

Legal Reform in Interfaith Marriage Under Supreme Court Circular No. 2 of 2023


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Abstract

Human nature, being composed of different genders—men and women—naturally drives the attraction and union through marriage, fulfilling the desire to live together. As outlined in Article 1 of Marriage Law No. 1 of 1974, marriage is a physical and emotional bond between a man and a woman as husband and wife, intended to establish a happy and lasting family founded on the principles of God Almighty. Marriage, therefore, holds religious significance, uniting a man and a woman as husband and wife. This study examines the Supreme Court's decision prohibiting court rulings on interfaith marriages. Using normative research methods, the study analyzes Article 2, Paragraph 1 of the Marriage Law, which states that a marriage is valid if conducted according to the laws of each religion and belief. In response to ongoing debates and increasing pressure due to granted applications for interfaith marriage registration by district courts, the Supreme Court of Indonesia issued Supreme Court Circular Letter No. 2 of 2023. This circular guides judges in adjudicating interfaith marriage applications. The issuance of the circular aims to resolve the controversy surrounding interfaith marriages,

which have led to various legal and social issues. Previously, judges based their decisions on Law No. 23 of 2006 on Population Administration, leading to the approval of interfaith marriage applications. However, with SEMA No. 2 of 2023, a clear directive has been established to prevent legal uncertainty and ensure uniformity in court rulings regarding interfaith marriages.

Keywords

Different Religions, Legal System, Administration.

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Introduction

The structure of modern society is closely connected to family dynamics. A family begins with the union of a man and a woman, which is formalized through marriage. According to Article 1 of Law No. 1 of 1974 on Marriage, marriage is described as a physical and emotional bond between a man and a woman as husband and wife, creating a stable and lasting family foundation based on divine values.

The law's framers provided this definition because marriage is considered sacred. Religious beliefs have deeply influenced the lives of Indonesians, and these beliefs are reflected in the marriage law established by the Indonesian government.¹ This is rooted in the fact that Indonesia adheres to the principles of Pancasila, which serve as the foundation for creating laws, including the Marriage Law.²

The connection of body and mind starts with a shared desire to live together. This connection forms the basis for creating and nurturing a happy and lasting family. A crucial aspect of marriage is faith in God Almighty. Both partners must believe in the existence of God, the Creator, and view choosing a soulmate as a divine gift. As such, involving God is essential to legitimize the marriage and establish a family.

This desire to build a shared life is legally recognized in Indonesia under Marriage Law No. 1 of 1974, which defines marriage as a physical and mental bond between a man and a woman as husband and wife to form a happy and eternal family based on God Almighty.

However, the legal status of interfaith marriage has been a contentious issue in Indonesia, particularly due to the interpretation of Article 2, Paragraph 1 of the Marriage Law, which states that "marriage is valid if it is conducted according to the laws of each religion and belief". In response to ongoing debates and judicial inconsistencies, the Supreme Court issued Circular Letter No. 2 of 2023 (SEMA No. 2/2023), providing guidelines for judges in rejecting applications for interfaith marriage registration. This policy aims to resolve legal uncertainties and address socio-religious concerns regarding interfaith marriage in Indonesia. From a legal perspective, the prohibition of interfaith marriage aligns with Indonesia's existing legal framework, particularly:

¹ Moc. Isnaeni, *Hukum Perkawinan Indonesia* (Bandung: Refifa Aditama, 2016).

² Isnaeni.

1. Marriage Law No. 1 of 1974, which mandates that marriage must comply with the religious beliefs of the spouses.
2. Population Administration Law No. 23 of 2006, which requires marriage registration but does not explicitly regulate interfaith unions.
3. The Compilation of Islamic Law (KHI), specifically prohibits Muslim men from marrying non-Muslim women.
4. Supreme Court precedents and Constitutional Court rulings that emphasize the importance of religious compatibility in marriage.

The issuance of SEMA No. 2/2023 harmonizes judicial decisions and ensures judges adhere to legal consistency in rejecting applications for interfaith marriage registration. This move strengthens the role of religion in marriage law and prevents legal loopholes that previously allowed some district courts to grant interfaith marriage applications. From another perspective, marriage in Indonesia is deeply rooted in religious principles. The nation's philosophy of Pancasila, particularly the first principle ("Belief in the Almighty God"), underscores the inseparable link between religion and marriage.

1. The sacred nature of marriage in various religious teachings—Islam, Christianity, Hinduism, Buddhism, and Confucianism—reinforces the idea that marriage must be conducted within the framework of religious law.
2. Religious harmony is a fundamental value in Indonesia. Allowing interfaith marriage could potentially disrupt the spiritual unity of marriage, leading to conflicts between religious obligations and marital commitments.

From a human rights perspective, while individuals have the right to marry, the state has a responsibility to regulate marriage under national values, religious teachings, and legal order. Indonesian society is multicultural but also deeply religious. The acceptance of interfaith marriage varies across communities, with strong resistance from religious groups that view such marriages as potentially destabilizing family structures. The Supreme Court Circular Letter No. 2 of 2023 provides a clear legal stance to reject interfaith marriage applications, aligning with Indonesia's legal, religious, and social values. This legal reform reinforces the principle that marriage in Indonesia is not only a civil contract but

also a sacred religious institution, requiring compliance with the religious laws of both spouses

s outlined in Article 28B, Paragraph (1) of the 1945 Constitution, “Every individual has the fundamental right to form a family and have children through a lawful marriage.” The state guarantees the right of individuals to establish a family and have offspring in line with legal principles that align with religious teachings and state regulations. Given the deep connection between marriage and religion, it can be stated that marriage involves not only external or physical aspects but also internal components that provide a strong and lasting foundation. Therefore, a marriage is considered valid only if it follows the legal frameworks of the respective religious faiths and belief systems.

In terms of international law, the arrangement of interfaith marriage in various countries is influenced by the rise of Islamism and religious conservatism. Although the majority of the population adheres to the Islamic sect, which generally does not support interfaith marriage, the rules are shaped by political and social changes, such as the influence of the Muslim Brotherhood in Jordan and the Shia movement in Iraq and Northern Yemen.³ One of these countries is Malaysia, which is a multireligious society that guarantees the freedom to practice any religion. However, interfaith marriage faces challenges, especially related to religious conversion and religious conversion. The country emphasizes the need for interfaith dialogue to manage religious diversity and promote harmony.⁴ In the South African Indian Diaspora, interfaith marriages, especially between Hindu and Muslim communities, are not new. These marriages often require significant adjustments and compromises to maintain the stability of the marriage and family life. In Mauritius, the multicultural context facilitates the integration of conflicting religious identities in interfaith marriages. Women in such marriages experience challenges but also find ways to cope and adapt in a

³ Khamami Zada, “Arus Utama Perdebatan Hukum Perkawinan Beda Agama,” *AHKAM: Jurnal Ilmu Syariah* 13, no. 1 (1 Februari 2013), <https://doi.org/10.15408/ajis.v13i1.949>.

⁴ Sharifah Hayaati Syed Ismail al-Qudsy dkk., “Studies on Interfaith Relations: Latest Input for Authority Management Review (AMR) in Malaysia,” *Journal of Religious & Theological Information* 15, no. 1–2 (2 April 2016): 47–59, <https://doi.org/10.1080/10477845.2016.1168347>.

supportive multicultural environment. In sub-Saharan Africa, interfaith marriages constitute 9.7% of all marriages. However, this percentage has experienced a decline over time due to the diminishing religious diversity in the region, as traditional religions have been gradually replaced by Islam and Christianity. Notably, Cameroon stands as an exception, where interfaith marriages have become more prevalent.⁵ In this context, it demonstrates that various factors, such as legal frameworks, social norms, and religious conservatism, influence interfaith marriage. The experience and acceptance of interfaith marriage differ significantly across various cultural and national contexts.

Several scholars have explored the legal and social complexities of interfaith marriage in Indonesia, contributing to a deeper understanding of the issue. For example, Bahri analyzed the legal dynamics of interfaith and mixed marriages in the Islamic world and their implementation in Indonesia.⁶ The study highlighted contradictions between religious doctrines and secular legal frameworks, showing how Muslim-majority countries regulate interfaith marriages differently based on their legal traditions. Daus and Marzuki examined interfaith marriage from legal, religious, and human rights perspectives, emphasizing that legal uncertainty surrounding interfaith marriage in Indonesia has led to inconsistent court rulings.⁷ They noted that while some legal experts argue for greater individual freedoms, religious institutions strongly oppose such marriages. Then, Crespín-Boucaud conducted a comparative study on interfaith marriages in Sub-Saharan Africa, showing that socioreligious diversity influences legal frameworks governing interfaith marriages.⁸ This study is significant in understanding how legal pluralism and religious conservatism impact

⁵ Juliette Crespín-Boucaud, "Interethnic and Interfaith Marriages in Sub-Saharan Africa," *World Development* 125 (Januari 2020): 104668, <https://doi.org/10.1016/j.worlddev.2019.104668>.

⁶ S Bahri, "Dinamika Hukum Perkawinan Beda Agama dan Campuran di Dunia Islam dan Implementasinya di Indonesia," *Syaksia: Jurnal Hukum Perdata Islam* 23, no. 1 (2022): 101–14.

⁷ I Marzuki dan C.R. Daus, "Perkawinan Beda Agama di Indonesia; Perspektif Yuridis, Agama-agama dan Hak Asasi Manusia," *Al-'Adalah: Jurnal Syariah dan Hukum Islam* 8, no. 1 (2023): 40–64.

⁸ Crespín-Boucaud, "Interethnic and Interfaith Marriages in Sub-Saharan Africa."

marriage laws globally, providing insights applicable to Indonesia. Arizona explored how customary law and religious traditions shape marriage regulations.⁹ The study found that local customs often override legal provisions, further complicating the legal recognition of interfaith marriage. Togatorop analyzed the impact of religious conservatism on interfaith marriage laws, arguing that political and religious groups have played a crucial role in shaping legal policies on marriage.¹⁰ The study concluded that restricting interfaith marriages aligns with Indonesia's religious and constitutional values. The previous research found that as interfaith marriages continue to be a point of contention in Indonesian society, legal reform is essential to provide clarity and legal certainty. The absence of a clear framework has led to inconsistent judicial interpretations, often resulting in legal loopholes that allow some interfaith marriages to be recognized while others are rejected. SEMA No. 2/2023 serves as a legal turning point, marking a strict prohibition on interfaith marriage registration. However, its broader implications remain underexplored, necessitating further academic investigation.

This research bridges the gap between religious doctrines, human rights, and legal regulations in marriage law. It provides a comprehensive legal analysis of SEMA No. 2/2023 and its impact on marriage registration and judicial processes. It also offers insights into how interfaith marriages influence Indonesian society, particularly in terms of family stability, religious identity, and legal recognition. Additionally, it contributes to policy discussions on harmonizing Indonesia's legal system to accommodate religious principles and constitutional rights. Unlike previous studies, this research focuses on the direct impact of SEMA No. 2/2023, combines a legal system approach with sociological and philosophical analyses, examines the consequences of interfaith marriage restrictions, and provides a comparative analysis of Indonesia's approach in the context of global legal frameworks governing interfaith marriages.

⁹ Yance Arizona, "Adat as Strategy for Legal Struggle and Legal Mobilization," *The Indonesian Journal of Socio-Legal Studies* 2, no. 2 (2023), <https://doi.org/10.54828/ijsls.2023v2n2.3>.

¹⁰ A.R. Togatorop, "Perkawinan Beda Agama," *Journal of Religious and Socio-Cultural* 4, no. 1 (2023): 26–36.

In context, Indonesian marriage law influences these factors and also affects the arrangement of interfaith marriage in Indonesia. One of them is through Presidential Decree Number 1/PNPS of 1965 on the prevention of religious abuse and/or blasphemy, state recognition of several religions (6 religions), encompassing Islam, Catholicism, Christianity, Buddhism, Hinduism, Confucianism, and beliefs.

Indonesia's official foundational philosophy, Pancasila, along with cultural and religious diversity, influenced the development of the Marriage Law in the era of globalization. From time to time, changes are made to the marriage law to realize regulations that provide a sense of justice for the community. The latest change is based on the Supreme Court circular regarding the prohibition of inter-religious marriages.

Article 2, Paragraph (1) of the Marriage Law stipulates that "marriage is valid if it is carried out according to the laws of each religion and belief". In the explanation of the article, it is stated that there is no marriage outside the laws and beliefs of each religion. Thus, a marriage that is carried out contrary to religion and belief by itself, according to the Marriage Law, is not valid and has no legal consequences.¹¹ Meanwhile, further prohibitions are stipulated by the provisions of Article 8 (f) of the Marriage Law: the marriage of "those who have a relationship that is prohibited by their religion, or other applicable regulations" is not valid. Based on these provisions, it can be concluded that in addition to the prohibitions expressly mentioned in the Marriage Law (Law No. 1 of 1974), there are also prohibitions originating from the respective religious laws.¹²

The Supreme Court's circular was based on the anxiety in some circles regarding the large number of interfaith marriages registered by the District Court. Therefore, this article analyzes the Supreme Court Circular Letter No. 2 of 2023 on the prohibition of court decisions on interfaith marriages.

This research adopts a normative legal approach, analyzing pertinent regulations and legal concepts within the applicable legal framework. The methodology employed is a legal and regulatory

¹¹ Yunanto, "Pembharuan Hukum Perkawinan Indonesia," *Diponegoro Law Review* 3, no. 1 (2018): 261.

¹² Yunanto.

approach aiming to examine laws and regulations on religious regulations in Indonesia, specifically those outlined in the Supreme Court Circular Letter Number 2 of 2023. The primary objective of this research is to identify and analyze the interplay between various existing laws and regulations, as well as their convergence in a broader legal context. Through this approach, the research seeks to elucidate how these regulations should be harmonized within the Indonesian legal system to establish a harmonious balance between religious regulations and national laws. Furthermore, a conceptual approach is employed to analyze and examine legal concepts pertinent to this research, including the concept of legal convergence, legal pluralism, and the application of legal principles in the context of religious regulations. This approach also seeks to explore the philosophical and theoretical underpinnings of the convergence of religious regulations within the Indonesian legal system. These concepts will be scrutinized to comprehend the implications of the convergence of diverse religious regulations and their potential application in legal practice. The sources of legal materials utilized in this study encompass primary legal documents, such as the 1945 Constitution of the Republic of Indonesia, Law Number 1 of 1974 on Marriage, Law Number 23 of 2006 on Population Administration, and the Supreme Court Circular Letter Number 2 of 2023. Additionally, legal documents in the form of journals, books, and academic literature that delve into religious law, legal pluralism, and the convergence of religious regulations in the Indonesian legal system will be consulted. This study employs several legal theories to examine interfaith marriage regulations: a) Legal Positivism – This theory emphasizes that law should be studied as it is written, without considering moral, social, or religious influences. By applying this theory, the research evaluates how SEMA No. 2/2023 aligns with the written statutory framework, particularly Marriage Law No. 1 of 1974; b) Legal Pluralism – Indonesia recognizes multiple legal systems (state law, religious law, and customary law). This theory helps analyze how religious doctrines influence national marriage laws and whether SEMA No. 2/2023 reinforces or disrupts legal pluralism; c) Human Rights Theory – Marriage is often framed as a human right under international law. This theory is used to assess whether restrictions on interfaith marriage violate constitutional protections or fundamental rights; d) Legal Convergence Theory – This

theory helps examine the integration of religious and civil marriage regulations. It provides insights into whether SEMA No. 2/2023 contributes to legal certainty or creates inconsistencies in Indonesian marriage law.

The data analysis employed in this study utilizes qualitative analysis techniques with a descriptive approach. Data obtained from legal sources will be analyzed by comparing and contrasting legal norms in laws and regulations, as well as relevant legal concepts. This analysis aims to provide a deeper understanding of the convergence of various religious regulations in the Indonesian legal system and assess the extent to which legal concepts can contribute to the creation of a more harmonious legal framework. While this research provides a comprehensive legal analysis, it has certain limitations: a) Lack of Empirical Data – This study does not include interviews, surveys, or case studies of interfaith couples, which could offer real-world perspectives on the impact of SEMA No. 2/2023, b) Restricted to Indonesian Law – The analysis focuses solely on Indonesia, meaning that broader regional or international legal frameworks are not fully explored, c) Limited Access to Unpublished Court Decisions – Some district court rulings on interfaith marriages may not be publicly available, which limits the ability to examine judicial trends comprehensively and Potential Bias in Legal Interpretation – Since SEMA No. 2/2023 is relatively new, legal interpretations may evolve overtime, affecting the relevance of this study's findings.

Result and Discussion

The Marriage Law is a component of family law, which falls under the category of “law of persons” as outlined in the *Burgerlijk Wetboek* (Civil Code). With the implementation of the Marriage Law, the previous laws governing marriage are rendered obsolete, except for those provisions not addressed by the new law. According to Article 66 of the Marriage Law, the old law has been revoked. The Preface of the Marriage Law emphasizes that, in alignment with the philosophy of Pancasila and the goals for national legal development, there was a need for a marriage law that applies to all citizens.¹³ The Marriage Law establishes that the

¹³ Yunanto.

regulations concerning marriage and all related matters, as outlined in the Marriage Law, override the provisions found in the Burgerlijk Wetboek, the Christian Marriage Ordinance (Huwelijk Ordonantie Christen Indonesia S 1933 No. 74), and any other previous marriage regulations.

Marriage is not only a personal or family matter but also a social and legal institution that carries significant implications for society. In Indonesia, marriage is governed by both civil law and religious law, creating a legal framework that ensures marriage aligns with national and religious principles. The regulation of interfaith marriage has been a controversial issue, with ongoing debates regarding its compatibility with Indonesian legal principles, religious teachings, and societal norms.

The Supreme Court Circular Letter No. 2 of 2023 (SEMA No. 2/2023) aims to provide legal certainty by instructing judges to reject applications for interfaith marriage registration, aligning with existing laws such as Marriage Law No. 1 of 1974 and Population Administration Law No. 23 of 2006. This section analyzes the juridical, philosophical, and sociological objectives underlying this legal reform, demonstrating why the state views interfaith marriage regulation as necessary for maintaining legal harmony, religious integrity, and societal stability.

The Marriage Law is believed to have changed marriage in Indonesia. However, it is also indisputable that several obstacles have been faced since the law took effect, even today. The law was enacted based on the idea that the previous legislation governing marriage no longer followed the politics of law and the legal needs of the present, so changes and improvements were needed to achieve perfection following the legal needs of society.¹⁴ During the 1973 Marriage Bill discussion, it was believed that interfaith marriages were associated with differences in nationality, ethnicity, domicile, and belief. That was the origin of the regulation of interfaith marriage.¹⁵ Therefore, interfaith marriage is a love relationship between women and men who have different beliefs and are connected in a relationship, namely marriage.¹⁶

¹⁴ Yunanto.

¹⁵ S Bahri, "Dinamika Hukum Perkawinan Beda Agama dan Campuran di Dunia Islam dan Implementasinya di Indonesia," *Syaksia: Jurnal Hukum Perdata Islam* 23, no. 1 (2022): 101–14.

¹⁶ Z Arifin, "Perkawinan Beda Agama," *JURNAL LENTERA: Kajian keagamaan* ..., 2019.

Interfaith marriage is not a new concept in Indonesia. Prior to the enactment of the Marriage Law, a Dutch legal regulation known as *Reglement op de Gemengde Huwelijken* (GHR) was in place. Article 1 of the GHR defined a “mixed marriage” as a union between individuals subject to different laws in Indonesia, including those of different religions, nationalities, and ethnic groups (reflecting the population classification during the Dutch East Indies period). Furthermore, Article 7, paragraph (2) of the GHR stated: “Differences in religion, ethnicity, and descent do not prevent a marriage from taking place.”

Some changes that were expected to achieve the legal needs of the community, especially regarding the Marriage Law, have been made in the past. One such change to the Marriage Law was realized in 2019 when the regulation on the marriage age limit was changed through the enactment of Law No. 16 of 2019, an Amendment to Law No. 1 of 1974 on Marriage. Law No. 16 of 2019 establishes that marriage is only allowed when both the man and woman have reached the age of 19. This represents a significant shift from the previous regulation in Law No. 1 of 1974. According to Article 7, Paragraph 1 of the earlier law, marriage was permitted when the male had reached 19 years of age and the female had reached 16. Law No. 1 of 1974 on marriage required all Indonesian citizens to comply with its provisions, and the Compilation of Islamic Law (KHI) similarly emphasized the same principle that marriage plays a vital role in maintaining balance and harmony within a household.¹⁷

This shift resulted from the continuous efforts of various groups, especially activists for women’s and children’s rights, who strongly opposed the unequal marriage age requirements for men and women. The Indonesian Constitutional Court determined that the difference in marriage age limits between genders was a form of gender discrimination. As a result, the court directed lawmakers to amend the 1974 Marriage Law.¹⁸ A thorough examination of the Constitutional Court’s ruling indicates that the advocacy efforts of the opponents of the marriage age

¹⁷ Safrin Salam, “Dispensasi Perkawinan Anak di Bawah Umur : Perspektif Hukum Adat , Hukum Negara & Hukum Islam,” *Pagaruyuang Law Journal* 1, no. 1 (2017): 110–24.

¹⁸ S M Daud, M Rapik, dan Y Monita, “Dinamika Status Hukum Perkawinan Beda Agama dalam Perspektif Fikih Indonesia,” *Undang: Jurnal Hukum* 5, no. 2 (2022): 357–91.

restriction for women resulted in a favorable outcome, namely the amendment of the marriage age restriction for women.

However, this change does not diminish the complexity of the marriage issue, especially since Indonesia is a multi-ethnic, multi-religious, and multi-cultural country. Indonesian citizens consist of people of European descent, Chinese groups, Christians, and Muslims. These groups have different beliefs. The Muslim society, for example, obeys laws that have the conception of unwritten law and religious law. This situation shows the legal pluralism of the population. The era of pluralism ended with the enactment of Law No. 1 of 1974 on Marriage.

Presidential Decree No. 1/PNPS of 1965 on the Prevention of Abuse and Blasphemy of Religion officially recognizes six recognized religions: Islam, Protestantism, Catholicism, Hinduism, Buddhism, and Confucianism. This recognition is in line with the mandate of Pancasila, whose first precept is the belief in one God. Given that Indonesia is recognized as a state based on God Almighty and as a state of law, these two fundamental principles must mutually support one another. Wirjono Prodjodikoro underscored the significance of state involvement in enforcing the obligation of every Indonesian citizen to practice a religion, as stipulated in Article 29, Paragraph (1) of the 1945 Constitution. It is important to clarify that the phrase “a state based on the Almighty God” does not imply that Indonesia is a religious state that is confined to a single religion.¹⁹ However, it means that religion is a moral value, and it allows people to recognize the grace of the Almighty God through which the country exists.

This article submits that, basically, religious marriages that are held at this time are valid because the religious marriages in question have fulfilled the terms and conditions of marriage for both non-Muslims and Muslims since the marriages have fulfilled the terms and conditions of religion. With Indonesia’s status as a multi-ethnic, multi-religious, and multi-cultural country, it is inevitable that many couples who will enter into marriage will be couples of different religions. Due to societal interaction, relationships that lead to marriage arise, even for those who are of different religions but want to exercise their rights in marriage.

¹⁹ Hwian Christianto, “Arti Penting Undang-Undang No. 1/PNPS/1965 Bagi Kebebasan Beragama,” *Jurnal Yudisial* 6, no. 1 (2013): 4.

People of different religions may attach different values to things. What is very important to one person may be less important to another. Their different dispositions towards different subjects provide subjective values, which are the cause of the difference in value or value clashes. For couples with subjective values, happiness is prioritized despite their different religions. The principle of belief in God Almighty can be used as the basis for marriage.²⁰

Supreme Court Circular Letter No. 2 of 2023 (SEMA No. 02/2023) provides judicial guidance on the adjudication of applications for interfaith marriage registration. SEMA No. 02/2023 was issued to address the ongoing controversy surrounding interfaith marriages, which has had detrimental consequences. Various groups have emphasized the significant number of applications and registrations granted by the District Court.

An interfaith marriage is a marriage between a married couple who adhere to different religions or beliefs. The multi-religious nature of Indonesia has impacted marriage, namely the existence of inter-religious marriages. Several court decisions have been made on interfaith marriage, including Supreme Court Jurisprudence Number 1400/K/Pdt/ 1986, South Jakarta District Court Determination Number 238/Pdt/P/1986/PN Jkt.Sel, District Court Determination Number 21/Pdt/P/ 2001 Pn Semarang Regency, Pati District Court Decision Number 85/Pdt.P.2014/PN Pti, Surabaya District Court Stipulation Number 916/Pdt.P/2022/PN.Sby, and District Court Decision Number 423/Pdt.P/ 2023/PN Jkt.Utr.²¹ In these cases, after legal considerations, the courts declared that the marriage between the applicants was valid according to the law and gave permission for a marriage of different religions to take place before an official of the Population and Civil Registry Office.²² Long before SEMA No. 02/2023 was issued, interfaith marriages were regulated by:

1. The Marriage Law, Article 1, Article 2 Paragraph (1), Article 2 Paragraph (2); marriage registration

²⁰ Sjaifurrachman Herowati Poesoko, "Konsep Diskriminasi dalam Perspektif Filsafat Hukum Terhadap Perkawinan Beda Agama dalam Bingkai Hak Asasi Manusia" (Kongres Asosiasi Pengajar Hukum Keperdataan di Universitas Hasanuddin, t.t.).

²¹ Herowati Poesoko.

²² Herowati Poesoko.

2. Compilation of Islamic Law, Article 39-44
3. Fatwa of the Indonesian Ulema Council, the result of MUNAS II on mixed marriage, June 1, 1980, MUI Fatwa No.4/MUNAS VII/MUI/8/2005 on Religious Marriage. Mixed marriage in the arrangement has been revoked after the enactment of Law No. 1 of 1974 on marriage (Article 2 paragraph 1 of Law No. 1 of 1974).²³

In the conception of Islamic law, the regulation of marriage must not be in conflict with the Quran and Hadith. This is because the Quran and Hadith are the legal sources of Islamic sharia. Islam prohibits interfaith marriages, as regulated by the provisions of the Compilation of Islamic Law (KHI). Article 40 (C) of the KHI states that a man shall not marry a woman under several conditions, including the condition that the woman is not Muslim. From the perspective of 'illat, the regulation of different religions based on the view of Islamic law can cause harm and disruption to the order of society. Therefore, according to Islamic law, religious similarity is an element that must be fulfilled in kafaah (alignment/compatibility).²⁴ This legal provision confirms that Islamic law prohibits a man from marrying a non-Muslim woman. Further, KHI arrangements are emphasized in the provisions of Article 2, Paragraph (1) of the Marriage Law.²⁵ Before the issuance of SEMA No. 2/2023, different district courts had inconsistent rulings on interfaith marriages. Some courts granted marriage registration based on legal loopholes in the Population Administration Law, while others rejected such applications. This inconsistency created legal uncertainty and enabled individuals to seek favorable court rulings in jurisdictions that permitted interfaith marriage registration. By implementing SEMA No. 2/2023, the Supreme Court provides a unified legal interpretation, ensuring that all courts

²³ C R Daus dan I Marzuki, "Perkawinan Beda Agama di Indonesia; Perspektif Yuridis, Agama-agama dan Hak Asasi Manusia," *Al-'Adalah: Jurnal Syariah dan Hukum Islam* 8, no. 1 (2023): 40–64.

²⁴ A Amri, "Perkawinan Beda Agama Menurut Hukum Positif dan Hukum Islam," *Media Syari'ah: Wahana Kajian Hukum Islam dan ...* 22, no. 1 (2020): 49–64.

²⁵ M Hanifah, "Perkawinan Beda Agama Ditinjau dari Undang-undang Nomor 1 Tahun 1974 Tentang Perkawinan," *Soumatera Law Review* 2, no. 2 (2019): 297–308.

adhere to the same standard. This prevents forum shopping, where individuals strategically select courts based on favorable rulings.

According to Catholicism, marriage is a clean, holy, and sacred event. A valid marriage is a marriage that is realized and blessed by church officials; there must be two witnesses, and the conditions of marriage must be fulfilled. The marriage is carried out using Catholic procedures. Suppose the marriage between a Catholic and a Non-Catholic is not carried out based on the Catholic religion. In that case, the marriage is said to be invalid because Catholics consider marriage to be a sacrament. Further, Catholic marriage is valid if the bride and groom are baptized.²⁶ Also, Catholic marriage must be once in a lifetime, and it is not ideal if there is an interfaith marriage between Catholics and non-Catholics. According to Catholic doctrine, to validate a marriage between a Catholic and a non-Catholic, the permission (when one of the couple is a non-Catholic Christian) or dispensation (when one of the couple is a non-Christian) of the bishop concerned needs to be obtained, and the individual from a different religion must accept the principles of Catholic Christian marriage, namely monogamy, the absence of other partners, the absence of divorce and the blessing process must be in a Catholic church, without non-Catholics having to become Catholics.²⁷

Regarding a marriage hearing on November 24, 2015, by the Constitutional Court, an official delegate from the religious council of the Indonesian Conference of Church Guardians (KWI) was of the view that regarding marriage, the role and responsibility of the state need to lead to the interests and good of all citizens in accordance with their human rights.²⁸

According to Protestantism, marriage is a holy union created by God. It is a living union that encompasses all aspects of life and allows a woman and a man to become one in holy union, one in the love of God, one in obedience, and one in bearing the burdens of marriage. In

²⁶ Syamsul Bahri, "Akibat Hukum Perkawinan Beda Agama Menurut Undang-undang No. 1 Tahun 1974 Tentang Perkawinan," *AL-SYAKHSHIYYAH Jurnal Hukum Keluarga Islam dan Kemanusiaan* 2, no. 1 (2020): 78.

²⁷ Bahri.

²⁸ Budiarti, "Analisis Yuridis Perkawinan Beda Agama Dengan Pendekatan Maqashid Al-Yari'ah Dalam Konteks Negara Hukum Pancasila," *Justicia Islamica* 15, no. 1 (2018): 35.

Protestantism, marrying a non-Christian leads to unequal partners, which the teachings of Protestantism do not approve of. Protestantism teaches its followers to love each other and uphold holiness.²⁹ Thus, the basis of the relationship between husband and wife is Christ-love.³⁰

According to Hinduism, marriage is a bonding relationship between a woman and a man, as wife and husband, to establish a relationship, Parisada Hindu Indonesia (PHDI).³¹ The Hindu Religious Council (PHDI) doctrinally does not support the practice of interfaith marriage because, in practice, Hindus in the archipelago carry out marriages with various rituals based on the traditions of certain places as one of the validations of marriage, according to the teachings of Hinduism. This can be understood from the official statement of PHDI on November 24, 2015, before the hearing of case number 68/PUU-XII/2014 by the Constitutional Court. In essence, they stated that based on the Hindu tradition, interfaith marriage in the archipelago is not known.³²

In his testimony on November 5, 2015, before the Constitutional Court in case number 68/PUU-XII/2014, an official of the Representative of Indonesian Buddhists (WALUBI) explained that he did not provide legal views but, rather, matters relating to moral ethics: "In Buddhist religious law, Buddha said that a pair of humans could enter into marriage because they had a very strong and deep bond and were soulmates in their past lives. That is the foundation of Buddhist belief."³³

Confucianism prohibits marriage between couples of different faiths because the establishment of marriage requires recognition of religion and belief.

This legal framework forms the basis for Supreme Court Circular Letter No. 2 of 2023 (SEMA No. 2/2023), which provides binding

²⁹ Bahri, "Akibat Hukum Perkawinan Beda Agama Menurut Undang-undang No. 1 Tahun 1974 Tentang Perkawinan."

³⁰ A R Togatorop, "Perkawinan Beda Agama," *Journal of Religious and Socio-Cultural* 4, no. 1 (2023): 26–36.

³¹ Budiarti, "Analisis Yuridis Perkawinan Beda Agama Dengan Pendekatan Maqashid Al-Yari'ah Dalam Konteks Negara Hukum Pancasila."

³² Arizona, "Adat as Strategy for Legal Struggle and Legal Mobilization."

³³ Budiarti, "Analisis Yuridis Perkawinan Beda Agama Dengan Pendekatan Maqashid Al-Yari'ah Dalam Konteks Negara Hukum Pancasila."

guidelines for judges to reject interfaith marriage registration applications. The implications of this regulation must be analyzed through the law's objectives, which include juridical, philosophical, and sociological perspectives. Each perspective helps explain the necessity and impact of legal reforms governing interfaith marriage.

From a legal standpoint, the objective of SEMA No. 2/2023 is to establish legal certainty and uniformity in judicial decisions regarding interfaith marriage. Several key juridical aspects support this objective:

1. Consistency with Existing Laws
 - a) The Marriage Law No. 1 of 1974 mandates that marriages must align with religious doctrines.
 - b) The Population Administration Law No. 23 of 2006 requires marriage registration but does not explicitly regulate interfaith marriages, leading to varying interpretations by the courts.
2. Preventing Judicial Disparities
 - a. Prior to SEMA No. 2/2023, some district courts approved interfaith marriage applications based on legal loopholes in the Population Administration Law.
 - b. The new circular ensures a standardized interpretation, reinforcing that courts should not facilitate marriages that are not recognized by religious authorities.
3. Harmonization of Marriage Law and Religious Law
 - a. In Indonesia, legal pluralism allows religious law to influence national regulations. The Compilation of Islamic Law (KHI) explicitly prohibits Muslim men from marrying non-Muslim women.
 - b. The enforcement of SEMA No. 2/2023 aligns judicial practices with religious marriage laws, reinforcing that religion is an integral legal requirement for marriage.

By prohibiting the registration of interfaith marriages, the circular aims to Harmonize Judicial Decisions: Ensure that all courts adhere to the same legal standards when addressing interfaith marriage applications, reducing inconsistencies in judicial rulings. Align with Existing Laws: Reinforce the provisions of the Marriage Law (No. 1 of 1974) and the Compilation of Islamic Law (KHI), which emphasize the importance of religious compatibility in marriage. Prevent Legal

Loopholes: Close gaps in the legal framework that previously allowed some district courts to grant interfaith marriage applications, leading to legal uncertainty. Thus, from a juridical perspective, the Supreme Court Circular No. 2 of 2023 aims to create legal uniformity and ensure judicial decisions align with established laws on marriage and religious compliance.

For another perspective from a philosophical view. The philosophical basis of SEMA No. 2/2023 is rooted in Indonesia's national ideology, Pancasila, and its constitutional emphasis on religious values.

Indonesia's legal system is rooted in Pancasila, the national ideology which places a strong emphasis on religious values. The first principle of Pancasila, "Belief in the Almighty God," establishes the foundation for laws that integrate religious principles. Marriage is not merely a contractual agreement but a sacred institution that must adhere to religious doctrines. By restricting interfaith marriages, SEMA No. 2/2023 reinforces marriage as a religious sacrament rather than a secular contract, ensuring that the legal system upholds moral and spiritual principles. Religious laws in Indonesia emphasize faith compatibility in marriage. Most religious authorities, including Islamic, Catholic, Hindu, and Confucian teachings, stress that marriage should occur between individuals of the same faith. Allowing interfaith marriages without religious approval undermines the sanctity of religious doctrines, potentially leading to spiritual conflicts within families and society.

By enforcing SEMA No. 2/2023, the Supreme Court ensures that marriage laws remain consistent with religious doctrines, preventing legal frameworks from overriding deeply rooted spiritual beliefs. In some secular legal systems, marriage is treated purely as a civil contract without religious requirements. However, Indonesia rejects the notion of secularized marriage law, as reflected in constitutional and statutory provisions. By mandating religious adherence in marriage, the government upholds Indonesia's religious identity and legal traditions, preventing marriage law from becoming detached from spiritual values. Several philosophical considerations justify the regulation:

1. Marriage as a Religious Institution

- a) Indonesia recognizes marriage as both a civil and religious bond, meaning legal marriage must comply with religious principles.
- b) The first principle of Pancasila (“Belief in Almighty God”) reflects that religious law serves as the foundation for societal norms, including marriage.
- 2. Protection of Religious Integrity
 - a) Allowing interfaith marriages without religious approval may erode religious doctrines regarding marriage, potentially leading to conflicts between state law and religious law.
 - b) By enforcing SEMA No. 2/2023, the Supreme Court upholds the sanctity of marriage as defined by religious authorities, ensuring that marriage retains its spiritual significance.
- 3. Avoiding Legal Confusion
 - a) A key legal philosophy principle is that laws should provide clarity and predictability.
 - b) Without SEMA No. 2/2023, different courts may issue contradictory decisions, creating legal uncertainty for interfaith couples and the state.

The circular seeks to:

- a) Uphold Religious Values. Marriage is a sacred institution that should be conducted in accordance with the religious beliefs of both spouses, reflecting the spiritual and moral values of Indonesian society.
- b) Promote Religious Harmony. Maintain social and religious harmony by preventing potential conflicts arising from interfaith marriages, which may lead to disputes over religious practices and the upbringing of children.
- c) Preserve Cultural Identity. Protect the cultural and religious identity of Indonesian communities by ensuring that marriage practices align with traditional and religious norms.

Thus, the philosophical objective of SEMA No. 2/2023 is to reinforce Indonesia’s legal foundations, ensuring marriage law remains

aligned with religious and ideological principles. And then, from a sociological perspective, see SEMA No. 2/2023 are

1. Preserving Social Harmony
 - a) Indonesia is a multi-religious society, and interfaith marriages have been a source of community tension due to differences in religious teachings on marriage, child-rearing, and inheritance.
 - b) Restricting interfaith marriage helps prevent conflicts between religious communities, reducing potential discord in families and society.
2. Protecting Family Stability
 - a) Sociological studies indicate that interfaith marriages often face higher rates of familial rejection, social pressure, and marital conflict.
 - b) By ensuring marriages align with religious laws, SEMA No. 2/2023 seeks to reduce marital disputes and provide children with a clear religious identity.
3. Addressing Societal Expectations
 - a) Indonesian society largely adheres to religious principles in daily life, including marriage customs.
 - b) Public sentiment supports religiously valid marriages, and legal recognition of interfaith marriages may be viewed as a challenge to societal norms.

Points from a sociological perspective on SEMA No. 02/2023 show that the impact of the existence of these legal provisions is:

- a) Family Stability: Promote stable family structures by ensuring that marriages are based on shared religious values, reducing the likelihood of conflicts arising from differing religious beliefs.
- b) Child Welfare: Protect the welfare of children by ensuring that they are raised in a religiously harmonious environment, avoiding confusion or conflict over religious identity.
- c) Social Cohesion: Strengthen social cohesion by aligning marriage practices with the religious and cultural norms of the majority, thereby reducing social tensions and promoting unity.

Interfaith marriages often face strong opposition from families and religious communities, leading to potential disputes and breakdowns in social harmony. Studies have shown that familial rejection is one of the main stressors for interfaith couples, leading to psychological distress and family estrangement. The sociological objective of SEMA No. 2/2023 is to prevent interfaith marriages from becoming a source of familial and communal conflict, ensuring that marriages occur within socially acceptable frameworks. Marriage plays a crucial role in transmitting religious values to future generations. In interfaith marriages, children often face identity conflicts, as parents may hold different religious beliefs. The enforcement of SEMA No. 2/2023 helps maintain religious continuity within families, ensuring that children are raised in a single-faith tradition rather than experiencing conflicting religious influences. Public opinion in Indonesia generally favors marriage within the same religious group. Many communities view interfaith marriage as disruptive to cultural and religious traditions. By restricting interfaith marriages, the government aligns legal regulations with prevailing cultural and societal norms, reducing social tensions. Before SEMA No. 2/2023, some individuals converted to another religion solely to obtain marriage recognition without genuine faith commitment. This practice undermined religious sincerity and led to cases where individuals switched religions temporarily to bypass legal restrictions. The new regulation closes this loophole, ensuring that religious conversion remains a genuine act of faith rather than a legal strategy.

The legal objectives behind SEMA No. 2/2023 are deeply intertwined with Indonesia's legal, philosophical, and sociological frameworks:

- a) Juridically, it ensures legal certainty, aligns with religious law, and prevents judicial inconsistencies.
- b) Philosophically, it reinforces marriage as a religious institution and upholds the ideological principles of Pancasila.
- c) Sociologically, it maintains religious harmony, protects family integrity, and aligns marriage norms with societal expectations.

While SEMA No. 2/2023 provides legal clarity, it also raises debates about individual rights and legal pluralism. Further legal analysis is necessary to determine whether Indonesia's legal system can evolve to

balance religious doctrines with broader human rights concerns. The Supreme Court Circular Letter No. 2 of 2023 (SEMA No. 2/2023) serves multiple legal objectives, balancing judicial consistency, religious integrity, and social stability. From a juridical perspective, it ensures legal certainty and prevents contradictory rulings. Philosophically, it upholds religious values by reinforcing marriage as a sacred institution rather than a mere civil contract. Sociologically, it maintains societal harmony by preventing conflicts within families and religious communities.

While SEMA No. 2/2023 clarifies Indonesia's stance on interfaith marriage, debates remain regarding its implications for human rights and individual freedoms. Future discussions should explore alternative legal solutions, such as potential frameworks for reconciling religious laws with evolving human rights norms, ensuring a balance between religious doctrine and individual liberties.

From a legal perspective, interfaith marriage presents intricate challenges regarding the legitimacy of marriage registration, the legal status of children born (including matters of guardianship and inheritance), and the inheritance rights between spouses. Specifically, it affects issues related to family dynamics, child welfare, and inheritance.³⁴ This disparity arises from the distinct legal frameworks governing Islam and Indonesian legislation. Moreover, from a psychological and sociological perspective, interfaith marriages can engender conflicts and even exacerbate preexisting disputes. Moreover, interfaith marriages are frequently seen as leading to psychological and educational challenges for children, stemming from the confusion about their religious identity.³⁵

“The legal recognition of interfaith marriages could result in discrepancies in the regulations concerning guardianship, inheritance, and other related issues. Therefore, I suggest that interfaith marriages should remain governed by Articles 2 and 8 of the Marriage Law. Additionally, this regulation is in line with human rights principles, which can be understood through the lens of individual religious beliefs, cultural practices, and the geographical context of a region or country.”³⁶

³⁴ F M Yunus dan Z Aini, “Perkawinan beda agama dalam undang-undang nomor 23 tahun 2006 tentang administrasi kependudukan (tinjauan hukum islam),” *Media Syari'ah: Wahana Kajian Hukum ...* 20, no. 2 (2018): 138–39.

³⁵ Nurlaela.

³⁶ Nurlaela.

An expert has expressed the aforementioned opinion, affirming that, from a human rights perspective, establishing a family is a fundamental human right. However, if, within the framework of human rights, religion prohibits the existence of interfaith marriage, then the regulation of interfaith marriage is accordingly prohibited.³⁷

The Human Rights Act's Article 10, Paragraphs (2) and (3) affirm the inherent right to have a family and offspring. However, the Constitutional Court Decision Number 68/PUU/XII/2014 emphasizes the importance of religious beliefs in marriage. This shift in legal regulation reflects societal attitudes towards interfaith marriage. SEMA No. 02/2023 addresses these attitudes by adapting to society's evolving needs.³⁸

Conclusion

The Supreme Court Circular Letter No. 2 of 2023 (SEMA No. 2/2023) establishes a firm legal stance on interfaith marriage in Indonesia by instructing courts to reject applications for marriage registration between individuals of different religions. This regulation is deeply rooted in Indonesia's legal, philosophical, and sociological framework, ensuring that marriage remains an institution governed by religious doctrines while maintaining legal certainty and social stability. From a legal standpoint, SEMA No. 2/2023 serves to eliminate inconsistencies in judicial rulings by aligning court decisions with existing laws, particularly Marriage Law No. 1 of 1974 and Population Administration Law No. 23 of 2006. By standardizing judicial interpretations, the regulation prevents legal loopholes that previously allowed some district courts to approve interfaith marriages despite religious prohibitions. Furthermore, the circular harmonizes civil and religious laws, ensuring that legal norms align with religious teachings as mandated by Article 2, Paragraph 1 of the Marriage Law. Philosophically, the regulation

³⁷ D Faroha, "Praktek Perkawinan Beda Agama Dihubungkan Dengan Undang-Undang Perkawinan Dan Putusan Mahkamah Konstitusi Nomor 68 Tahun 2014," *Cessie: Jurnal Ilmiah Hukum* 1, no. 1 (2022): 47–50.

³⁸ Lidwina Inge Nurtjahyo, "A Sociolegal Perspective to Legal Research in the Digital Field: A Methodological Proposition," *The Indonesian Journal of Socio-Legal Studies* 1, no. 1 (2021), <https://doi.org/10.54828/ijsls.2021v1n1.4>.

reinforces Indonesia's Pancasila ideology, particularly the first principle, "Belief in Almighty God." Marriage is regarded as not just a civil contract but a sacred institution requiring compliance with religious principles. By restricting interfaith marriages, the law preserves the sanctity of religious marriage doctrines and prevents the secularization of marriage laws. Additionally, religious integrity is safeguarded by ensuring that individuals do not circumvent religious doctrines through legal technicalities. From a sociological perspective, restricting interfaith marriages aligns with prevailing cultural and religious norms in Indonesia. Public sentiment generally favors marriages within the same religious group, as mixed marriages often lead to familial disputes, social tensions, and identity conflicts for children. By enforcing religiously compliant marriages, SEMA No. 2/2023 helps maintain social cohesion and ensures that marriage law reflects the values held by the majority of the population. Additionally, it prevents the exploitation of legal loopholes, where individuals convert temporarily for marriage recognition without genuine religious commitment. One of the key debates surrounding SEMA No. 2/2023 is its compatibility with human rights norms, particularly the right to marry and religious freedom, as enshrined in Article 29, Paragraph 1 of the 1945 Constitution. While human rights principles advocate for individual freedom in marriage choices, Indonesia's legal system upholds that religious law takes precedence in marriage matters. The state does not recognize marriage as a purely civil contract but rather as a religious institution that must comply with faith-based legal frameworks. This approach aligns with Indonesia's pluralistic legal tradition, where religion plays a defining role in legal matters. Although SEMA No. 2/2023 has clarified Indonesia's stance on interfaith marriage, further academic and policy discussions are needed to explore alternative legal solutions. Possible considerations include:

- a) Special legal mechanisms for interfaith couples, such as civil marriage provisions that do not interfere with religious doctrines.
- b) Further judicial review on the balance between religious law and individual rights within the Indonesian legal framework.

- c) Comparative legal studies on how other multi-religious countries regulate interfaith marriages while preserving religious harmony.

SEMA No. 2/2023 reaffirms that marriage in Indonesia is a religiously governed institution, requiring compliance with respective religious laws. The regulation ensures legal certainty, prevents judicial contradictions, and maintains Indonesia's cultural and religious values. While its human rights implications remain a subject of debate, the law prioritizes social stability, religious integrity, and legal consistency. Future legal developments should focus on harmonizing religious doctrine with evolving societal needs, ensuring that Indonesia's legal system remains both just and adaptable to changing perspectives on marriage and religious diversity.

References

- Amri, A. "Perkawinan Beda Agama Menurut Hukum Positif dan Hukum Islam." *Media Syari'ah: Wahana Kajian Hukum Islam dan ...* 22, no. 1 (2020): 49–64.
- Arifin, Z. "Perkawinan Beda Agama." *JURNAL LENTERA: Kajian keagamaan ...*, 2019.
- Arizona, Yance. "Adat as Strategy for Legal Struggle and Legal Mobilization." *The Indonesian Journal of Socio-Legal Studies* 2, no. 2 (2023). <https://doi.org/10.54828/ijsls.2023v2n2.3>.
- Bahri, S. "Dinamika Hukum Perkawinan Beda Agama dan Campuran di Dunia Islam dan Implementasinya di Indonesia." *Syaksia: Jurnal Hukum Perdata Islam* 23, no. 1 (2022): 101–14.
- . "Dinamika Hukum Perkawinan Beda Agama dan Campuran di Dunia Islam dan Implementasinya di Indonesia." *Syaksia: Jurnal Hukum Perdata Islam* 23, no. 1 (2022): 101–14.
- Bahri, Syamsul. "Akibat Hukum Perkawinan Beda Agama Menurut Undangundang No. 1 Tahun 1974 Tentang Perkawinan." *AL-SYAKHSHIYYAH Jurnal Hukum Keluarga Islam dan Kemanusiaan* 2, no. 1 (2020): 78.
- Budiarti. "Analisis Yuridis Perkawinan Beda Agama Denganpendekatan Maqashid Al-Yari'ah Dalam Konteksnegara Hukum Pancasila." *Justicia Islamica* 15, no. 1 (2018): 35.

- Christianto, Hwian. "Arti Penting Undang-Undang No. 1/PNPS/1965 Bagi Kebebasan Beragama." *Jurnal Yudisial* 6, no. 1 (2013): 4.
- Crespin-Boucaud, Juliette. "Interethnic and Interfaith Marriages in Sub-Saharan Africa." *World Development* 125 (Januari, 2020): 104668. <https://doi.org/10.1016/j.worlddev.2019.104668>.
- Daud, S M, M Rapik, dan Y Monita. "Dinamika Status Hukum Perkawinan Beda Agama dalam Perspektif Fikih Indonesia." *Undang: Jurnal Hukum* 5, no. 2 (2022): 357–91.
- Daus, C R, dan I Marzuki. "Perkawinan Beda Agama di Indonesia; Perspektif Yuridis, Agama-agama dan Hak Asasi Manusia." *Al-'Adalah: Jurnal Syariah dan Hukum Islam* 8, no. 1 (2023): 40–64.
- Faroha, D. "Praktek Perkawinan Beda Agama Dihubungkan Dengan Undang-Undang Perkawinan Dan Putusan Mahkamah Konstitusi Nomor 68 Tahun 2014." *Cessie: Jurnal Ilmiah Hukum* 1, no. 1 (2022): 47–50.
- Hanifah, M. "Perkawinan Beda Agama Ditinjau dari Undang-undang Nomor 1 Tahun 1974 Tentang Perkawinan." *Soumatara Law Review* 2, no. 2 (2019): 297–308.
- Hedi, F. "Perkawinan Beda Agama Perspektif Hukum Islam." *Mamba'ul'Ulum* 15, no. 2 (2019): 183–91.
- Herowati Poesoko, Sjaifurrachman. "Konsep Diskriminasi dalam Perspektif Filsafat Hukum Terhadap Perkawinan Beda Agama dalam Bingkai Hak Asasi Manusia." Kongres Asosiasi Pengajar Hukum Keperdataan di Universitas Hasanuddin, t.t.
- Isnaeni, Moc. *Hukum Perkawinan Indonesia*. Bandung: Refifa Aditama, 2016.
- Marzuki, I, dan C.R. Daus. "Perkawinan Beda Agama di Indonesia; Perspektif Yuridis, Agama-agama dan Hak Asasi Manusia." *Al-'Adalah: Jurnal Syariah dan Hukum Islam* 8, no. 1 (2023): 40–64.
- Nurlaela, Euis. "Saksi Ahli Sidang Putusan MK No. 24/PUU/XX/2022 dalam Perkara Pengujian UU Perkawinan yang diajukan oleh E. Ramos Petege pada Hari Senin tanggal 1 Januari 2024," 2024.
- Nurtjahyo, Lidwina Inge. "A Sociolegal Perspective to Legal Research in the Digital Field: A Methodological Proposition." *The Indonesian*

- Journal of Socio-Legal Studies* 1, no. 1 (2021).
<https://doi.org/10.54828/ijsls.2021v1n1.4>.
- Rizky Amalia, Tiara Sosialita, Dkk. *Telaah Batas Usia Kawin sebagai Syarat Melangsungkan Perkawinan, Perkembangan Hukum Keperdataan Indonesia*. Malang: Setara Press, 2022.
- Salam, Safrin. "Dispensasi Perkawinan Anak di Bawah Umur : Perspektif Hukum Adat , Hukum Negara & Hukum Islam." *Pagaruyuang Law Journal* 1, no. 1 (2017): 110–24.
- Setiariini, L D. "Perkawinan Beda Agama Dalam Perspektif Hak Asasi Manusia." *Al Qodiri: Jurnal Pendidikan, Sosial dan ...* 19, no. 1 (2021): 45–55.
- Syed Ismail al-Qudsy, Sharifah Hayaati, Mahmood Zuhdi Abdul Majid, Ahmad F. Yousif, Osman Chuah Abdullah, dan Marina Munira Abdul Mutalib. "Studies on Interfaith Relations: Latest Input for Authority Management Review (AMR) in Malaysia." *Journal of Religious & Theological Information* 15, no. 1–2 (2 April 2016): 47–59. <https://doi.org/10.1080/10477845.2016.1168347>.
- Tarantang, J, S Khosyi'ah, dan ... "Filosofi 'Illat Hukum dan Maqashid Syariah dalam Perkawinan Beda Agama." ... *Studi Agama ...* 19, no. 1 (2023): 44–53.
- Togatorop, A R. "Perkawinan Beda Agama." *Journal of Religious and Socio-Cultural* 4, no. 1 (2023): 26–36.
- Togatorop, A.R. "Perkawinan Beda Agama." *Journal of Religious and Socio-Cultural* 4, no. 1 (2023): 26–36.
- Yunanto. "Pembharuan Hukum Perkawinan Indonesia." *Diponegoro Law Review* 3, no. 1 (2018): 261.
- Yunus, F M, dan Z Aini. "Perkawinan beda agama dalam undang-undang nomor 23 tahun 2006 tentang administrasi kependudukan (tinjauan hukum islam)." *Media Syari'ah: Wahana Kajian Hukum ...* 20, no. 2 (2018): 138–39.
- Zada, Khamami. "Arus Utama Perdebatan Hukum Perkawinan Beda Agama." *AHKAM: Jurnal Ilmu Syariah* 13, no. 1 (1 Februari 2013). <https://doi.org/10.15408/ajis.v13i1.949>.

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