

Islamic Law, the State, and Human Rights: The Contestation of Interfaith Marriage Discourse on Social Media in Indonesia

Y Sonafist^{1*}, Henny Yuningsih²

¹Institut Agama Islam Negeri Kerinci, Indonesia

²Universitas Sriwijaya, Indonesia

*Corresponding Author: sonafistmag@gmail.com

| *Received: 16-11-2022*

| *Revised: 25-12-2023*

| *Accepted: 28-12-2023*

Abstract: This study aimed at explaining the contestation of interfaith marriage discourse on social media, specifically on Instagram. The issue of interfaith marriage was quickly responded by social media users, not only by posting on their own accounts, but also by commenting on those posts of other people's accounts. This study attempted to map Instagram media users' comments on posts about interfaith marriage and to see the contestation of these comments in the context of the discourse on Islamic law, state law, and human rights in Indonesia. Qualitative research method was used in conducting this study. Data were collected from netizens' comments on the issue of interfaith marriage, specifically the issue of interfaith marriage conducted by a member of Presidential Special Staff, the District Court's decision on granting the interfaith marriage, and the Supreme Court's circular on interfaith marriage. These comments were randomly selected and then analyzed using qualitative content analysis methods. This study found that: first, there were two response models for social media users when commenting on the issue of interfaith marriage on Instagram, they were the responses of acceptance and rejection. The narrative of the comments that accepted the idea of interfaith marriage emphasized human rights, diversity, freedom, and criticized the state's involvement in private matters. Meanwhile, the narrative of comments that rejected the idea of interfaith marriage mostly referred to the provisions of Islamic law and state law. Second, based on these two response models, there was a contestation over the discourse of interfaith marriage in the context of Islamic law, the state, and human rights. However, this contestation was not based on a deep understanding of human rights and legal discourse. This contestation might have an impact on the public's lack of legal understanding of interfaith marriage and had the potential to cause conflict on social media. This study confirmed that contestation of legal discourse came not only from people who had authority, but also from people who did not have in-depth legal knowledge.

Keywords: Interfaith Marriage; Social Media; Islamic Law; State Law; Human Rights.

Introduction

Interfaith marriage has once again become a hot topic for the Indonesian people. The media in Indonesia was shocked by the marriage of Ayu Sartika Dewi, a member of the presidential special staff, who is Muslim, and Gerald Sebastian, who is Christian. The two were married in a procession of two religions at the same time (Prabawati, 2022). A few months later, the media in Indonesia were again shocked by the decision of the Surabaya District Court judge to grant a marriage request of a couple of different religions (Hakim, 2022). In response, the Supreme Court issued Supreme Court Circular Letter No. 2 of 2023 on instructions for judges in deciding cases involving applications for registration of marriage between people of different religions and beliefs. The circular emphasizes that courts may no longer grant applications for registration of marriage between people of different religions. This, of course, invited long legal discussions in the community between people who were for and against the idea of interfaith marriage. This long debate took place not only in the real world, but more so in cyberspace, such as social media, given the large number of social media users in Indonesia.

Many researchers have conducted studies on interfaith marriage from both theoretical and practical aspects. These studies can be categorized as follows: first, studies that focus on the legal aspects of interfaith marriage, both in terms of Islamic legal provisions and state laws (Azzam, 2015; Hedi et al., 2017; Lukito, 2008; Nurcholish, 2015; Suhasti et al., 2018; Zin et al., 2019). Second, studies that examine the practice of interfaith marriage in different regions by linking them to different aspects (Jawad & Elmali-Karakaya, 2020; Nasir, 2020; Rismawati, 2019; Suardana et al., 2021). Third, studies that consider interfaith marriage as a discourse (Fogiel-Bijaoui, 2017; Hayat & Basharat, 2019; Susanto & Zhang, 2017). Apart from these three categories of studies, several researchers have also studied interfaith marriage that occurred in several countries (El-maghawly, 2019; Islam, 2014; Sian, 2021; Van Niekerk & Verkuyten, 2018). To date, no study has specifically examined the contestation of the discourse on interfaith marriage on social media.

This study was intended to complement previous studies by focusing on the contestation of the discourse on interfaith marriage on social media, specifically on Instagram. This study sought to answer two questions: First, how did social media users respond to the discourse on interfaith marriage on social media, especially on Instagram? Second, how was the discourse on interfaith marriage contested on social media based on netizens' responses? Finally, this study examined the contestation of the discourse on interfaith marriage in the context of the discourse on Islamic law, the state, and human rights in Indonesia.

It is important to conduct a study of the discourse on interfaith marriage in social media considering two things. First, media activists usually respond very quickly to family issues that arise, thus they are easily accessible and go viral in society. Netizens are also quick to comment. Second, social media helps to color the legal discourse that develops in society because it not only informs cases, but also shapes society's understanding, especially the understanding of interfaith marriage.

Literature Review

Interfaith Marriage in Indonesia

According to Islam, marriage must be between people of the same religion. Interfaith marriage is invalid according to the Quran, Chapter Al-Baqarah verse 221, which states that a Muslim man cannot marry a polytheist woman until she becomes a believer. Based on this verse, the Indonesian Ulema Council issued a fatwa prohibiting interfaith marriage through Decree No. 4/MUNAS VII/MUI/8/2005 on the Law Prohibiting Interfaith Marriage. This prohibition is based on *sadd al-dzari'ah* to prevent the negative effects of interfaith marriage (Siregar, 2021). Marriage law in Indonesia also stipulates that marriage is valid if it is performed based on the provisions of each religion, as stated in Article 2 paragraph (1) of Law No. 1 of 1974 on Marriage (Hedi et al., 2017).

Although it is clear in the provisions of Islamic law and the Marriage Law in Indonesia, interfaith marriage is still a matter of debate in Indonesian society. The reason is that the Marriage Law does not explicitly declare the invalidity of interfaith marriage, consequently the legal umbrella for this marriage is not yet clear. Meanwhile, interfaith marriage continues to take place because of the plurality of the society. Several interfaith couples are trying different ways to have their marriage recognized and legalized. Couples who marry from different religions try an unconventional solution, which is to have their wedding abroad (Wahyuni et al., 2022). Interfaith marriage is then registered at the civil registry office (Jatmiko et al., 2022). However, the registration by the civil registry office is not binding, but merely administrative (Hadiati, 2020).

In addition to marrying abroad, some interfaith couples also apply to the court for the validity of their marriage. The government, through the judicial system, provides protection for the rights of interfaith marriage (Rosidah et al., 2023). However, the determination of interfaith marriage tends to be limited to the subjectivity of the judge in interpreting Article 2 (1) of Law No. 1 of 1974 on Marriage (Farid et al., 2022; Hariyanto et al., 2021). Decisions regarding interfaith marriage should aim at achieving lasting peace and justice not only for the parties involved, but also for the wider community or the majority of the Muslim community in Indonesia (Gemilang et al., 2023). This reality certainly requires new and clearer regulations on interfaith marriage because they are binding on each and every citizen, so that legal certainty and justice

are created (Sarifudin, 2019). Apart from this, it is also to preserve the faith of the children so that they do not easily convert to other religions (Noor & Lee, 2023).

Legal Discourse on Media

The media not only play an important role as a transformer of knowledge, but also have the capacity to significantly influence individual beliefs, societal norms, and behaviors, thereby they contribute to changes in socio-political structures. Through various platforms, the media has democratized religious discourse, moving it from physical and sacred spaces such as mosques to the digital realm (S. Adel & Numan, 2023; Mohamed, 2023). Religious discourse, even law, is no longer discussed in scholarly spaces, but is freely disseminated in digital spaces, such as the discourse on interfaith marriage. People freely produce and consume knowledge through the media, and even reproduce it on their media. This means that legal discourses are no longer owned and known only by certain groups, but are available to everyone.

For example, legal discourse on social media is widely produced and consumed by media activists. Several studies, such as the transmission of Sharia economic law on Instagram (Hayati, 2021), family law discourse on Instagram (Handayani, 2021), and even the contestation of gender discourse on social media (Ansori & Juliansyahzen, 2022), prove that the media play a very important role in the representation of discourse, legal discourses that were previously found only in print media, such as classical books and journals (Warman, 2017). These media carry different legal discourses, both state law, Islamic law, and global discourses such as gender issues and human rights. Of course, in the process of producing and consuming discourse, some discourses are dominant and others are not. Thus, contestation is inevitable in legal discourse.

In several studies, legal discourses presented by different media tend to lead to conservative legal discourses. This is like the polygamy discourse presented by preachers on their YouTube accounts, which does not represent the country's marriage laws at all and tends not to provide protection for women's rights. Thus, the dominant discourse is aimed at glorifying polygamy itself (Yazid, 2023). This polygamy legal discourse is spread not only on YouTube media, but also on Islamic websites, which are quite balanced between moderate and conservative legal discourse, although it does not have a significant impact on the progress of the polygamy legal discourse movement in digital discourse (Hadi, 2021). Apart from this, conservative family law discourse is also emerging in Islamic films (Hadi, 2021). These findings explain that the media in Indonesia tend to be dominated by conservative family law discourses.

Method

This research is qualitative research using content analysis methods. The research was conducted on the social medium platform of Instagram, which posts topics about interfaith marriage. This research focused on the comments of social media users (netizens) on the posts about interfaith marriage spread by the media. It focused on the interfaith marriage conducted by presidential special staff, the decision of the district court in granting interfaith marriage, and the issue of the Supreme Court circular on the authority of the district courts in deciding cases of interfaith marriage. The comments of social media users (netizens) were randomly selected and then analyzed using qualitative content analysis methods. These responses were then also analyzed using contestation theory to identify the contestation of the discourse on interfaith marriage on social media.

Results and Discussion

Netizens' Response to the Issue of Interfaith Marriage on Social Media

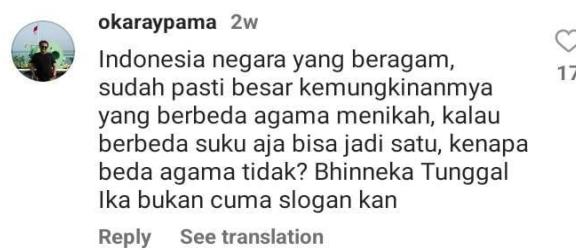
The issue of interfaith marriage was once again debated on social media when presidential special staff conducted two wedding processions simultaneously, the marriage ceremony in the mosque and the blessing in the church. The issue intensified when the district court again allowed the interfaith marriage. In the end, the Supreme Court issued Supreme Court Circular Letter No. 2 of 2023 regarding instructions for judges in deciding cases on applications for registration of marriage between people of different

religions and beliefs. This series of issues has received various reactions in the digital society in Indonesia. In this section, data on the different responses of netizens to the three issues of interfaith marriage are explained. These responses can be divided into two categories, there are responses that support the permissibility of interfaith marriage and responses that reject interfaith marriage. These responses were randomly selected from netizens' comments on posts on the issue of interfaith marriage on Instagram.

1. Responses Supporting Interfaith Marriage

Several netizens who supported interfaith marriage commented on the issue of interfaith marriage on Instagram with different comments. The narratives of these comments included discourses on diversity, unity, human rights, state involvement in religious affairs, and the rights of citizens who were discriminated against by the state. Comments leading to the diversity discourse stated that Indonesia is diverse with many ethnicities and religions. Therefore, interfaith marriage is a necessity because it does not exclude the possibility of people of different religions uniting to live like people of different ethnicities. Netizens' comments leading to the diversity discourse can be seen as follows:

Figure 1. Comments leading to the diversity discourse



Apart from the issue of diversity, some netizens also supported the permissibility of interfaith marriage on the basis of human rights. According to them, marriage is a human right, thus marrying anyone is a right that cannot be prohibited by either religious or state law. This can be seen in the following comments:

Figure 2. Comments leading to the human right and freedom



The issuance of Circular Letter No. 2 of 2023 of the Supreme Court of Justice concerning instructions for judges in deciding cases on applications for the registration of marriage between people of different religions and beliefs has also been responded by netizens who supported interfaith marriage. These comments tend to be critical of the state's involvement in regulating the private sphere of its citizens. These comments can be seen as follows:

Figure 3. Comments criticizing state involvement

indraharbani 20w
Sediisiih dan kecewaaa sekali 😭😭. NKRI ini bukan negara agama, bukan negara Islam, melainkan Pancasila yg menghormati semua agama. Perkawinan adalah urusan pribadi, kenapa mesti diatur2 oleh negara? Dilarang perkawinan beda agama??? Banyak kerabat kami yg nikah beda agama, dan mereka hidup rukun bahagia sampai anak cucu mereka. Sebaliknya tidak sedikit perkawinan dg agama sama yg tidak bahagia dan berakhir dg perceraian. Tolooong kembalikan hak warga untuk menentukan kebahagiaan mereka sendiri, demi terwujudnya keluarga bahagia lahir bathin ❤️❤️ sampai ke generasi penerus 🙏🙏

38

adamindra23_ 24w
TURUT BAHAGIA BUAT MEREKA! udah saatnya negara ini gausah ngurusin agama orang

jejegunarwan 2w
😊😊😊 kebebasan beragama & nikah aja d atur

10

Reply See translation

Apart from that, some netizens also thought that the circular indicates that the state no longer protects people's rights to marry and convert to their respective religions without coercion. It is also believed that the state is shackling the love of its people by not allowing interfaith marriage, although Indonesia is a democratic country that should facilitate its people. These comments include the following:

Figure 4. Comments that the state does not protect its people

zarghiff 62w
Aneh.... Padahal negara DEMOKRASI. harusny negara MEMFASILITASI. Cinta kan sifatny tak BISA DIUKUR. Kualitatif. Kok bisa bisanya CINTA malah diBELENGGU ATURAN NEGARA dan disuruh ke luar negri kasiyah kang somay yg naksir cici kang mie ayam dah. Masa iya mesti ke luar negri. EMANG CINTA BUAT YG PUNYA DUIT JA HALOOO NIHOO HALOOOOOOO @dpr_ri pak jokowi haloooooo @jokowi

1

amimahhalawati 26w
Bukti negara masih nggak melindungi hak dasar rakyatnya buat menikah dan memeluk agama masing-masing tanpa paksaan.

132

Reply See translation

View 7 more replies

2. Responses Rejecting Interfaith Marriage

Of all the comments on the issue of interfaith marriage on Instagram, it was found that comments opposing interfaith marriage were more prevalent. Many of these comments referred to Islamic law which prohibits marriage between different religions and state law which also prohibits it. Some comments even concerned with the issues of faith and belief. These comments can be seen as follows:

Figure 5. Comments referred to Islamic law

ns_zuhri 90w
Ooo dia gk tauu kali itu haram..dia gk tau di undang2 melarang nikah beda agama..ka dia tinggal dinegara atas awan 😅

1

Reply See translation

hannachorie 90w
Miris

Reply

joelya_pesex 90w
Bener2 rusak akidah anak bangsa di rezim PKI

3

Reply

a_yani_mocy 20w
Yang merasa beragama Islam, muslim atau muslimah,, nikah beda agama diatur dalam hukum Islam,, jadi jelas ya, gak ada perdebatan lagi, kalo yg gak muslim jangan masuk k ranah kita, dengan dalil ke bhinnekaan lah toleransi lah.. Karena Agama kami (Islam) sudah mengatur, tolong hargai hukum agama kami . *Jangan masuk di ranah yg bukan ranah kalian *

 **mhdrptr_ 90w**

Hukum agama telah melarang pernikahan seperti ini, jdi tinggal UU ada aja harus ada pemberlakuan tntang hukum ini, jika memang hal ini tidak bnyak dlakukan lagi di negara ini.

[Reply](#) [See translation](#)

 **elintrisnawati223 3w**

Kami umat Islam menyakini apa yg Allah larang dan Allah Atur ,sudah jelas Allah melarang itu yg terbaik bagi hambanya 🙏

[Reply](#) 165

[View 55 more replies](#)

In connection with the district court judge's decision to grant the request for interfaith marriage, netizens also commented more not only on the judge's legal knowledge, but also on the provisions for marriage in various religions, especially in Islam. This can be seen in the following comments:

Figure 6. Comments on the judge's legal knowledge

 **iamhardiansyachmalick 24w**

Di dalam Ajaran Syariat Islam Pernikahan Beda Agama Hukum nya Haram, Jika Pernikahan Tersebut Tetap Di Laksanakan Hukum Tidak Sah Dalam Agama Seolah Olah Pernikahan itu Tidak Pernah Terjadi. Dan Perbuatan Mereka Tergolong Dalam Perbuatan ZINA !!! Itu Hakim Yg Mengesah Kan Pernikahan Beda Agama Siapa ??? Agamanya Islam apa Non Islam ??? Kalo Hakim nya Beragama Islam, Siap Siap Menanggung Dosa Jariyah Mereka !!!

 **mariadwisyahya 24w**

Lah. Islam sama Kristen? Hakimnya lupa Pasal 2 Ayat (1) UU 1/74 😞 kan pernikahan sah kalau tunduk berdasarkan agama yang dianut, sejak kapan islam nge-sah in nikah beda agama? Kristen kan juga sama. Gak bisa gereja menikahkan kalau gak seiman. suruh balik sekolah deh ini. Gemesh. Dosamu mengalir jauh lo kalau putusan dijadikan rujukan orang lain buat nikah beda agama. Hihh seren

 **rizki.oje33 27w**

Beda agama malah bikin ribet.dalam Islam secara syariah juga gak sah nikah nya. Kan akad nya ada pake penghulu, berarti penghulu nya gak nerti agama ato emang udah buat duit

[Reply](#) [See translation](#)

Netizens' comments emphasized the provisions of Islamic law that make it haram to marry a non-Muslim. Furthermore, if a marriage does occur, the relationship is considered adultery, which is a great sin in Islam, even if it is in the name of love, tolerance, or diversity. This can be seen in the following comments:

Figure 7. Comments on the haram to marry a non-Muslim

 **kraputv.genz 20w**

Soal beda agama itu pilihan , tetapi jelas di dalam Islam harus sesuai syariat ,artinya Laki-laki Muslim boleh menikah dengan Wanita Ahli Kitab /Non Muslim , tetapi Wanita Muslim Haram hukumnya menikah dengan Laki-laki Non Muslim. Saya sbg Muslim dasar yg harus dipegang itu dulu. Baru kita bicara pencatatan secara sipil/negara. Negara sebaiknya melakukan pencatatan secara administrasi saja, justru kalau yg skrg dikhawatirkan mereka tidak akan mencatatkan ke pengadilan secara hukum sipil yg scr jangka panjang akan berpengaruh pada statistik demografi. Atau kalau tidak ada pencatatan di KUA misalkan, Pengadilan boleh menolak.

 **santi_suwitno_utomo 6w**

Kalau untuk agama lain mungkin tidak apa2 tp buat yg muslim sudah ada aturannya dalam Al Qur'an hukumnya zina, mau atas nama cinta, toleransi atau keberagaman jika yg satu muslim saya sarankan lebih baik pindah agama aja deh percuma jg sholat tiap hari dan baca Al Qur'an tp selalu berzina. Anda merasa secara negara perzinahan anda legal tp secara agama anda mungkar TDK taat sm hukum Allah buat apa, meskipun katanya itu hak pribadi.

[Reply](#) [See translation](#)

Some netizens' comments also referred to the rules of other religions. The comment explains that all religions prohibit interfaith marriages, not just Islam. Netizens explain the provisions for interfaith marriages in each religion, such as Christianity, Hinduism and Buddhism. This is the case in the following comments:

Figure 8. Comments referred to the rules of other religions



These are the data on netizens' comments on the issue of interfaith marriage that went viral on Instagram. Several things can be gleaned from the data: First, there were two models of netizen responses to the issue of interfaith marriage which were in the form of support and rejection, although there were some netizens who commented with a neutral narrative. Second, the narrative of comments accepting interfaith marriage emphasized more on human rights, diversity, people's rights, freedom, and criticized the state's involvement in private affairs, especially in terms of the right to marry. Meanwhile, the narrative of commentaries opposing interfaith marriage mostly referred to the provisions of Islamic law that prohibit interfaith marriage, as well as state legal provisions. Third, the discourse on law and human rights in netizens' comments tended to be less in-depth, in the sense that their comments were weak because they were not based on extensive knowledge. For example, when commenting on a human rights narrative, netizens did not understand the concept of human rights and did not explore it enough in their comments. Also, when referring to religious provisions (Islamic law), netizens only explained the prohibition of interfaith marriage in Islamic law without clearly referring to the legal basis in the Quran. Similarly, when using state legal narratives, comments were written without providing a detailed explanation of the provisions in the marriage law.

Contesting Interfaith Marriage Discourse on Social Media: Islamic Law, the State, and Human Rights

Interfaith marriage, as previously stated in Islamic law, is not valid. Meanwhile, in state law, marriage laws and regulations for interfaith marriage are not yet clear. Although Article 2 (1) of Law No. 1 of 1974 on Marriage states that a marriage is valid if it is performed in accordance with the rules of each religion, this provision still generates legal debate in society. No less important in the discourse on interfaith marriage is the conflict with human rights. According to some people, it is their human right to marry someone of another religion, thus neither religious law nor the state has the right to prohibit it. It is at this level that the legal discourse between different religions is contested, especially on social media, where people from different elements can easily express their thoughts and understandings.

Based on the data mentioned above, in response to the issue of interfaith marriage, starting from the news of presidential special staff conducting interfaith marriage, the District Court granted applications for interfaith marriage. To the issuance of Supreme Court Circular Letter Number 2 of 2023 regarding instructions for judges in adjudicating in the case of applications for registration of marriage between people of different religions and beliefs, digital people were divided into two groups. There were those who supported interfaith marriage and those who opposed the practice of interfaith marriage. In this context, the netizens' comments were placed within the framework of contestation over the discourse of interfaith marriage. The contestation took place between netizens who accepted interfaith marriage by emphasizing human rights issues and netizens who rejected interfaith marriage by referring mostly to religious and state legal provisions that prohibit interfaith marriage. In other words, the discourse on interfaith marriage on social media is contested between Islamic law, the state, and human rights.

Basically, there is no contradiction or conflict between Islam and human rights. In fact, Islam upholds human rights. On the other hand, the state tries to build a bridge between religion and human rights and

to protect the human rights of citizens (Nawawi et al., 2022). Moreover, in terms of custom, the relationship between Islamic law and custom seems to be harmonious and mutually supportive (Rabbani Lubis & Suhri, 2020; Warman, Zulkifli, et al., 2023). In other words, Islamic legal rules are essentially consistent with provisions that prioritize humanitarian principles. For example, in the case of marriage, Islamic law fundamentally prioritizes the rights and duties of family members. Family life that is fair, prosperous, happy, and fosters and provides space for equality. (Solikin & Wasik, 2023). However, conflicts within the family cannot be avoided due to various factors (Warman, Elimartati, et al., 2023).

To understand the contestation of the discourse of interfaith marriage on social media, it cannot be separated from the sources and habits of netizens. Looking at the narrated comments, it can be understood that netizens who accepted the idea of interfaith marriage were based on the discourse of human rights and absolute freedom. Meanwhile, netizens who opposed interfaith marriage relied on the provisions of religious and state law. However, netizens did not have a good understanding of the sources they have. This can be seen from their comments of which they simply linked the issue to the term of human rights and the provisions of Islamic and state law. The narrated comments showed that netizens did not really understand the legal provisions well. In other words, the debate on the discourse of interfaith marriage was not based on extensive legal knowledge of this discourse. In the end, the contestation that occurred was not deep in the legal discourse, but rather in the understanding and personal choice tendencies of netizens. In other words, the contestation that occurred was more about each netizen's tendency to respond to the issue.

Netizens' comments on the issue of interfaith marriage also tended to use provocative narratives. This showed the habits of netizens. Provocative comments invited reactions from other netizens. In other words, these comments were narrated with the aim of getting a lot of comments from people who did not like it or the ones who liked it. At this stage, the contestation of the discourse of interfaith marriage on social media was more about the contestation of social media users in order to gain a large number of followers. Thus, the understanding of Islamic law, the state and human rights were sometimes used only as material for comments and objects of comments by social media users.

This contestation of the discourse on interfaith marriage, which did not have a strong basis, certainly had an impact on various things, such as conflicts among netizens. Provocative comments certainly invited reactions from other netizens which, if not properly understood, would lead to conflicts, especially religious conflicts (Adnan & Rahman, 2023). On the other hand, these netizens' comments showed that social media users in Indonesia were not yet moderate, consequently sometimes the narrated comments tended to give pressure to certain groups. Therefore, there is a need to maintain moderate understanding in social media (M. A. Adel, 2023; Hasan & Taufiq, 2023), as well as an attitude of tolerance in religion that emphasizes respect, forgiveness, and doing good (Rahman & Shapie, 2023).

In addition, debates on social media about interfaith marriage that were not based on a sound understanding of the law would also have an impact on misunderstanding the legal provisions. The concept of human rights needs to be well understood, as well as the provisions of Islamic law regarding interfaith marriage in the Quran, which need to be studied so that legal knowledge is not half-understood. In addition, the provisions of the marriage law need to be carefully studied so that the rules for interfaith marriage in state law can also be properly understood. If these provisions are not properly understood, then if one participates in commenting on the issue of interfaith marriage on social media, then one participates in spreading understandings that lead to endless and unclear debate.

Conclusion

Interfaith marriage performed by presidential special staff have reignited the debate over the validity of interfaith marriage. In addition, many district courts have granted applications for interfaith marriage. This was quickly responded by groups who did not accept the practice of interfaith marriage in Indonesia because it is not in accordance with religious and government regulations. The publication of the Supreme Court Circular Letter No. 2 of 2023 on Instructions for Judges in Adjudicating Cases on Applications for

Registration of Marriage between People of Different Religions and Faiths also triggered a response from people who accepted marriage from different religions. According to them, interfaith marriage is a human right. The state has no right to regulate the private sphere of its citizens. These reactions were very visible on the social media, especially on Instagram. The responses of social media users were not only about posting the issue of interfaith marriage on their media accounts, but also commenting on the issue on other people's accounts. These comments invited a confrontation between Islamic law, the state and human rights. However, this debate was not based on an in-depth understanding of the discourse on human rights, Islamic law, and the state. It happened because the comments were basically only meant to attract more comments and likes so that they got more followers. This fact had an impact on the public's lack of legal understanding and had the potential to cause conflict on social media.

Acknowledgement

The authors would like to thank all those who assisted in the research and writing of this article.

Conflict of Interest

This article has not a conflict of interest.

References

Adel, M. A. (2023). Aesthetics of Religious Coexistence and Tolerance in the Shafak's Turkish Novel. *International Journal of Islamic Thought*, 24(1), 108–118. <https://doi.org/10.24035/ijit.24.2023.273>

Adel, S., & Numan, M. (2023). Online Fatwas in Pakistan using Social Networking Platforms. *Ullumuna*, 27(1), 201–226. <https://doi.org/10.20414/ujis.v27i1.689>

Adnan, A. A. Z., & Rahman, M. H. A. (2023). Model of Religious Conflict Mechanism Among Muslims in Malaysia. *International Journal of Islamic Thought*, 24(1), 1–9. <https://doi.org/10.24035/ijit.24.2023.265>

Ansori, & Juliansyahzen, M. I. (2022). The Contestation of the Family Law Discourse in the Digital Age: Islam, State, and Gender. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 6(1), 244–272. <https://doi.org/10.22373/sjhk.v6i1.9111>

Azzam, L. S. (2015). *The regulation of interfaith marriage in Islamic legal discourse*. American University in Cairo.

El-maglawy, M. (2019). *Law, love and violence: Interfaith romance in modern Egypt*. The American University in Cairo.

Farid, D., Abdulah Pakarti, M. H., Hendriana, H., & Fathiah, I. (2022). Interfaith Marriage: Subjectivity of the Judge in Determination of No. 454/pdt.p/2018 Surakarta District Court. *Al-Istinbath: Jurnal Hukum Islam*, 7(2), 355. <https://doi.org/10.29240/jhi.v7i2.4574>

Fogiel-Bijaoui, S. (2017). Sleeping with the 'Enemy': Mixed Marriage in the Israeli Media. *Journal of Israeli History*, 36(2), 213–228. <https://doi.org/10.1080/13531042.2018.1545820>

Gemilang, K. M., Firmando, H., Maghfirah, Lastfitriani, H., & Hakimi, A. R. (2023). Discussing the Phenomenon of the Appointment of Judges in District Courts Regarding Interfaith Marriage from a Legal Logic Perspective. *Al-Istinbath: Jurnal Hukum Islam*, 8(2), 307–324. <https://doi.org/10.29240/jhi.v8i2.8185>

Hadi, M. N. (2021). CONSERVATIVE MUSLIM ON THE SCREEN: The Narrative of Islamic Family Law in Indonesian Films. *Al-Ahwal*, 14(2), 133–145. <https://doi.org/https://doi.org/10.14421/ahwal.2021.14202>

Hadiati, T. (2020). The Law Politics in the Reformulation of Interfaith Marriage in Indonesia. *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi Dan Keagamaan*, 7(1), 25. <https://doi.org/10.29300/mzn.v7i1.2775>

Hakim, L. (2022). PN Surabaya Kabulkan Permohonan Nikah Beda Agama, Ini Alasan dan Poin-poinnya. In *daerah.sindonews.com*. <https://daerah.sindonews.com/read/803779/704/pn-surabaya-kabulkan-permohonan-nikah-beda-agama-ini-alasan-dan-poin-poinnya-1655726765>

Handayani, Y. (2021). HUKUM PERKAWINAN ISLAM DI RUANG DIGITAL Bias Gender dalam Wacana Hukum Perkawinan di Instagram (ISLAMIC FAMILY LAW IN THE DIGITAL SPACE Gender Bias in the Discourse of Family Law in Instagram). *Al-Ahwal*, 14(2), 112-132. <https://doi.org/10.14421/ahwal.2021.14201>

Hariyanto, E., Efendi, M., & Sulistiawati, S. (2021). Dilema Hakim Pengadilan Agama dalam Menyelesaikan Perkara Hukum Keluarga Melalui Mediasi. *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi*, 4(1), 115-124. <https://doi.org/10.24090/volksgeist.v4i1.4333>

Hasan, M., & Taufiq, M. (2023). Ahmad Dahlan and the Moderate, Humanist, and Non-Sectarian Islam. *International Journal of Islamic Thought*, 24(1), 100-107. <https://doi.org/10.24035/ijit.24.2023.272>

Hayat, I., & Basharat, T. (2019). A critical study on the principles of interfaith marriage: a perspective of classical discourse of Islam. *Pakistan Journal of Islamic Research (PJIR)*, 20(1), 1-12.

Hayati, R. F. (2021). Transmisi Hukum Ekonomi Syariah di Ruang Digital (Kajian terhadap Akun Instagram @muamalah_daily). *JURIS (Jurnal Ilmiah Syariah)*, 20(1), 19-33. <https://doi.org/http://dx.doi.org/10.31958/juris.v20i1.2903>

Hedi, F., Anshori, A. G., & Harun. (2017). Legal policy of interfaith marriage in indonesia. *Hasanuddin Law Review*, 3(3), 263-276. <https://doi.org/10.20956/halrev.v3i3.1297>

Islam, M. Z. (2014). Interfaith Marriage in Islam and Present Situation. *Global Journal of Politics and Law Research*, 2(1), 36-47.

Jatmiko, B. D. W., Hidayah, N. P., & Echaib, S. (2022). Legal Status of Interfaith Marriage in Indonesia and Its Implications for Registration. *Journal of Human Rights, Culture and Legal System*, 2(3), 167-177. <https://doi.org/10.53955/jhcls.v2i3.43>

Jawad, H., & Elmali-Karakaya, A. (2020). Interfaith Marriage 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>

Lukito, R. (2008). The enigma of legal pluralism in Indonesian Islam: the case of interfaith marriage. *Journal of Islamic Law and Culture*, 10(2), 179-191. <https://doi.org/10.1080/15288170802236457>

Mohamed, S. (2023). Media and Muslim Societies during the Time of Islamic Revivalism (1800s-1950s). *International Journal of Islamic Thought*, 23(1), 99-108. <https://doi.org/10.24035/ijit.23.2023.260>

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>

Nawawi, M. A., Sulastri, S., Edi, R. N., & Setiawan, A. (2022). Harmonization of Islam and human rights: judges' legal arguments in rejecting child marriage dispensation in Sukadana, Indonesia. *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan*, 22(1), 117-134. <https://doi.org/10.18326/ijtihad.v22i1.117-134>

Noor, Z. B., & Lee, N. (2023). Preserving Child's Faith in Malaysian Law: A Maqasidic Approach. *Ulumuna*, 27(1), 1-32. <https://doi.org/10.20414/ujis.v27i1.606>

Nurcholish, A. (2015). Interfaith Marriage in the Constitution and the Islamic Law Dinamics in Indonesia. *Al-Mawarid*, 15(2), 123-142. <https://doi.org/10.20885/almawarid.vol15.iss2.art6>

Prabawati, G. (2022). *Stafsus Jokowi, Ayu Kartika Dewi Menikah Beda Agama, Akad Nikah dan Pemberkatan di Gereja Katedral*. M.Tribunnews.Com. <https://m.tribunnews.com/nasional/2022/03/18/stafsus-jokowi-ayu-kartika-dewi-menikah-beda-agama-akad-nikah-dan-pemberkatan-di-gereja-katedral>

Rabbani Lubis, A. A. A. M., & Suhri, M. A. K. (2020). Relasi Hukum Islam dan Adat dalam Tradisi Pamogih pada Perkawinan Masyarakat Muslim Bondowoso. *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi*, 3(2), 45-63. <https://doi.org/10.24090/volksgeist.v3i2.4014>

Rahman, N. F. A., & Shapie, N. S. (2023). Religious Tolerance Conceptual Framework: Malaysian Religious Leaders and Scholars' Perspective. *International Journal of Islamic Thought*, 24(1), 168-178. <https://doi.org/10.24035/ijit.24.2023.279>

Rismawati, S. D. (2019). Choosing One Religion and Getting Married: The Meaning and Legal Culture of

Interfaith Marriage Couples in Purbo Pekalongan Indonesia. *International Journal of Science and Research (IJSR)*, 8(11), 869–883. <https://doi.org/10.21275/ART20202752>

Rosidah, Z. N., Karjoko, L., & Palil, M. R. (2023). The Government's Role in Interfaith Marriage Rights Protection: A Case Study of Adjustment and Social Integration. *Journal of Human Rights, Culture and Legal System*, 3(2), 265–287. <https://doi.org/10.53955/jhcls.v3i2.105>

Sarifudin, S. (2019). Kawin Beda Agama dalam Kajian Hukum Islam dan Peraturan Perundang-Undangan di Indonesia. *Al-Istinbath: Jurnal Hukum Islam*, 4(2), 213. <https://doi.org/10.29240/jhi.v4i2.787>

Sian, K. P. (2021). "Love Jihad", "Forced" Conversion Narratives, and Interfaith Marriage in the Sikh Diaspora. *Religions*, 12(1085), 1–15. <https://doi.org/10.3390/rel12121085>

Siregar, P. M. (2021). Relevance of The Fatwa of The Indonesian Ulema Council to The Renewal of Islamic Family Law in Indonesia (Study of MUI Fatwa Number: 4/Munas VII/MUI/8/2005 on Marriage of Different Religions). *JURNAL ILMIAH MIZANI: Wacana Hukum, Ekonomi, Dan Keagamaan*, 8(1), 85–102. <https://doi.org/10.29300/MZN.V8I1.4865>

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. *Ullumuna*, 27(1), 315–340. <https://doi.org/10.20414/ujis.v27i1.708>

Suardana, I. K. P., Jelantik, S. K., Widaswara, R. Y., & Harnika, N. N. (2021). Preventive Interfaith Marriage Conflicts Through Assistance for Hindu Families Based on Swadharma Grahasta Dormitory in Ngis Hamlet, Buwun Sejati Village, Narmada District, West Lombok Regency. *Engagement: Jurnal Pengabdian Kepada Masyarakat*, 5(2), 377–396. <https://doi.org/10.29062/engagement.v5i2.674>

Suhasti, E., Djazimah, S., & Hartini. (2018). Polemics on interfaith marriage in Indonesia between rules and practices. *Al-Jami'ah*, 56(2), 367–394. <https://doi.org/10.14421/ajis.2018.562.367-394>

Susanto, E. H., & Zhang, S. D. (2017). Critical Discourse Analysis of Interfaith Marriage News from Cyber Media in Indonesia. *Journal of Educational and Social Research*, 7(1), 91–104. <https://doi.org/10.5901/jesr.2017.v7n1p91>

Van Niekerk, J., & Verkuyten, M. (2018). Interfaith marriage attitudes in Muslim majority countries: A multilevel approach. *International Journal for the Psychology of Religion*, 28(4), 257–270. <https://doi.org/10.1080/10508619.2018.1517015>

Wahyuni, S., Luthviatib, R. D., Hayat, M. J., & Mishra, U. K. (2022). The Registration Policy of Interfaith Marriage Overseas for Indonesian Citizen. *Bestuur*, 10(1), 12–21. <https://doi.org/10.20961/bestuur.v10i1.64330>

Warman, A. B. (2017). *Konservatisme Fikih Keluarga (Kajian Terhadap Buku-Buku Populer Rumah Tangga Islami)*. UIN Sunan Kalijaga Yogyakarta.

Warman, A. B., Elimartati, Alfiander, D., Fadhli, A., & Nabilah, W. (2023). From communal to individual: Shifting authorities of family dispute resolution in Minangkabau society. *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan*, 23(2), 161–184. <https://doi.org/10.18326/ijtihad.v23i2.161-184>

Warman, A. B., Zulkifli, Yustiloviani, Nabilah, W., & Hayati, R. F. (2023). Strengthening Family Resilience Through Local Wisdom: Pulang Ka Bako Type of Marriage in Minangkabau. *Al-Istinbath: Jurnal Hukum Islam*, 8(1), 253–268. <https://doi.org/10.7454/ai.v34i2.3966.5>

Yazid, M. (2023). NEGLECTING WOMEN'S RIGHTS: Indonesian YouTube Preachers' Legal Opinion on Polygamy. *Al-Ahwal: Jurnal Hukum Keluarga Islam*, 16(1), 69. <https://doi.org/10.14421/ahwal.2023.16104>

Zin, N. M., Jani, H. M., Hamid, A. G., & Hak, N. A. (2019). Jurisdictional conflict in interfaith child custody disputes: A legal discourse in malaysian courts. *Al-Shajarah*, 24(1), 1–24.