram and asked the Constitutional Court of the Republic of Indonesia to reject the petitioner's application in its entirety (Anon n.d.). The government itself through the Ministry of Law and Human Rights and the Ministry of Religious Affairs also expressly asked the Constitutional Court to reject the application, as stated by the Deputy Chairman of the People's Consultative Assembly of the Republic of Indonesia, so that the government's refusal could be followed by citizens, judges and the Constitutional Court because it is the constitutional attitude of the government (Anon n.d.). Experts representing the government's stance in the follow-up session of the material test in the Constitutional Court also explained various aspects that support the government's refusal. The aspects are as follows (Anon n.d.):

- 1. Forced to change religion because of a marriage relationship can hurt someone psychologically because it is momentary emotional. Interfaith marriage that are carried out can injure and damage the family harmony of both parties, both prospective wife and husband.
- 2. In terms of psychotherapy and mental health, interfaith marriage practitioners tend to have difficulty interacting in the family. Love, which is a momentary emotion, can indeed defeat a principal thing, but love can also be lost because of a principal thing, such as the sacredness of religion itself.

- 3. Religious beliefs among couples of different faiths can give rise to disputes of heart and mind. So, it is vulnerable to divisions and deep unrest from both sides. This certainly cannot fulfill the purpose of marriage in Islam, namely *sakinah*, *mawaddah*, *wa rahmah*.
- 4. A son born from an interfaith marriage will find the difficult choice to follow one of the religions that his parents adhere to, tends to be dilemmatic in determining his beliefs, and will be felt prolonged to the detriment of the personality of one of his parents.
- 5. Religious equality is an element that must be fulfilled in *kafaah/kufu* (alignment/harmony).
- 6. Mostly Ulema states that marriage is worship or contains elements of worship, so that interfaith marriages can be said to bring no benefit, even the opposite.
- 7. The harm from interfaith marriages is considered to be greater in comparison benefits, thus avoiding or closing the possibility of it being seen as the main choice in accordance with the figh rule that reads *dar'u almafâsid muqaddamun 'alâ jalb al-mashâlih*.
- 8. Juridically, interfaith marriage raises legal issues related to the registration of marriages, the legal status of children born, including guardianship and inheritance, and inheritance between spouses.

The debate over whether the state has the right to interfere on matters related to Indonesia's human rights, such as religion and marriage, seems difficult to unravel. Indonesian society, which is dominated by Muslims, needs specific regulations and rules in order to live a good life. The regulations set by the government for the Indonesian Muslim community are not new, because they have existed since the Dutch colonial era. Muslim communities are 'given a special rights' to be able to solve problems related to their religion through Islamic-based courts. Of course, people should not be able to accept some if it is beneficial to them and ignore others if it is considered detrimental. The existence of differences

in argumentation due to differences in the interpretation of verses and understanding the social conditions of society, as well as the adoption of a liberal way of thinking, became a logical consequence of the development of the times and globalization. However, appreciating the efforts of the scholars who have been very careful in issuing fatwas and the long discussions of Muslim scholars who later formulated the KHI, should be understood as an effort to protect all Indonesian Muslims from choosing a path that is not in accordance with islamic provisions.

The idea of separating worldly affairs altogether from religious affairs, including marriage, does seem ideal. However, the issue of marriage is not only limited to whether or not a contract is valid, but there are other things that will accompany it in the future, such as the issue of child guardianship and the issue of inheritance that has its own provisions in Islam. Except, when couples decide to have a different religious marriage, it is also agreed to abandon all things that have to do with their respective religions and live life with global rules. This decision is certainly the only option to remain consistent in the steps that are already an option.

CONCLUSION

Although Indonesia is not a religion-based country, because the majority of the people are Muslims, the government has made special institutions and rules to accommodate community problems related to this religion. This is because Islam has certain rules that are different from global rules. One of the rules set by the state is marriage, especially interfaith marriage. The state was present with the establishment of the 1974 UUP, then also strengthened by the existence of KHI and Fatwas from the MUI which functioned as educational institutions and Muslim guides in Indonesia.

However, not all elements of Indonesian Muslim society agree with this rule, because it is considered incompatible with the Indonesian nation which has a lot of diversity, including religious diversity. Many scholars have sought to reinterpret the verses of the Quran about marriage by looking at the context of the verses and the history of the life of the Arab people after the presence of Islam.

From here, contradictory arguments occur and result in the pros and cons of this issue of interfaith marriage in society.

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