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DOI: 10.46924/jihk.v5i1.216



Interfaith Marriages in Brambaken Village: Legal Ambiguities and Sociocultural Dynamics in Biak Numfor Regency

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How to cite

Wutwensa, Bruri Marwano. 2023. "Interfaith Marriages in Brambaken Village: Legal Ambiguities and Sociocultural Dynamics in Biak Numfor Regency." *Jurnal Ilmu Hukum Kyadiren* 5(1), 36-46.
<https://doi.org/10.46924/jihk.v5i1.216>

Original Article

Abstract

This research examines interfaith marriages in Indonesia, with a specific focus on Brambaken Village, Samofa District, Biak Numfor Regency. Marriage is regarded as a sacred bond that must adhere to the religious laws of each party, as stipulated in Article 2, paragraph (1) of Law No. 16 of 2019, in conjunction with Law No. 1 of 1974 concerning Marriage. Despite this, interfaith marriages continue to occur in society, even though they are not explicitly regulated by this law, leading to legal uncertainty. The objective of this research is to assess the validity of interfaith marriages under current legal frameworks and to identify the factors that contribute to the prevalence of interfaith marriages in the Biak Numfor Regency. Employing an empirical juridical approach, this study utilizes primary data from interviews and secondary data from literature reviews. The findings indicate that interfaith marriages persist as a social phenomenon despite legal ambiguity, driven by complex social and cultural factors such as the dominance of syncretic cultural practices, secularism, religious formalism, disproportionate tolerance, and the presence of premarital children.

Keywords: *Interfaith Marriages, Legal Ambiguities, Sociocultural Dynamics*

Abstrak

Penelitian ini membahas pernikahan beda agama di Indonesia, dengan fokus pada Brambaken Village, Distrik Samofa, Kabupaten Biak Numfor. Pernikahan dipandang sebagai ikatan suci yang harus sesuai dengan hukum agama masing-masing, sesuai dengan Pasal 2 ayat (1) UU No. 16 Tahun 2019 jo UU No. 1 Tahun 1974 tentang Perkawinan. Namun, pernikahan beda agama masih terjadi di masyarakat meskipun tidak diatur secara eksplisit dalam undang-undang ini, menimbulkan ketidakpastian hukum. Penelitian ini bertujuan untuk mengkaji validitas pernikahan beda agama menurut hukum yang berlaku serta faktor-faktor yang mendorong terjadinya pernikahan beda agama di wilayah kabupaten Biak Numfor. Dengan pendekatan yuridis empiris, penelitian ini menggunakan data primer dari wawancara dan data sekunder dari kajian literatur. Hasil penelitian menunjukkan bahwa pernikahan beda agama tetap menjadi fenomena meskipun terdapat ketidakjelasan hukum, dipengaruhi oleh faktor sosial dan budaya yang kompleks seperti dominasi budaya biak, sekulerisme, formalitas agama, toleransi yang tidak proporsional, dan memiliki anak pra nikah.

Katakunci: *Pernikahan Beda Agama, Ketidakjelasan Hukum, Dinamika Sosial*

1. INTRODUCTION

Marriage is viewed as a sacred union that encompasses not only physical dimensions but also spiritual facets rooted in faith in the Almighty God. This perspective aligns with the definition of marriage outlined in Article 1 of Law Number 16 of 2019 in conjunction with Law Number 1 of 1974 regarding Marriage. Religion and marriage share a symbiotic relationship, with nearly all religions addressing matrimonial matters and generally favoring unions between adherents of the same faith.

In Indonesia, marriage is governed by Law Number 16 of 2019 and Law Number 1 of 1974 concerning Marriage. These laws aim to establish consistent legal frameworks for marriage across Indonesian society. However, certain aspects, such as interfaith marriage, remain ambiguously addressed. While Law Number 16 of 2019 and Law Number 1 of 1974 do not explicitly forbid interfaith marriages, they also do not provide explicit provisions for them. According to Article 2, Paragraph (1) of the law, marriages are considered valid when conducted in accordance with the respective religious laws and beliefs of both parties, implying validity is contingent upon conformity within the same religious framework.

Despite this legal framework, interfaith marriages persist within Indonesian society, including in Biak Numfor Regency, often involving unions between Christians and Muslims. This phenomenon has sparked ongoing debates among Christian religious leaders and Islamic scholars, driven by divergent interpretations of religious doctrines that may restrict such unions.

Furthermore, Indonesian Islamic Law, as stipulated in Article 40 of the Compilation of Indonesian Islamic Law under Presidential Instruction Number 1 of 1991, explicitly prohibits marriages between Muslim women and non-Muslim men. Consequently, prospective spouses must adopt the religion adhered to by their intended partner to formalize their marriage under this provision.

The lack of clear regulations regarding interfaith marriages in Law No. 16 of 2019 in conjunction with Law No. 1 of 1974, including the provisions for their registration, has led to legal uncertainty. In cases of interfaith marriages, the legal status of such unions remains ambiguous.

Despite the Constitutional Court's issuance of Decision Number 68/PUU/XII/2014, which unequivocally rejects the recognition of interfaith marriages, this phenomenon persists within Indonesian society. The Court dismissed the petition to review Article 2, Paragraph (1) of Law No. 1 of 1974, which pertains to the validity of marriages between individuals of different religions, on the grounds that the article does not conflict with the 1945 Constitution of the Republic of Indonesia.

In practice, couples seeking to enter into interfaith marriages often resort to various alternatives, such as marrying abroad, conducting ceremonies according to the religious practices of both parties, or formalizing the marriage at the Civil Registry Office with a

dispensation letter from the Marriage Registrar or the Ministry of Religion.¹ In some cases, couples may petition the court for an order to compel the Civil Registry Office to grant permission when it has been denied.²

Empirical evidence shows that interfaith marriages are relatively common in society. Some couples have even sought legal approval from the court to conduct interfaith marriages at the Civil Registry Office.³ For instance, a court decision allowed applicants to enter into an interfaith marriage while retaining their respective religions—Christianity and Islam—and to formalize the union at the Population and Civil Registration Office.⁴

This ruling directly contradicts Law No. 16 of 2019 in conjunction with Law No. 1 of 1974 concerning Marriage, particularly Article 2, Paragraph (1), which stipulates that a marriage is valid only if conducted according to the laws of each party's religion and belief. Additionally, the ruling is inconsistent with the Constitutional Court's Decision Number 68/PUU/XII/2014, which unequivocally rejects the recognition of interfaith marriages. Another significant issue arising from interfaith marriages is the division of inheritance. Traditionally, religious differences have been viewed as a barrier to inheritance rights from one's parents. However, this perspective has begun to evolve due to progressive court rulings.

Studies on interfaith marriages in Indonesia have been conducted by numerous scholars. Ahmadi, Marzha, and Muhammad explored the Islamic perspective, emphasizing that interfaith marriages are fundamentally prohibited in Islam. They cited the principle of fiqh, *idza ihtama'a haina al halal wal haram ghuliba al haram* (if something halal is mixed with something haram, the haram prevails), as a guiding principle in applying Islamic law to interfaith marriages, advocating for *ihitiyaat* (prudence) in their implementation. From a human rights perspective, they argued that marriage is a natural right bestowed by God, and it would be irrational for this right to deviate from divine regulations. In Islam, human rights cannot conflict with the divine commandments of Allah SWT.⁵

Zahara examined the legal challenges interfaith couples face in Indonesia, focusing on the responses of judges in the Semarang District Court and Religious Court. They highlighted that Article 35 (a) of the Population Administration Law provides a potential solution for interfaith couples who are not accommodated under the current marriage law,

¹ Rima Sarah, "An Analysis Of Extrinsic Elements In The Collection Of Short Stories Berjuta Rasanya by Tere Liye," *Vivid: Journal of Language and Literature* 11, no. 2 (2022): 119–26, <https://doi.org/10.25077/vj.11.2.119-126.2022>.

² Ermi Suhasti, Siti Djazimah, and Hartini Hartini, "Polemics on Interfaith Marriage in Indonesia between Rules and Practices," *Al-Jami'ab: Journal of Islamic Studies* 56, no. 2 (2018): 367–394, <https://doi.org/10.14421/ajis.2018.562.367-394>.

³ Danu Aris Setiyanto, "Perkawinan Beda Agama Pasca Putusan Mahkamah Konstitusi Nomor 68/PUU-XII/2014 Dalam Perspektif HAM," *Al-Ahwal: Jurnal Hukum Keluarga Islam* 9, no. 1 (2016): 13–30, <https://doi.org/10.14421/ahwal.2016.09102>.

⁴ Sri Wahyuni, "Pelaksanaan Perkawinan Campur Beda Agama Di Daerah Perbatasan Sambas Kalimantan Barat: Antara Living Law Dan Hukum Positif Indonesia," *Al-Ahwal* 9, no. 1 (2016): 31–46, <https://doi.org/10.14421/ahwal.2016.09103>.

⁵ Ahmadi Hasanuddin Dardiri, Marzha Tweedo, and Muhammad Irham Roihan, "Pernikahan Beda Agama Ditinjau Dari Perspektif Islam Dan Ham," *Khazanah: Jurnal Mahasiswa* 6, no. 1 (2013): 99–117, <https://doi.org/10.20885/khazanah.vol6.iss1.art8>.

which suffers from a legal void regarding interfaith unions. The judges' decisions in Semarang varied, with some rejecting interfaith marriages based on Articles 1 and 2 of the Marriage Law, while others approved them based on Article 27 of the 1945 Constitution and Supreme Court Jurisprudence Number 1400 K/Pdt/1986.⁶

Jane explored the legal and psychological consequences of interfaith marriages in Indonesia. Psychologically, interfaith marriages can lead to the deterioration of long-established households due to frequent disagreements, as well as mental distress in children who struggle with religious identity due to parental conflicts over religious influence. Juridically, interfaith marriages are often deemed invalid, resulting in the child's status not being legally attributed to the father, which further complicates civil matters such as inheritance rights.⁷

Atabik investigated the practice of temporary conversion to Islam for marriage purposes in Borangan Village. This practice is driven by a lack of concern among the community regarding religious regulations prohibiting interfaith marriages, the prevalence of arranged marriages, and the ease with which the Office of Religious Affairs (KUA) registers such marriages.⁸

Nafdin discussed the practice of registering interfaith marriages at the Yogyakarta City Population and Civil Registration Office, noting that these registrations are often based on evidence of church dispensation. He argued that church dispensation constitutes legal trafficking, as it involves compelling individuals to adhere to specific religious rules for particular purposes.⁹

Given this background, the objectives of this research are as follows: 1) To examine the validity of interfaith marriages under Law No. 16 of 2019 in conjunction with Law No. 1 of 1974 concerning Marriage. 2) To investigate the factors contributing to the occurrence of interfaith marriages in Brambaken Village, Samofa District, Biak Numfor Regency.

2. RESEARCH METHODOLOGY

This study adopts a reform-oriented research approach, specifically empirical juridical research, aimed at intensively evaluating the fulfillment of legal provisions, particularly those outlined in Law Number 16 of 2009, which amends Law Number 1 of 1974 on Marriage. The approach employed is empirical juridical, examining the law within the context of social reality. This research investigates legal statutes and regulations related to

⁶ Muhyidin Ayu Zahara, "Pencatatan Perkawinan Beda Agama: Studi Komparatif Antara Pandangan Hakim PA Semarang Dan Hakim PN Semarang Terhadap Pasal 35 Huruf (a) Undang-Undang Nomor 23 Tahun 2006 Tentang Administrasi Kependudukan," *Diponegoro Private Law Review* 4, no. 3 (2019): 1–15, <https://ejournal2.undip.ac.id/index.php/dplr/article/view/6545>.

⁷ Jane Makalew, "Akibat Hukum Dari Perkawinan Beda Agama Di Indonesia," *Lex Privatum* 1, no. 2 (2013): 131–44, <https://ejournal.unsrat.ac.id/index.php/lexprivatum/article/view/1710>.

⁸ Atabik Hasin, "Masuk Islam Karena Alasan Perkawinan: Studi Kasus Perkawinan Pasangan Yang Semula Beda Agama Di Desa Borangan Kecamatan Manisrenggo Kabupaten Klaten" (Universitas Islam Negeri Walisongo, 2015), <https://eprints.walisongo.ac.id/view/creators/Hasin=3AAtabik=3A=3A.html>.

⁹ Nafdin Ali Chandra, "Pencatatan Perkawinan Beda Agama Di Kantor Dinas. Kependudukan Dan Penc Atatan Sipil Kota Yogyakarta" (Universitas Islam Negeri Sunan Kalijaga, 2016), <https://digilib.uin-suka.ac.id/id/eprint/20700/>.

the issue of interfaith marriages in Biak Numfor Regency. The legal sources are comprised of both primary and secondary sources. Primary sources are directly obtained from the field through interviews, observations, and documentation. Secondary sources include a literature review of relevant documents and supporting literature, including the Civil Code and Law Number 16 of 2009 in conjunction with Law Number 1 of 1974 on Marriage.

Data collection techniques include a literature review and interviews. The literature review covers laws, books, and legal theories related to interfaith marriages. Interviews were conducted with the Chairman of the Southern Biak Classis, the Chairman of the Indonesian Ulema Council, pastors, and residents of Brambaken Village, Samofa District, Biak Numfor Regency. Data analysis employs an interactive model, involving three components: data reduction, data presentation, and conclusion drawing. This process is carried out interactively with data collection as a continuous cycle, allowing for an in-depth analysis of the phenomenon of interfaith marriages at the research site.

3. RESEARCH RESULTS AND DISCUSSION

3.1 The validity of interfaith marriages is governed by Law No. 16 of 2019 in conjunction with Law No. 1 of 1974

Prior to the enactment of Law No. 1 of 1974, interfaith marriages could be conducted under the Mixed Marriage Ordinance, Stb. 1898 No. 158. However, since 1974, Indonesia has implemented a national Marriage Law. Article 2, Paragraph (1) of this law states that a marriage is valid only if it is conducted according to the laws of each party's religion and belief. The explanation accompanying the article underscores that no marriage is recognized outside the framework of religious laws.

Interfaith marriages are not explicitly addressed in the Marriage Law, neither in terms of their execution nor their registration. This omission leads to legal uncertainty regarding the validity of such unions. Sociologically, some segments of Indonesian society still accept interfaith marriages. Philosophically, the discrimination against interfaith marriages is viewed as a violation of human rights.

Wahyono Darmabrata outlines four possible methods for conducting interfaith marriages; requesting a court order (Article 21 of the Marriage Law), marrying according to religious or belief laws (Article 2, Paragraph 1 of the Marriage Law), submitting to one of the religious laws, and marrying abroad. Although the Marriage Law prohibits marriages that do not adhere to religious laws, some judges perceive this as a legal gap when adjudicating cases of interfaith marriages.¹⁰ However, the Constitutional Court's Decision No. 68/PUU-XII/2014 rejected the request to reinterpret Article 2, Paragraph (1) of the Marriage Law.

Religious leaders have varying perspectives on this issue. The Indonesian Ulema Council (MUI) in Biak Numfor holds that: muslim women may only marry Muslim men, muslim men are prohibited from marrying non-Muslim women, as it may lead to familial conflicts, and muslim men are forbidden from marrying women who do not adhere to Abrahamic religions. The Fellowship of Churches in Indonesia (PGI) contends that article

¹⁰ Wahyono Darmabrata, *Hukum Perkawinan Perdata: Syarat Sahnya Perkawinan Hak Dan Kewajiban Suami Istri Harta Benda Perkawinan* (Jakarta: Rizkita, 2009).

2, Paragraph (1) of the Marriage Law disregards the reality of a multicultural society, the formulation of this article infringes upon human rights, the church must respect state laws but also remain critical of discriminatory policies, the application of Article 2, Paragraph (1) deviates from the principles of justice, and civil registration institutions should limit their role to administrative functions and not intervene in the determination of marriage validity.

This suggests that the panel of judges, in rendering court decisions, has not adequately considered the religious beliefs of Islam and Christianity. Judges should engage in a deeper exploration of the teachings and convictions of the parties involved to better understand their sense of justice and faith. Ideally, the judge should also consult with religious experts before ruling on such matters. Although interfaith marriages continue to occur in society, their legal status remains ambiguous. The Marriage Law neither explicitly prohibits nor permits these unions but emphasizes the validity of marriage based on each party's religious law. While religious leaders generally oppose interfaith marriages, social reality indicates that this phenomenon persists.

To address this issue, a comprehensive study that takes into account the legal, religious, and socio-cultural aspects of Indonesian society is necessary. Dialogue between religious leaders, legal experts, and policymakers is essential to finding solutions that accommodate Indonesia's diversity without disregarding religious values. Additionally, there is a need for legal clarity regarding the status of interfaith marriages to avoid legal uncertainty and to protect the rights of citizens.

The fatwa issued by the Indonesian Ulema Council (MUI) declares interfaith marriages to be haram (forbidden) and invalid, including marriages between Muslim men and women of the *Ahlu Kitab* (People of the Book). This position aligns with Article 2 of the Marriage Law, which asserts that a marriage is valid only if it is conducted in accordance with the laws of each religion and belief. Consequently, marriages between individuals of different religions are not permissible. Further reinforcing this prohibition, Article 8(f) of the Marriage Law states that marriage is forbidden between individuals whose union is prohibited by their religion or other regulations. Article 2, Paragraph (2) of the Marriage Law pertains solely to the administrative requirements necessary for obtaining state recognition of the marriage.

Marriage registration is crucial to avoid legal issues that could affect the status of children and inheritance rights. Government Regulation No. 9 of 1975 stipulates that marriages performed according to Islamic law must be registered with the Office of Religious Affairs (KUA), while those conducted according to Christian, Buddhist, Hindu, Confucian, or other recognized religions in Indonesia must be registered with the Civil Registry Office. Interfaith marriages conducted based on a court order can be registered with the Civil Registry Office; however, this may lead to legal complications if both parties continue to adhere to their respective religions.¹¹

Based on the above, interfaith marriages are clearly invalid under the Marriage Law and according to the doctrines of various religions. Court decisions permitting interfaith marriages should carefully consider existing laws and review all relevant legal provisions

¹¹ Muhammad Aprizal Arsyita et al., "Smuggling of The Law in Different Religious Marriage as A Legal Action in The State of Pancasila," *Smart: Journal of Sharia, Tradition, and Modernity* 1, no. 1 (2021): 16–48, <http://dx.doi.org/10.24042/smart.v1i1.9781>.

rather than relying solely on certain precedents.¹² The ambiguity surrounding the regulation of interfaith marriages in the Marriage Law stems from the fact that marriage matters are entirely delegated to religious authorities. As a result, marriages must be conducted strictly in accordance with religious laws, and no marriage is recognized outside the parameters of those laws and beliefs.

The legal implications of a legally valid marriage include the establishment of a marital relationship between husband and wife, the creation of marital property, and the establishment of a parental relationship between parents and children. Articles 30-34 of the Marriage Law govern the rights and obligations between husband and wife, which include the balance of rights and positions between husband and wife, the right to take legal actions, the division of roles within the family, the obligation to love and respect one another, the husband's obligation to protect and provide for his wife, and the wife's obligation to manage household affairs.

The implementation of Article 2, Paragraph (1) of the Marriage Law has been considered problematic in relation to interfaith marriages. Couples seeking to enter into an interfaith marriage may find their union deemed invalid both legally and religiously. Although various methods, such as obtaining a court order, are sometimes employed to facilitate interfaith marriages, these approaches still result in legal uncertainty.¹³ To address this issue, a comprehensive study is required that takes into account the legal, religious, and socio-cultural dimensions of Indonesian society. It is essential to facilitate dialogue among religious leaders, legal experts, and policymakers to find solutions that respect the diversity of Indonesian society while upholding religious values. Additionally, legal clarity regarding the status of interfaith marriages is necessary to avoid legal ambiguity and safeguard the rights of citizens.

Interfaith marriage in Indonesia remains a contentious issue from both legal and religious perspectives. Although the Supreme Court of the Republic of Indonesia, in Decision No. 1400K/Pdt/1986, ruled that religious differences do not constitute a prohibition against marriage, this decision is in conflict with religious doctrines and several other regulations. The Population Administration Law permits the registration of interfaith marriages that have been sanctioned by a court order. However, this provision is seen as undermining Article 2, Paragraph (1) of the Marriage Law, which stipulates that a marriage is valid only if it is conducted in accordance with the laws of each religion.

The Compilation of Islamic Law explicitly prohibits interfaith marriages in multiple articles. Additionally, the Indonesian Ulema Council has issued a fatwa declaring such marriages to be haram (forbidden) and invalid. In Decision No. 68/PUU-XII/2014, the Constitutional Court rejected the request to review Article 2, Paragraph (1) of the Marriage Law, affirming that this article does not conflict with the 1945 Constitution. The Constitutional Court maintains that, within the framework of Pancasila and the 1945 Constitution, religion serves as the foundation, and the state has a vested interest in matrimonial matters.

The legal implications of the court's decision regarding interfaith marriages pertain to the validity of the marriage under applicable law. This impacts the rights and obligations of spouses, marital property, and inheritance issues. Interfaith marriages can lead to various

¹² Lutfan Muntaqo, "Islamic Thoughts on Interfaith Marriage in Local and Global Context," *Manarul Qur'an: Jurnal Ilmiah Studi Islam* 20, no. 1 (2020): 69–79, <https://doi.org/10.32699/mq.v20i1.1615>.

¹³ Mariani Mariani, "Kedudukan Perkawinan Beda Agama Dan Perkawinan Campuran Di Indonesia," *Al-Banjari* 19, no. 1 (2020): 84–111, <https://doi.org/10.18592/al-banjari.v%0vi%0i.3821>.

complications in marital relationships and have repercussions for children. Article 33 of the Marriage Law emphasizes the mutual obligations of spouses to love, respect, and provide both physical and spiritual support to one another. The validity of interfaith marriages remains a subject of debate. While the Population Administration Law allows for the registration of such marriages through a court order, the Marriage Law and religious law deem these marriages invalid.

Children born from interfaith marriages are legally recognized if the marriage is validated by the religion and registered. However, under Islamic law, children born outside a legal marriage are considered to have lineage only with their mother and her family.¹⁴ Inheritance issues further complicate interfaith marriages, particularly within the context of Islamic law, which prohibits inheritance between individuals of different religions. Despite the legal provisions allowing interfaith marriages through court orders, these practices remain in conflict with religious regulations and various laws.¹⁵ Consequently, interfaith marriages continue to pose complex legal and social challenges, particularly concerning the validity of the marriage, the status of children, and inheritance matters.

3.2 Factors Contributing to Interfaith Marriages in Brambaken Village, Samofa District, Biak Numfor Regency

Interfaith marriages in Indonesia, particularly in Brambaken Village, Samofa District, Biak Numfor Regency, continue to occur despite the general prohibition of such unions across most Indonesian religions. This phenomenon is attributed to several interconnected factors.

First, the influence of the Abangan subculture plays a significant role. Interfaith couples often perceive all religions as equally valid and view religious differences as non-problematic, provided there is harmony and happiness. This high level of religious tolerance aligns with modernization theory and Hildred Geertz's findings on the Abangan category in Javanese society. Such tolerance fosters the development of interfaith marriages, as social interactions increasingly disregard religious distinctions.

Second, the transition from extended families to nuclear families has led to increased autonomy and liberalization within nuclear family units. This structural change empowers nuclear family members with greater freedom in making internal decisions, including selecting marriage partners. Consequently, social control from extended relatives has diminished, allowing individuals to choose partners without being constrained by the religious values of their extended family.

Third, there has been a shift in matrimonial principles. Cultural values have evolved from the notion that "children must follow their parents' wishes" to "parents must respect their children's choices." This shift signifies a growing independence and freedom for children in choosing their life partners. Additionally, five factors contribute to the harmony observed in interfaith families:

¹⁴ Indira Hastuti, Edy Sanjaya, and Budi Prasetyo, "Interfaith Marriage And Its Legal Consequences For Children Born According To Islamic Law," *International Journal of Educational Research and Social Sciences* 3, no. 1 (2022): 509–17, <https://doi.org/10.51601/ijersc.v3i1.303>.

¹⁵ Muhammad Habiby Abil Fida Safarin and Fatimah Fatimah, "Polemics on Interfaith Marriage: Law and Civil Law Perspectives," *Unifikasi: Jurnal Ilmu Hukum* 8, no. 2 (2021): 262–71, <https://doi.org/10.25134/unifikasi.v8i2.5166>.

- a) Dominance of the *Byak* Subculture: The syncretic religious perspectives within the *Byak* subculture promote tolerance towards religious differences. Different religious symbols are not perceived as barriers to unity among individuals of varying faiths.
- b) Symptoms of Secularism: A separation exists between religious rituals and social interactions. Despite high levels of religious diversity, this separation mitigates its impact on social relationships.
- c) Religious Formalism: Religion is regarded as a personal matter for each spouse, and thus differences in religious symbols do not typically generate conflict.
- d) Respectful Relationship Patterns: The mutual respect and tolerance for each other's beliefs are crucial for maintaining harmony in interfaith families.
- e) Child Factor: The presence of children often serves as a binding force in relationships and a reason for maintaining family unity.

The tolerant religious perspectives within the *Byak* community enable individuals with strong religious convictions to accept religious differences within the family. For instance, a Muslim respondent who adheres strictly to religious practices indicated that he was not antagonistic towards his Protestant wife's religion. He believes that living in a diverse society necessitates mutual acceptance, particularly in his role as a civil servant, which requires nationalistic commitment.

In this context, secularism is marked by a pronounced separation between religious and social matters. Religion is narrowly defined and privatized, which prevents religious differences from becoming a source of conflict. Instead, these differences help to transcend socio-cultural boundaries between spouses, thus preserving positive social relations. This occurrence of interfaith marriages in Brambaken Village reflects shifts in social and religious values. High levels of religious tolerance, the autonomy of nuclear families, and a secular approach to religion are significant factors that facilitate and sustain interfaith marriages.

Nevertheless, this phenomenon does not imply a negation of the importance of religion in individuals' lives. Rather, it illustrates the dynamic and complex nature of Indonesia's multicultural society, where traditional and modern values, along with diverse religious perspectives, interact to create a unique social reality. Understanding the factors that lead to and sustain interfaith marriages is crucial for developing effective policies and strategies to manage religious diversity in Indonesia, particularly within family and community contexts.

Even when social disjunction occurs in families of different religions, the source of such issues is not the religious differences themselves but rather other common problems encountered in domestic life. These disputes often arise from factors such as financial issues, communication difficulties, or household roles, which are not directly related to religious beliefs.

Secularistic behavior may seek to minimize the role of religion in addressing social issues, especially within marital relationships. Conversely, a religious formalism approach prioritizes religion as the primary reference for social actions. Religion serves as a guide for maintaining harmonious relationships and preventing domestic conflicts, including avoiding divorce. Informants reported that, according to Islamic teachings, divorce is permitted but undesirable, whereas Protestant and Catholic doctrines prohibit divorce and regard it as something to be avoided. These religious principles are upheld by Protestant and Catholic spouses to preserve marital stability and prevent divorce.

Additionally, relationship patterns in interfaith families often rely on mutual tolerance between partners. Informants highlighted the importance of understanding and respecting each other's beliefs despite religious differences. They emphasized that the essence of a lasting, harmonious, and loving family is mutual understanding, which prevents religious differences from becoming significant obstacles. The family structure in society clearly delineates the roles and positions of each member, with the husband as the head of the household responsible for protection and the wife handling domestic tasks and child-rearing. When these roles are fulfilled effectively, mutual tolerance deepens, and religious differences do not hinder household relationships.

For many local people, the primary objective of starting a family is often focused on the well-being of their children. One informant remarked that religious differences and other issues are secondary to the parents' efforts to ensure their children's happiness and prosperity. Parents aspire for their children to secure good employment, respect their parents, and perceive all religions as fundamentally positive and goal-oriented. Thus, in marriage, the central concern is to unite two hearts and raise children effectively to continue the parents' achievements.

The socialization of religious values to children in interfaith families extends beyond the nuclear family structure to include influences from relatives and broader social environments such as formal education and religious institutions. Despite differing religious views between fathers and mothers, parents are generally expected to determine their children's religious identity, particularly when children enter elementary school, as this decision impacts the religious education choices available at school.

Patterns of religious formation for children in interfaith families vary significantly, with two predominant approaches observed. First, many parents in interfaith families do not provide direct religious instruction to their children, such as teaching daily prayers or encouraging the reading of holy texts. Instead, they allow children the freedom to choose their own religion. Second, some parents provide an understanding of their respective religions without compelling their children to adhere to a specific faith. In certain instances, parents have established prior agreements regarding their children's religious upbringing. For example, a Muslim father and a Catholic mother might agree that their children will be raised according to Catholic teachings, resulting in Catholic religious education from an early age both at home and in Catholic schools.

Data indicates that many parents give limited attention to their children's religious formation. However, a child's religious identity is frequently influenced by the dominant role of one parent within the family, which can determine the religious education the child receives and the religious identity they adopt. Ultimately, the quality of religious guidance provided by parents plays a crucial role in the socialization of religious values to children, and a lack of guidance can lead to a lower quality of religious understanding in interfaith families.

CONCLUSION

Interfaith marriages are neither valid nor permitted under Article 2 of the Marriage Law in Indonesia, which mandates that marriages be conducted in accordance with the religion and beliefs of each partner. This research indicates that various religious teachings in Indonesia also prohibit interfaith marriages. Therefore, when adjudicating cases involving interfaith marriages, judges should adhere to applicable laws and consider relevant religious

regulations. Factors contributing to interfaith marriages in Brambaken Village, Biak Numfor, include modernity and the tolerant attitudes prevalent in the syncretic *Byak* subculture. Local cultural values, which often hold more sway than formal religious teachings, also play a role in fostering tolerance toward religious differences. Despite many couples maintaining a high level of religious observance prior to marriage, this does not necessarily impact social aspects such as family cohesion or the role of value socialization. Additionally, maternal influence on children's religious affiliation tends to be stronger than paternal influence.

Furthermore, the Government, particularly legislators, should emphasize and clarify provisions regarding interfaith marriages within the Marriage Law to prevent legal ambiguities or deviations. The current Marriage Law is considered insufficiently clear in prohibiting or regulating interfaith marriages. A revision of the relevant articles is necessary to address the evolving legal dynamics of contemporary society. Judges reviewing applications for interfaith marriages must offer clearer and more comprehensive reasoning. They should not rely solely on precedent but should consider a range of legal perspectives. Judicial determinations should reflect broader legal considerations, such as those outlined in the Constitutional Court Decision Number 68/PUU-XII/2014, which rejects interfaith marriages.

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