

## THE BENEFITS AND CHALLENGES OF SAME-RELIGIOUS AND INTERFAITH MARRIAGES

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**Abstract:** *Indonesia is a country with a diverse ethnic makeup, and marriage is considered to be a fundamental aspect of family life and is regulated by Law Number 1 of 1974. A Christian man has been in a loving relationship with a Muslim woman for over nine years. Both parties have agreed to continue their relationship to get married but remain committed to their respective religions eventually.*

*Law is a complex system of principles and rules that guides us in living together as humans, with fairness being a key focus. The qualitative research involving long-term couples from different religious backgrounds who have maintained harmonious relationships, along with input from legal professionals, can provide valuable insights.*

*According to Article 2, Paragraph 1 of Law Number 1 of 1974 Concerning Marriage, marriage is only recognized as legal if carried out within the same religion.*

**Keywords:** *harmonious, legal, marriage, religion*

### INTRODUCTION

Indonesia is a large country with a shared history and culture, despite its diverse ethnic and linguistic backgrounds. The Indonesian archipelago stretches from Sabang to Merauke, Sangir to Talaud, is home to hundreds of distinct ethnic, tribal, and cultural groups and over 700 languages. Javanese, Sundanese, and Madurese are the most populous ethnic groups in Indonesia, and Indonesian is the official language. Despite the challenges faced by a country with such a diverse population, Indonesia has maintained its unity as a large nation with a strong commitment to democracy and pluralism.

In Indonesia, there are hundreds of unique indigenous ethnic and linguistic groups. The Javanese are the most populous ethnic group. A common identity has formed, marked by a national language, ethnic variety, religious pluralism within a Muslim-majority population, and a history of colonial resistance. "Bhinneka Tunggal Ika" ("Unity in Diversity") is Indonesia's national slogan expresses the country's diversity. Indonesia has vast wilderness areas supporting the second-highest biodiversity level on the planet.

Since its inception, the national legal system of Indonesia has served as a unifying force, uniting the country into a single entity. Legislation is composed of sovereign authority. The common conception of law is that it is imposed from on high in the form of rules and customs that the ruling state imposes on the populace. According to this perspective, the law is a power source because it maintains order, justice, predictability, and practicability. It is more useful to view laws as rules governments impose on individuals than as hierarchical organizations.

The judicial system in the country is relatively centralized. The 1945 Indonesian Constitution is the supreme law and the foundation for all existing laws and regulations. The 1945 Constitution was critical in ensuring the rights of all citizens from various origins.

The right to religious or philosophical freedom, freedom from slavery, equal protection under the law, and retroactive immunity from prosecution are all inalienable human rights that must be

defended at all costs. Individuals are guaranteed protection from all forms of discrimination. Modern societies respect the rights and identities of indigenous peoples and other traditional communities, regardless of their origins.

This right includes the ability to marry whomever he desires, regardless of race, religion, nationality, or political affiliation. This suggests a favourable view of interracial dating.

Not everyone's favourite topic of conversation, but one of the most prevalent in contemporary society is intertribal marriage. Some individuals are concerned that marriages between citizens of the same nation will be brief and fraught with incompatibility. The same holds for both indigenous Indonesians and foreign-born individuals. Under this legal system, everyone has the right to physical and spiritual health, as well as the right to shelter, a safe neighbourhood, and medical care. Everyone has the right to convenience and special treatment that promote equality and justice.

Everyone has the right to receive an education and to benefit from science and technology, arts and culture, etc., to enhance the quality of life and the well-being of humanity.

The rule of law is highly centralized within the government. The 1945 Constitution of the Republic of Indonesia is the supreme state law and is the basis for all other laws and regulations. The Preparatory Committee for Indonesian Independence (PPKI) ratified the 1945 Constitution on August 18, 1945. The protection provided by the Constitution's ratification in 1945 benefited citizens from all walks of life immensely.

Article 28C, paragraph 1 of the Constitution of 1945 stipulates that everyone has the right to education and the benefits of science, technology, culture, among other things, to enhance the quality of life as the well-being of humanity.

The individual right to live free from torture is protected in Article 28I paragraphs (1), (2), and (3) of the 1945 Constitution, as are the rights to freedom of thought and conscience and the right to follow one's religion or preferred belief system.

According to the book *Implementation of Human Rights in the 1945 Constitution*, Article 28 of the 1945 Constitution provides the following human rights: Article 28A ensures the right to life as well as the right to defend one's life and well-being—article 28B: The right to establish a family and procreate through marriage.

A child's right to survival, growth, and development, as well as protection against abuse and prejudice.

Everyone has the right to physical and mental health, housing, a safe neighborhood, and medical care under this legal system. Everyone has the right to social security that allows them to grow fully and dignifiedly as human beings, including access to health care and other types of convenience and special treatment that promote equality and justice. The right to accept a religion and worship according to one's religion is listed as a human right in Article 28 of the 1945 Constitution. Article 28 of the Republic of Indonesia's 1945 Constitution guarantees all human rights, including the right to life, the right to form a family, the right to be protected from violence and discrimination, the right to develop oneself through basic needs fulfilment, equal rights before the law, the right to embrace religion and worship according to their religion, and other rights. Human rights are reflected in Article 28 of the Republic of Indonesia's 1945 Constitution, as revised to Articles 28A through 28J. This amendment brings the Human Rights Constitution of 1945 to a close. Marriage is regarded as a fundamental human right by the worldwide community. The United Nations General Assembly issued the 1948 Universal Declaration of Human Rights, which recognizes the right of adult men and women to marry and have children. This means that everyone has the right to marry without pressure and with both parties' full agreement.

The Universal Declaration of Human Rights (UDHR) declares in Article 16 that "men and women" have the right to marry, with women being the UDHR's triumph in expressing explicitly that women have equal rights in marriage. Diverse United Nations human rights mechanisms have urged all countries to legalize same-sex partnerships and provide equal protection and benefits to all residents.

Marriage is also acknowledged as a legal institution in which both parties have rights and responsibilities. These rights and responsibilities include property rights, inheritance rights, the right



to make medical decisions for the spouse, and the right to make decisions regarding the upbringing of children.

In addition, discrimination based on marital status is prohibited by law in numerous nations. This means that individuals cannot be denied employment, housing, or other opportunities based solely on their marital status.

Marriage is a fundamental aspect of personal autonomy, family life, and social equality, and therefore inextricably linked to human rights. Marriage in Indonesia is governed by Law Number 1 of 1974 ie 2 paragraph (1) of the Law of the Republic of Indonesia No. 1 of 1974 on Marriage states: "Marriage is legal if it is carried out in accordance with the laws of each religion and belief."

A 43-year-old Christian male employee of a multinational automaker who has been in a harmonious relationship with a 39-year-old Muslim woman for more than nine years. Both parties agreed to continue their relationship until marriage. The issue is that they are steadfast in their respective religions. Can they marry in Indonesia despite having different religions?

### THEORETICAL FRAMEWORK

According to Radbruch<sup>1</sup>, the concept of law may simply be justice, which is unbiased, on the side of what is right, and not arbitrary. Laws that are clearly unjust are stripped of their legal validity for reasons internal to the legal system. The legal system is to assess the fitness of law for a single purpose, or "to realize the concept of law." The nature of law can be explained by offering a definition of law that differs depending on the perspective. Radbruch defines law as "complex general teachings as rules of order to live together as humans" with a focus on fairness.

Purpose is the first out three principles used to supplement the concept of law, whereas justice is absolute, formal, and universal. Legal certainty is an essential component of justice because of its predictability. Positive law's legitimacy is established by the impossibility of any natural law. Living arrangements, according to Radbruch's relativism thesis, must be systematically managed by a trans individual author.

He illustrates this idea by outlining the duties of a judge, emphasizing the importance of legal certainty. However, if the legislation is confusing, the court will act in line with fairness in order to avoid anomalies or prejudice against specific citizen groups. Radbruch opposes legal positivism, which holds that legal certainty is the sole criteria for legal legitimacy. He is a leader in the natural law renaissance, in which nature has subjugated humanity to two sovereign forces: pain and pleasure. The utility principle acknowledges this subjugation and assumes it as the basis of a system with the aim of interlacing happiness with reason and law. However, some selfish actions may spread misery rather than achieving happiness.

Lawrence M. Friedman<sup>2</sup> was an American legal historian and theorist who made significant contributions to the study of law and society. His legal theory emphasizes the importance of the rule of law as a social institution, as well as the manner in which legal institutions and activities reflect and develop societal norms, values, and practices. Furthermore, he highlights law's social functions, such as its role in regulating behaviour, resolving disputes, and maintaining social order. Furthermore, he highlights the role of power in the legal system as a means of regulating behaviour and enforcing societal norms and values. Lawrence M. Friedman's legal theory focuses on the social functions of law and how legal institutions and processes reflect and shape societal norms, beliefs, and behaviours.

He contends that individuals in positions of power influence legal rules and practices, and that the law is frequently used as an instrument of tyranny and supremacy. He also emphasizes the importance

<sup>1</sup> Wilk, Kurt (Trans.). The Legal Philosophies of Lask, Radbruch, and Dabin. 20th Century Legal Philosophy Series: Vol. IV. (Harvard University Press, Cambridge, Massachusetts, 1950) 49-53

<sup>2</sup> Friedman, Lawrence M.. Grant M. Hayden, American Law: An Introduction. Third Edition (Oxford University Press,. New York, 2017) 5



of legal pluralism, or the coexistence of many legal systems within one society. His theory highlights the importance of understanding law as a dynamic and continually evolving social institution, as well as the role of power, communication, and legal pluralism in the legal system.

Article 16 deals with human intimacy, declaring that every adult has the right to marry and start a family. Women and men enjoy equal rights during marriage and after divorce. The State's commitment to offer protection is emphasized plainly, emphasizing the designer's high regard for the family.

Article 16 was written with the goal of reconciling opposing worldviews and overcoming religious concerns. The Second World War demonstrated gender equality, and the text was written in response to Nazi anti-interracial marriage regulations. It granted adult men and women the right to marry and have children regardless of race, ethnicity, or religion. There was no requirement for a marriage contract, and divorce was seen as a matter of non-discrimination rather than a human right.

### METHODOLOGY OF RESEARCH

This study employs a phenomenological framework to investigate the life experiences of soon-to-be-married couples of various religions. In the social sciences, management, and psychology, phenomenological research, which involves interviewing individuals about their personal experiences as a phenomenon<sup>3</sup> is utilized. This study constructs an inductive model based on informant feedback and then evaluates the central proposition using existing literature and theory. Marshall and Rossman<sup>4</sup> assert that in order to accomplish this, researchers must be fully integrated into their research setting, living and working alongside their informants.

In qualitative research, human behaviour and events are observed, and these observations are based on unstated hypotheses, beliefs, and assumptions. This study employs an empiric-phenomenological methodology that involves connecting experiences in order to obtain a comprehensive picture through reflective structural analysis<sup>5</sup>. The analysis conveys the context and reflexivity of the participants' experiences. The focus of qualitative research<sup>6</sup> is on how individuals interpret their own experiences and the world. This study uses as informants long-term couples of different religions who want to marry soon in Jakarta, as well as legal professionals and parents whose sons and daughters have prospective partners of different religions and have been in long-term, harmonious relationships. This research seeks to comprehend multiple realities<sup>7</sup>.

### DISCUSSION

The concept of marriage has existed since ancient times, when it was believed that marriage was a divine institution. People believe that a successful marriage will bring prosperity and happiness not only to the couple, but also to their families and communities. Over time, marriage evolved into a

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<sup>3</sup> Creswell, John W., 2014. *Qualitative Inquiry & Research Design. Choosing Among Five Approaches* (Sage Publications, Inc.: Thousand Oaks, California, 2014) 14

<sup>4</sup> Marshall, C. and Rossman, G., *Designing Qualitative Research*. 6<sup>th</sup> Edition (Sage Publications, Inc. Thousand Oaks, California, 2016) 35

<sup>5</sup> Creswell, John W., Cheryl N. Poth, *Qualitative Inquiry & Research Design. Choosing Among Five Approaches* 4<sup>th</sup> Edition (SAGE Publications, Inc. Thousand Oaks, California, 2018) 115

<sup>6</sup> Moustakas, Clark, 1994, *Phenomenological Research methods* (Sage Publications, Inc Thousand Oaks, California, 1994) 33

<sup>7</sup> Locke, Lawrence F., Spirduso, Waneen W. (Wyrick), Silverman. *Proposals That Work: A Guide for Planning Dissertations and Grant Proposals* 6<sup>th</sup> edition (Sage Publications, Inc Thousand Oaks, California, 2013) 84



legal contract between two individuals who agreed to spend their lives together regardless of their socioeconomic status<sup>8</sup>.

Marriage is a sacred union between two people who have chosen to spend the remainder of their lives together. It is a promise to love and support one another through thick and thin, in sickness and in health, whether wealthy or impoverished. Marriage is a centuries-old institution that continues to play a significant role in many cultures around the world. In this essay, we will examine the self-love and self-actualization-based reasons why men and women should marry<sup>9</sup>.

In many religions around the world, marriage is regarded as sacred and ritualistic. In fact, many religious traditions have their own distinctive customs and practices pertaining to marriage, which are frequently deeply rooted in their religious doctrines and teachings.

For example, in Christianity, marriage is considered a divinely ordained sacred institution. The Bible teaches that marriage is a union between a man and a woman that mirrors Christ's relationship with His Church. Typical Christian wedding ceremonies include the exchange of vows and rings, prayers, and Bible readings. In Islam, marriage is regarded as a sacred institution that is intended to strengthen the bond between a man and a woman. The Islamic wedding ceremony, known as *nikkah*, includes the recitation of prayers and the exchange of gifts. Al-Quran teaches that marriage is a means for husband and wife to achieve love, affection, and peace. In Hinduism, marriage is regarded as a sacrament and a lifetime commitment between a man and a woman. Typical Hindu wedding rituals include the exchange of garlands, the tying of sacred threads, and the giving and receiving of rings. Marriage is a means to achieve spiritual growth and fulfil one's duties and responsibilities in life, according to the Vedas.

Similarly, other religions throughout the world, such as Buddhism, Sikh, and Judaism, have their own sacred and ritualistic customs and practices regarding marriage. In many societies around the world, marriage has significant legal and social implications in addition to its religious significance. Marriage is typically viewed as a legal contract between two parties, and it entails a number of legal rights and responsibilities, such as inheritance, property rights, and the ability to make medical decisions on behalf of the spouses.

In numerous religious traditions across the globe, marriage is regarded as sacred and ritualistic. Marriage is generally viewed as a means of achieving spiritual, legal, and social fulfilment in the lives of individuals and communities, although the specific customs and practices associated with marriage may vary across religions and cultures. Marriage is a fundamental institution in society, upon which the family and the propagation of the human race are founded. It is a social and legal contract between two individuals who promise to love, care for, and share their lives with one another. Marriage provides legal and economic protections and responsibilities.

According to Gustav Radbruch<sup>10</sup>, legal institutions (marriage) must be founded on the principles of equality, liberty, and mutual regard. In terms of marriage, this means that each partner must be able to choose his or her own partner, and that the marriage contract must be entered into voluntarily and with full knowledge of its implications. The institution of marriage is intricate and multifaceted, involving numerous social, economic, and cultural factors. There are various forms of marriage in various societies, and these forms may evolve over time. Additionally, Radbruch believes that legal institutions (marriage) must provide protection for spouses, especially in the areas of property, inheritance, and child custody. The law must ensure that everyone has the right to own and control

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<sup>8</sup> Loritts, Crawford and Karen Loritts, *Your marriage today ..and tomorrow: making your relationship matter now and for generations to come* (Moody Publishers, Chicago, 2018) 4

<sup>9</sup> Council, LaToya D., 2021. *Marriage matters for Black middle-class women: A review of Black American marriages, work, and family life*. Compass Journal. <https://doi.org/10.1111/soc4.12934>

<sup>10</sup> Naffine, Ngaire, 2009. *Law's Meaning of Life. Philosophy, Religion, Darwin and the Legal Person* (Hart Publishing: Portland, Oregon, 2009) 1



their own property, that children born to married couples are protected, and that both parents have equal rights and responsibilities to care for and raise their children. Religion plays a significant role in the lives of many individuals and can be a major source of conflict in some marriages. Specifically in the areas of property, inheritance, and child custody, he believes that marriage-based legal institutions must provide protection for couples. The law must ensure that each spouse, regardless of religion, has the right to own and control their own property, and property acquired during the marriage must be divided equally between the spouses. According to Radbruch, the concept of law may be equivalent with the concept of justice. Justice is unbiased, impartial, on the side of right, and not arbitrary. Justice is a process as well as a fair quality, deed, or course of action.

Laws that are clearly unjust are stripped of their legal validity for reasons internal to the legal system. Because this argument may be evaluated in a positivist fashion, legislation is rarely viewed as evidence that the idea of law involves moral components. The law itself has moral implications, necessitating an argument that judges must have the right to override immoral legislation in all legal systems. As a result, new arguments demonstrating that law necessarily gives rise to moral truth claims will be required<sup>11</sup>.

The ideal social order that governs the interaction of moral beings is referred to as justice. Because equality is the essence of justice, Radbruch emphasized the importance of teaching law in a way that fosters equality. The nature of law can be explained using a definition of law. Jurists' proposed definitions (limitations) of the law vary widely depending on their point of view. The law as a whole incorporates provisions concerning coercive life while also protecting individual interests in society. Radbruch's three general tenets of law are purpose, justice, and legal certainty. As a result, Radbruch describes law as "complex general precepts as rules of order for living together as human beings" with notions geared toward fairness or equality<sup>12</sup>.

Legal certainty, for example, necessitates the enforcement of a law, even if its application is unequal. As a result, in the vast majority of cases, substance, form, and legal validity are defined in terms of the three Radbruch principles, which are equally weighted, but in tension with and possibly contradicting one another<sup>13</sup> (Heather Leawoods, 2000).

Only when it is impossible to identify what is fair or right in the content of absolute law may legal certainty be used. "It is more important to resolve legal disputes fairly and deliberately." Fairness, in particular, cannot be decided exclusively in exceptional circumstances. Radbruch contends that the validity of positive law may be found precisely, and only, in the impossibility of any natural law. Relativism, our only approximation strategy up to this point, has now become a structural component of our system.

Radbruch claims that the law's established infirmity cannot be justified. However, any answer to the question of the purpose of law other than enumerating the numerous partisan perspectives on it appears unlikely; therefore the validity of positive law can be found precisely in the impossibility of any natural law, and only in that. Relativism, our only approximation approach up to this point, has now entered our system as a structural part.

The arrangement of cohabitation cannot be left to the legal interpretation of the cohabitants; legal certainty is required. Certainty has the meaning of stipulation, whereas law in a broad sense is a set of coercive rules of life, contains an order of prohibition or permission to do or not do something, or regulates social order.

<sup>11</sup> Pavlakos, George (Ed.), 2007. Law, Rights and Discourse. The Legal Philosophy of Robert Alexy (Hart Publishing: Portland) 6

<sup>12</sup> Wilk, Kurt (Trans.), The Legal Philosophies of Lask, Radbruch, and Dabin 20th Century Legal Philosophy Series: Vol. IV (Harvard University Press: Cambridge, Massachusetts, 1950) xxx111

<sup>13</sup> Heather Leawoods, *Gustav Radbruch: An Extraordinary Legal Philosopher*, 2 Wash. U. J. L. & Pol'y 489 (2000), [https://openscholarship.wustl.edu/law\\_journal\\_law\\_policy/vol2/iss1/16](https://openscholarship.wustl.edu/law_journal_law_policy/vol2/iss1/16)



When you mix the words "certainty" and "law," you get legal certainty, which is defined as a legal instrument of a country capable of protecting the rights and obligations of every citizen in accordance with the concept of order. An command or imperative that emphasizes civilian submission to the ruler's authority. As a result, this legal approach emphasizes regulating citizen behaviour. This identification of orders as a feature of law leads to a more narrow legal definition, restricting the scope of jurisprudential investigation in explaining the main features of law<sup>14</sup>. Radbruch's theory cannot be completely understood if this passage is interpreted literally as legal positivism. Radbruch goes beyond just arguing for legal certainty, which would require that legal certainty and positive law always take precedence.

However, courts are frequently unable to change laws that are unusual or even unjust because courts lack the authority to do so. If the legislation is ambiguous, the court will interpret and pronounce it in line with fairness, avoiding anomalies or prejudice against specific groups of individuals<sup>15</sup>. One thing can be said with absolute confidence: the provision of legal certainty by positive law is valuable, and it may be used to justify the legitimacy of even the most unfair and ineffectual laws. The demands for fairness and unachievable goals may seem to have taken a back seat to the need for legal clarity, which is addressed by any constructive law. Only personal conviction may choose amongst these three pillars of the notion of law in the case of a conflict. Therefore, it is impossible to prove the absolute validity of all positive laws against every single person. While legal positivists argue that absolute certainty in the law is necessary for its validity, Radbruch rejects this view. Radbruch, at the very least, is not an extreme positivist when it comes to the law. Radbruch is widely considered a pioneer in the field of natural law scholarship.

Every individual follows the course of action that maximizes his own pleasure and minimizes his own suffering, thereby ensuring his own greatest happiness. Obviously, there is no assurance that some of these selfish actions will automatically lead to "the greatest amount of happiness." Some actions are the source of imaginable pleasure, but they can also cause misery. Consequently, misery occurs rather than achieving the thread of happiness.

In the majority of states, a license and a ceremony are required for a marriage to be considered legal.

Marriage has been a central institution in human society throughout history. Despite changes in modern society, the majority of individuals continue to choose this union. The reasons for this may vary from individual to individual and culture to culture. However, it is generally acknowledged that humans have an innate need for marriage.

In essence, marriage provides social and personal relationships with stability and security<sup>16</sup>. It symbolizes commitment and loyalty between two individuals who intend to remain loyal for life. This devotion is reflected in religious beliefs such as Christianity, which recognizes marriage as one of the seven sacraments. They share their ups and downs, successes and failures, and they collaborate to overcome each other's obstacles. This level of emotional support is essential for both men and women, as it helps them cope with the stresses of daily life and provides a safe and nurturing environment for growth and development.

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<sup>14</sup> Wacks, Raymond, *Philosophy of Law: A Very Short Introduction* (University Press: Inc. New York: Oxford, 2006) 29

<sup>15</sup> Harris, Phil, *An Introduction to Law*, Seventh Edition (University Press, New York: Cambridge 2007) 186

<sup>16</sup> Ribar, D. C. *Why Marriage Matters for Child Wellbeing. The Future of Children* (2015), 25(2), 11–27.  
<http://www.jstor.org/stable/43581970>



Marriage offers a level of companionship and emotional support that is unparalleled in other relationships. When two people marry, they become partners in every way<sup>17</sup>. Humans are social creatures that crave partnership.

Friendship is an important aspect of married life. Friendship provides emotional support, feelings of being loved and appreciated. Marriage enables individuals to share their lives with others, enabling them to form enduring bonds that improve their well-being.

Couples who experience positive emotional states such as love, happiness, and contentment, which are essential for psychological development, are more likely to live longer on a holistic level. Additionally, marriage provides protection against loneliness - a significant indicator that reduces adverse health outcomes.

Marriage is a bond that unites two people in love, devotion, and mutual regard. Marriage provides a solid foundation for child rearing. Marriage provides the stability and structure necessary to create a loving and stable environment for children to flourish. Couples can provide their children with a sense of security and stability, which is essential for their emotional and psychological development. Additionally, married couples are better able to meet their children's physical needs, such as food, shelter, and medical care. This is especially vital for women, who frequently bear the burden of childrearing responsibilities<sup>18</sup>.

This married couple finds purpose and meaning in their union. When two people marry, they make a commitment that transcends their individual needs and desires. They are dedicated to constructing a life together and leaving a lasting legacy. This sense of purpose and meaning is essential for both men and women, as it provides them with a sense of fulfilment and satisfaction that cannot be found in any other relationship.

In addition to providing an opportunity for growth, marriage affords individuals the chance to mature as a result of the challenges they face in their marital relationship. Throughout his life, the individual's future romantic relationships will likely be influenced by the experiences he gained during this period of development. Consequently, marriage contributes to longevity. Together, married couples can pool their resources and achieve their financial objectives. This couple's ability to purchase a home, launch a business, and save for retirement is made possible by their pooled resources. Couples frequently enable them to secure a prosperous future for themselves and their families.

On the other hand, the couple's financial ability must also determine how they will handle their finances, including how they will split bills, how they will handle joint debt, and how they will plan for the future. Couples must also decide whether or not to legally marry, a choice that has legal ramifications for both parties and their families. The primary advantage of same-religion marriage is a sense of social connection and shared values. It can foster a shared sense of spiritual commitment, provide stability for growing children, and lay the groundwork for a long-lasting marriage. It can also facilitate good communication, mutual understanding, and respect.

Marriage within the same religion can offer several benefits, including: shared beliefs and values. Couples who share the same religious beliefs and values may find it easier to connect with one another on a deeper level. They can share the same spiritual practices, attend services together, and

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<sup>17</sup> Dunn, Mercedes D., *"I have a certain standard:" HBCU women's heterosexual aspirations and identity negotiation* (2022). *Journal of Marriage and Family*

<https://doi.org/10.1111/jomf.12860>

<sup>18</sup> Ribar, D. C. *Why Marriage Matters for Child Wellbeing. The Future of Children* (2015), 25(2), 11–27. <http://www.jstor.org/stable/43581970>





find comfort in each other's beliefs. Couples who follow the same religion often share the same lifestyle and social circle. They may share common traditions, cultural practices, and ethical values, which can help build a strong foundation for their relationship.

In a marriage where both partners share the same beliefs, they can rely on each other for emotional and spiritual support. They can also seek guidance and advice from their religious community, which can provide a sense of belonging and comfort. Couples who share the same religious beliefs can raise their children within a framework of spiritual and moral unity. This can help instil important values and principles in their children and create a sense of unity and stability in the family. When conflicts arise, shared religious beliefs can provide a framework for resolving differences and finding common ground. Partners can turn to their beliefs to guide them in making decisions and finding solutions that align with their shared values and beliefs. It is important to note that while marriage within the same religion can provide many benefits, it is not a guarantee of a successful relationship. It takes effort, commitment, and communication to build a healthy and fulfilling marriage, regardless of religion.

Some people may view the issue of same-religious marriage as negative because they may not understand other people's values or beliefs, which can lead to conflict. Also, partners of the same religion may have a hard time finding common ground if they don't share the same values or beliefs. In interfaith marriages, the couple adheres to two different religions, which can sometimes lead to conflicts and disputes. However, if partners are willing to respect each other's beliefs and values, they can make their marriage work. Mutual respect, understanding, and acceptance are the keys to successful interfaith marriages.

Same-religious marriages may also not have the same opinion on how to practice certain religious teachings, which can lead to further differences of opinion. When couples marry within the same religion, they may limit their exposure to different cultures and belief systems. This can lead to a lack of diversity in their lives and a narrow worldview. Even though couples who share the same religion may share the same belief system, there are still differences in interpretation and practice. These differences can lead to disagreements or conflicts in relationships. In some cases, families may have strong expectations about whom their children should marry based on religious or cultural beliefs. This can put pressure on partners to conform to these expectations, even if they are not what they want for their own lives.

However, when it comes to couples of different religions, it often raises questions and concerns about the compatibility of their beliefs and values. Interfaith marriage is nothing new, but it is becoming more common as our society becomes more diverse. One of the most significant benefits of interfaith marriage is that it allows the couple to learn about each other's religion and culture. They can celebrate each other's festivals and traditions together, which can strengthen their bond and help them gain a deeper understanding of one another<sup>19</sup>. Another advantage is that interfaith marriage can teach children to be tolerant of other religions and cultures. This can help them develop a wider world perspective, which is important in today's diverse society.

Law No. 1 of 1974 on Marriage and Presidential Instruction No. 1 of the Republic of Indonesia on the Compilation of Islamic Law regulate all aspects of marriage, including those between members of different faiths. According to Article 2, paragraph 1 of Law Number 1 of 1974, marriage is valid if performed in conformity with the laws of each faith and belief. This sentence makes it quite obvious that marriage is not possible outside of the laws established by each religion or belief system.

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<sup>19</sup> Watkinson, Charles. *Why marriage matters: A North American perspective on press*. Learned Publishing 2016; 29: 342–347. The Association Learned & Professional Society Publishers. Wiley & Sons Ltd. [wileyonlinelibrary.com](http://wileyonlinelibrary.com) DOI: 10.1002/leap.1044



That which is not permitted by the law of each faith and belief is not marriage, according to the aforementioned statement. When a marriage's legitimacy is established in accordance with religious law, the requirements of this article apply.

Article 2 paragraph 1 of Law Number 1 of 1974 Concerning Marriage was amended to read as follows: "Marriage is legal if it is carried out according to Islamic law in accordance with Article 2 paragraph 1 of Law Number 1 of 1974 Concerning Marriage."

Marriage is considered sacred and ritualistic in many religions around the world. In fact, many religious traditions have their own unique customs and practices regarding marriage, which are often deeply rooted in their religious beliefs and teachings.

It is important to note that while marriage within the same religion can provide many benefits, it is not a guarantee of a successful relationship. It takes effort, commitment, and communication to build a healthy and fulfilling marriage, regardless of religion.

Some people may view the issue of same-religious marriage as negative because they may not understand other people's values or beliefs, which can lead to conflict. Also, partners of the same religion may have a hard time finding common ground if they don't share the same values or beliefs. In interfaith marriages, the couple adheres to two different religions, which can sometimes lead to conflicts and disputes. However, if partners are willing to respect each other's beliefs and values, they can make their marriage work. Mutual respect, understanding, and acceptance are the keys to successful interfaith marriages.

Same-religious marriages may also not have the same opinion on how to practice certain religious teachings, which can lead to further differences of opinion. When couples marry within the same religion, they may limit their exposure to different cultures and belief systems. This can lead to a lack of diversity in their lives and a narrow worldview. Even though couples who share the same religion may share the same belief system, there are still differences in interpretation and practice. These differences can lead to disagreements or conflicts in relationships. In some cases, families may have strong expectations about whom their children should marry based on religious or cultural beliefs. This can put pressure on partners to conform to these expectations, even if they are not what they want for their own lives.

However, when it comes to couples of different religions, it often raises questions and concerns about the compatibility of their beliefs and values. Interfaith marriage is nothing new, but it is becoming more common as our society becomes more diverse. One of the most significant benefits of interfaith marriage is that it allows the couple to learn about each other's religion and culture. They can celebrate each other's festivals and traditions together, which can strengthen their bond and help them gain a deeper understanding of one another<sup>20</sup>. Another advantage is that interfaith marriage can teach children to be tolerant of other religions and cultures. This can help them develop a wider world perspective, which is important in today's diverse society.

Law No. 1 of 1974 on Marriage and Presidential Instruction No. 1 of the Republic of Indonesia on the Compilation of Islamic Law regulate all aspects of marriage, including those between members of different faiths. According to Article 2, paragraph 1, of Law Number 1 of 1974, marriage is valid if performed in conformity with the laws of each faith and belief. This sentence makes it quite obvious that marriage is not possible outside of the laws established by each religion or belief system. That which is not permitted by the law of each faith and belief is not marriage, according to the aforementioned statement. When a marriage's legitimacy is established in accordance with religious law, the requirements of this article apply. Article 2 paragraph 1 of Law Number 1 of 1974 Concerning Marriage was amended to read as follows: "Marriage is legal if it is carried out according to Islamic

<sup>20</sup> Watkinson, Charles. *Why marriage matters: A North American perspective on press*. Learned Publishing 2016; 29: 342–347. The Association Learned & Professional Society Publishers. Wiley & Sons Ltd. [wileyonlinelibrary.com](http://wileyonlinelibrary.com) DOI: 10.1002/leap.1044

law in accordance with Article 2 paragraph 1 of Law Number 1 of 1974 Concerning Marriage." Marriage is a ritualized sacrament in many faiths. Indeed, many religious traditions have their own specific wedding ceremonies and practices with deep roots in their core doctrines.

## CONCLUSION

Marriage within the same religion can offer several benefits, including shared beliefs and values, a common lifestyle and social circle, emotional and spiritual support, and a framework for resolving conflicts. However, it is not a guarantee of a successful relationship and may limit exposure to different cultures and belief systems. Interfaith marriages can teach couples about each other's religion and culture, promote tolerance, and offer a wider perspective, but they may also lead to conflicts if partners do not respect each other's beliefs and values.

Successful interfaith marriages need partners to respect, appreciate, and accept one another's religious backgrounds and practices. It's important for spouses in an interfaith marriage to respect each other's beliefs and values. That which is not permitted by the law of each faith and belief is not marriage, according to the aforementioned statement. When a marriage's legitimacy is established in accordance with religious law, the requirements of this article apply.

## CONTRIBUTION


This article sheds light on the benefits and challenges of same-religious and interfaith marriages, highlighting the importance of mutual respect, understanding, and acceptance. It provides insights into the potential benefits and limitations of marrying within the same religion or in an interfaith marriage, which can help couples make informed decisions about their relationships.

## IMPLICATION

The findings of this article can have implications for individuals who are considering getting married or are already in a relationship. It emphasizes the importance of communication and understanding each other's beliefs and values, regardless of whether partners share the same religion or not. Moreover, it can help society promote tolerance and understanding of different cultures and religions, ultimately leading to a more diverse and harmonious community.

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