

Regulatory Dynamics and Socio-Legal Impacts of Interfaith Marriages in Indonesia Post-SEMA Number 2 of 2023

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Abstract

Interfaith marriage in Indonesia ideally requires a clear and harmonious legal framework aligned with societal values and religious principles. However, in reality, the absence of explicit regulation in Law Number 1 of 1974 on Marriage has created legal uncertainty and social challenges, particularly prior to the issuance of SEMA Number 2 of 2023. This study aims to analyze the implementation of interfaith marriage regulations, their socio-legal impacts, and efforts to harmonize the legal framework in Indonesia. Using normative legal research methods with a juridical approach, this study is based on library research analysis. The findings reveal that SEMA Number 2 of 2023 has provided a clearer legal framework for the registration of interfaith marriages, although technical challenges persist. Socially, the regulation has shifted societal paradigms, while legally, it has increased legal certainty. Legal harmonization requires an integrated approach that considers legal pluralism, religious values, and the realities of Indonesian society.

Keywords: *Interfaith Marriage, Regulatory Dynamics, Social Impact.*

Abstrak

Pernikahan antaragama di Indonesia idealnya membutuhkan kerangka hukum yang jelas dan harmonis, sesuai dengan nilai-nilai masyarakat dan prinsip agama. Namun, realitasnya, ketiadaan pengaturan eksplisit dalam

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Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan telah menimbulkan ketidakpastian hukum dan tantangan sosial, terutama sebelum diterbitkannya SEMA Nomor 2 Tahun 2023. Penelitian ini bertujuan untuk menganalisis implementasi regulasi pernikahan antaragama, dampak sosial-hukumnya, serta upaya harmonisasi hukum di Indonesia. Menggunakan metode penelitian hukum normatif dengan pendekatan yuridis, penelitian ini berbasis analisis kepustakaan. Hasil penelitian menunjukkan bahwa SEMA Nomor 2 Tahun 2023 telah memberikan kerangka hukum yang lebih jelas untuk pencatatan pernikahan antaragama, meskipun masih menghadapi tantangan teknis. Secara sosial, regulasi ini mengubah paradigma masyarakat, sementara secara hukum, meningkatkan kepastian hukum. Upaya harmonisasi memerlukan pendekatan terintegrasi yang mempertimbangkan pluralisme hukum, nilai agama, dan realitas masyarakat Indonesia.

Kata Kunci: Pernikahan Antaragama, Dinamika Regulasi, Dampak Sosial

Introduction

Marriage, as an institution, is a deeply ingrained element of human society that reflects the values, traditions, and legal systems of different cultures and nations. In Indonesia, marriage is regulated by both religious and civil laws, creating a unique challenge for couples who wish to marry across religious lines. The nation's diverse religious makeup, which includes Islam, Christianity, Hinduism, and Buddhism, among others, has created a dynamic social and legal landscape where the practice of interfaith marriages has been controversial and complex (Farid, 2022). This complexity arises from the intersection of legal norms, religious beliefs, and societal values, where the recognition and regulation of interfaith marriages remain a significant issue within Indonesia's pluralistic society.

Interfaith marriages in Indonesia have historically been met with significant legal challenges, particularly due to the absence of explicit provisions in the Marriage Law No. 1 of 1974, which regulates marriages within the country (Firmansyah & Pranoto, 2023). The law does not address the specific nuances of marriages between individuals of different religious backgrounds, leaving couples in such unions vulnerable to legal ambiguity and social stigma. Prior to the enactment of the SEMA No. 2 of 2023, these couples faced significant barriers in registering their marriages, leading to a lack of legal protection and recognition, particularly in matters of inheritance, custody, and other civil rights (Hill, 2022). The issuance of SEMA No. 2 of 2023 has aimed to provide clearer legal guidance on the registration of interfaith marriages, addressing the gaps in the law, but challenges still remain in its practical implementation.

Ideally, Indonesia's legal system should offer a framework for marriage that respects religious diversity while ensuring equality and protection for all citizens. This framework would provide clear legal pathways for interfaith couples to marry, enjoy equal rights, and secure protections under both civil and religious laws. The legal system should balance the respect for religious autonomy with the

need for a coherent civil marriage law that aligns with Indonesia's pluralistic values (Ibrahim, 2024). However, the ideal situation where interfaith marriages are seamlessly integrated into the legal framework and accepted by all segments of society remains elusive. Despite the legal advancements represented by the issuance of SEMA No. 2 of 2023, societal attitudes toward interfaith marriages still present significant barriers to their full acceptance.

The reality, however, is that interfaith couples in Indonesia still face numerous challenges, both legally and socially. While the 2023 regulation has provided a legal framework for the registration of interfaith marriages, it has not fully addressed the social and cultural obstacles that these couples face in their daily lives. These couples often encounter resistance from their families, communities, and even local authorities, making it difficult for them to live without fear of discrimination or legal setbacks (Ibrahim, 2024). The lack of a cohesive, nationwide approach to managing interfaith marriages has resulted in disparate experiences for couples across different regions of the country, with some areas being more accepting than others (Farid, 2022). Additionally, the lack of clear legal provisions for the rights of children born from interfaith marriages further complicates the situation, as these children may face challenges in terms of religious identity and legal recognition.

This research seeks to explore the impacts of the 2023 regulation on interfaith marriages in Indonesia, examining its legal implications, social effects, and the ongoing challenges faced by interfaith couples. The study will investigate the legal provisions outlined in SEMA No. 2 of 2023, evaluate its effectiveness in providing clearer guidance for interfaith marriages, and consider the social dynamics that influence the implementation and acceptance of this regulation. The research will also address the broader questions surrounding the harmonization of civil and religious laws in the context of interfaith marriages and their implications for individual rights and societal integration.

The contribution of this research lies in providing a comprehensive analysis of the legal, social, and cultural dimensions of interfaith marriage in Indonesia, particularly in the context of the changes brought about by SEMA No. 2 of 2023. By offering insights into the ongoing challenges faced by interfaith couples, the study aims to inform policymakers, legal practitioners, and social advocates about the current gaps in the legal framework and propose recommendations for more inclusive and harmonized legal solutions. Ultimately, this research seeks to contribute to the broader discourse on legal pluralism and social integration in Indonesia, offering a nuanced understanding of how legal reforms intersect with religious and cultural values in the regulation of marriage.

Literature Review

Research on interfaith marriages in Indonesia is not a new field, as various scholars have explored different aspects of this subject. Many studies have focused on the legal, social, and religious dimensions of interfaith marriages, especially after the issuance of SEMA Number 2 of 2023. These studies have provided valuable insights into the challenges faced by interfaith couples and the complexities of integrating religious values with civil law. However, there is still a

gap in understanding the broader socio-legal impacts and the regulatory dynamics of interfaith marriages, particularly in light of the legal reforms introduced by SEMA Number 2 of 2023. The existing literature has not fully addressed the intersection of legal, social, and cultural factors in this specific context, which this study aims to explore.

Masriani, et al (2024), in their work, *Validitas Perkawinan Beda Agama di Luar Negeri Dalam Regulasi Hukum Privat Indonesia*, discuss the validity of interfaith marriages conducted abroad within Indonesia's private law system. Their research focuses on how Indonesian law recognizes interfaith marriages that take place outside the country, emphasizing the conflict between Indonesia's civil law and religious marriage regulations. The similarity between their work and this study lies in the focus on interfaith marriages in the Indonesian legal context. However, their research differs in scope, as it specifically addresses marriages performed abroad, whereas this study concentrates on domestic interfaith marriages post-SEMA Number 2 of 2023 and their social and legal implications within the country.

Abdullah, et al (2023) in their paper, *Analisis Perkawinan Beda Agama di Kota Semarang: Sebuah Telaah Setelah Dikeluarkannya SEMA Nomor 2 Tahun 2023*, analyze the implementation and impact of SEMA Number 2 of 2023 on interfaith marriages in Semarang. Their research examines the legal and social effects of the regulation on couples in that region. While their work shares the same focus on SEMA Number 2 of 2023 and its implications, this study differs by taking a more national approach, exploring the regulation's broader socio-legal impacts across Indonesia. This study also integrates an analysis of the socio-cultural dynamics surrounding interfaith marriages, which is not a central focus of Abdullah et al.'s research.

Zulfikar (2023) in his article, *Integrating Religious Values into Legal Frameworks for Interfaith Marriages*, discusses the integration of religious values into Indonesia's legal framework for interfaith marriages. His work addresses the theoretical underpinnings of religious and civil law and their interaction in regulating interfaith marriages. While Zulfikar's research provides valuable insights into the philosophical and doctrinal challenges of integrating religious values with legal systems, this study diverges by focusing on the practical impacts of SEMA Number 2 of 2023 and the challenges faced by interfaith couples on the ground. Zulfikar's work is more theoretical, whereas this study takes a practical, socio-legal approach.

After conducting a thorough literature review, it becomes clear that no previous work has comprehensively examined the regulatory dynamics and socio-legal impacts of interfaith marriages in Indonesia, particularly after the enactment of SEMA Number 2 of 2023. The existing studies provide valuable insights into various aspects of the issue, but none have analyzed the interplay between legal reforms, social acceptance, and religious dynamics in the way that this study intends to. This research fills a critical gap by combining legal analysis with socio-cultural insights to understand the broader implications of interfaith marriage regulations in Indonesia.

The position of this study in relation to existing literature highlights a significant gap that has not been adequately addressed by previous publications.

The novelty of this research lies in its interdisciplinary approach, combining legal theory, social analysis, and religious considerations to offer a holistic understanding of the challenges and opportunities presented by interfaith marriages in Indonesia post-SEMA Number 2 of 2023. By exploring the regulatory changes alongside their socio-cultural and legal impacts, this research provides new insights that are crucial for both legal scholars and policymakers, making it an essential contribution to the field.

Research Methodology

This study utilizes a normative legal research methodology with a juridical approach, focusing on analyzing the legal framework surrounding interfaith marriages in Indonesia, particularly after the issuance of SEMA Number 2 of 2023. The research is based on a thorough library study, involving the collection and analysis of primary and secondary legal sources, including statutes, regulations, judicial decisions, scholarly articles, and other relevant literature. This methodological approach is employed to critically assess the implementation of interfaith marriage regulations and their socio-legal implications in the Indonesian context. By examining the legal texts and judicial interpretations, the study aims to highlight the clarity and gaps in the current regulatory framework post-SEMA Number 2 of 2023, with a focus on how it affects the legal recognition of interfaith marriages.

Additionally, the research also incorporates a socio-legal analysis to evaluate the social impact of the regulatory changes on interfaith marriages. This aspect of the research considers how the regulation influences public perception, societal acceptance, and the practical challenges faced by interfaith couples in Indonesia. The integration of a socio-legal perspective enables a deeper understanding of the broader implications of legal reforms on social dynamics and the harmonization of legal principles with religious values. The findings of this study are expected to provide an insightful analysis of the intersection between legal and social dimensions, offering recommendations for future policy reforms to address the challenges of interfaith marriage in Indonesia.

The Changes in Regulation and Their Implications on Interfaith Marriages in Indonesia

The issue of interfaith marriages in Indonesia has long been a subject of debate and legal contention. The traditional viewpoint, deeply rooted in the country's legal, social, and religious frameworks, generally disapproves of marriages between individuals from different religious backgrounds. However, recent regulatory changes, specifically the issuance of Supreme Court Circular (SEMA) No. 2/2023, have sparked significant discussions regarding the legal recognition and implications of interfaith marriages in Indonesia (Abdullah et al., 2023). These changes are reshaping the way marriage law is interpreted and applied, bringing new considerations for both religious and civil authorities.

SEMA No. 2/2023 was issued to address ongoing legal challenges and societal concerns about the regulation of interfaith marriages. Prior to its

introduction, interfaith marriages were often viewed through a strictly religious lens, with considerable resistance from religious institutions and some legal authorities. The circular was a response to growing calls for legal reforms that would provide clearer guidelines and greater inclusivity for interfaith couples, reflecting evolving societal values and the need for a more flexible legal framework (Gonadi & Djajaputra, 2023). This step marks a shift towards greater recognition of individual rights and freedoms in the context of marriage, within the constraints of Indonesia's legal and religious norms.

The regulatory changes brought by SEMA No. 2/2023 have necessitated significant adjustments to the broader family law framework in Indonesia. Family law, which encompasses various aspects of marriage, divorce, inheritance, and child custody, has historically been guided by a set of religious norms, with limited provisions for interfaith marriages. With the introduction of this new regulation, legal scholars and practitioners are now analyzing how these changes affect the balance between religious-based law and state-based civil law (Ali, 2021). The need to harmonize the two legal spheres is becoming more apparent, as interfaith marriages are increasingly acknowledged as a reality in modern Indonesia.

The changes brought by SEMA No. 2/2023 have profound implications for the marriage laws under the state's civil jurisdiction. In the past, couples from different religious backgrounds were often forced to choose between one religion or face legal hurdles that prevented them from marrying. This led to ambiguity in legal recognition and protection for such marriages. Now, with the circular in place, the law acknowledges that interfaith marriages can proceed under certain conditions, offering legal protection to couples who were previously denied such recognition (Faishol, 2019). This adjustment ensures that marriage laws better reflect the pluralistic nature of Indonesian society.

The most significant shift in the regulations pertains to the legal framework for marriage registration. Under the previous system, interfaith marriages often had to undergo a convoluted process, requiring a series of legal loopholes and the involvement of different state and religious authorities. The new regulation provides clearer guidelines for civil registration and recognition, creating a more streamlined process for interfaith couples (Gonadi & Djajaputra, 2023). By defining the legal criteria and formalizing procedures for interfaith marriages, the state is moving towards a more transparent and accessible approach to family law.

The differences between the old system and the new system as outlined by SEMA No. 2/2023 highlight the evolving nature of marriage law in Indonesia. Previously, the process of marrying outside one's faith was highly restricted, with no clear legal path for couples seeking recognition of their unions. Under the new circular, however, the state has provided a more inclusive framework that allows interfaith marriages to be legally registered without forcing individuals to abandon their religious beliefs. This shift signifies an important move towards reconciling Indonesia's diverse religious landscape with the legal realities of modern society (Abdullah et al., 2023).

Furthermore, the implementation of SEMA No. 2/2023 has led to the adjustment of policies at both the government and institutional levels. Religious institutions, which historically held significant authority over marriage laws, have had to adapt to the changes in the state's legal stance on interfaith marriages.

These adjustments at the institutional level are not always seamless, as religious leaders and communities may have differing views on the legitimacy of such marriages. However, the government has made efforts to ensure that religious institutions are included in the discussions regarding the new regulatory framework, striving to find a balance between respecting religious views and ensuring civil rights for all citizens.

In response to the new regulation, some local governments have taken proactive steps to implement SEMA No. 2/2023, organizing training programs for civil registry officials and religious leaders to ensure a smooth adaptation to the new rules. This initiative aims to reduce confusion and ensure that both parties, whether religious or civil authorities, work in harmony to carry out the requirements of the new marriage regulations. The government's efforts to facilitate these changes are crucial in providing clarity and consistency across regions, as well as in maintaining the integrity of the legal process (Ali, 2021).

As Indonesia continues to experience significant demographic and social changes, particularly regarding the interfaith marriage issue, the role of government institutions becomes more critical. The implementation of SEMA No. 2/2023 is just one example of how the legal system is adjusting to meet the needs of a diverse and pluralistic society. It also serves as a reminder that legal reforms are necessary to address the evolving needs of individuals and families in Indonesia, especially in the face of conflicting religious and civil values.

The adjustment of regulations surrounding interfaith marriages reflects the Indonesian government's commitment to adapting to the realities of its multicultural society. The continued discussion and refinement of these regulations will be important in ensuring that the legal system remains relevant and responsive to the needs of its citizens. As more interfaith couples seek legal recognition and protection, it will be essential for both legal professionals and government authorities to work together to ensure that the spirit of the law aligns with the values of inclusivity, equality, and respect for human rights (Masriani et al., 2024).

The new regulations outlined by SEMA No. 2/2023 have made strides towards a more inclusive legal system, but the full impact of these changes will only be realized in the coming years as the law is tested in practice. This transition period will allow for further assessments of how the regulations are being implemented and whether they achieve the intended goals of protecting interfaith marriages while respecting religious diversity. Thus, continued monitoring and evaluation will be key in determining the ultimate success of the new framework.

Social Impact of the Enactment of SEMA No. 2/2023 on Interfaith Couples

The enactment of SEMA No. 2/2023 has undoubtedly reshaped the way society views interfaith marriages in Indonesia. One of the most notable changes is the shift in public perception, as individuals from different religious backgrounds now have a clearer legal framework that allows them to marry with state recognition. Prior to this regulation, interfaith couples often faced legal obstacles and social judgment, but the new policy has fostered an environment of greater acceptance, even though social acceptance still lags behind in certain areas

(Suparwi & Pongoliu, 2023). Public attitudes towards interfaith marriages have evolved, though challenges in fully embracing this shift remain.

Despite the progress made with the introduction of SEMA No. 2/2023, interfaith couples continue to face social stigma. The longstanding cultural and religious beliefs that have shaped Indonesian society for decades still cast a shadow over interfaith unions. While the legal framework now permits interfaith marriages, societal attitudes often carry biases that are hard to overcome. These couples may experience isolation, discrimination, and rejection from their communities, especially in rural or more conservative areas (Wala & Firmansyah, 2024). As such, while the law has taken significant steps toward inclusivity, it remains a challenge for social attitudes to catch up.

Families play a critical role in supporting or opposing interfaith marriages, especially in a society where family and religious values are intertwined. Many families may view interfaith marriages as a violation of cultural or religious norms, leading to conflict and estrangement. However, some families may embrace the changes brought by SEMA No. 2/2023, recognizing the evolving legal landscape and supporting their children's autonomy in choosing a partner. The family's stance can either serve as a support system for the couple or contribute to additional social pressure and emotional strain (Anderson, 2022). The diversity of family responses adds complexity to the experience of interfaith couples.

The psychological impact of being in an interfaith marriage can be profound. Couples may experience feelings of stress, anxiety, and uncertainty, particularly in navigating the tensions between religious obligations and personal relationships. The pressure to conform to societal expectations, coupled with potential family opposition, can take a significant toll on their mental health. Additionally, interfaith couples often struggle with the challenge of raising children in a context where conflicting religious beliefs are present, which can add to their emotional burden (Farid, 2022). However, many couples report feeling empowered by their ability to overcome societal barriers, finding strength in their union despite the challenges.

In Indonesia, a multicultural society, the phenomenon of interfaith marriage has become more visible in recent years. The country's diverse religious and ethnic composition has led to increased interactions between different communities, creating opportunities for interfaith relationships. While still relatively rare in comparison to same-faith marriages, interfaith marriages are becoming more common in urban areas where people from different religious backgrounds come into contact more frequently. SEMA No. 2/2023 has played a role in highlighting the importance of religious tolerance and legal recognition of these unions, although challenges remain in the broader social acceptance of such marriages (Bakar, 2023).

The perception of interfaith marriages post-SEMA No. 2/2023 remains complex. On one hand, the legal changes have provided a level of legitimacy and protection for interfaith couples that did not exist before. On the other hand, societal perceptions are slow to change, and many individuals still view interfaith marriages as problematic. The balance between legal recognition and social acceptance is a delicate one, and although the regulation has opened new doors for

interfaith couples, the social integration of these couples into the broader community remains a long-term challenge.

In light of the social stigma that many interfaith couples face, the issue of religious tolerance has become more critical than ever. While the law may recognize the legitimacy of interfaith marriages, cultural and religious factors often lead to strained relationships between couples and their surrounding communities (Wala & Firmansyah, 2024). This dynamic can cause significant emotional distress and social exclusion. Interfaith couples may face prejudices from neighbors, colleagues, and even strangers, adding an additional layer of difficulty to their lives. Social stigmatization can undermine the emotional and psychological well-being of these couples.

The role of the family remains essential in determining the experiences of interfaith couples. In many cases, family members serve as the primary support or obstacle to the union. Family approval is often seen as a critical factor in the success of interfaith marriages. Couples who lack family support may experience feelings of alienation and isolation, while those with supportive families can navigate their interfaith relationship more comfortably. The way in which families view and interact with their children's interfaith marriages will have lasting effects on both the couples and the broader social fabric.

Psychologically, interfaith couples often face challenges unique to their situation. These challenges include reconciling different religious practices, managing family expectations, and dealing with the emotional toll of societal rejection. Couples in these marriages must navigate multiple layers of identity, including religious, cultural, and societal expectations, which can lead to significant stress. However, some couples find strength in their ability to bridge religious divides, fostering personal growth and resilience as a result of overcoming these challenges (Suparwi & Pongoliu, 2023).

Despite the challenges, the phenomenon of interfaith marriages is expected to grow, particularly in Indonesia's multicultural cities. As urbanization increases, so does the likelihood of interactions between people from different religious backgrounds. In many urban centers, individuals are more likely to view interfaith marriages as a natural result of societal diversity. While legal reforms such as SEMA No. 2/2023 are essential, the broader societal acceptance of interfaith unions will require an ongoing process of education, dialogue, and religious tolerance.

As the legal framework surrounding interfaith marriages continues to evolve, the societal response remains mixed. Some communities embrace the changes, recognizing the need for inclusivity and legal recognition for interfaith couples, while others continue to view such marriages as a threat to traditional values. The task of balancing legal protections with social acceptance is ongoing, and while SEMA No. 2/2023 has made significant strides, the social dynamics of interfaith marriages in Indonesia will continue to require attention and reflection.

Islamic Law Perspective on Interfaith Marriages Post-SEMA No. 2/2023

Islamic law, or Sharia, has long held a distinct position when it comes to the issue of interfaith marriages, particularly between a Muslim and a non-Muslim.

According to classical jurisprudence, the general rule in Islam is that a Muslim man is allowed to marry a woman from the People of the Book (Ahl al-Kitab), i.e., Jews and Christians, while a Muslim woman is not permitted to marry a non-Muslim man. This view is based on several interpretations of Quranic verses and Hadiths. However, contemporary scholars have debated the applicability of these rulings in modern society, especially considering the legal landscape in countries like Indonesia where the state law permits interfaith marriages under certain conditions (Firmansyah & Pranoto, 2023).

The enactment of SEMA No. 2/2023 brings a significant shift in how interfaith marriages are approached within Indonesia's legal framework, particularly in relation to Islamic jurisprudence. In traditional Islamic law, such marriages are not universally recognized, especially when it comes to Muslim women marrying non-Muslim men. However, the new regulation provides a pathway for legal recognition of interfaith marriages in Indonesia, thereby raising complex questions about the compatibility of state law with Islamic legal principles. This shift challenges Islamic scholars to rethink their views on the relationship between religious law and civil law in the context of marriage.

A comparison between Islamic law and Indonesian national law reveals notable contrasts, particularly in the matter of interfaith marriages. While Islamic law traditionally prohibits Muslim women from marrying outside the faith, Indonesian civil law, under SEMA No. 2/2023, has opened the door for legal recognition of interfaith marriages under certain conditions. This creates a tension between the two legal systems (Hill, 2022). On the one hand, state law seeks to promote religious tolerance and inclusivity, allowing people from different faiths to marry legally. On the other hand, Islamic law maintains its stance on the permissibility of interfaith marriages, often seen as incompatible with traditional Islamic views.

One of the key challenges in the recognition of interfaith marriages within Islamic law concerns the status of the marriage itself. Islamic law is traditionally grounded in the belief that a marriage between a Muslim and a non-Muslim cannot be valid without adhering to specific religious principles. The legal framework set by SEMA No. 2/2023 may face resistance from religious authorities who view these marriages as conflicting with Islamic teachings. This presents a significant obstacle for interfaith couples in Muslim-majority societies, where legal recognition does not necessarily equate to religious acceptance.

From an Islamic perspective, one of the most contentious aspects of interfaith marriages is the question of the rights of the children born from such unions. In Islamic law, a child's religious identity is often determined by the father's faith, and this can pose complications in interfaith marriages where the parents belong to different religious backgrounds. In some cases, the Islamic perspective on the legitimacy of the child's religious status may differ from the state's legal acknowledgment (Kartini, 2023). This disparity can lead to confusion regarding the rights and obligations that the parents have toward their children, especially concerning inheritance, education, and religious upbringing.

Despite the challenges presented by SEMA No. 2/2023 in the context of Islamic law, some scholars argue that there is a need for flexibility in Islamic jurisprudence, particularly in modern, pluralistic societies like Indonesia. They

suggest that Islamic law could evolve to better align with the realities of interfaith marriages in a multicultural nation. This perspective advocates for a more inclusive interpretation of Islamic law that would allow for greater tolerance of interfaith unions while still maintaining the core principles of the faith.

As the legal and social landscape around interfaith marriages continues to evolve in Indonesia, the implications for Islamic law are profound. The introduction of SEMA No. 2/2023 represents a turning point in how the law views the intersection of religious and civil matters, particularly in the realm of marriage. While Islamic law remains firm in its traditional stance, the push for greater recognition of interfaith unions under state law raises important questions about the role of Islamic law in the modern legal system. This ongoing debate underscores the need for continuous dialogue between legal scholars, religious leaders, and policymakers (Lee, 2023).

The role of Islamic scholars and religious authorities in shaping public opinion and guiding the Muslim community's response to interfaith marriages is crucial. While SEMA No. 2/2023 reflects a move toward legal inclusivity, it remains to be seen how Islamic scholars will interpret and implement these changes within their communities. Some scholars may push for more progressive interpretations of Islamic law to accommodate the changing legal realities, while others may resist these shifts, prioritizing traditional views on marriage and family (Firmansyah & Pranoto, 2023). One area of particular concern for Islamic law is the status of interfaith marriages in terms of religious ceremonies and practices. Islamic law requires that certain rituals be observed in a marriage, including the wedding contract, dowry, and the involvement of religious leaders.

In interfaith marriages, the question arises as to which religious authority should oversee these practices. This issue highlights the complexity of integrating Islamic practices with the state's legal framework, especially when different religious traditions are involved in the marriage (Hill, 2022). The legal recognition of interfaith marriages under SEMA No. 2/2023 raises important questions about the compatibility of religious and civil legal systems. While state law allows for greater flexibility in recognizing such marriages, Islamic law maintains its traditional stance, creating potential conflicts for individuals who seek both legal recognition and religious approval. These tensions underscore the importance of ongoing discussions about the role of religion in the legal framework of marriage and the ways in which religious and civil laws can coexist.

In terms of the children born from interfaith marriages, Islamic law provides clear guidelines for matters such as inheritance and religious upbringing. However, the state's legal system often adopts a more secular approach, with the child's rights determined by civil law rather than religious law. This discrepancy can create confusion for families who must navigate both legal systems. Islamic law, in this case, may offer a more rigid framework, while state law may seek to provide greater flexibility in dealing with the complexities of interfaith families.

Social Conflict and Ethics in Multi-Religious Indonesian Society Post-SEMA No. 2/2023

The enactment of SEMA No. 2/2023 in Indonesia has ignited significant social tensions, particularly among religious groups regarding the validity of interfaith marriages. Islamic organizations, in particular, have expressed concerns about the legal recognition of such unions, considering them contrary to Islamic principles (Malik, 2022). While some view this regulation as an important step toward inclusivity, others feel it undermines traditional religious values. The tension is particularly evident between conservative and liberal factions within religious communities, with each group presenting conflicting views on the legitimacy of interfaith marriages.

Religious differences play a crucial role in the sustainability of interfaith marriages, especially in a society like Indonesia, where religion is a central aspect of identity. The emotional and psychological strain on couples in interfaith marriages often stems from external pressures from their respective religious communities. These couples frequently face challenges related to raising children, managing family traditions, and navigating religious holidays, which may not always align with the beliefs of both partners. The long-term stability of such marriages is thus highly influenced by the ability of the couple to balance and reconcile these fundamental differences in belief systems.

The role of the government in mitigating the potential for social conflict arising from interfaith marriages is critical. While the state has taken a step toward recognizing the legitimacy of these unions through SEMA No. 2/2023, there remains a need for clearer policies that can reduce tensions. The government must facilitate public discourse on interfaith relationships and provide support to ensure that individuals in these marriages are protected from social and legal discrimination. Additionally, fostering interreligious dialogue and understanding can help reduce animosity between different religious groups in the community (Nabila & Wulandari, 2023).

The media plays a significant role in shaping public opinion regarding interfaith marriages. Following the introduction of SEMA No. 2/2023, media coverage of interfaith marriages has been polarized, with some outlets supporting the policy change and others criticizing it. The media's portrayal of interfaith marriages influences societal perceptions and can either exacerbate or alleviate existing tensions. The way the media frames interfaith marriages, highlighting either their challenges or successes, has a profound impact on how the public at large views these relationships and their legitimacy within Indonesian society.

Ethics and religious values play a pivotal role in shaping attitudes toward interfaith marriages. In Indonesia, where religious identity is a significant part of one's life, ethical considerations often intersect with legal perspectives. Many people view interfaith marriages as an ethical dilemma, questioning whether such unions align with their religious values. For some, the permissibility of interfaith marriages within state law does not change their belief that such marriages are morally or religiously inappropriate. Thus, there is a fundamental clash between religious ethics and state law, creating a challenging environment for individuals in interfaith marriages (Rogers, 2022).

Interfaith marriages in Indonesia are deeply embedded within the broader framework of social and religious ethics. Families often play a central role in determining whether or not such unions are acceptable. In many cases, parents may oppose their children entering interfaith marriages due to concerns over maintaining religious and cultural integrity (Sari, 2024). This opposition can lead to familial conflict, emotional distress, and, in some cases, estrangement. Consequently, the success of interfaith marriages is often dependent on the couple's ability to navigate these familial and ethical challenges.

As Indonesia moves forward with the legal recognition of interfaith marriages under SEMA No. 2/2023, it is crucial to recognize the underlying ethical dilemmas that persist in society. The ethical concerns raised by various religious groups often stem from deeply held beliefs about the sanctity of religious identity and the potential impact of interfaith marriages on religious cohesion. These concerns, while deeply rooted in tradition, must be addressed through educational initiatives that foster understanding and respect for diverse belief systems. The government and religious institutions must collaborate to find solutions that respect both legal and ethical perspectives.

The societal impact of interfaith marriages is significant, and there is a growing need to address the ethical questions that arise in the context of Indonesian pluralism. Interfaith couples are often caught between conflicting expectations from both their religious communities and the state. This situation is complicated by the fact that many Indonesians continue to hold traditional views that prioritize religious homogeneity in marriage. The legal changes brought about by SEMA No. 2/2023, while progressive, have intensified the ethical debates surrounding marriage, creating a divide between those who embrace the changes and those who resist them (Zulfikar, 2023).

While SEMA No. 2/2023 aims to bring legal clarity and recognition to interfaith marriages, the broader issue of social ethics remains unresolved. Religious communities often find themselves at odds with the new regulation, as it challenges the perceived moral order of marriage within traditional religious frameworks. The shift toward legal pluralism has sparked a debate about the compatibility of religious beliefs with the state's legal principles, creating an ethical dilemma that remains at the forefront of Indonesian public discourse (Malik, 2022). Ethical dilemmas surrounding interfaith marriages also influence public policy discussions on religious freedom and human rights in Indonesia. The country's diverse religious landscape means that policies affecting marriage and family life are not just legal matters but also deeply ethical ones.

As Indonesia continues to navigate this complex issue, the role of ethics in shaping the country's legal policies cannot be underestimated. Interfaith marriages are not simply a legal issue but a moral and cultural one that reflects broader societal values (Munir & Harahap, 2023). The tension between legal recognition and ethical opposition creates a volatile situation for interfaith couples in Indonesia. While the state may provide legal recognition and rights, the social and ethical challenges these couples face can undermine their sense of security. The persistent divide between legal legitimacy and religious acceptance means that couples may struggle to find full acceptance within their communities, even when their marriages are legally sanctioned. The long-term success of interfaith

marriages in Indonesia will depend on the country's ability to reconcile these legal and ethical tensions.

Conclusion

The absence of explicit regulation in Indonesia's Marriage Law No. 1 of 1974 created significant legal uncertainty and social challenges surrounding interfaith marriages. Prior to the issuance of SEMA No. 2/2023, interfaith unions lacked a clear legal framework, which led to various complexities for couples and communities involved. However, the introduction of SEMA No. 2/2023 has provided a more defined legal structure for the registration of interfaith marriages, though it still faces technical challenges in implementation. This regulation marks a significant step in addressing legal ambiguity, fostering greater legal certainty, and enabling interfaith marriages to be recognized within the legal system.

Socially, the regulation has shifted public perspectives on interfaith marriages, with a gradual transition toward more inclusive attitudes. Nevertheless, the process of harmonizing legal frameworks with religious values and societal realities remains a complex task. The research suggests that achieving this harmony requires an integrated approach that respects Indonesia's legal pluralism, religious diversity, and social realities. The successful integration of these elements will be key to ensuring the sustainability of interfaith marriages and the overall development of a more inclusive legal system in Indonesia.

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