

## Interfaith Marriage Between a Muslim Man and a Woman from People of the Book According to Article 40 C of the Compilation of Islamic Law (Analysis of Decision Number: 959/Pdt.P/2020/PN. Bdg., Dated. 2 December 2020)

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Received : August 05, 2023

Accepted : September 30, 2023

Published : October 4, 2023

Citation: Irvani, A, F., Songgirin, A. & Abubakar, I. (2023). Interfaith Marriage Between a Muslim Man and a Woman from People of the Book According to Article 40 C of the Compilation of Islamic Law (Analysis of Decision Number: 959/Pdt.P/2020/PN. Bdg., Dated. 2 December 2020). *Legalis : Journal of Law Review*, 1(1), 19-36

**ABSTRACT:** Interfaith marriage is a very sensitive issue to discuss. The debate over the rules for interfaith marriages is caused by differences in interpretation of the verses of the Koran which explain the laws of marriage. Scholars agree that the marriage of a Muslim woman to a non-Muslim man is invalid. Regarding the marriage of Muslim men to non-Muslim women, there are differences of opinion. If the woman is a Mushrik woman then the marriage is invalid, whereas if the woman is a People of the Book, there are still scholars who view the marriage as valid and there are also those who view it as invalid. With various considerations, both from the verses of the Koran, the hadith of the Prophet Muhammad, and the rules of fiqh, the Compilation of Islamic Law (KHI) as a guide for Religious Court judges to decide cases regarding matters of marriage, inheritance and waqf among Muslims has prohibited firmly and clearly the marriage of a Muslim man to a woman from the People of the Book and vice versa, the marriage of a Muslim woman to a man from the People of the Book. The result of this prohibition is that children resulting from interfaith marriages are classified as illegitimate children who do not have any relationship with their father and only have a civil relationship with their mother.

**Keywords:** Interfaith Marriage, People of the Book, Compilation of Islamic Law.



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## INTRODUCTION

Interfaith marriage is a very sensitive issue to discuss. The issue of interfaith marriage (Bromberger, 2014; Elmali-Karakaya, 2022; Sion, 2023) is still controversial among Indonesian ulama. The debate over the laws or regulations for interfaith marriages (Jawad & Elmali-Karakaya, 2020; Sant-Cassia, 2018) is caused by differences in interpretation of the verses of the Koran which explain marriage laws like this.

To know well about the rules or laws regarding interfaith marriages (Shoaf et al., 2022; Verma & Sukhramani, 2018), it is necessary to first know the rules regarding Muslim marriages with groups of people called Mushriks and People of the Book. Mushriks are a group of idol worshipers,

worshippers of fire and other things. The ulama agree that it is forbidden or forbidden for a Muslim man or Muslim woman to marry a Muslim woman or man. The scholars in this group define Musyrik as a group of people who worship idols, fire and other objects, as has been mentioned. The legal basis for this prohibition held by the ulama is the verse of the Koran which states that it is not permissible for Muslim men to marry Mushrik women, even though they are very attractive and it is not permissible for Muslim women to marry Mushrik men (QS. Al- Baqarah [2] verse 5).

Meanwhile, People of the Book are a group of people who have books and believe in the books they have, other than the Koran. Regarding the People of the Book, a number of scholars are of the opinion that women from the People of the Book may marry Muslim men. However, a Muslim woman is prohibited from marrying a man from the People of the Book group. The basis of this rule is a verse from the Koran which very clearly explains this and states that food and the women of the People of the Book are halal for Muslims. People of the Book are distinguished from the Mushrik group in the Al-Quran, and the differences in the mention of Mushriks and People of the Book according to some groups indicate that the Al-Quran differentiates between these two groups.

In relation to this issue, Indonesia, through statutory regulations, has established inter-religious marriage laws. It is alleged that religious diversity in Indonesia has had an influence on the pattern of inter-religious relations in Indonesia in various aspects of social life, and the form of family law in Indonesia is no exception, especially in the field of marriage. In this regard, one of the interesting legal phenomena to study in modern and contemporary times is the issue of interfaith marriages (Crespin-Boucaud, 2020; Farid et al., 2022a, 2022b; Kurttekin, 2020; Sonkar, 2022).

Scholars agree that the marriage of a Muslim woman to a non-Muslim man, whether an Ahlite or a Mushrik, is invalid. Meanwhile, when marriages between Muslim men and women of different religions occur, there are differences of opinion. This difference stems from differences in the understanding of the scholars of the phrase "those who were given the book". After the scholars agreed that at least they were followers of the Jewish and Christian religions, they then differed in their opinions as to whether the adherents of these religions were just the past generation and their descendants or included adherents of both religions to this day, both those whose ancestors had embraced them and those who had just embraced them. There are those who refuse to name today's Jews and Christians as People of the Book. If this opinion narrows the meaning of People of the Book, even eliminating its current form, there are other scholars who broaden its meaning to include, in the sense of "people who were given the book", all adherents of religions who have a holy book or some kind of holy book to this day. Shaykh Muhammad Abduh and Rasyid Ridha, for example, consider the slaughter of Buddhists and Hindus to be halal.

Imam Syafi'i, one of the imams in the field of jurisprudence whose opinions are widely followed in Indonesia, stated that it is halal to marry independent women of the People of the Book for every Muslim, because Allah SWT makes them halal without exception. Furthermore, Imam Syafii said that the women of the People of the Book who are free and can be married are followers of two famous books, namely the Torah and the Injil and they are Jews and Christians. As for the

Magians (fire worshipers) are not included in that group. It is also permitted to marry women from the Shabi'un and Samirah groups from among Jews and Christians who are permitted to marry their women and eat their slaughtered animals.

Likewise, the opinion of Yusuf Al-Qaradawi, an Egyptian-born contemporary jurist, stated that the Koran allows marrying women from the People of the Book, both Jews and Christians. This is in line with the Al-Quran's view of the People of the Book and its special treatment of them as well as its perception of them as followers of the divine religion, even though they have carried out falsification and replacement. Just as the Koran allows Muslims to eat their food (slaughter), the Koran also allows Muslims to marry their women as mentioned in Surah Al Maidah 5 verse 5. This is a form of Islamic tolerance that is unmatched in other religions. Even though Islam considers the People of the Book to be kufr and heretics, Islam allows a male Muslim to marry a woman from the People of the Book to be his wife and caretaker of his household, to be the solace of his soul, and the place to keep his secrets and to be the mother of his children.

On the other hand, some scholars prohibit the marriage of Muslim men to women from People of the Book because they contain quite clear shirk. For example, the belief that Uzair is the son of Allah and the cult of Haikal Prophet Sulaiman (for Jews) and the teachings of the Trinity and the cult of Prophets Isa and Mary (for Christians). Even though Jews and Christians both have books of revelation from heaven, it is believed that their books have been changed. On the other hand, Ahmad Sukarja also said that some scholars forbid the marriage of Muslim men with women from the People of the Book based on their attitude. *biblical polytheists* and also because the slander and mafsadah of the form of marriage can easily arise. If the religion of a husband and wife is different, then there will be some difficulties in the family environment. Such as in the implementation of worship, education, between the rules of eating and drinking, religious traditions, and so on.

M. Quraish Shihab is of the view that the permissibility of marriage between Muslim men and women from People of the Book is a way out of the urgent needs of the time, where Muslims often travel long distances to carry out jihad without being able to return to their families, as well as for the purpose of da'wah.

In Article 40 c of the Compilation of Islamic Law (KHI) it is stated that "It is prohibited to enter into a marriage between a man and a woman due to certain circumstances: (c) a woman who is not Muslim. This is in accordance with the Fatwa of the Indonesian Ulema Council (MUI) No. 4/MUNAS VII/MUI/8/2005 Concerning Interfaith Marriages (Çidem, 2015; Koschorke, 2019; Syarif et al., 2022) which states that according to the opinion of those selected (*qaul mu'tamad*), a Muslim man is prohibited from marrying a woman who is not Muslim, whether an People of the Book or a Mushrik.

The issue of interfaith marriages (Yakub Aiyub Kadir & Rizki, 2023; Zada, 2013) and their rules and practices in Indonesia can be seen through several laws and regulations regarding Mixed Marriage Regulations (*Regulations on Mixed Marriages*) which is regulated in Staatsblad 1898 Number 158 (GHR), Law Number 1 of 1974 concerning Marriage, and the Compilation of Islamic Law (Djawas, Achyar, et al., 2022) (KHI). Staatsblad 1898 Number 158 clearly regulates mixed marriages

(*Regulations on Mixed Marriages*), which is also understood as a regulation that explains the law on interfaith marriages. Several provisions regarding interfaith marriages (Adil & Jamil, 2023; Nasir, 2020, 2022; Sian, 2021) that appear in the *Staatsblad* can be seen in Article 6 and Article 7.

Looking at the *Staatsblad* articles, it can be understood that interfaith marriages are regulated by law. Strictly speaking, one of the verses explains that religious differences cannot be used as an excuse to prevent marriage. Based on this rule, interfaith marriages are permitted and have a legal basis in Indonesia. However, according to several legal experts, this rule was removed or canceled by the Marriage Law. Although it does not directly state that interfaith marriages are prohibited, some of the regulations imply interfaith marriages (Cila & Lalonde, 2014; Khan & Singh, 2013) are prohibited in Indonesia.

## **METHOD**

This type of research is normative juridical legal research, namely a research method on statutory regulations, both from the perspective of the hierarchy of statutory regulations (vertical) and the harmonious relationship between legislation (horizontal). Normative juridical legal research includes research on legal principles, legal systematics, levels of legal synchronization, legal history, and legal comparison.

A scientific research is intended to obtain correct knowledge about the object under study based on a series of steps recognized by the peer scientific community in the field of expertise (inter-subjective). In this way, the discovery of the results of scientific research is recognized for its scientific nature, can be traced back to interested colleagues, and is something new. In fact, there is a saying that states that the strength of normative legal studies lies in the sequential steps that are easy for other legal scientists to trace.

Normative legal research can also be called doctrinal legal research. In this research, law is often conceptualized as what is written in statutory regulations (*law in book*) or law which is conceptualized as a rule or norm which is a benchmark for society's behavior towards what is considered appropriate. However, in fact law can also be conceptualized as what exists in action (*law in action*). *Law in book* is a law that should work as expected. The two are often different, meaning that the laws in books are often different from the laws in people's lives.

In analyzing the data, this research uses a descriptive analysis method, namely explaining the legal basis for marriage in Indonesia, both in the Compilation of Islamic Law (Djawas, Hasballah, et al., 2022) (KHI) and Law Number 1 of 1974 concerning Marriage, especially regarding interfaith marriages between men. Muslims and women of the People of the Book.

## **RESULT AND DISCUSSION**

### **A. Position Case**

Jefri Indraputra (Petitioner I), a Muslim man who was born in Bandung on June 20 1992, married Stefani Emilia (Petitioner II), a Catholic woman who was born in Bandung on May 22 1994. The marriage was carried out legally. Catholic based on Testimonium Matrimonii with Number 20, Anno 2020 issued by St. Peter's Church on August 27 2020. The marriage is an interfaith marriage because of the religious differences between the bride and groom. When the two Petitioners registered their marriage at the Bandung City Population and Civil Registration Service, the officer refused and explained that the Service could only register the Petitioner's marriage after receiving a Special Class 1A Bandung District Court determination.

The Bandung District Court decided to grant the Petitioners' petition with the following considerations:

*First*, marriages that occur between two people with different religious status are only regulated in the explanation of Article 35 letter a of Law no. 23 of 2006 concerning Population Administration, where in the explanation of Article 35 letter a it is emphasized that, "What is meant by marriage determined by the Court is a marriage between people of different religions". This provision is basically a provision that provides the possibility of registering a marriage that occurs between two people of different religions after a court decision regarding this matter, while the process of a marriage occurring is as intended in Law Number 1 of 1974 and Government Regulation Number 9 of 1975 It is not regulated further in these provisions so that matters relating to the process of a marriage itself, whether regarding the validity of a marriage, conditions of marriage, prohibitions on marriage, and procedures for carrying out a marriage still refer to the provisions contained in in Law Number 1 of 1974.

*Second*, According to Article 35 of Law Number 23 of 2006 concerning Population Administration, it is stated that in the case of a marriage that cannot be proven by a Marriage Certificate, the registration of the marriage is carried out after a court decision is made, so the registration is very important to provide legal certainty.

*Third*, In Law Number 1 of 1974 it is not regulated that a prospective husband and prospective wife who have different religious beliefs is a prohibition against marriage or in other words, Law Number 1 of 1974 does not prohibit marriage between those of different religions.

*Fourth*, Based on Article 28B paragraph (1) of the 1945 Constitution of the Republic of Indonesia (UUD NRI), it is emphasized that every person has the right to form a family and continue their offspring through legal marriage, where this provision is also in line with Article 29 of the 1945 Constitution of the Republic of Indonesia concerning The State guarantees independence for every citizen to embrace their own religion.

The decision was made on Wednesday 2 December 2020 by Femina Mustikawati, SH., MH., Special Class 1A Bandung District Court Judge, who was appointed as the Sole Judge to examine and try this petition case, based on the Decree of the Chairman of the Bandung District Court No.

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959/Pdt.P/2020/PN. Bdg., December 2 2020. This decision was pronounced on the same day in a hearing which was open to the public accompanied by M. Makhfud, SH., as Substitute Registrar for the Special Class 1A Bandung District Court and attended by the Petitioners' attorneys.

Other considerations taken by the Judge to grant the above application are:

*First*, that the purpose of marriage is to form a happy and eternal family as mandated in Article 1 of Law no. 1 of 1974 concerning Marriage which explicitly states:

*"Marriage is an outward and inward bond between a man and a woman as husband and wife with the aim of forming a happy and permanent family or household based on the One and Only God".*

*Second*, that according to Government Regulation Number 9 of 1975 concerning the Implementation of Law Number 1 of 1974 concerning Marriage that:

*"Registration of marriages for those who enter into marriage according to their religion and beliefs other than Islam, is carried out by Marriage Registrar Officers at the civil registration office as intended in various laws regarding marriage registration."*

*Third*, that as stipulated in Article 2 paragraph (2) of Law Number 1 of 1974 concerning Marriage states:

*"Paragraph (2) Every marriage is recorded in accordance with applicable laws and regulations."*

*Fourth*, that as stipulated in Article 60 paragraph (3) of Law Number 1 of 1974 concerning Marriage states:

*"If the official concerned refuses to provide the certificate, then at the request of the interested person, the Court will make a decision without a proceeding and no further appeals may be made regarding whether the refusal to provide the certificate is reasonable or not."*

*Fifth*, that as the provisions in article 28B of the 1945 Constitution (Amendment) clearly state that:

*"Everyone has the right to form a family and continue their offspring through legal marriage."*

*Sixth*, that as stipulated in Article 29 paragraph (2) of the 1945 Constitution (Amendment) states emphatically that:

*"The state guarantees the freedom of every citizen to embrace their respective religions and to worship according to their religion and beliefs".*

Based on the sound of this article, it means that every person is guaranteed by the state to embrace and practice his religion so that a person cannot force his religion on other people, in the case of his future wife or husband.

*Seventh*, that as stated in Article 7 paragraph (2) Staatsblad 1898 158 (GHR) which states:

*"Differences in religion, population class or origin cannot be an obstacle to the continuation of a marriage."*

**B. Status of Interfaith Marriage Between Muslim Men and Women from People of the Book According to Article 40 C of the Compilation of Islamic Law (KHI)**

Although there are differences of opinion among Islamic legal experts regarding the status of marrying women from the people of the book, the opinion that is selected (*lazym*) is to prohibit it. This is in accordance with the Fatwa of the Indonesian Ulema Council (MUI) which was stipulated on July 28 2005. In the Fatwa Number: 4/MUNAS VII/MUI/8/2005 two things are stated regarding interfaith marriages, namely:

1. Interfaith marriages are haram and invalid.
2. Marriage of a Muslim man to a woman Ahlul Book, according to *qaul mu'tamad* is unlawful and illegal.

This fatwa was issued by considering several considerations from the Koran, the hadith of the Prophet Muhammad, and two popular fiqh rules, namely:

1. The words of Allah SWT:

*"And if you are worried that you will not be able to do justice to (the rights of) orphaned women (if you marry them), then marry (other) women that you like: two, three or four. But if you are worried that you will not be able to do justice, then (marry) just one person or a female slave that you have. That is closer so that you do not do injustice." (QS. Annisa [4] : 3).*

Al-Quran exegetes have different views in narrating asbabun nuzul from Surah Annisa [4] verse 3. One of them that is well known is a hadith narrated by Imam Bukhari, namely,

"It was narrated from 'Urwah bin Al-Zubair, that he once asked Ummul Mukminin ('Aisyah) who was his aunt about this verse. 'Aisyah said: O my brother's child, the orphan referred to (in this verse) is an orphan woman who is cared for by her guardian (uncle). And the guardian mixes (does not separate his assets with) the assets of the orphan (who he is caring for). On the contrary, he was also attracted to the wealth and beauty of the orphan and intended to marry her without giving her a dowry as he should have given a dowry to another woman he married. Then the Prophet forbade people who wanted to do this, and ordered them to marry (free) women up to a maximum of four."

It can be clearly seen that the revelation of Surah Annisa [4] paragraph 3 is still closely related to the previous paragraph regarding the law on orphaned women and their property, which are often treated unfairly by their guardians. Surah Annisa verse 2 explains that people who are entrusted with trust must look after and look after orphans and their property, closely related to verse 1 which orders humans to be devoted to Allah by carrying out all commands and avoiding all prohibitions, and also closely related to verse 3 where Allah explains What should a person who is entrusted with caring for an orphan do, if he is unable to refrain from controlling the orphan's property after he marries or does not provide a reasonable dowry, then paragraph 3 is a solution to the many abuses of rights that occur to orphaned women in that time. Asbabun nuzul this verse shows clearly that marrying an orphan woman who is a believer is better than marrying a woman who is not Muslim. In the Prophet's view, a Muslim should prioritize religious factors when choosing a future wife rather than other factors. If compared to numbers, a woman's faith factor is the number 1 (one). The wealth, facial beauty, origins and other factors are the number 0 (zero).

As muchwhatever the zeros are in a row, the value remains the same, namely 0 (zero). But if there is faith then the lowest value is 1 and the highest value is infinity. In this way, the existence of faith in a woman is very important.

2. Hadith of the Prophet Muhammad, among others:

*"The woman (can) be married for four reasons: (1) because of her property (2) because of her (origin) lineage (3) because of her beauty (4) because of her religion. So you should hold firm (with a woman who embraces the religion of Islam); (if not), both your hands will perish" (HR. Muttafaq 'alaih from Abu Hurairah).*

This hadith was narrated from Abu Hurairah by Imam Bukhari and Imam Muslim. This hadith is number 4700 in Sahih Bukhari and number 2661 in Sahih Muslim. This hadith very clearly states that religious factors are the most important thing to consider when choosing a future wife. Other factors such as wealth, heredity and beauty will be meaningless if the religious factor is not present in the prospective wife. The religious quality of the prospective wife can be seen in her obedience in carrying out daily worship and when interacting with fellow humans. Of course, this factor will not be present in the women of the People of the Book, because let alone carrying out daily worship regularly, believing in it as the true religion, she will reject it. In this way, choosing a Muslim woman as a future wife is the most appropriate choice because it is in accordance with the guidelines mentioned by the Prophet above. Apart from that, if it is related to the purpose of marriage, namely forming a *sakinah* family, this religious factor becomes even more relevant because the purpose of marriage cannot be achieved if the woman you marry is not someone who believes in Allah and the Messenger of Allah.

3. Fiqh rules:

*"Preventing corruption is prioritized over attracting benefits".*

Misfortune or *mafsadah* is something that causes a lot of damage or harm. The essence of *mafsadah* is all pain and torment, both physical and mental/spiritual, mind and soul. As for benefits or *maslahah* are values that guarantee the creation of benefits to humans and can prevent humans from harm and damage, both in this world and the hereafter. The essence of *maslahah* is all enjoyment and pleasure, whether physical or spiritual, mentally or spiritually. According to Imam Al-Syathibi, the essence of what is meant by *maslahah* is everything that has benefits in it, either by way of bringing or by way of rejecting and keeping. The road to the benefits of the law is also beneficial and the conditions of the benefits and the road should not be accompanied by the same degree of danger or even more than the benefits. The essence of *maslahah* is all enjoyment, whether physical or spiritual, mentally or spiritually. While the essence of *mafsadah* is all pain and torture, both physical and mental/spiritual, mind and soul. *Maslahah* that is considered according to *syara'* is pure *maslahah* without mixing with *mafsadah*, either a little or a lot. Preventing corruption is prioritized over attracting benefits because if corruption is allowed, it is feared that it could damage one of the five important things that exist in the Muslim community, namely religion, soul, intellect, lineage, and wealth. By allowing *mafsadah* to happen and damaging one of the five important things above, the effect produced is worse than getting a benefit that may not be a benefit/emergency (primary). This certainly contradicts the principles of *Maqashid Syariah* which



emphasizes the protection of religion, soul, mind, lineage and property. In connection with interfaith marriages, the benefits that may be obtained from this marriage, such as connecting ties of brotherhood with the People of the Book group, is not something that *emergency* Even if these benefits are not obtained, a person's religion, soul, mind, lineage and property will not necessarily be threatened. The evils of it have been shown from the start. As a religion that has the same roots, that is, it bases the main points of its religious teachings on God's revelation brought by a prophet and apostle, both in the form of books and *shubuh*, there are many similarities between Islam and Jews and Christians. The problem is, there are many deviations and deviations from pre-Islamic religious teachings, so this could pollute the minds of the husband and children so that they view their own religious teachings negatively. Scholars of Al-Quran interpretation are very careful with interpretations of Israiliyat that come from Muslims, who were originally Jewish and Christian religious leaders. This is part of the efforts of interpretive scholars not to mix up interpretations *authentic* with dubious interpretation. If tafsir scholars worry to that level, what about husbands who have wives who are people of the book? Should have been more worried.

#### 4. Fiqh rules:

##### *Sadd al-ẓari'ah.*

Etymologically, *sadd* means to close, prevent, or prohibit. Temporary *al-ẓari'ah* interpreted as an infrastructure or intermediary for something. Or obey Ibnu Qayyim, are referred to as things that are intermediaries and paths to something. Meanwhile in ushul fiqh, *al-ẓari'ah* It is better interpreted as anything that can be an intermediary for things that are prohibited by Sharia and therefore must be prohibited. So, this rule briefly means preventing or closing the path of damage. *Sadd al-ẓari'ah* is a breakthrough in establishing laws that do not yet exist in the Koran and Al-Sunnah. *Sadd al-ẓari'ah* on the one hand including part of *istishan*, because it includes exceptions to general provisions. The difference between the two lies in: *istishan* is convenience and ability where as *sadd al-ẓari'ah* is a prohibition. However, *sadd al-ẓari'ah* This also includes benefits because this prohibition is due to the desire for benefits. The benefit to be achieved must be a recognized benefit, namely benefit based on rational considerations that refer to the wisdom of the Sharia. Imam Malik interprets *al-ẓari'ah* as a link, road (*wasilah*), hence the popular term uses *sadd al-ẓari'ah*, meaning to close the path of damage. Judging from the urgency side, *sadd al-ẓari'ah* has received quite in-depth attention, although not all schools of thought use it as a source of law. Malikiyah scholars categorize it as one of the bases for making legal decisions in addition to other methods. In-depth exploration of *sadd al-ẓari'ah*, in addition to the scholars of the Maliki madhhab, it was also done by the scholars of the Hanabilah. In principle, all scholars accept the method *sadd al-ẓari'ah*, it's just that the implementation is different. This arises because of differences in the size of qualifications *al-ẓari'ah* which will cause damage and which are prohibited. *Al-Zari'ah* which is meant as a *syar'a* argument is *al-ẓari'ah* which is not touched upon by the text but leads to the law in question. For example, actions that can stimulate the awakening of lust are: *al-ẓari'ah* against adultery. But in this case there is no text that prohibits it. However, because it leads to a prohibited law, the prohibition that applies to the target (*zina*) can be applied here based on the arguments *sadd al-ẓari'ah*. Usage *sadd al-ẓari'ah* very effective for anticipating the negative impacts of current developments and technological advances, because this method does not only focus on the formal

legality of an action, but also on the consequences of an action. The MUI uses this rule to prohibit interfaith marriages because it is concerned about the bad effects that might arise if a Muslim man marries a woman from the People of the Book, both Jews and Christians. Even though times are modern and rapidly advancing, women still have a big role in managing the household, including being the center of children's education. Often the inner bond between a child and the mother who gave birth to him is greater than the bond with the father. It is feared that marrying a woman from an People of the Book will make the husband more likely to follow his wife's religion if he really loves her. Likewise, it is feared that children who are born will be more inclined towards their mother's religion. In this way, the husband as a Muslim will receive the impact because as the head of the family (leader), the husband will be asked to be responsible for his family by Allah. Thus, fatwafield Interfaith marriage is a preventive measure so that Muslim families do not fall into big problems. It cannot be denied that the quality of men in modern times has decreased significantly compared to the quality of men in ancient times, especially compared to the quality of the Prophet's companions, both in terms of faith, obedience, knowledge and example. If the companions of the Prophet are like a walking Al-Quran because their entire daily life is the practice of the verses of the Al-Quran, then many men in modern times cannot even just read the Al-Quran.*tartil*. With such strong conditions, it is not surprising that the Prophet's companions were able to preach to their wives and extended families from among the People of the Book, refute their arguments, and invite them to convert to Islam so that the number of Muslims increased and massive. This is difficult for men today who hold their devices longer than they hold the Koran. Never mind inviting his wife and extended family to convert to Islam, he still cannot discipline himself to read the Koran regularly. From this point of view, the MUI fatwa to prohibit interfaith marriages, including marrying women from People of the Book is very relevant.

As for Article 40 of the Compilation of Islamic Law (Bilalu et al., 2022; Ideham, 2022a, 2022b) (KHI), it is determined which parties a Muslim man is prohibited from marrying, namely:

- a) Because the woman in question is still married to another man.
- b) A woman who is still in the iddah period with another man.
- c) A non-Muslim woman.

From point c it is clear that marriage between a Muslim man and a woman who is not Muslim is prohibited, regardless of whether the woman belongs to the people of the book (Christian or Jew) or other. As a guide for Indonesian Muslims in laws related to marriage, inheritance and waqf, the history of KHI is quite long. The preparation of this legal compilation began with the crucial problems faced by Religious Court judges when Law Number 7 of 1989 concerning Religious Courts was successfully passed. The problem is that there is no uniformity among judges in making legal decisions on the problems they face. This is due to the unavailability of the same Islamic Law material books. Materially, 13 books have been determined to be used as references in deciding cases, where to all The book comes from the Shafi'i madhhab. However, problems still arise, namely the lack of uniformity in legal decisions. Departing from this reality, the desire to compile a "Book of Islamic Law" in compilation form is increasingly urgent. The preparation of this compilation is not only based on the need for uniformity of references to legal decisions in the

Religious Courts in Indonesia but is also based on the necessity of fulfilling the instruments of a Judiciary, namely Islamic Law material books used in the judicial institution.

The project implementation team was formed by Joint Decree (SKB) of the Chief Justice of the Republic of Indonesia and the Minister of Religion of the Republic of Indonesia Number 07/KMA/1985. In the team there are officials from the Supreme Court and the Ministry of Religion. With the hard work of team members and scholars as well as scholars involved in it, the Compilation of Islamic Law (Solikin & Wasik, 2023; Sugianto & Suhartono, 2018; Yuspin et al., 2020) was formulated which was followed up by the issuance of Presidential Instruction (Inpres) Number 1 of 1991 to the Minister of Religion to disseminate the Compilation of Islamic Law which consists of: Book I on marriage, Book II on inheritance, and Book III on endowments. . This Presidential Instruction was followed up by Decree of the Minister of Religion Number 154 of 1991 dated 22 July 1991. Indeed, the Compilation of Islamic Law was not promulgated by law as was the case in Law no. 1 of 1974 concerning Marriage.

The prohibition on interfaith marriages is clearly stated in the Compilation of Islamic Law based on consideration Hearing Sharia. As is known, there are five things that must be maintained, namely maintaining beliefs (religion), maintaining the soul, maintaining the mind, maintaining offspring, and maintaining property. Maintaining religion is part of the family, because maintaining religion is not only mandatory for oneself, but is also mandatory for the family and even the beliefs of society in general. There is an obligation to educate families based on Sakinah, Mawaddah and Rahmah families based on belief in the Almighty God.

In the concept of Maqashid Syariah, the existence of Sharia rules that allow certain actions and also prohibit certain actions is based on the benefits and harms of these actions or at least these actions can lead to benefits or damage. Therefore, every action that is contrary to the Maqashid Sharia must be inhibited. From this it can be understood that there is a connection closely between Maqashid Sharia with *sadd al-ẓari'ah*.

The scholars divide *sadd al-ẓari'ah* These are of four types, namely *First*, is something that clearly results in danger and damage, such as digging a hole in the middle of a public road. Then *second* are things that are most likely to lead to mafsadat and only a small possibility to lead to benefit, for example selling weapons in wartime and selling grapes to liquor makers. *Third* is something that brings profit and balanced benefits, for example buying and selling credit at a different and more expensive price compared to the cash price. The last thing is something that has a small chance of causing harm and brings many benefits, such as digging a well to become a source of water in the right place. Although there may be dangers, the benefits are much greater. On types *sadd al-ẓari'ah* first and fourth, scholars generally agree that the first should be prevented and the fourth should be implemented. While in the second and third types, scholars usually differ in their application to legal cases that arise. The difference between these scholars, as can be seen, is due to whether or not the level of merit and mafsadat is clear. When it clearly brings mafsadat then it needs to be prevented and when it clearly brings maslahat it needs to be encouraged. Associated with interfaith marriages, apart from the abilities that have been clearly stated in the Al Quran, other matters related to the benefits and mafsadat should also be seen. In this regard, the KHI

drafting team considers that interfaith marriages have the potential to bring harm as in the past *sadd al-zari'ah* second above. That is the reason Article 40 c prohibits a Muslim man from marrying a non-Muslim woman, including women from People of the Book.

Since the issuance of the KHI which is considered a legal regulation for Muslims, interfaith marriages have stopped because the KHI prohibits such marriages. This was emphasized by Hazairin as quoted by Ahmad Tholabi Karlie that for Muslims there is no possibility of getting married in violation of their religious laws.

Likewise, in the Decision of the Constitutional Court of the Republic of Indonesia (MKRI) Number 24/PUU-XX/2022, it is stated in its decision that the Constitutional Court rejects the review of Law Number 1 of 1974 concerning Marriage.

In its decision, the Constitutional Court considered several things that were the reasons for rejecting the review of Law Number 1 of 1974 concerning Marriage, namely:

1. Regarding religion, it is basically divided into two. *First*, religious in the sense of believing in a particular religion which is a domain *forum internal* which cannot be limited by force and cannot even be judged. *Second*, religion in the sense of religious expression through statements and attitudes according to conscience in public which is the realm *forum external*. One example of a realm *forum external* this is a marriage. Thus, the state can intervene in regulating marriage issues as well as managing zakat and managing the Hajj pilgrimage. 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. State intervention does not extend to religion interpreting the validity of a marriage. In this case, the state follows up on the interpretation results of religious institutions or organizations to ensure that marriages must be in accordance with their respective religions and beliefs. The results of the interpretation are then translated into statutory regulations.
2. According to Law Number 1 of 1974 concerning Marriage, marriage is an inner and outer bond that exists between a man and a woman who are bound by marriage ties and make their status as husband and wife. In this case, Article 28B of the 1945 Constitution does not only mention marriage but "valid marriage". The legal status of a marriage will only be obtained if it is carried out according to the laws of each religion and belief. Thus, marriage registration is required by Law Number 1 of 1974 concerning Marriage it is a legal marriage. Marriage registration is carried out by the state and is an administrative obligation. Regarding the validity of a marriage, this is determined according to the laws of each religion and belief concerned.

### **C. Legal Consequences of Interfaith Marriage Status Between Muslim Men and Women of the People of the Book According to Article 40 C of the Compilation of Islamic Law (KHI)**

Interfaith marriages have the potential to give rise to several quite serious legal problems, including:

- 1) The question of the validity of marriage which will give rise to rights and obligations between husband and wife. The wife's right to maintenance and joint property depends entirely on whether there is a valid marriage as a legal reason. Likewise, a legal marriage will give rise to legitimate children. Children resulting from an illegitimate marriage have a civil relationship only with their mother. In this way, all rights of the child towards his father will be lost and will not be recognized by law. The rights to maintenance of children belonging to their parents can only be obtained if the marriage is valid. On the other hand, interfaith marriages which have authentic proof in the form of a marriage book, can be submitted for annulment on the grounds that the marriage is invalid because it does not comply with religious law (Islamic Law) as regulated in Article 40 letter c of the Compilation of Islamic Law (KHI). An annulment of a marriage, although it does not apply retroactively, will cause major psychological problems for children born from the annulled marriage.
- 2) Inheritance rights between husband and wife and their children. If the validity of a marriage between an interfaith couple is not questioned, it is assumed that both of them are bound by a valid marriage. Likewise, the status of their children is automatically considered legitimate, but there are no inheritance rights between them. Differences in religion can invalidate each other's right to inherit. If the above inheritance issues are seen from the aspect of justice, then the prohibition on marrying from people of different religions clearly better protects each other's inheritance rights. Children cannot have twin religions because religion is a belief. As a consequence, children only share the same religion as one of their parents. When a child of the same religion as his father, who gets inheritance rights from his father, is faced with a sibling of a different religion, issues of justice will arise when one, who is of the same religion, gets an inheritance, while his sibling, the other heir's child, who is not of the same religion, does not at all. get an inheritance. Barriers to inheriting as agreed by the ulama' (*Ittifaq Al-Ulama*) is: killer (*Al-Qatil*), boy (*Al-Riq*), and religious differences (*Ikhtilaf Al-Din*). There is a difference between barriers to inheritance (*Mawani' Al-Irsi*) with *Al-Hajb*. On *Mawani' Al-Irsi* loss of the right to inherit property because there is something within the person as an heir. As for *Al-Hajb*, the heir is partially or completely prevented from inheriting because there are other heirs who are more likely to receive the inheritance. In this discussion about interfaith marriages, a father or mother who is Muslim cannot inherit or inherit children who are of a different religion.
- 3) Court issues where to resolve domestic disputes. Judicial institutions in Indonesia apart from recognizing absolute authority and relative authority, also recognize the principle of personality. Religious courts have authority over parties who are Muslim while district courts have authority over parties who are not Muslims. For couples with different religions, it is possible that there may be a dispute over the authority to adjudicate at the Supreme Court (MA). If this has to be done first, then the main case will be temporarily put aside and will be resolved later. Dispute resolution between couples of different religions will be slow and complicated.

This is different from the Civil Code. In the Civil Code, marriage is only seen in civil relations, it has nothing to do with religion. This is confirmed in Article 28 of the Civil Code which reads, "The principle of marriage requires free consent from the prospective husband and prospective wife." Thus, couples who enter into interfaith marriages are still considered valid as long as both parties agree. This way problems like the one above will not arise.

## **CONCLUSION**

The Compilation of Islamic Law (KHI) as a guide for Indonesian Muslims in laws relating to marriage, inheritance and waqf, has determined which parties a Muslim man is prohibited from marrying, especially in Article 40 c, namely a woman who has no religion. Islam, both women of the People of the Book and polytheist women. In the case of interfaith marriages, the KHI drafting team considers that these marriages have great potential to bring harm and therefore deserve to be prohibited. Thus, the marital status is different between religions between the brothers. Jefri Indraputra (Muslim man) and Br. According to Article 40 c KHI, Stefani Emilia (a woman from the People of the Book) is illegitimate. This is different from the Civil Code which views marriage from a civil perspective only, having nothing to do with religion. Thus, as long as both parties agree, interfaith marriages are still considered valid. This is confirmed in Article 28 Civil Code which reads, "The principle of marriage requires free consent from the prospective husband and candidate wife."

Your marriage is invalid. Jefri Indraputra and Ms. Stefani Emilia raises problems with the status of the children resulting from the marriage. Children resulting from an illegitimate marriage only have a civil relationship with their mother. As for his father, there is no relationship whatsoever.

## **REFERENCE**

- Ali Mustafa Yaqub, *Interfaith Marriage in the Qur'an and Hadith*, Pustaka Firdaus, Jakarta, third printing, 2015.
- Amir Syarifuddin, *Ushul Fiqh Volume 2*, Kencana Prenamedia Group, Jakarta, 2008.
- Asep Saepudin Jahar, Euis Nurlaelawati, Jaenal Aripin, *Family, Criminal, and Business Law: Study of Indonesian Legislation, Fiqh, and International Law*, Kencana, Jakarta, 2013.
- Ibnu Katsier, *A Short Translation of Ibn Katsier's Tafsir*, Volume 1, Translator Salim Bahreisy and Said Bahreisy, PT. Bina Ilmu, Surabaya, 1993.
- Ibn Rushd, *Bidayatul Mujtahid*, Volume 2, Translator of Abu Usamah Fakhtur Rohman, Pustaka Azzam, Jakarta, 2007.
- Imam Shafi'i Abu Abdullah Muhammad bin Idris, *Summary of the Book of Al-Umm*, Translator Imron Rosadi, Amiruddin, and Imam Awaluddin, Pustaka Azzam, Jakarta, 2005.

- Jonaedi Efendi, Johnny Ibrahim, *Legal Research Methods: Normative and Empirical*, Kencana, Jakarta, 2020.
- Ma'ruf Amin, M. Ichwan Sam, M. Anwar Ibrahim, Hasanudin, M. Asrorun Ni'am Sholeh, and Irfan Helmi, *Fatwa Association of the Indonesian Ulema Council Since 1975*, Erlangga, Jakarta, 2011.
- M. Quraish Shihab, *Tafsir Al-Misbbab: Pesan, Kesan, and Keserasian Al-Qur'an*, Volume 3, Lentera Hati, Jakarta, fifth printing, 2012.
- Nurcholish Madjid and Budhy Munawar-Rachman, *World Thematic Encyclopedia Islam: The Qur'an and the Abrahamic Tradition*, Volume 1, PT. Van Hoeve's New Effort, Jakarta, third printing, 2005.
- Soerjono Soekanto, *Introduction to Legal Research*, UI-Press, Jakarta, 2021.
- Wardah Nuroniyah, *Construction of Ushul Fiqh Compilation of Islamic Law: Exploring Basis for Islamic Marriage Law Reform in Indonesia*, Love Books Media, South Tangerang, 2016.
- Yusuf Al-Qaradhwai, *Ijtihad in Islamic Sharia: Some Analytical Views on Contemporary Ijtihad*, Translator Achmad Syathori, PT Bulan Bintang, Jakarta, 1987.
- Yusuf Al-Qaradhwai, *Halal and Haram in Islam*, Translator Abu Hana Zulkarnain and Abdurrahim Mu'thi, Akbar Media Eka Sarana, Jakarta, 2005.
- Amalia, Husna. "Muhammadiyah: Methods and Practices of Ijtihad." *Muaddib: Studies in Education and Islam* 1.2 (2019): 119-130.
- Arifin, Zainal. "Interfaith Marriage." *LENTERA JOURNAL: Religious, scientific and technological studies* 18.1 (2019): 143-158.
- Ash'ari, M. Rifaki. "Mashlahah in Maqasid Shari'ah." (2022).
- Azizah, Nur. "Sadd Dzari'ah's Review of the Legal Problems of Marrying a Woman from People of the Book in Positive Law." *Al-Syir'ah Scientific Journal* 16.1 (2018): 11-34.
- Benuf, Kornelius, and Muhamad Azhar. "Legal research methodology as an instrument for analyzing contemporary legal problems." *Echoes of Justice* 7.1 (2020): 20-33.
- Dalimunthe, Mawardi, and Sri Murhayati. "INTER-RELIGIOUS MARRIAGE FROM AN ISLAMIC LEGAL PERSPECTIVE." *Islamic law* 18.2 (2018).
- Fad, Mohammad Farid. "Personal Data Protection from Sadd Dzari'ah's Perspective." *MUAMALATUNA* 13.1 (2021): 33-69.
- Jannah, Rossa Roudhatul. "Criteria for Choosing a Life Partner According to the Hadith Narrated by Imam Al-Bukhari and Its Implications for Premarital Education." *Islamic Religious Education Research Journal* (2021): 51-56.
- Mahfudin, Agus, and Galuh Retno Setyo Wardani. "The Principle of Monogamy in Surah An-Nisa' Verse 3 (Study of M. Quraish Shihab's Thought)." *Journal of Islamic Family Law* 3.2 (2018): 113-132.

- Munawaroh, Hifdhotul. "Sadd al-Dzari'at and its Application to Contemporary Fiqh Problems." *Ijtihad* 12.1 (2018): 63-84.
- Mutakin, Ali. "Jurisprudence on Marriage of Different Religions in Indonesia: A Study on the Fatwas of NU, MUI and Muhammadiyah." *Al-Ahwal: Islamic Family Law Journal* 14.1 (2021): 11-25.
- Mutakin, Ali. "The Theory of Maqâshid Al Syari'ah and its Relationship with the Legal Istinbath Method." *Kanun Journal of Legal Studies* 19.3 (2017): 547-570.
- Nuruddin, Amiur, and Azhari Akmal Tarigan. "Islamic Civil Law in Indonesia: A Critical Study of the Development of Islamic Law from Fiqh, Law Number 1 of 1974 to the Compilation of Islamic Law." (2019).
- Rizka, Rizka, Arova Bakhtiar, and Imron Rosyadi. "Sadd Adz-Dzari'ah and its Application to the Health Sector Fatwa of the Indonesian Ulema Council." *Literate Syntax; Indonesian Scientific Journal* 6.2 (2021): 935-947.
- Songgirin, Amen. "The Position of Disobedient Children in the Right to Inheritance (Review of Article 171 Point C, Article 173 and Article 174)." *Pamulang Law Review* 2.2 (2019): 87-100.
- Adil, M., & Jamil, S. (2023). Interfaith Marriage in Indonesia: Polemics and Perspectives of Religious Leaders and Community Organizations. *Religion and Human Rights*, 18(1), 31–53. <https://doi.org/10.1163/18710328-bja10031>
- Bilalu, N., Jamal, R., Harun, N., & Subaitan, S. M. (2022). Compilation of Islamic Law as Judge's Consideration at a Religious Court in North Sulawesi, Indonesia. *Samarah*, 6(2), 514–536. <https://doi.org/10.22373/sjkh.v6i2.12441>
- Bromberger, C. (2014). Interfaith marriages: The tâlesh solution. *Anthropology of the Middle East*, 9(1), 83–88. <https://doi.org/10.3167/ame.2014.090106>
- Cila, J., & Lalonde, R. N. (2014). Personal openness toward interfaith dating and marriage among Muslim young adults: The role of religiosity, cultural identity, and family connectedness. *Group Processes and Intergroup Relations*, 17(3), 357–370. <https://doi.org/10.1177/1368430213502561>
- Çiğdem, R. (2015). Interfaith marriage in comparative perspective. *Acta Orientalia*, 68(1), 59–86. <https://doi.org/10.1556/AOrient.68.2015.1.4>
- Crespin-Boucaud, J. (2020). Interethnic and interfaith marriages in sub-Saharan Africa. *World Development*, 125. <https://doi.org/10.1016/j.worlddev.2019.104668>
- Djawas, M., Achyar, G., Arifin, N. B., Reza, M., & Yakub, B. U. (2022). The Legal Position of Children of Incest (A Study of Madhhab Scholars and Compilation of Islamic Law). *Samarah*, 6(1), 139–155. <https://doi.org/10.22373/sjkh.v6i1.11904>



- Elmali-Karakaya, A. (2022). Interfaith Marriage in Islam: Classical Islamic Resources and Contemporary Debates on Muslim Women's Interfaith Marriages †. *Religions*, 13(8). <https://doi.org/10.3390/rel13080726>
- Farid, D., Abdulah Pakarti, M. H., & Fathiah, I. (2022a). Interfaith Marriage: Subjectivity of the Judge in Determination of No. 454/pdt.p/2018 Surakarta District Court. *Al-Istinbath: Jurnal Hukum Islam*, 7(2), 347–362. <https://doi.org/10.29240/jhi.v7i2.4574>
- Ideham, W. (2022a). Substitute Heirs in the Compilation of Islamic Law: An Overview from Gender Equality Perspective Case Study of the Religious Courts in Banjarmasin. *Samarah*, 6(2), 1046–1064. <https://doi.org/10.22373/sjkh.v6i2.12466>
- Jawad, H., & Elmali-Karakaya, A. (2020). Interfaith Marriages in Islam from a Woman's Perspective: Turkish Women's Interfaith Marriage Practices in the United Kingdom. *Journal of Muslim Minority Affairs*, 40(1), 128–147. <https://doi.org/10.1080/13602004.2020.1737415>
- Khan, S., & Singh, S. B. (2013). Interfaith marriages in the name of love: Prospects for marital stability amongst a group of people of Indian origin in the Durban Metropolitan Area, South Africa. *Man in India*, 93(4), 607–625. <https://www.scopus.com/inward/record.uri?eid=2-s2.0-84907994019&partnerID=40&md5=0f6a3e2433743c608b4068669c25e19c>
- Koschorke, J. (2019). Legal Pluralism in Indonesia: The Case of Interfaith Marriages Involving Muslims. In *Studies in Islamic Law and Society* (Vol. 49, pp. 199–229). [https://doi.org/10.1163/9789004398269\\_010](https://doi.org/10.1163/9789004398269_010)
- Kurttekin, F. (2020). Religious education of children in interfaith marriages. *Journal of Beliefs and Values*, 41(3), 272–283. <https://doi.org/10.1080/13617672.2019.1624938>
- Nasir, M. A. (2020). Religion, Law, and Identity: Contending Authorities on Interfaith Marriage in Lombok, Indonesia. *Islam and Christian-Muslim Relations*, 31(2), 131–150. <https://doi.org/10.1080/09596410.2020.1773618>
- Nasir, M. A. (2022). Negotiating Muslim Interfaith Marriage in Indonesia: Integration and Conflict in Islamic Law. *Mazhab Jurnal Pemikiran Hukum Islam*, 21(2), 155–186. <https://doi.org/10.21093/mj.v21i2.5436>
- Sant-Cassia, P. (2018). Marriages at the margins: Interfaith marriages in the mediterranean. *Journal of Mediterranean Studies*, 27(2), 111–132. <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85073166278&partnerID=40&md5=62f87fa97a1aec92035417e7184bb354>
- Shoaf, H. K., Hendricks, J. J., Marks, L. D., Dollahite, D. C., Kelley, H. H., & Gomez Ward, S. (2022). Strengths and Strategies in Interfaith Marriages. *Marriage and Family Review*, 58(8), 675–701. <https://doi.org/10.1080/01494929.2022.2093311>
- Sian, K. P. (2021). “Love Jihad”, “Forced” Conversion Narratives, and Interfaith Marriage in the Sikh Diaspora. *Religions*, 12(12). <https://doi.org/10.3390/rel12121085>

Sion, L. (2023). Innocent girls, wicked women: interfaith marriages, class, and ethnicity in Israel. *Ethnic and Racial Studies*. <https://doi.org/10.1080/01419870.2023.2192302>

Solikin, N., & Wasik, M. (2023). THE CONSTRUCTION OF FAMILY LAW IN THE COMPILATION OF ISLAMIC LAW IN INDONESIA: A Review of John Rawls's Concept of Justice and Jasser Auda's Maqashid al-Shari'a. *Ulumuna*, 27(1), 315–340. <https://doi.org/10.20414/ujis.v27i1.708>

Sonkar, S. (2022). Policing Interfaith Marriages: Constitutional Infidelity of the Love Jihad Ordinance. *Journal of Law and Religion*, 37(3), 432–445. <https://doi.org/10.1017/jlr.2022.37>

Sugianto, F., & Suhartono, S. (2018). The existence of president instruction of the republic of indonesia number 1 the year 1991 on the wide spread of compilation of islamic law in indonesian legal system. *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial*, 13(2), 291–309. <https://doi.org/10.19105/al-lhkam.v13i2.1727>

Syarif, N., Saepullah, U., Astarudin, T., & Septiadi, M. A. (2022). Eclecticism of Islamic Law and the Validity of Interfaith Marriages in Indonesia. *Manchester Journal of Transnational Islamic Law and Practice*, 18(2), 121–141. <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85150866518&partnerID=40&md5=95fd674755199dacbca1669373ddeb6d>

Verma, S., & Sukhramani, N. (2018). Interfaith Marriages and Negotiated Spaces. *Society and Culture in South Asia*, 4(1), 16–43. <https://doi.org/10.1177/2393861717730620>

Yakub Aiyub Kadir, M., & Rizki, F. (2023). Interfaith Marriage in Indonesia: a Critique of Court Verdicts. *Yuridika*, 38(1), 171–190. <https://doi.org/10.20473/ydk.v38i1.38099>

Yuspin, W., Budiwati, S., & Maulani, I. (2020). Legal reconstruction of mudharabah: A comparative study on the compilation of islamic economic law and financial services authority regulation. *International Journal of Innovation, Creativity and Change*, 12(2), 1–21. <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85083049308&partnerID=40&md5=8d0bf44b580b0c8d0d12ff206d9a370a>