

# INTERPRETATION OF THE QURANIC VERSES AND INDONESIAN MARRIAGE LAW ON INTERFAITH MARRIAGE

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**Abstract:** One of the social phenomena that occurs among Muslims today is interfaith marriage, which raises various pros and cons. This fact and discourse is still being discussed, especially with the application to the Constitutional Court (MK) to conduct a judicial review of the marriage law. However, the Constitutional Court rejected the application, and various parties were not satisfied with this decision because whether an interfaith marriage is valid is the domain of each religion. Normatively, the narrative of interfaith marriage has been mentioned in the Quran in Surah al-Baqarah verse 221. In the case of Rizky Febian's marriage to Mahalini, who was originally Hindu and has become a *muallaf*. The theological basis is still strong as a consideration for a Muslim when deciding to get married. This study will explore the interpretation of Quranic verses related to interfaith marriage from various *mufasssirs*, which are also related to the Indonesian marriage law. As a literary research, the data used are the Quran, books of commentaries, laws on marriage, and articles relevant to this research. The results show that the scholars' interpretation suggests that interfaith marriage is forbidden. Even in the perspective of the state, interfaith marriage is still prohibited. Even so, some opinions allow believing men to marry women of the People of the Book but forbid women of other religions.

**Keywords:** interpretation of verses; marriage; interfaith

**Abstrak:** Pernikahan beda agama merupakan fenomena sosial yang banyak terjadi di kalangan umat Islam saat ini, dan mempunyai kelebihan dan kekurangan. Fakta dan wacana tersebut masih menjadi perdebatan, khususnya dengan adanya permohonan uji materiil undang-undang perkawinan ke Mahkamah Konstitusi (MK). Namun Mahkamah Konstitusi menolak kasus tersebut dan banyak pihak yang tidak puas dengan putusan tersebut karena masing-masing agama menentukan boleh atau tidaknya pernikahan beda agama. Biasanya Al-Quran menyebutkan pernikahan beda agama dalam surat al-Baqarah ayat 221. Dalam kasus pernikahan Rizki Febrian dengan Mahallini yang awalnya beragama Hindu dan kemudian menjadi muallaf, jelas bahwa pertimbangan teologis tetap penting bagi umat Islam dalam memilih untuk menikah. Kajian ini akan melihat bagaimana berbagai mufasssir memahami teks-teks Alquran tentang pernikahan beda agama, yang juga relevan dengan hukum pernikahan di Indonesia. Sebagai penelitian kepustakaan, data yang digunakan adalah Alquran, tafsir, hukum perkawinan, dan artikel yang relevan dengan pembahasan. Temuan ini menunjukkan bahwa penafsiran para ulama menyatakan bahwa pernikahan beda agama dilarang. Dalam pandangan negara, pernikahan beda agama masih dilarang. Meskipun demikian, sebagian orang berpendapat bahwa laki-laki boleh menikahi wanita yang Ahli Kitab tetapi tidak boleh menikahi wanita yang beragama lain.

**Kata kunci:** tafsir ayat; pernikahan; antar agama

## Introduction

Interfaith marriage has been mentioned in the Quran for a long time. This is a serious issue that is covered in depth in the interpretive literature on the legal status of interfaith marriages. The ruling of the judge at the Surabaya District Court, which allowed interfaith weddings for the first time in

history, recently stunned the Indonesian people. The complaint was brought in Surabaya District Court by applicants Rizal Adikara and Eka Debora Sidauruk. The applicant registered case Number 916/Pdt.P/2022/PN Surabaya on Wednesday, April 13, 2022. Rizal Adikara, who was born in 1986, is known to be a follower of the Islamic religion,

and Eka Debora Sidauruk born in 1991 is Christian. One of the pieces of evidence attached by Rizal Adikara and Eka Debora Sidauruk is a photocopy of marriage certificate No.1.433/HMM/III/2022 dated March 23, 2022, and a photocopy of the ecclesiastical marriage charter Number 373/NIK/GKN-RAEDS/ III/ 2022 dated 23 March 2022.<sup>1</sup>

To obtain this legal certainty, there is also a marriage law lawsuit addressed to the Constitutional Court (MK/ *Mahkamah Konstitusi*) by E. Ramos Petege, a young man from Gabaikunu Village, Central Mapia, Papua Province. He submitted a number of arguments stating the unconstitutionality of Article 2 Paragraphs (1) and (2) and Article 8 letter f of Law No. 1/1974 concerning Marriage. According to him, marriage is a fundamental right which is a divine decree or destiny. Everyone has the right to marry anyone regardless of religious differences. On that basis, the applicant considered that the state could not prohibit or not recognize marriages of different religions. The state must also be able to provide a solution for interfaith couples.<sup>2</sup>

However, the Constitutional Court rejected the Petitioners' request in its entirety. "The verdict, judging, rejects the petition of the Petitioners in its entirety. According to the Constitutional Court, the validity of marriage is the domain of religions through religious institutions or organizations that have the authority to provide religious interpretations. The role of the state in this case is to follow up on the results of the interpretation given by the institution or organization. As for the implementation of marriage registration by state institutions, it is in order to provide certainty and order in population administration. In other legal considerations, the Court stated that in marriage, the interests and responsibilities of religion and the state are closely intertwined.<sup>3</sup>

Responding to the case of interfaith marriage, Majelis Ulama Indonesia (MUI /the Council of

Indonesian Ulama) has also issued its fatwa, namely *First*, interfaith marriages in Indonesia are not valid. According to the MUI fatwa No. 4/ MUNAS VII/ MUI/8/2005 about Interfaith Marriage, which was issued on July 28, 2005, "Interfaith marriage is forbidden and invalid and the marriage of a Muslim man to a woman of the People of the Book, according to *qaul mu' tamad*, is unlawful and illegitimate".<sup>4</sup>

*Second*, marriage is more than just a personal and *muamalah* bond. There is, however, a *ubudiyah* component or demonstration of a servant's allegiance to his Lord. Meanwhile, Islam forbids interfaith marriages. Thus, legalizing interfaith marriage will immediately encourage people to disobey the norms and teachings of their religion, which violates Article 29 paragraph 2 of the 1945 Law.

*Third*, the prohibition on interfaith marriages in Islam is not meant to discriminate against other religions. However, as a form of maintaining benefit and protection or protection against one of the objectives of the sharia, namely *hifz al-dîn*. "This means that the legalization of interfaith marriage is a form of *mafsadah* or a negative thing that must be avoided following the rules of *ushul fiqh*, namely from *dar'ul mafâsid muqaddamun 'alâ jalbil mashâlih*."<sup>5</sup>

Interfaith marriage is also outlawed by Marriage Law Number 1 of 1974, article 2 paragraph (1), which states: "Marriage is legal if it is carried out following the laws of each religion and belief." Then, according to paragraph 2 of Article 2, "every marriage is recorded following the applicable laws and regulations."<sup>6</sup>

Although there are still pros and cons and legal debates regarding interfaith marriages in Indonesia, what Roger Danuarta (2021) did to become a *muallaf* because he was going to marry

<sup>1</sup> Dwi Nugroho Yanto, "Pertama Kali Dalam Sejarah PN Surabaya Sahkan Pernikahan Beda Agama Kristen Dengan Islam," 2022, (populis.id).

<sup>2</sup> "MK Tolak Gugatan Undang-Undang Perkawinan Yang Diajukan Pemuda Papua," n.d., <https://www.antaranews.com/berita>.

<sup>3</sup> <https://www.mkri.id/index.php?page=web.Berita&id=18870&menu=2>.

<sup>4</sup> Eleneora, "Response to Interfaith Marriage in Surabaya, Ma'ruf Amin: MUI Fatwa Remains Prohibited," *Suara Jogja*, 2022, [suarajogja.id](http://suarajogja.id).

<sup>5</sup> Erik S, "Pernikahan Beda Agama DiSahkan Pengadilan Di Surabaya," *Tribun News*, 2022, [tribun.news.com](http://tribun.news.com). See also Abdul Jalil, "Interfaith Marriage in the Perspective of Islamic Law and Positive Law in Indonesia," *Andragogy: Journal of Technical Education and Religious Training*, vol. 6, no. 2 (2018), p. 47.

<sup>6</sup> Nur Cahaya, "Perkawinan Beda Agama Dalam Perspektif Hukum Islam," *Hukum Islam*, vol. 18, no. 2 (2018), p. 144.

Cut Meyriska, as well as Mahallini becoming a *muallaf* before marrying Rizky Febian. Even Rizky Febian and his family witnessed the Mepamit procession that Mahalini would do to her ancestors and extended family. This is evidence of an understanding and awareness of marrying within the same religion. Hence, the sharia purpose of marriage is to preserve the existence of religion and offspring. Therefore, as Muslims, we should consider religion when deciding to get married.

Based on these issues, the author will discuss the Quranic texts related to the issue of interfaith marriage. It will be explained how the interpretation of the Quran in Surah al-Baqarah verse 221, al-Maidah verse 5, and al-Mumtahanah verse 10 by referring to several books of interpretation. This study aims to elaborate some of the views of exegetes in their books about the law of interfaith marriage which is connected to the Law on Marriage in Indonesia.

## Method

This study was literature research that is descriptive and qualitative. According to Mirzakon, T., and Purwoko that literary research is a study that studies various previous research reference books of the same type that are useful for obtaining a theoretical basis for the problem to be studied.”<sup>7</sup> This is a descriptive-analytic library research study. The author lists various *tafsir* volumes as primary sources for this inquiry. Previous journals and books on the legality of interfaith marriage served as secondary references for this study. The author’s theme has been investigated by previous writers, however, it focuses on the regulations of interfaith marriage. This time, the author attempts to revisit the subject, but the writing style emphasizes the *tafsir* of scriptures connected to interfaith marriage and its significance to Law Number 1 of 1974 concerning Marriage.

## Results and Discussion

Interfaith marriages are considered to be a violation of faith and religious principles, and almost every religion opposes diverse marriages.<sup>8</sup>

Meanwhile, Islam has regulated this since the Quran was revealed to mankind. Interfaith marriage is stated in various verses of the Quran, including:

### 1. Q.S. al-Baqarah Verse 221:

وَلَا تَنْكِحُوا الْمُشْرِكَةَ حَتَّىٰ تُؤْمِنَ ۚ وَلَا مَٰمَّةً مُّؤْمِنَةً خَيْرٌ مِّنْ مُّشْرِكَةٍ وَلَا تَنْكِحُوا الْمُشْرِكِينَ حَتَّىٰ تُؤْمِنُوا ۚ وَلَعَبْدٌ مُّؤْمِنٌ خَيْرٌ مِّنْ مُّشْرِكٍ ۚ وَلَا أَعْبَابُكُمْ ۚ أُولَٰئِكَ يَدْعُونَ إِلَى النَّارِ ۚ وَاللَّهُ يَدْعُو إِلَى الْجَنَّةِ وَالْمَغْفِرَةِ بِإِذْنِهِ وَيُبَيِّنُ آيَاتِهِ لِلنَّاسِ لَعَلَّهُمْ يَتَذَكَّرُونَ

*Do not marry polytheistic women until they believe; for a believing slave-woman is better than a free polytheist, even though she may look pleasant to you. And do not marry your women to polytheistic men until they believe, for a believing slave-man is better than a free polytheist, even though he may look pleasant to you. They invite you to the Fire while Allah invites you to Paradise and forgiveness by His grace. He makes His revelations clear to the people so that perhaps they will be mindful.* (Q.S. al-Baqarah verse 221)

The *tafsir* experts presented the results of the *tafsir* of the verse, among others, based on the verse above:

#### a. Imam al-Thabari

In his *tafsir*, he revealed that the word of Allah SWT: “وَلَا تَنْكِحُوا الْمُشْرِكَةَ حَتَّىٰ تُؤْمِنَ” “And do not marry polytheistic women, before they believe” Abu Ja’far said: the most correct *tafsir* of the verse is what Qatadah said, that the meaning of His words وَلَا تَنْكِحُوا الْمُشْرِكَةَ حَتَّىٰ تُؤْمِنَ that is if it is not included in the polytheistic women of the people of the book. The *zhahir* verse is general, but the content is special and nothing has been deleted in this verse. Women of the people of the book are not included in it, because Allah made it lawful for the believers with His words, وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ to marry women who protect themselves from the group of people of the book, as it is lawful for them believing women.<sup>9</sup>

Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan,” *E-Journal Dikti*, vol. 2, no. 2 (2019), p. 306.

<sup>9</sup> Ahmad Abdurraziq Al-Bakri, *Terjemah Tafsir At-Thabari*, Jilid III (Jakarta: Pustaka Azzam, 2009), p. 683.

<sup>7</sup> <https://core.ac.uk/download/pdf/335289208.pdf>.

<sup>8</sup> Hanifah, “Perkawinan Beda Agama Di Tinjau Dari

The *tafsir* of the word of Allah SWT: وَلَا أَمَةٌ مُؤْمِنَةٌ خَيْرٌ مِنْ مُشْرِكَةٍ actually a believing slave woman is better than a polytheist woman). Abu Ja'far said that the meaning of the verse وَلَا أَمَةٌ مُؤْمِنَةٌ: this is, with Allah and His Messenger, and with what comes from His side, it is better in the sight of Allah than a polytheist woman who is free even though her lineage is good and commendable. Do not marry women who have the glory of the shirk group, because slaves from the believer group are better than them.<sup>10</sup>

The *tafsir* of the word of Allah SWT: وَلَا تَنْكِحُوا الْمُشْرِكِينَ حَتَّى يُؤْمِنُوا وَلَعَبْدٌ مُؤْمِنٌ خَيْرٌ مِنْ مُشْرِكٍ وَلَوْ أَعْجَبَكُمْ (and do not marry polytheists (to believing women) before they believe. Indeed, a believing slave is better than a polytheist even if he attracts your heart). Abu Ja'far said that the meaning of the word of Allah SWT is that Allah SWT has strictly forbidden a believer to marry a polytheist man, from any shirk group.<sup>11</sup> Therefore, O you who believe, do not marry believing women with them, because it is forbidden for you, and if you marry them to a slave who believes in Allah, justifies Him and His Messenger, and what comes from Allah, then that is better for you than marrying them off to polytheists, even though they have a lineage and a noble position, and you are amazed by their position and glory.<sup>12</sup>

The *tafsir* of the word of Allah SWT: أُولَئِكَ يَدْعُونَ إِلَى النَّارِ وَاللَّهُ يَدْعُو إِلَى الْجَنَّةِ وَالْمَغْفِرَةِ بِإِذْنِهِ وَيُبَيِّنُ لِلنَّاسِ لِيَذْهَبُوا إِلَى الْآيَةِ الَّتِي يَدْعُونَ (They invite to hell, while Allah invites to heaven and forgiveness with His permission. And Allah SWT explains His verses (His commands) to humans so that they take lessons). Abu Ja'far said: The word of أُولَئِكَ is for the believers, those whom Allah has forbidden for you to marry from shirk, both men and women, they call to hell, that is calling for good deeds that cause you to go to hell, that is disbelief in Allah and His Messenger. Do not accept them and ask them for advice, and do not marry or marry them off they will not stop causing you harm, but accept

and practice what Allah has commanded you, stay away from what has been forbidden to you, for verily He calling on heaven, that is, inviting you to do good deeds that will cause you to enter heaven and save you from the fires of hell, and call on what can erase your sins and innocence.<sup>13</sup>

While the word of Allah بِإِذْنِهِ has the meaning that He calls on you by telling you the way and the instructions that lead you to heaven and His forgiveness. Allah then said, وَيُبَيِّنُ آيَتِهِ لِلنَّاسِ لَعَلَّهُمْ يَتَذَكَّرُونَ. Explaining the *hujjah* and signs in His Book that Allah has sent down through the mouth of His Prophet to His servants, so that they remember and take lessons, and so that they distinguish between the two matters, one calling for hell and its eternity, and the other calling for heaven and His forgiveness, so that they choose what is best for them, and no one can distinguish between the two except those who are stupid and closed in their minds.<sup>14</sup>

## b. Imam al-Qurthubi

Imam al-Qurtubi when interpreting verses وَلَا تَنْكِحُوا الْمُشْرِكَةَ حَتَّى يُؤْمِنَ وَلَا أَمَةٌ مُؤْمِنَةٌ خَيْرٌ مِنْ مُشْرِكَةٍ divided into 7 issues, among others, as follows: First, لَا تَنْكِحُوا qira'ah majority of ulama are with the letter *fathah ta'* (*tankihuu*). Meanwhile, the qira'ah that is rarely used is the letter *ta dhamah* (*tunkihuu*), as if the person who marries a polytheistic woman is marrying her to himself. The origin of the meaning of *nakaha* is *al-jima'* (coitus), but it is used to refer to marriage, because of majaz and the expansion of the use of language.<sup>15</sup>

Second, when Allah SWT grants permission to have intercourse with orphans and has intercourse with (them) in marriage, Allah SWT indicates that polytheist marriage is invalid.<sup>16</sup> Third, the *ulamas* disagreed on how to interpret this verse. Two of these *ulamas'* perspectives are as follows: (a) A

<sup>13</sup> Ahmad Abdurraziq Al-Bakri, *Terjemah Tafsir al-Thabari*, Jilid III..., p. 689.

<sup>14</sup> Ahmad Abdurraziq Al-Bakri, *Terjemah Tafsir al-Thabari*, Jilid III..., p. 690.

<sup>15</sup> Muhammad Ibrahim al-Hifnawi, *Terjemah Tafsir Al-Qurthubi*, Jilid III, (Jakarta: Pustaka Azzam, 2007), p. 143.

<sup>16</sup> Muhammad Ibrahim al-Hifnawi, *Terjemah Tafsir Al-Qurthubi*, Jilid III..., p. 144.

<sup>10</sup> Ahmad Abdurraziq Al-Bakri, *Terjemah Tafsir al-Thabari*, Jilid III..., p. 686.

<sup>11</sup> Ahmad Abdurraziq Al-Bakri, *Terjemah Tafsir al-Thabari*, Jilid III..., p. 687.

<sup>12</sup> Ahmad Abdurraziq Al-Bakri, *Terjemah Tafsir al-Thabari*, Jilid III..., p. 688.

group said that Allah has made it forbidden to marry polytheistic women in surah al-Baqarah, then some of these polytheistic women (namely women of the *Ahlul Kitab*) are in the synagogue, where Allah justifies them in surah al-Ma'idah. This opinion was narrated by Ibn Abbas, (b) Ishak bin Ibrahim Al-Harabi said, "A group of people believes to make the verses in surah al-Baqarah as verses that are deleted, while the verses in surah al-Maidah are verses that have been enshrined." They forbid marrying every polytheistic woman, both People of the Book and other than People of the Book.<sup>17</sup> Fourth, as for marrying men from the People of the Book, if they are people who fight against the Muslims, then that is not permissible.<sup>18</sup>

Fifth, the word of Allah *وَلَا مَؤْمِنَةٌ خَيْرٌ مِّنْ مُّشْرِكَةٍ* "Surely a believing slave woman is better than a polytheist woman." This word of Allah is a notification that a believing slave girl is better than a polytheist woman, even though this polytheistic woman has position and wealth, *وَلَوْ أَغَبَتْكُمْ* "Even though he attracts your heart" with beauty and whatnot. This is the opinion of at-Tabari and others.<sup>19</sup> Sixth, the ulamas differed on the issue of marrying slave girls of *Ahlul Kitab*. Imam Malik said "It is not permissible to marry slave girls of *Ahlul Kitab*. Whereas Asyhab said about the book (letter) of Muhammad SAW about people who converted to Islam and had slave-girl wives from the People of the Book: "Surely the two cannot be separated."<sup>20</sup> Seventh, they have different opinions about marrying Zoroastrian women. Imam Malik, al-Syafi'i, Abu Hanifah, al-Auza'i, and Ishak forbade it, while Ibn Hanbal said, "It doesn't interest me."

It was narrated that Huzaifah bin al-Yaman once married a Zoroastrian woman, then Umar said to her, "Divorce her!" they may marry (with adherents of religions outside of them).<sup>21</sup> The *tafsir* of the word of Allah SWT: *وَلَا تَنْكِحُوا الْمُشْرِكِينَ*

*حَتَّى يُؤْمِنُوا ۚ وَلَعَبْدٌ مُّؤْمِنٌ خَيْرٌ مِّنْ مُّشْرِكٍ وَلَوْ أَعْجَبَكُمْ*. "And do not marry polytheists (to believing women) before they believe. Verily, a believing slave is better than a polytheist, even if he seduces your heart."

In this Word of Allah, there are eleven issues discussed. First, the word of Allah SWT which is *وَلَا تَنْكِحُوا* "and do not marry" that is, do not marry Muslim women to mushrik men. Second, in this verse, there is an argument stating that marriage is invalid unless there is a guardian.<sup>22</sup> Third, Ibn Khuwaizimandad mentions: there are differences in the narrations of Imam Malik about the saints. Some of them said that Imam Malik had said at one time, "Anyone who puts the woman in a good position, then he is her guardian, whether he comes from the *ashabah*, close family (*mahram*), other people, priests or the person receiving the will." However, at another time Imam Malik once said, "The guardian must be from the *ashabah*. Whoever puts the woman in a good position, then he is a wali (guardian)".<sup>23</sup> Fourth, they differ in opinion regarding marriages held by other than the guardian, then the marriage is permitted by the guardian before intercourse occurs. Fifth, the *ulamas* differ in opinion regarding the composition of the guardians and the order of the guardians.

However, in this situation, the author simply follows Imam al-Qurthubi's position, namely, "The people of Medina narrated Imam Malik's opinion, like that of al-Shafi'i, that the father is more important than the child." This is one of the two Abu Hanifah opinions related to al-Baji. However, Mughirah was quoted as saying, 'Grandfather has more right (to become guardian) than a brother.' This viewpoint is widely held in the Maliki school of thinking.<sup>24</sup> Sixth, there is disagreement about a lady who is married off by her distant guardian even while her near guardian is present at the marriage ceremony. According to al-Syafi'i, "marriage is vanity." According to Imam Malik, "marriage is permissible."<sup>25</sup> Seventh, if the nearest guardian is

<sup>17</sup> Muhammad Ibrahim al-Hifnawi, *Terjemah Tafsir Al-Qurthubi*, Jilid I..., p. 145.

<sup>18</sup> Muhammad Ibrahim al-Hifnawi, *Terjemah Tafsir Al-Qurthubi*, Jilid I..., p. 149.

<sup>19</sup> Muhammad Ibrahim al-Hifnawi, *Terjemah Tafsir Al-Qurthubi*, Jilid I..., p. 150.

<sup>20</sup> Muhammad Ibrahim al-Hifnawi, *Terjemah Tafsir Al-Qurthubi*, Jilid I..., p. 151.

<sup>21</sup> Muhammad Ibrahim al-Hifnawi, *Terjemah Tafsir Al-Qurthubi*, Jilid I..., p. 152.

<sup>22</sup> Muhammad Ibrahim al-Hifnawi, *Terjemah Tafsir Al-Qurthubi*, Jilid I..., p. 155.

<sup>23</sup> Muhammad Ibrahim al-Hifnawi, *Terjemah Tafsir Al-Qurthubi*, Jilid I..., p. 155.

<sup>24</sup> Muhammad Ibrahim al-Hifnawi, *Terjemah Tafsir Al-Qurthubi*, Jilid I..., p. 163.

<sup>25</sup> Muhammad Ibrahim al-Hifnawi, *Terjemah Tafsir Al-Qurthubi*, Jilid I..., p. 167.

imprisoned or an idiot, the woman must be married by the guardian who comes after the imprisoned or idiot guardian. When a guardian gets imprisoned or becomes an idiot, he is considered to have perished.

*Eighth*, if the positions of two guardians are equal in proximity at the level of the oldest grandfather, one of them is not present, and the woman presents her marriage contract to the guardian who is there, the unseen guardian cannot oppose the marriage if he returns. If both are present, the woman hands over her marriage contract to one of them, and none of them may marry her except with her friend's agreement. If they disagree, the ruler must provide his or her viewpoint. For the sake of the woman, rulers must allow the best opinion. Wahb relayed this viewpoint from Imam Malik. *Ninth*, Imam Malik and his associates believe that the evidence of marriage is not harmonious. In this scenario, acknowledging and advertising the fact of a marriage is deemed sufficient, and thus can remove the marriage from being classified as a hidden marriage.<sup>26</sup> *Tenth*, the Word of Allah SWT which is *وَلَعَبْدٌ مُّؤْمِنٌ خَيْرٌ مِّنْ مُّشْرِكٍ*, truly a believing slave," meaning slaves, *وَلَوْ* "better than polytheists," that is the levels, *أَعْجَبَكُمْ* "whatever your heart has brought to it, that is, whatever level it attracts you."<sup>27</sup>

*Eleventh*, the Word of Allah SWT: *أُولَٰئِكَ* "them," addressed to men and women who are polytheists, *يَدْعُونَ إِلَى النَّارِ* "invites to hell," that is to the deeds that lead to hell. Because, associating with them and having a household can lead to setbacks due to their desires, as well as being caused by their education of children. *وَاللَّهُ يَدْعُوا*<sup>28</sup> "إِلَى الْجَنَّةِ", While Allah invites to heaven" that is to the deeds of the inhabitants of heaven, *بِإِذْنِهِ* "by His permission" that is by His command. So said al-Zujaj.<sup>29</sup>

### c. In the *Tafsir* of al-Munir

Meanwhile in al-Munir's *tafsir* of Q.S. al-Baqarah verse 221, this verse explains some of the internal laws governing Islamic society. Because Allah SWT has allowed guardians to mix with orphans (in matters of wealth and marriage), here He explains that marrying polytheists is not permissible. The meaning of this verse is "O you who believe, do not marry polytheistic women who do not have scriptures before they believe in Allah and the Last Day and believe in the Prophet Muhammad. The word polytheist in the Quran is used in this sense as in His words, "Those who disbelieve from the People of the Book and polytheists do not want..." (al-Baqarah: 105).<sup>30</sup>

And He said, "Those who disbelieve from among the People of the Book and polytheists will not leave (their religion) until clear evidence comes to them" (al-Bayyinah: 1). As a result, it is possible to argue that polytheistic women should not get married as long as they are polytheistic. Indeed, a slave girl who believes in Allah and His Messenger, despite being ugly and nasty, is preferable to a free lady who is polytheistic, despite coming from a noble family and being highly beautiful and wealthy. Because faith is the factor that determines the perfection of religion and life, but riches and social strata are just a baseline for world perfection. Furthermore, prioritizing religion with the world that complements it is preferable to prioritizing the world alone.

Do not marry polytheistic males to believing women until they have accepted Allah and His Messenger. It is preferable for you to marry believing women to slaves who believe in Allah and His Messenger (even if he is repulsive) than to marry them to free men who are polytheists, even if their ancestors are honorable.

Marriage between a Muslim man and a polytheist woman is prohibited, as is marriage between a Muslim woman and a non-believer (whether he is a Bible person or a polytheist), because these polytheists incite disbelief and encourage others to do ill things. it culminates in hell. They have no true religion to guide them, nor

<sup>26</sup> Muhammad Ibrahim al-Hifnawi, *Terjemah Tafsir Al-Qurthubi*, Jilid I..., p. 168.

<sup>27</sup> Muhammad Ibrahim al-Hifnawi, *Terjemah Tafsir Al-Qurthubi*, Jilid I..., p. 172.

<sup>28</sup> Muhammad Ibrahim al-Hifnawi, *Terjemah Tafsir Al-Qurthubi*, Jilid I..., p. 173.

<sup>29</sup> Muhammad Ibrahim al-Hifnawi, *Terjemah Tafsir Al-Qurthubi*, Jilid I..., p. 174.

<sup>30</sup> Abdul Hayyie al-kattani, *Terjemah Tafsir Al-Munir*, Jilid I, (Jakarta: Gema Insani, 2016), p. 511.

do they have holy writings to point them in the right direction. Another reason for the marriage's prohibition is the conflict of character between a heart filled with faith's light and a heart filled with darkness and wrong.

Therefore, do not tie a marriage relationship with them, because the marriage bond requires giving advice to each other, growing affection, and getting yourself influenced by them, resulting in the transmission of misguided ideas, and you will imitate various behaviors and habits that are contrary to the Shari'a. Islam. They are not half-hearted in promoting heresy, besides educating your children and making them accustomed to error. In essence, "the *illah* (cause) forbidding marriage to them is because they invite them to hell."<sup>31</sup>

Whereas Allah SWT invites and guides with the book that He sent down and the prophets that He sent to deeds that will lead to heaven, forgiveness, and the elimination of sins with His permission and will. He also explains the verses and His laws to humans so that they think they can distinguish between what is good and what is bad and not violate His commands and follow lust or follow Satan's enticements because they remember the following laws '*illah* and its arguments. will make people accept the law more and hasten to implement it."<sup>32</sup>

The majority of ulama then argued that, aside from Bible people, all polytheistic women, Arab and non-Arab, are banned to marry.<sup>33</sup> The writer concludes from the three remarks above that it is banned to marry polytheistic women, except for persons in the book. The *tafsir* on al-Qurthubi, on the other hand, is slightly different; in this book, it is explained that it is banned to marry polytheistic women without any exclusions (including the People of the Book), according to Imam Malik.

## 2. Q.S. al-Maidah Verse 5:

وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ إِذَا آتَيْتُمُوهُنَّ أُجُورَهُنَّ أُجُورَهُنَّ مُحْصِنِينَ غَيْرَ مُسْفِحِينَ وَلَا مُتَّخِذِي أَخْدَانٍ وَمَنْ يَكْفُرْ بِالْإِيمَانِ فَقَدْ حَبِطَ عَمَلُهُ وَهُوَ فِي الْآخِرَةِ مِنَ الْخَاسِرِينَ

And 'permissible for you in marriage' are chaste believing women as well as chaste women of those given the Scripture before you—as long as you pay them their dowries in wedlock, neither fornicating nor taking them as mistresses. And whoever rejects the faith, all their good deeds will be void 'in this life', and in the Hereafter they will be among the losers." (Q.S. al-Maidah verse 5)

From the verse above, the *tafsir* experts put forward the *tafsir* of the verse in the books they have composed. Among the books of *tafsir* that the author took, among others; *Tafsir* of Imam al-Shafi'i, *Tafsir* of Ibn Kathir, and *Tafsir* of the Ministry of Religion.

### a. Tafsir of Imam al-Syafi'i

Imam Syafi'i explained that Allah SWT said: وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ "And (lawful for you to marry) women who have guarded honor among women who believe and women who guard honor among those who were given books before you." And women who guard their honor are free. We mention people whose halal status is excluded by Allah SWT. They are free women from among the People of the Book. A free woman is different from a slave, as we have explained. It is forbidden to marry a mushrik woman other than People of the Book."

While other ulamas argue, "Imam Syafi'i also stated that marrying a polytheist female slave is forbidden." Mushrik women who are allowed to marry are people of the book who are self-sufficient. It is prohibited to marry a believing slave unless these two conditions<sup>34</sup> contain an indication that marrying someone other than a pious slave is not permissible if the first indication is fulfilled at the same time, so marrying a female slave of

<sup>31</sup> Abdul Hayyie al-Kattani, *Terjemah Tafsir al-Munir*, Jilid I..., p. 512.

<sup>32</sup> Abdul Hayyie al-Kattani, *Terjemah Tafsir al-Munir*, Jilid I..., p. 513.

<sup>33</sup> Abdul Jalil, "Interfaith Marriage in the Perspective of Islamic Law and Positive Law in Indonesia"..., p. 53.

<sup>34</sup> That is, they must be independent and include people of the book (previous footnote in Imam Syafi'i's book of *tafsir*, Volume 2)

the scriptures is prohibited from two perspectives based on indications contained in the Qur'an."

We agree that what is meant in this verse is an independent woman from among the people of the book, especially when she is singled out. Thus, female slaves from among the People of the Book are included in the category of polytheistic women who are forbidden to marry. Allah SWT makes it lawful to marry a group of polytheist women on two conditions: *First*, they are among the people of the book. *Second*, independent women.<sup>35</sup>

Thus, marrying an independent woman from among the People of the Book is permissible (one of the opinions taken from the book of Imam al-Shafi'i's *tafsir*).

### b. *Tafsir* of the Ministry of Religion

And it is lawful for you to marry women who protect honor among women who believe, as well as women who protect honor among people who were given books before you, namely Jews and Christians, if you pay a dowry to marry her, namely to enter into a legal marriage contract, not to commit adultery and not to make a woman a pet. As a result, Allah sets His laws as guidance for people who believe. Whoever disbelieves after believing, their deeds are in vain, and he will be among the losers in the hereafter. From the explanation above, it can be taken the law that it is lawful to marry women of the People of the Book.

However, the results of the XXII Mukhtar Majlis Tarjih and Tajdid PP Muhammadiyah, February 12-16 1989 in Malang, East Java, stipulated several decisions, including regarding the guidance of sakinah families and interfaith marriages. According to Mukhtar's decision, interfaith marriage is unlawful.<sup>36</sup>

### c. *Tafsir* of Ibnu Katsir

وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا

<sup>35</sup> Muhammad Mustafa Al-Farran, *Terjemah Tafsir Imam Syafi'i*, Jilid II (Jakarta: Almahira, 2008), p. 288.

<sup>36</sup> Amri, "Perkawinan Beda Agama Menurut Hukum Positif Dan Hukum Islam," *Media Syari'ah: Jurnal Wahana Kajian Islam Dan Pranata Sosial*, vol. 22, no. 1 (2020), p. 56.

الْكِتَابِ مِنْ قَبْلِكُمْ إِذَا آتَيْتُمُوهُنَّ أَجُورَهُنَّ مُحْصِنِينَ غَيْرَ مُسْفِحِينَ وَلَا مَتَّخِذِي أَخْدَانٍ

"And (lawful for you to marry) women who guard honor among women who believe and women who guard honor among people who were given books before you, if you pay their dowry to marry them, not with the intention of adultery and not to keep women as pets"

It indicates it is legal for you to marry free women (not slaves) and those who safeguard their honor, i.e., believers. Then some claim that what is meant by "women who guard honor" in this line is independent women, not slaves.<sup>37</sup> As *ihshan* (chastity) of adultery is one of the attributes required for women (who are to marry), the same is required for men. This implies that men must retain their chastity and self-respect as well.

Words of Allah SWT: وَلَا مَتَّخِذِي أَخْدَانٍ has a meaning that is people who have mistresses they love, and they only fuck these women. Discussion of this issue has been given to the *tafsir* of Surah al-Nisa and will be further explained in detail in the discussion of the word of Allah SWT in Surah al-Nûr verse 3 which means "A man who commits adultery does not marry, except for a woman who commits adultery or a woman who polytheist. And women who commit adultery are not married but are married to men who commit adultery or are polytheists. And those who believe are forbidden to do so."<sup>38</sup>

Based on the polemic of the problems in the three *tafsirs* discussed above, it is permitted to marry an independent polytheist woman (People of the Book) and banned to marry a slave polytheist woman, even if she is a person of the book.

### 3. Q.S. al-Mumtahanah verse 10

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا جَاءَكُمْ الْمُؤْمِنَاتُ مُهَاجِرَاتٍ فَاِمْتَحِنُوهُنَّ ۚ اللَّهُ أَعْلَمُ بِإِيمَانِهِنَّ فَإِنْ عَلِمْتُمُوهُنَّ مُؤْمِنَاتٍ

<sup>37</sup> Dzimmi, Orang Kafir Yang Tunduk Kepada Pemerintah Islam Dan Mendapat Jaminan Keamanan Dari Pemerintah Islam. (catatan kaki pada *tafsir* ibnu katsir jilid 6, p. 36)

<sup>38</sup> Abdullah bin Ali Syaikh Muhammad, *Terjemah Tafsir Ibn Katsir*, Jilid VI (Jakarta: Pustaka Imam Syafi'i, 2003), p. 38.

فَلَا تَرْجِعُوهُنَّ إِلَى الْكُفَّارِ لَا هُنَّ حِلٌّ لَّهُمْ وَلَا هُمْ يَحِلُّونَ لَهُنَّ وَاتُّوهُنَّ مَا أَنْفَقُوا وَلَا جُنَاحَ عَلَيْكُمْ أَنْ تَنْكِحُوهُنَّ إِذَا آتَيْتُمُوهُنَّ أَجُورَهُنَّ وَلَا تُمْسِكُوا بِعِصَمِ الْكَوَافِرِ وَاسْأَلُوا مَا أَنْفَقْتُمْ وَلْيَسْأَلُوا مَا أَنْفَقُوا ذَلِكُمْ حُكْمُ اللَّهِ يَحْكُمُ بَيْنَكُمْ وَاللَّهُ عَلِيمٌ حَكِيمٌ

O you who have believed, when the believing women come to you as emigrants, examine [i.e., test] them. Allah is most knowledgeable as to their faith. And if you know them to be believers, then do not return them to the disbelievers; they are not lawful [wives] for them, nor are they lawful [husbands] for them. But give them [i.e., the disbelievers] what they have spent. And there is no blame upon you if you marry them when you have given them their due compensation [i.e., mahr]. And hold not to marriage bonds with disbelieving women, but ask for what you have spent and let them [i.e., the disbelievers] ask for what they have spent. That is the judgment of Allah; He judges between you. And Allah is Knowing and Wise.

From the verse above, the tafsir experts provide a tafsir of the verse in their books, which can be seen in *Tafsir al-Qur'an Aysar* and *Tafsir Fathul Qadir*.

#### a. Tafsir of al-Qur'an Aysar

إِذَا جَاءَكُمْ الْمُؤْمِنَاتُ مَهْجَرَاتٍ what is meant is women who claim to have faith and take part in emigration from the land of the infidels. فَامْتَحِنُوهُنَّ. "then test them and get them to swear that they migrated only because they wanted to convert to Islam and not because they hated their husbands or were targeting men from among the Muslims (looking for potential husbands)." فَإِنْ عَلِمْتُمُوهُنَّ "They truly believed in the oath they swore." "then do not return them to their husbands who are still disbelievers in Mecca." "The believing women are not lawful for their husbands who are still disbelievers, and vice versa, those who disbelieve (their husbands) are not lawful for their wives who are believers." وَاتُّوهُنَّ مَا أَنْفَقُوا "give the unbelievers the husbands of the women who emigrated, the dowry they gave to their previous wives." وَلَا جُنَاحَ عَلَيْكُمْ أَنْ تَنْكِحُوهُنَّ إِذَا آتَيْتُمُوهُنَّ أَجُورَهُنَّ

meant is giving them the dowry, even though their status has not been divorced by their husbands, because the contract has been canceled due to their conversion to Islam.

After completing her iddah period, fulfill all the conditions to marry her. وَلَا تُمْسِكُوا بِعِصَمِ الْكَوَافِرِ "and do not continue to defend your wives, because Islam has severed the relationship between your husband and wife. Likewise with an apostate woman who flees to an area of infidels, except if the woman re-enters Islam before her iddah ends, then her marriage contract is not canceled and remains in the responsibility of her husband. وَاسْأَلُوا مَا أَنْفَقْتُمْ "and ask for the return of the dowry you gave your wife if she apostatizes." وَلْيَسْأَلُوا مَا أَنْفَقُوا "and let their ex-husbands ask for their dowries which have been given to their wives who have migrated after she became a believer."<sup>39</sup>

#### b. Tafsir of Fathul Qadir

Word of Allah SWT: يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا جَاءَكُمْ الْمُؤْمِنَاتُ مَهْجَرَاتٍ (O you who believe, when women who emigrate to you who believe) from among the disbelievers." This was because the Prophet SAW had entered into a peace agreement with the Quraysh in the Hudaibiyah incident to return to them those who came to the Muslims from their side. Then when there were women (from the Quraysh) who migrated "to him, Allah prevented them from returning to the polytheists, and Allah SWT ordered them to test their faith, فَامْتَحِنُو (then) test their (faith), specifically (then test their faith).

There are differing views on the test of faith for them, with one saying, "They were asked to swear by the name of Allah SWT, that they did not go out because they hated their husbands, not because they did not like a country and liked their country, not because they were looking for the world, but because they love Allah and His Messenger, and love His religion." If the women (among them) swear that, then the Prophet SAW handed their (unbeliever) husband a replacement dowry, namely the dowry he had paid, without returning the woman to him."

<sup>39</sup> Syaikh Abu Bakar Jabir Al-Jazari, *Terjemah Tafsir Al-Qur'an Al-Aisar*, Jilid 2, (Jakarta: Dar al-Sunnah, 2017), p. 35.

Another opinion states, “The test was ordered to be able to testify that there is no god (the right) but Allah and that Muhammad is the Messenger of Allah.”

اللَّهُ أَغْلَمُ بِإِيمَانِهِنَّ (Allah is more knowledgeable of their beliefs). This language is *mu'taridha* to clarify that the essence of their subject is only known by Allah SWT and that there is no worship for you in it, but your worship is in testing them so that you may see what reveals the honesty of their assertions in wanting Islam.

فَإِنْ عَلِمْتُمُوهُنَّ مُؤْمِنَاتٍ then if you already know that they (truly) believe) meaning is to know it based on the outward appearance after the test that was ordered. فَلَا تَرْجِعُوهُنَّ إِلَى الْكُفَّارِ (then do not return them to (their husbands) who are disbelievers), that is, to their husbands who are disbelievers.<sup>40</sup>

The sentence لَا هُنَّ حِلٌّ لَّهُمْ وَلَا هُمْ يَحِلُّونَ لَهُنَّ (They are not lawful for those who disbelieve, and they are not lawful for those who disbelieve), as a justification for the restriction on returning them. There is an argument here that a believing woman is not permissible for a doubting man, and a woman's Islam requires her to divorce her spouse for reasons other than migration. The sentence is repeated here to confirm the prohibition, to explain the loss of the marriage tie, and to prevent a new marriage from occurring.

وَأَتَوْهُنَّ مَا أَنْفَقُوا (and give their (husbands) the dowry they have paid). The meaning is, to give to the husbands of women who migrated and embraced Islam as the dowry they have paid. Imam al-Shafi'i once said, “If it is requested by other than her husband, namely requested by the woman's relatives, then it is not given, without a replacement.” جُنَاحٌ عَلَيْكُمْ أَنْ تَنْكِحُوهُنَّ (and there is no sin on you marrying them), because they have become followers of your religion. إِذَا أَتَيْتُمُوهُنَّ أَجُورَهُنَّ (if you pay them the dowry), i.e. “their dowry”. The point is after their *iddah* has expired, as shown by many arguments about the obligation of *iddah*. وَلَا تَنْسِكُوا بِعَصَمِ الْكُوفَارِ<sup>41</sup> and do

not hold on to ropes (marriage) with disbelieving women). The meaning is that whoever has a wife who disbelieves, then that is no longer a wife because her marriage has been cut off due to a different religion. The point is, ask for a dowry for your wives who join the unbelievers. وَاسْأَلُوا مَا أَنْفَقْتُمْ (and you should ask for the dowry you have paid).

The point is, ask for a dowry for your wives who join the unbelievers. وَلْيَسْأَلُوا مَا أَنْفَقُوا (and let them ask for the dowry they have paid). The mufasssir said that Muslim women who apostatized and joined the unbelievers who had a peace<sup>42</sup> the Muslims, it was said to the disbelievers, “Give her the dowry.” If there is a woman from the infidels who comes to the Muslims and embraces Islam, then it is said to the Muslims, “Return her dowry to her husband who is infidel.” ذَلِكَ كُمْ حُكْمُ اللَّهِ (such is Allah's law) meaning that the return of the dowry from both parties is Allah's law (God's provision). Sentence يَخُكِّمُ بَيْنَكُمْ وَاللَّهُ (what He decreed among you) is in the position of *nashab* as a thing (explaining the situation), or as a starting sentence. وَاللَّهُ عَلِيمٌ حَكِيمٌ (and Allah is All-Knowing, All-Wise), that is, very knowledgeable, nothing escapes Him, and very wise in all His words and deeds.<sup>43</sup>

Marriage to a woman who is a member of the book is considered illegitimate in Indonesia. This is backed by the MUI fatwa as well as the absence of provisions governing interfaith marriage in the Compilation of Islamic Law and Marriage Law No. 1 of 1974 concerning Marriage.<sup>44</sup>

According to the author's opinion, from the description of the *tafsir* above, in the *tafsir* of the Quran al-Aisar and in the *tafsir* of Fathul Qadir, a marriage that occurs between a polytheist woman and a believer man is no longer his wife, because their marriage has been interrupted because of their different religions. However, it is reserved

<sup>42</sup> Sayyid Ibrahim, *Terjemah Tafsir Fathul Qadir*, Jilid 11..., p. 282.

<sup>43</sup> Sayyid Ibrahim, *Terjemah Tafsir Fathul Qadir*, Jilid 11..., p. 283.

<sup>44</sup> Ilham, “Nikah Beda Agama Dalam Kajian Hukum Islam Dan Tatanan Hukum Nasional,” *TAQIN: Jurnal Syari'ah Dan Hukum*, vol. 2, no. 1 (2020), p. 57. See also Wiwin Siti Aminah, “Hukum Pernikahan Beda Agama Menurut Ulama Indonesia,” *Istinbath*, vol. 15, no. 1 (2020), p. 91, <https://doi.org/10.36667/istinbath.v15i1.275>.

<sup>40</sup> Sayyid Ibrahim, *Terjemah Tafsir Fathul Qadir*, Jilid 11..., p. 280.

<sup>41</sup> Sayyid Ibrahim, *Terjemah Tafsir Fathul Qadir*, Jilid 11..., p. 281.

for women of the people of the book according to most opinions.

What is described above shows how problematic interfaith marriage is if it is done especially in Indonesia. The mufassirs have given their views which can be used as evidence in formulating the law of interfaith marriage. Based on Presidential Instruction Number 1 of 1991 dated 10 June 1991 and Decree of the Minister of Religious Affairs Number 154 of 1991 dated July 22, 1991. The Compilation of Islamic Law came out to be a positive law that is unification for all Muslims in Indonesia, and especially as a guideline for Islamic law to adjudicate cases in the fields of marriage, inheritance and trusts.

The prohibition of interfaith marriage in the Compilation of Islamic Law is based on strong reasons, among others: Law Number 1 of 1974 concerning Marriage, Chapter 1 article 2 paragraph (1): "Marriage is valid, if performed according to the laws of each religion and belief". This is the "basis of marriage" for Indonesian citizens (including Muslims in Indonesia) which is a provision of State law in Indonesia) which is a provision of State law that applies generally, is binding, and eliminates differences of opinion.<sup>45</sup>

However, there are still those who seek to legalize interfaith marriage. Even though there have been fatwas from various Indonesian Islamic organizations such as Muhammadiyah, NU and MUI, including the issuance of the Constitutional Court's decision and the Supreme Court's circular letter.<sup>46</sup>

For this reason, the author argues that interfaith marriage is prohibited and the government through its laws is right in protecting the existence of religion itself. Because marriage is part of a form of worship as an expression of religion. Thus, marriage is categorized as an external forum in which the state can intervene just like the management of *zakat* and the management of

*haji*. The role of the state is not to limit a person's beliefs but to ensure that religious expression does not deviate from the main teachings of the religion adhered to. Marriage is one of the problem areas regulated in the legal order in Indonesia as stipulated in Law No. 1 of 1974.<sup>47</sup>

## Conclusion

According to the *tafsir* experts whom the author uses as a reference in this paper, there are numerous perspectives regarding interfaith marriage. *First*, it is banned to marry a polytheist woman or man, whether People of the Book or non- People of the Book. *Second*, save for persons in the book, it is illegal to marry polytheistic women. *Third*, believing men may marry polytheistic women (People of the Book) who are free while believing men may not marry polytheistic female slaves (People of the Book). If interfaith marriages occur between believing men and polytheistic women (People of the Book), Ahmad Nurcholis believes that religion should be questioned with mutual respect.

Every action and deed carried out by citizens, including in matters relating to marriage, must obey and submit and not contradict or violate laws and regulations. The laws and regulations concerning marriage are established to regulate and protect the rights and obligations of every citizen in relation to marriage. The existence of such arrangements is also in line with Article 28J of the 1945 Constitution that in exercising the rights guaranteed by the 1945 Constitution.

Every citizen must be subject to restrictions stipulated by law with the sole purpose of ensuring recognition and respect for the rights and freedoms of others and to fulfill fair demands in accordance with moral considerations, religious values, security and public order in a democratic society based on law.

<sup>45</sup> Jalil, "Interfaith Marriage in the Perspective of Islamic Law and Positive Law in Indonesia, p. 47." See also Aulil Amri, "Perkawinan Beda Agama Menurut Hukum Positif Dan Hukum Islam," *Media Syari'ah: Jurnal Wahana Kajian Islam Dan Pranata Sosial*, vol. 22, no. 1 (2020), <https://dx.doi.org/10.22373/jms.v22i1.6719>.

<sup>46</sup> Suwarjin, "Interfaith Marriage: Between Pro And Contra In Islamic Jurist's Thought," *Madania: Jurnal Ilmu-Ilmu Keislaman*, vol. 27, no. 1 (2023), p. 90.

<sup>47</sup> Candra Raefan Daus, "Perkawinan Beda Agama Di Indonesia; Perspektif Yuridis, Agama-Agama Dan Hak Asasi Manusia," *Al-'Adalah, Jurnal Syariah Dan Hukum*, vol. 8, no. 1 (2023), p. 45 <http://dx.doi.org/10.31538/adlh.v8i1.3328>. See also I Nengah Suastika, "Perkawinan Beda Agama Di Tinjau Dari Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan Dan Hukum Adat Di Bali (Studi Kasus Di Desa Tangguwisia Kecamatan Seririt Kabupaten Buleleng)," *Jurnal Ilmu Sosial Dan Humaniora*, vol. 5, no. 2 (2016), <https://doi.org/10.23887/jishundiksha.v5i2.9092>.

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