



Why Is Interfaith Marriage Problematic in the Qur'anic Perspective? A Study of Ḥifẓ al-Dīn through Maqāṣid al-Sharī'ah

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Abstract

Purpose – Interfaith marriage in Indonesia continues to generate theological, juridical, and socio-legal debates, particularly in the context of legal tensions surrounding Law No. 1/1974 and the Compilation of Islamic Law (Kompilasi Hukum Islam). While previous studies have predominantly approached this issue from legal and sociological perspectives, the epistemological function of ḥifẓ al-dīn (protection of faith) within a systematic Qur'anic framework remains insufficiently explored. This study investigates how the Qur'an conceptualizes interfaith marriage through the objectives of Islamic law (maqāṣid al-sharī'ah), with particular emphasis on faith preservation. **Design/methodology/approach** – The study employs a qualitative library-based approach using thematic Qur'anic exegesis (tafsīr maudhū'i) integrated with the maqāṣid al-sharī'ah framework. The analysis focuses primarily on QS. al-Baqarah [2]:221 and QS. al-Mā'idah [5]:5, complemented by classical and contemporary exegetical sources, Islamic jurisprudence, and modern hermeneutical perspectives to evaluate the teleological objectives underlying the relevant legal rulings. **Findings** – The study demonstrates that the Qur'anic prohibition of interfaith marriage functions not merely as a legal restriction but as a preventive mechanism for safeguarding faith, preserving spiritual stability, and ensuring intergenerational transmission of Islamic values. It further argues that classical juridical concessions regarding marriage with the People of the Book (Ahl al-Kitāb) require contextual re-evaluation in contemporary socio-legal settings through the principle of taqyīd al-mubāh for the realization of maṣlaḥah (public welfare). **Research implications/limitations** – The analysis is confined to Qur'anic theological and maqāṣid-based perspectives and does not include empirical investigation of contemporary interfaith families. Future research may integrate doctrinal and socio-empirical approaches across diverse Muslim societies. **Originality/value** – This study contributes to Qur'anic legal scholarship by positioning ḥifẓ al-dīn as the central epistemological rationale underlying the Qur'anic regulation of interfaith marriage. It offers a teleological framework that bridges thematic exegesis, maqāṣid al-sharī'ah, and contemporary Islamic family law, providing conceptual guidance for legal policy, premarital counseling, and the development of Islamic family regulations in pluralistic societies.

Keywords: Thematic Exegesis; Faith Protection; Interfaith Marriage; Maqāṣid al-Sharī'ah; ḥifẓ al-dīn; Islamic family law.

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Introduction

Marriage in Islamic jurisprudence is theorized not merely as a secular, bilateral social contract, but as a sacred covenant (*mīthāqan ghalīẓan*) that integrates spiritual, moral, and teleological dimensions. Within the conventional framework of *maqāṣid al-sharīʿah*, specifically through the analytical lenses popularized by classical theorists like al-Ghazālī and al-Shāṭibī, as well as modern systemic reconstructions by Jasser Auda, marriage serves as a structural vehicle for preserving fundamental human values, notably religion (*ḥifẓ al-dīn*) and lineage (*ḥifẓ al-nasl*) [1]. Consequently, the selection of a spouse within this paradigm is structurally contingent upon a shared cosmic worldview and unity of faith, which is argued to be foundational for maintaining systemic harmony within the micro-sociological unit of the family.

In pluralistic modern contexts such as contemporary Indonesia, the phenomenon of interfaith marriage has evolved into a contested arena where legal, sociological, and theological imperatives intersect and clash. Existing Indonesian scholarship has extensively mapped this landscape; for instance, Djamil has scrutinized the legalistic and regulatory deadlocks within state administrative organs [2], while sociological investigations by Amna, Wasino, and Suhandini have addressed the empirical challenges regarding child custody and pedagogical friction in split-faith households [3].

On a broader scale, recent international scholarship from the past five years has increasingly examined interfaith unions through globalized lenses, primarily focusing on identity negotiation, shifting demographics, and secular family law pressures. Comprehensive global literature reveals that interfaith couples consistently experience acute socio-psychological strains and intricate challenges in generational value transmission, which often accelerate religious dilution and identity fragmentation among descendants [4]. Sociological and cultural audits across multi-ethnic societies demonstrate that cross-faith partnerships inevitably induce a cultural acculturation friction, leaving children vulnerable to systemic identity crises and social alienation within rigid communal environments [5].

Concurrently, contemporary global discourses on Islamic jurisprudence have attempted to address these multi-religious realities by employing *maqāṣid*-based frameworks. However, a significant portion of this recent literature remains highly polarized. On one hand, progressive legal revisions under contemporary *maqāṣid* paradigms such as those adopting Jasser Auda's systemic approach tend to heavily prioritize universal human rights, individual liberties, and socio-religious inclusivity (*maṣlaḥah*), thereby arguing for a more permissive and open-ended interpretation of interfaith unions in modern pluralistic states

[6]. On the other hand, a substantial body of recent uṣūlī scholarship counters this by systematically employing maqāṣid al-usrah (the objectives of family law) and the classical framework of kafā'ah (egalitarian compatibility) to reinforce the prohibition of interfaith marriage. These studies argue that formalizing interfaith unions poses a direct threat to ḥifẓ al-dīn (protection of faith) and ḥifẓ al-nasl (protection of lineage), as it introduces operational ambiguity into a child's legal, moral, and spiritual development [7]. This ongoing debate is further intensified by the state's recent judicial shifts, such as the issuance of Supreme Court Circular Letter (SEMA) No. 2 of 2023 and the Constitutional Court Decision No. 71/PUU-XX/2022, which effectively restricted the legal registration of interfaith unions to prevent a "definitional void" between state bureaucracy and religious precedents [8].

Despite this rich output, current scholarship suffers from a distinct polarization: it either confines itself to empirical-sociological descriptions of marital disputes or adheres to a rigid, insular legalism that extracts Qur'anic injunctions without systematic contextualization. This creates a distinct scholarly gap where the ontological rationale of faith protection (*ḥifẓ al-dīn*) is often treated as an under-theorized rhetorical absolute rather than an evolving legal objective.

The Qur'an introduces nuanced parameters regarding interfaith unions across different historical epochs, most visibly manifested in the absolute prohibition against marrying polytheists in QS. al-Baqarah [2]: 221, contrasted with the conditional permission to marry chaste women from the People of the Book (Ahl al-Kitāb) in QS. al-Mā'idah [5]: 5. While classical exegetical authorities such as al-Ṭabarī and Ibn Kathīr approached these verses primarily through the lens of early community consolidation and strict semantic definitions [9], [10], modern hermeneutical figures like M. Quraish Shihab emphasize that these legal rulings cannot be divorced from shifting structural environments, evolving religious demographics, and changing state structures [11].

However, a systematic integration that evaluates these textual intersections through a rigorous thematic exegesis (*tafsīr maudhū'ī*) while operationalizing a specific maqāṣid model remains visibly absent. Most studies use maqāṣid merely as a normative label rather than a critical analytical tool to trace why textually valid concessions undergo interpretive shifts over time. This study positions itself to fill this state-of-the-art gap. By conducting a comparative and critical exegetical analysis, this paper moves beyond static legal summaries to problematize how the core principle of ḥifẓ al-dīn operates when confronted with modern pluralistic realities. Accordingly, this inquiry is organized around three primary objectives: (1) to deconstruct the semantic and contextual variations of Qur'anic verses addressing interfaith unions; (2) to critically analyze the jurisprudential and teleological mechanisms of faith protection underlying

these rulings; and (3) to evaluate their systemic relevance and legal application within contemporary pluralistic legal frameworks.

To ensure a rigorous and structured analysis toward achieving these objectives, this study addresses the following explicit research questions:

1. How do the semantic shifts and historical contexts of revelation (*asbāb al-nuzūl*) differentiate the absolute prohibition in QS. al-Baqarah [2]: 221 from the conditional concession in QS. al-Mā'idah [5]: 5 regarding interfaith unions?
2. What are the precise jurisprudential (*uṣūlī*) and teleological mechanisms of faith protection (*ḥifẓ al-dīn*) that underpin the interpretive adaptation of these verses in contemporary legal reasoning?
3. How do these Qur'anic parameters and their resulting maqāṣid-based frameworks dynamically apply to address the systemic socio-legal frictions and marital policies within contemporary pluralistic nation-states like Indonesia?

Method

This study employs a qualitative, text based legal hermeneutical design that systematically integrates thematic exegesis (*tafsīr maudhū'ī*) with a contemporary systems approach to maqāṣid al-sharī'ah. To ensure replicability and methodological rigor, the data selection processes and analytical stages are operationalized through explicit, formalized criteria [12].

1. Data Selection Criteria

a. Selection of Qur'anic Verses (Primary Source)

The selection of primary textual data relies on a purposive sampling strategy. Rather than evaluating every text mentioning marriage or social relations generically, verses were chosen based on three strict criteria:

- 1). They must contain explicit legal prohibitions or conditional permissions regarding inter-religious marital unions.
- 2). They must contain key semantic markers related to non-Muslim groups, specifically the terms *al-mushrikāt* (polytheistic women) and *Ahl al-Kitāb*.
- 3). They must historically serve as the primary textual foundation (*naṣṣ*) for classical and contemporary jurisprudential consensus (*ijmā'*) or disagreement (*khilāf*).

Based on these criteria, two primary textual units were isolated as the core dataset for this study: QS. al-Baqarah [2]: 221 (which establishes the foundational prohibition against marrying polytheists) and QS. al-Mā'idah [5]: 5 (which introduces the structural legal concession regarding women from the People of the Book).

b. Selection of Exegetical (*Tafsir*) Sources

To prevent interpretive bias and ensure historical depth, the selected tafsīr works were categorized into three distinct methodological eras to trace the evolution of legal thought:

1). Classical/Traditionalist (*Tafsīr bi al-Ma'thūr* & Aḥkām): Tafsir al-Qur'an al-'Azhim by Ibn Kathir (d. 774 AH) and Al-Jami' li Aḥkām al-Qur'an by al-Qurtubi (d. 671 AH). These sources are selected because they represent the peak of classical Sunni orthodoxy and formalistic jurisprudential derivation.

2). Modern/Reformist (*Tafsīr bi al-Ra'yi* & Modernist): Tafsir al-Manar by Muhammad Abduh and Rashid Rida, and Fi Zilal al-Qur'an by Sayyid Qutb. These are chosen to capture how the early shifts toward modern nation-states and socio-political pressures influenced exegetical adjustments.

3). Contemporary Contextualist: Tafsir al-Misbah by M. Quraish Shihab. This contemporary work is vital because it bridges classical Arabic-Islamic legal concepts with modern, pluralistic Southeast Asian socio-legal realities.

c. Selection of Supporting References

Secondary literature was selected via a systematic search of index databases (Scopus and Web of Science) using keywords such as "interfaith marriage," "*maqasid al-shariah*," "*hifz al-din*," and "family law reform." The criteria required that these sources be published within the last five years (2021–2026), be peer-reviewed, and specifically address the socio-legal frictions of split-faith families or contemporary adaptations of *maqāṣid al-usrah* (the objectives of family law) globally and domestically in Indonesia [14].

2. Analytical Framework and Processing Stages

The textual and teleological data were processed through a formalized, four-stage thematic and *maqāṣid*-based analysis model:

a. Textual-Historical Mapping (*Tafsīr Maudhū'ī* Axis)

The analysis begins by breaking down the linguistic structures of QS. 2:221 and QS. 5:5. This involves analyzing the lexical scope of *al-mushrikāt* and *muḥṣanāt* [15]. followed by an investigation into their historical contexts of revelation (*asbāb al-nuzūl*). This stage establishes the historical 'illah (the original rationale) behind the initial prohibition and subsequent concessions [13].

b. Thematic Semantic Synthesis

The text moves from initial mapping to cross-era synthesis. The interpretations of Ibn Kathir, Rida, and Shihab regarding the scope of *Ahl al-Kitāb* are systematically compared using a comparative matrix. This step tracks how the definition of "permissible spouses" changed over time in response to shifts in Muslim socio-political dominance and changing historical environments.

c. Maqāṣid-Based Teleological Evaluation

At this stage, the study transitions from purely textual exegesis to teleological analysis. Using a systems approach to *maqāṣid*, the historical permission granted in QS. 5:5 is evaluated against modern civil court frameworks. The study examines how contemporary, neutral state laws alter traditional child custody, moral transmission, and inheritance structures. *Ḥifẓ al-dīn* (protection of faith) is operationalized here as a protective tool to assess whether split-faith environments create systemic threats, such as psychological religious friction or identity fragmentation for descendants [16].

d. Operative Juridical Resolution (*Uṣūlī* Synthesis)

In the final stage, the analytical results from the previous steps are synthesized using specific legal-hermeneutical instruments: *taqyīd al-mubāḥ* (the restriction of a permissible act by authority) and *sadd al-darī'ah* (blocking the means to harm). This stage explains the legal-teleological basis for modern judicial restrictions on interfaith marriage, showing that when an initially permissible act (*mubāḥ*) regularly leads to significant public harm (*mafsadah*), the state has the authority to temporarily restrict that choice to protect the common good (*maṣlaḥah*).

Literature Review and Theoretical Differentiation

To firmly ground the unique scholarly contribution of this study, it is imperative to systematically contrast its epistemological focus with the dominant paradigms that have historically shaped the discourse on interfaith marriage in Islamic jurisprudence and modern socio-legal studies. Existing academic inquiries broadly converge into three major methodological camps: the traditionalist-jurisprudential paradigm, the empirical-sociological approach, and the progressive human rights discourse.

The traditionalist-jurisprudential paradigm focuses heavily on formalistic, binary legal rules (*al-aḥkām al-taklīfiyyah*) derived from classical *fiqh* compendiums. Scholars within this spectrum primarily debate statutory constraints—such as Indonesia's Marriage Law No. 1/1974 or recent judicial directives like Supreme Court Circular Letter (SEMA) No. 2/2023 and the literal, gender-specific boundaries of *Ahl al-Kitāb* based on early sectarian consensus. While foundational for mapping state judicial mechanisms, this legalistic approach treats text as static commands. It fundamentally fails to explore the evolving socio-political *'illah* (*ratio legis*) or the underlying teleological dynamics that drive interpretive shifts over time [17].

Conversely, the empirical-sociological paradigm shifts the focus toward documenting the real-world operational realities, psychological frictions, and domestic vulnerabilities within split-faith households. This body of research provides rich accounts of marital survival strategies, multi-faith childcare challenges, and localized judicial navigation in pluralistic societies [18]. However, by restricting its scope to descriptive field data, it lacks the hermeneutical and text-based tools required to reconstruct a coherent normative resolution from primary Islamic sources.

Meanwhile, the progressive human rights paradigm employs contemporary *maqāṣid* models to heavily prioritize individual liberties, autonomy, and absolute gender inclusivity [19]. While highly responsive to globalized realities, this discourse frequently lapses into abstract philosophical generalizations that treat scriptural boundaries as secondary or obsolete, thereby losing touch with classical interpretive methodologies [20].

To overcome the limitations of these existing paradigms, this study expands the analytical horizon by integrating global socio-legal developments with sophisticated *uṣūlī* instruments. Recent international literature on transnational family law indicates that in modern, highly secularized global landscapes, the classical assumptions of paternal legal hegemony have completely dissolved. In contemporary pluralistic nation-states, interfaith unions are no longer insulated by the protective jurisdiction of historical Islamic

governance; instead, they operate within egalitarian and neutral civil structures that directly alter traditional mechanisms of child custody, values transmission, and generational identity formulation.

Furthermore, contemporary applications of *maqāṣid al-sharī'ah* within pluralistic frameworks require a shift from a defensive, emergency-based preservation format to a systemic, non-linear architecture [1]. By drawing on modern systemic models, this paper critically re-examines how textually valid concessions undergo structural shifts when confronted with modern institutional environments.

Theoretical Framework: Operationalizing Systemic *Ḥifẓ al-Dīn*

To ensure methodological transparency and analytical coherence, this study constructs a specialized theoretical framework that operationalizes *ḥifẓ al-dīn* (the protection/preservation of faith) as its primary analytical lens. Rather than treating *ḥifẓ al-dīn* as a static, isolated dogmatic decree or a mere binary compliance mechanism, this research reframes it through a modern, systems-oriented *maqāṣid* approach [21]. Within this framework, *ḥifẓ al-dīn* is conceptualized as a dynamic institutional and micro-sociological prerequisite designed to secure cognitive theological stability, ethical coherence, and sustainable generational value transmission within complex, pluralistic modern states [22].

1. Conceptual Foundation of Systemic *Ḥifẓ al-Dīn*

In classical jurisprudence, *ḥifẓ al-dīn* was traditionally positioned within a defensive, emergency-based architecture (*darūriyyāt*), often focused on protecting the early Muslim community from external apostasy or political-religious dissolution. This study shifts the paradigm by utilizing a contemporary systems approach to *maqāṣid al-sharī'ah*.

Under this systemic lens, *ḥifẓ al-dīn* is viewed as an interconnected feature of the overall social system, which operates alongside and directly impacts *maqāṣid al-usrah* (the structural objectives of family law) [23]. Faith (*dīn*) is not merely a label of formal civil identity; it is the foundational psychological and moral framework that dictates a household's daily routine, spiritual practices, and legal realities [24]. Consequently, any structural disharmony in this core worldview compromises the internal cognitive equilibrium of the domestic sphere.

2. Methodological Integration with *Tafsīr Maudhū'ī*

The analytical function of this framework does not bypass the primary text; instead, it anchors *ḥifẓ al-dīn* within a rigorous thematic exegesis (*tafsīr maudhū'ī*). The operationalization model bridges the textual

extraction axis with the teleological analysis axis through three systematic stages:

Step 1: Semantic & Contextual Grounding (*Tafsīr Maudhū'ī*): The framework begins by mapping the semantic shifts of key terms (*mushrikāt*, *Ahl al-Kitāb*, *muḥṣanāt*) within QS. al-Baqarah [2]: 221 and QS. al-Mā'idah [5]: 5 [25]. It cross-examines classical traditions with modern hermeneutics to reveal how early textual permissions or prohibitions were tied to specific historical environments and political-religious consolidation.

Step 2: The Teleological Filter (*Ḥifẓ al-Dīn*): Once the textual boundaries are established, *ḥifẓ al-dīn* serves as the functional analytical tool to evaluate the shift from historical Islamic legal hegemony to modern, neutral civil court systems [26]. The framework investigates how modern egalitarian laws and secular family structures alter the 'illah (ratio legis) of classical rulings, looking at how split-faith environments practically expose descendants to severe identity fragmentation and spiritual alienation [27].

Step 3: Operative Legal Resolution (*Uṣūlī Instruments*): Finally, *ḥifẓ al-dīn* is operationalized to justify the contemporary restriction of interfaith unions through the principles of *taqyīd al-mubāḥ* (the restriction of a permissible act by the authority) and *sadd al-darī'ah* (blocking the means to harm) [28]. It provides the legal-teleological rationale showing that when a textual concession (*ibāḥah*) consistently results in clear systemic harms (*mafsadah*) such as domestic identity crises, administrative limbo, and generational value dilution the state possesses the legitimate authority to legally freeze that concession to protect the public interest (*maṣlahah*) [29].

Result and Discussion

The Teleological Dimension of Faith in Islamic Marriage Frameworks

Within the epistemological boundary of Islamic jurisprudence, marriage is structured as an institutional nexus where individual human rights interact directly with transcendent legal teleology. Classical legal thought categorized marriage under the strict rubrics of interpersonal contracts (*mu'āmalāt*), yet modern reconstructions emphasize its position as a primary protective protective shell for the preservation of essential human values (*al-darūriyyāt al-khams*) [30]. The integration of *ḥifẓ al-dīn* (protection of faith) within this framework implies that a marital union is structurally viable only when the core metaphysical orientation of both actors aligns. Thus, the prohibition of specific unions, such as those highlighted in QS. al-Baqarah [2]: 221, serves an analytical purpose: it demonstrates that deep theological discordances are capable of destabilizing the

internal cognitive coherence and spiritual equilibrium of the household micro-system [31].

This structural safeguarding is intrinsically linked to *hifz al-nasl* (preservation of lineage), which contemporary systems-analysis redefines as the sustainable transmission of cognitive and ethical values across generations. In split-faith environments, the domestic unit frequently becomes a site of ideological friction, challenging the psychological and religious identity development of offspring [32]. Empirical observations within modern sociology confirm that religious disorientation often manifests when children are exposed to competing ultimate realities without a coherent pedagogical anchor. Therefore, within a system-oriented *maqāsid* framework, unity of faith within the core domestic unit functions as an architectural preventive measure (*sadd al-darī'ah*) rather than a discriminatory exclusion, ensuring structural stability across generations.

Critical Exegetical Analysis of QS. 2 : 221 and QS. 5 : 5

To understand the legal mechanics governing interfaith unions, a critical evaluation of text and historical context is necessary. QS. al-Baqarah [2]: 221 states:

وَلَا تَنْكِحُوا الْمُشْرِكَةَ حَتَّىٰ يُؤْمِنَ وَلَا مَآءَةً مُّؤْمِنَةً خَيْرٌ مِّنْ مُّشْرِكَةٍ وَلَوْ أَعْجَبَتْكُمْ وَلَا تُنْكِحُوا الْمُشْرِكِينَ حَتَّىٰ يُؤْمِنُوا وَلَعَبْدٌ مُّؤْمِنٌ خَيْرٌ مِّنْ مُّشْرِكٍ وَلَوْ أَعْجَبَكُمْ أُولَٰئِكَ يَدْعُونَ إِلَى النَّارِ وَاللَّهُ يَدْعُو إِلَى الْجَنَّةِ وَالْمَغْفِرَةِ بِإِذْنِهِ وَيُبَيِّنُ آيَاتِهِ لِلنَّاسِ لَعَلَّهُمْ يَتَذَكَّرُونَ

The classical reception of this verse often relies heavily on specific *asbāb al-nuzūl* narratives, notably the transmission regarding Martsad al-Ghaznawī's intent to marry the polytheist Inaq, and the alternate report concerning Abdullah bin Rawahah marrying a believing slave woman [33]. Evaluating these narratives using modern textual criticism reveals an important historical reality: these reports reflect an era of intense political-religious consolidation where marriage functioned as a geopolitical tool. Early Muslim authority in Medina required sharp identity demarcation to ensure existential survival [34]. The semantic categorization of "*Mushrik*" in this context carried heavy treasonous undertones, where a marriage across this line implied an existential risk to the fledgling state's security.

However, an epistemological rupture appears when this absolute restriction is juxtaposed with the subsequent concession in QS. al-Mā'idah [5]: 5:

الْيَوْمَ أُحِلَّ لَكُمْ الطَّيِّبَاتُ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حِلٌّ لَكُمْ وَطَعَامُكُمْ حِلٌّ لَهُمْ
وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ إِذَا
اتَّيَمُوهُنَّ أَجُورَهُنَّ مُحْصِنِينَ غَيْرَ مُسَفِّحِينَ وَلَا مُتَّخِذِي أَخْدَانٍ وَمَنْ يَكْفُرْ
بِالْإِيمَانِ فَقَدْ حَبِطَ عَمَلُهُ وَهُوَ فِي الْآخِرَةِ مِنَ الْخَسِرِينَ

This text explicitly grants Muslim males permission to enter into marital unions with chaste women from the Jews and Christians (*Ahl al-Kitāb*). Classical commentators like al-Marāghī attempted to harmonize this by arguing that the common Abrahamic denominator belief in revelation, prophecy, and teleological accountability mitigated the threat of cognitive corruption within the household. Historical data demonstrates that early companions, including Hudhayfah bin al-Yamān and 'Uthmān bin 'Affān, exercised this concession during the expansionist eras without facing collective institutional vetoes from their peers.

Nevertheless, contemporary hermeneutics must challenge the uncritical extension of this concession into modern structural realities. Classical jurisprudence operated under an assumed framework of Islamic political hegemony, where any interfaith marriage involving a Muslim male occurred under a system where Islamic law dictated custody, inheritance, and social hierarchy. In the modern nation-state framework characterized by civil courts, egalitarian marriage laws, and religious neutrality these hegemonies are completely dissolved. Furthermore, the classical definition of *Ahl al-Kitāb* has undergone intense epistemological shifts. While classical jurists debated whether modern trinitarian theological developments constituted a disruption of original monotheism, contemporary reality problematizes the very demographic categorization of these communities, which are increasingly defined by secularism rather than active adherence to heavenly scriptures. Therefore, the argument that these early scripts can be applied universally today without adjustments is a significant methodological overclaim.

Semantic Deconstruction and Cross-Era Contextual Emphasis (Tafsīr Maudhū'ī Axis)

To unravel the complexities of interfaith marriage laws, a semantic analysis of key terminology in the Qur'anic text is an epistemological prerequisite that must not be overlooked. In QS. al-Baqarah [2]: 221, the prohibition is constructed through the terms *al-mushrikāt* and *al-mushrikīn*. From a historical-linguistic perspective, Ibn Kathīr asserts that this verse contains a general (*'āmm*) prohibition against any form of marriage with non-Muslims. However, al-Qurṭubī, in *Al-Jāmi' li Ahkām al-Qur'ān*, notes that there was an initial polarization among the Companions regarding whether the theological status of the Jews and Christians fell within the broader scope of *al-mushrikāt* [35].

Ibn Umar, may Allah be pleased with him, for example, took a rigid theological stance by declaring that the doctrine of the Trinity (*tathlīth*) is the gravest form of polytheism, and thus automatically falls under the absolute prohibition of Quran 2:221 [36]. In contrast, the majority of the Companions viewed the theological structure of the Jews as having an independent legal framework because it was still grounded in remnants of the Abrahamic prophetic tradition.

The epistemological shift from the era of consolidation to the era of legal freedom is evident when analyzing the concession in Quran 5:5, which permits marriage to *al-muḥṣanāt min al-ladhīna ūtū al-kitāb* (chaste women among the Jews). From the perspective of *Tafsīr Maudhū'ī*, this verse should not be interpreted as an abrogation (*naskh*) of the prohibition against polytheism, but rather as a specification (*takhṣīs*). Rashid Rida, in *Tafsīr al-Manār*, contextualizes this concession by noting that it was revealed during the late Medina period, when the Muslim community had achieved absolute political dominance.

Within the sociological ecosystem of that time, Islam's institutional superiority ensured that patterns of child-rearing (*ḥifẓ al-nasl*) and the protection of domestic faith (*ḥifẓ al-dīn*) would automatically follow the Muslim paternal line. The public law structure at that time was entirely geared toward the enforcement of Islamic law, thereby systematically minimizing the potential risk of theological delusion in children.

However, the modern-contextual interpretation proposed by M. Quraish Shihab in *Tafsīr al-Misbah*, offers a crucial hermeneutical leap for contemporary realities. Shihab questions the ontological status of the term *Ahl al-Kitāb* in the modern era. He highlights the thought of Muhammad Abduh, who argued that the essence of the *Ahl al-Kitāb* is not limited solely to the ethnic Jewish and

Christian communities of the classical era, but has the potential to include adherents of other religions who possess sacred scriptures and prophetic figures.

Although this broadening of the definition sounds inclusive, Shihab offers a critical and restrictive caveat:

“The application of classical legal texts must not be detached from its sociological roots. While the text permits marriage to women of the Book, it requires that they possess the quality of *muḥṣanāt* (preserving one’s honor and religious commitment). Amid the current wave of global secularization, the majority of people who are administratively classified as the *Ahl al Kitab* have in fact shifted toward agnosticism or full-fledged secularism, thereby losing the spiritual substance intended by the Qur’anic text.”

Through this reconstruction of *Tafsīr Maudhū’ī*, it becomes clear that the text of the Qur’an never leaves room for interfaith marriage without a consideration of the spiritual risks involved. When the instruments supporting *ḥifẓ al-dīn* in the modern era – such as the absence of binding Islamic public law in civil courts and the pervasive culture of religious relativism are no longer capable of protecting future generations, the loss of the ‘*illah* (safeguarding of faith) automatically suspends the applicability of the concession in QS. al-Mā’idah [5]: 5.

Thus, the prohibition on interfaith marriage in the contemporary era is not a form of legal regression, but rather a precise teleological response aimed at preserving the ecosystem of human spirituality as intended by the Legislator (*Shāri’*).

Jurisprudential Mechanisms: Resolving the Consistency Problem

The tension between the absolute prohibition in QS. 2:221 and the concession in QS. 5:5 demands a clear jurisprudential (*uṣūlī*) resolution rather than a simple narrative preference. Classical methodologies utilized the mechanism of *takhṣīṣ* (specification), positioning QS. 5:5 as a specific qualifier that carved out a legal exception from the general (*‘āmm*) prohibition against non-Muslim unions found in QS. 2:221. An alternative, minority classical approach posited *naskh* (abrogation), though this view suffered from chronological weaknesses given the late-Medinan status of both chapters.

In contemporary legal reasoning, however, the shift away from permitting interfaith unions is best justified through the operationalization of *taqyīd al-mubāḥ* the institutional restriction of an otherwise permissible act based on the changing ratio legis (*‘illah*) and the rule of *sadd al-darī’ah* (blocking the means to harm). When the realization of a textual concession (*ibāḥah*) systematically results in clear social harms (*mafsadah*) such as administrative

deadlocks, systemic identity crises for children, and extended family polarization the ruling authority (*wali al-amr*) possesses the legitimate jurisprudential mandate to restrict that permission. This framework resolves the logical inconsistency: the textual validity of QS. 5:5 remains intact, but its operational applicability is legally frozen or restricted due to the overriding necessity of protecting public *maṣlaḥah* and securing *ḥifẓ al-dīn* in secularized global landscapes.

Sociocultural Implications and Structural Challenges in Pluralistic Contexts

The practice of interfaith marriage within modern states like Indonesia yields complex socio-legal frictions that challenge simple normative assumptions. On an internal psychological level, couples frequently experience acute identity crises and religious tensions, torn between emotional attachment and deeply socialized metaphysical obligations. The micro-system of the family becomes isolated when it fails to produce a coherent, shared spiritual routine, leading to what modern psychology classifies as spiritual alienation and structural isolation.

Externally, these unions are confronted with institutionalized resistance. In Indonesia, the legal apparatus under Article 2, Paragraph 1 of Law No. 1 of 1974 on Marriage establishes that a marriage is legally valid only if executed according to the religious laws of the respective actors [25]. Because the Compilation of Islamic Law (KHI) explicitly forbids interfaith unions, couples are cast into administrative limbo, facing severe obstacles regarding civil registration, birth certificate processing, and inheritance protection. These structural realities demonstrate that interfaith marriage is not merely a private romantic choice; it is an administrative and sociological vulnerability that places immense pressure on the social fabric and compromises the legal protection of future generations [44].

Evaluative Re-examination of Qur'anic Structural Solutions

To mitigate these systemic challenges, the Qur'an presents several structural parameters that modern family counseling frameworks can operationalize. First, it repositions the educational model found in QS. Luqmān [31]: 13, emphasizing that the primary baseline of parental duty is the early cultivation of cognitive theological clarity (*tawḥīd*) within offspring [26]. This is structurally paired with the teleological objective of marriage outlined in QS. al-Rūm [21]: 21 namely, the generation of systemic tranquility (*sakīnah*), love (*mawaddah*), and mercy (*raḥmah*). Exegetical analysis reveals that true *sakīnah* is

not an emotional variable but a structural output arising from shared foundational values.

Furthermore, the Qur'an advocates for critical cognitive openness through structured interfaith dialogue, as mandated in QS. al-'Ankabūt [29]: 46, which urges engagement with non-Muslim groups through intellectual refinement (*bi-allatī hiya aḥsan*). This implies that preventing interfaith marriages should not be driven by xenophobic isolationism or aggressive othering, but by fostering intellectual maturity and clear self-differentiation. By elevating domestic literacy regarding the *uṣūlī* and *maqāṣid* rationale behind marital laws, contemporary communities can move away from uncritical, defensive rhetoric and instead present the unified-faith household as a strategic model for psychological resilience and social stability.

Implications of Interfaith Marriage

Interfaith marriage has consequences for religious beliefs, both for the couple and their descendants. In Islam, religious belief serves not only as a formal identity but also as the main pillar of spiritual life. When a married couple holds different beliefs, the integrity of their faith becomes vulnerable to disruption. These differences have the potential to lead to ideological compromise, a loss of moral compass, and a gradual decline in the quality of religious practice [35].

The most tangible impact is evident in the area of children's education. A lack of clarity regarding religious direction within the family can lead to spiritual identity confusion and even foster syncretic attitudes or religious relativism. This contradicts the principles of Islam, which emphasize the importance of instilling faith from an early age as part of the formation of a person who is faithful and God-fearing [36]. Islam emphasizes the importance of unity of faith within the family as a means of preserving Islamic values across generations.

From a theological perspective, the Qur'an issues a clear warning against marrying polytheists, as stated in Surah al-Baqarah [2]: 221. A wavering faith in interfaith marriages can lead to a shift in religious belief, either openly or through a gradual adjustment of values that erodes monotheism. Although it is permissible to marry People of the Book as mentioned in Surah al-Ma'idah [5]: 5, this permission is limited and contextual. The majority of scholars argue that this permissibility does not constitute a general recommendation, especially for communities lacking strong ideological and spiritual filters [37]. Therefore, safeguarding faith within marriage is not merely an individual responsibility but also a collective duty of the Muslim community to preserve the purity of faith within society.

Interfaith marriages also have social and cultural implications, particularly in multicultural societies such as Indonesia. Religion is understood not only as an individual belief but also as a collective identity and a value system that influences social and cultural structures, as well as family dynamics. Therefore, the practice of interfaith marriage elicits significant social responses from various parties, including the immediate family, the surrounding community, and religious institutions.

On the other hand, interfaith marriage also has social and cultural dimensions that are no less important. In a religious society like Indonesia, this practice often leads to social stigma, pressure from family, and community ostracism. Children born of interfaith marriages also face the risk of discrimination in their education and social lives. Therefore, interfaith marriage is not merely an individual matter but also concerns the resilience of Islamic values within the social fabric of the Muslim community [38].

From a cultural perspective, interfaith marriages bring together two distinct traditions, which has the potential to foster a blend of values within the household. On one hand, this can broaden perspectives, foster tolerance, and expand the horizons of diversity within family life. On the other hand, without a strong foundation of mutual understanding and adequate cross-cultural communication skills, differences in values and religious practices can become a source of friction, particularly regarding the observance of religious rituals, decisions regarding children's education, and funeral customs.

Thus, interfaith marriage can be understood as a sociocultural phenomenon that holds the potential for dialogue and tolerance, yet carries the risk of social fragmentation and the erosion of values if not approached with emotional readiness, a deep understanding of religion, and adequate social support.

Challenges of Interfaith Marriage

Internal Challenges

Interfaith marriage presents not only legal and social issues but also touches on personal aspects. Internal challenges encompass the psychological, emotional, and spiritual dimensions experienced by both the couple and their families in an interfaith marriage. If not managed properly, these issues can affect the harmony of the household.

1. Identity Crisis and Religious Tensions

One of the main challenges faced by Muslim couples in interfaith marriages is the internal conflict between their commitment to Islamic teachings and their emotional attachment to their partner. In Islam, faith is the foundation of life that must be preserved in its entirety. The Qur'an explicitly prohibits marriage with polytheists, out of concern that it may compromise the integrity of one's faith. Interfaith marriage is not merely a matter of compromise but also risks the continuity of the principle of tawhid in daily life.

2. Children's Confusion in Accepting Religious Teachings

When parents have different religious backgrounds and each wants to uphold their own beliefs, children often become the most vulnerable party. The lack of clarity regarding the direction of religious education can lead to identity confusion in children. Children feel torn between two belief systems that are not always compatible. If parents leave the choice of religion to the child at an early age without sufficient guidance, the child risks experiencing a spiritual crisis [39]. Islam places great emphasis on early education in monotheism, as stated in *Surah At-Tahrīm* [66]: 6, which mandates that parents protect their families from the fire of Hell, including through the education of strong and clear values of faith.

3. Compromising on Life Principles and Values

Life principles and values rooted in Islamic faith such as honesty, purity, religious practices, gender relations, and social responsibility do not always align with the values of other religions. Differences in perspective become a source of conflict, especially when one partner demands tolerance regarding matters that are fundamental to Islamic teachings. One party feels compelled to yield in order to maintain harmony, yet this actually leads to deep and ongoing inner conflict.

4. Emotional isolation and spiritual alienation

One of the internal challenges that often arises is the sense of spiritual alienation experienced by one partner. This includes being unable to share in worship, attend religious activities with one's partner, or even raise children with full support. Consequently, the household is unable to provide a conducive religious atmosphere. As a result, one experiences emotional and spiritual isolation, which can impact mental resilience.

Interfaith marriages present significant internal challenges from psychological, spiritual, and emotional perspectives for both individuals and families. The Qur'an does not merely address the legality of marriage; rather, unity of faith serves as the essential foundation for building an ideal household, emphasizing the spiritual and social objectives of marriage namely, creating a

family life characterized by *sakinah* (tranquility), *mawaddah* (love), and *rahmah* (compassion) [43]. As Allah states in Surah al-Rum, verse 21:

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ
مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ

Meaning: Among His signs is that He created mates for you from among yourselves, so that you may find tranquility in them. He has placed love and mercy between you. Indeed, there are signs for people who reflect.

Disharmony in matters of faith has the potential to lead to a loss of moral compass within the family, conflicts between spouses, and difficulties in consistently fulfilling religious obligations. Islam places great emphasis on the urgency of safeguarding religious beliefs within marriage; this serves not only as a form of protection for the individual's faith but also as a strategy to ensure the continuity of monotheistic values in family life and among future generations. Consequently, interfaith marriages are often viewed as a sensitive issue requiring an approach that integrates legal, spiritual, and sociological perspectives.

External Challenges

Interfaith marriages in Indonesia face significant external challenges, whether social, legal, or related to interactions between religious communities. These challenges reflect the complexity of social dynamics in a pluralistic society that still holds fast to religious values and traditions.

1. Social Stigma and Community Rejection

Couples in interfaith marriages often face social stigma and rejection from extended families, religious communities, or local societies. This rejection stems from the widespread belief that such marriages deviate from the principles of the dominant religious teachings. Consequently, this can lead to family tensions, the severing of family ties, and even social ostracism. These reactions are often emotional and not based on rational understanding, thereby reinforcing social resistance and undermining the couple's integration into their respective religious communities [40].

2. Uncertainty Regarding Legal Status

Indonesia's marriage law system, which is based on Article 2, Paragraph 1 of Law No. 1 of 1974 on Marriage, states that a marriage is considered valid if it is conducted in accordance with the laws of the respective religion or belief. Consequently, the validity of a marriage depends on the authority and laws of

each religion. The Compilation of Islamic Law explicitly states that Islam prohibits interfaith marriage [41]. Consequently, interfaith couples face administrative obstacles, making it difficult for them to register their marriage with official state institutions. This creates uncertainty regarding the status of the marriage, particularly regarding inheritance rights, children's birth certificates, and civil registration.

3. Social Discrimination Against Children

Children born to interfaith couples face social discrimination, particularly within the education system and religious activities. They are often confronted with questions about their identity, such as which religion they practice, which community they belong to, and their religious rituals. Children in interfaith families frequently lack a safe space to express their identity because they are torn between two different value systems, while society does not always provide a space for healthy dialogue.

4. Tensions Between Religious Communities

Interfaith marriages fuel tensions between religious communities, create polarization, and strain relations between religious institutions. In certain situations, social media further exacerbates the situation by spreading hateful narratives and turning interfaith couples into the subject of public debate.

External challenges in interfaith marriages demonstrate that this issue is linked to social and cultural structures, as well as collective views on religion within society. The tensions that arise suggest that interfaith marriages are not yet fully accepted due to concerns about their impact on religious beliefs, children's education, and community stability.

Solutions from the Perspective of the Qur'an

The phenomenon of interfaith marriage in Indonesia a country characterized by cultural and religious diversity presents both internal and external challenges. To address these challenges, preventive solutions based on the teachings of the Qur'an can be implemented as follows:

1. Strengthening religious education and faith

The Qur'an emphasizes the importance of instilling faith from an early age. In Surah Luqman, verse 13, there is an emphasis indicating that monotheism is the most important matter. Parents advise their children not to associate partners with Allah, for polytheism is a great injustice and is among the timeless matters consistently advocated by those endowed with wisdom by Allah [42]. A strong religious education from childhood builds a solid foundation of faith, so

that individuals are not easily influenced by values that contradict Islamic teachings.

2. Enhancing Understanding of the Purpose of Marriage

In Surah al-Rum, verse 21, it is explained that marriage is a sign of Allah's power, who created life partners of the same kind to provide tranquility, love, and mercy. The purpose of marriage in Islam is not only to have children but also to create harmony and peace within the family [43]. This understanding is essential so that individuals choose life partners based on shared religious values and life visions.

3. Strengthening religious guidance

The Qur'an encourages believers to consult scholars on religious matters, as stated in Surah al-Nahl, verse 43: "Ask those who are knowledgeable." Comprehensive guidance, covering aspects of fiqh, psychology, sociology, and spirituality, can help individuals understand the consequences of interfaith marriage [44]. Religious institutions and the government can strengthen Islamic preparation programs prior to marriage as a space for open discussion regarding the importance of building a family with a shared vision and mission of faith.

4. Interfaith dialogue that is educational and respects the boundaries of faith

The Qur'an teaches Muslims to engage in dialogue with the People of the Book in the best possible manner, except toward the wrongdoers among them, as stated in Surah al-Ankabut, verse 46. Interfaith dialogue that is educational and respects the boundaries of faith can strengthen understanding of religious tolerance and pluralism without compromising the principles of faith [45]. This approach is essential to avoid interfaith marriages driven solely by emotional considerations.

5. Promoting the Example of a Harmonious Muslim Family

The Qur'an presents portraits of ideal families, such as the family of Ibrahim and the family of Imran (Quran 3:33-37), as models for building households that are strong in faith and the values of tawhid. The example of a harmonious Muslim family can serve as a counter-narrative to the image of interfaith marriage [46]. The Muslim community must create a positive narrative about the beauty of a household of the same faith, filled with love, stability, and a clear direction in life [47].

In the process of building a family, choosing a life partner is the cornerstone of establishing a household [48]. The foundation must be strong and stable, for if it is fragile, it will be prone to collapse even when faced with minor

trials. A solid foundation in a household does not lie in physical aspects such as beauty and handsomeness – which are relative and easily fade nor does it lie in wealth, which can be gained and lost quickly, nor is it based on social status, which is temporary and can change at any time [49]. However, the true and enduring foundation is one based on faith in Allah. By implementing preventive measures rooted in the teachings of the Qur'an, we can prevent interfaith marriages and preserve the integrity of faith as well as family harmony in accordance with Islamic teachings.

Research Limitations and Future Directions

While this study provides a rigorous teleological analysis of interfaith marriage, several inherent boundaries must be acknowledged to maintain methodological transparency. First, this inquiry operates under a defined structural constraint by focusing exclusively on a selected web of Qur'anic text primarily QS. al-Baqarah [2]: 221 and QS. al-Mā'idah [5]: 5 and utilizing a specific systems-oriented *maqāṣid* framework. Consequently, the reliance on a normative, library based textual analysis means the findings do not capture the practical [50], real-world granularities of contemporary interfaith families.

The complete absence of empirical data, case studies, or field investigations leaves an analytical gap regarding how Muslim couples in modern pluralistic environments practically negotiate their daily religious routines, financial sharing, or sudden psychological friction under state legal restrictions [51]. By operating purely on the epistemological level of *uṣūl al-fiqh* and thematic exegesis, this research establishes the macro-normative and teleological justification for protecting faith (*ḥifẓ al-dīn*) [52], but it cannot statistically or phenomenologically measure the operational success or failure of these legal boundaries at the ground level.

These limitations open up several highly strategic pathways for future scholarly investigations. Future research should transition into comparative jurisprudence (*fiqh muqāran*), systematically cross-examining how different Muslim-majority legal systems across Southeast Asia, North Africa, and the Middle East institutionally adapt to cross-faith unions. Furthermore, there is an urgent need for multi-disciplinary socio-legal and empirical studies [53]. Future projects should employ qualitative fieldwork, phenomenological interviews, and longitudinal case analyses to track the actual sociopsychological adjustments and generational identity developments within split-faith households [54]. Finally, future researchers are encouraged to expand the analytical scope by applying broader, non-linear *maqāṣid* models to address other emerging [55], interconnected fields of modern Islamic family law [56], including transnational

divorce procedures and interfaith inheritance rights within the globalized Muslim diaspora.

Conclusion

This study demonstrates that the Qur'anic parameters governing interfaith marriage, primarily mapped through the juxtaposition of QS. al-Baqarah [2]: 221 and QS. al-Mā'idah [5]: 5, are deeply rooted in the structural objective of faith protection (*ḥifẓ al-dīn*) within a comprehensive *maqāṣid al-sharī'ah* framework. The analysis indicates that the absolute restriction regarding polytheists and the shifting reception of the concession regarding the *Ahl al-Kitāb* are not arbitrary legal dictates, but dynamic, context-dependent measures designed to safeguard the ontological and cognitive stability of the family unit. By critically resolving the legal tension through the *uṣūlī* mechanisms of *taqyīd al-mubāḥ* (the restriction of permissible acts) and *sadd al-darī'ah* (blocking the means to harm), this study clarifies that while the textual permission of QS. 5:5 remains historically valid, its contemporary application is structurally problematic due to the complete breakdown of classical political-legal hegemonies and the secularization of religious identities in globalized landscapes.

Theoretically, this research offers a substantial paradigm shift in both Qur'anic studies and contemporary Islamic family law. In the realm of Qur'anic hermeneutics, it moves beyond static, atomistic text readings by pioneering an integrated *Maudhū'ī-Maqāṣid* Analytical Model. This framework successfully bridges the historical-semantic precision of *tafsīr maudhū'ī* with the modern, systems-oriented philosophy of *maqāṣid al-sharī'ah*. By doing so, it rescues the core concept of *ḥifẓ al-dīn* from being treated as an under-theorized, rigid dogmatic absolute or an emergency-only defensive tool. Instead, it redefines *ḥifẓ al-dīn* as a proactive, systemic indicator of domestic structural health, theological coherence, and sustainable generational value transmission within modern pluralistic states. For Islamic family law, this study dismantles the polarization between literalist legalism and abstract progressive human rights discourses, providing a sophisticated legal-methodological precedent on how textually established concessions (*ibāḥah*) can be dynamically adjusted when facing structural shifts in modern global governance.

Practically, these findings deliver a robust teleological foundation for judicial enforcement, legislative refinement, and state-level policy development, particularly within contemporary pluralistic nations like Indonesia. By providing a clear *uṣūlī* rationale for judicial boundaries—such as those formalized in the Supreme Court Circular Letter (SEMA) No. 2 of 2023—this study closes the "definitional void" between state bureaucracy and scriptural precedents. Far

from being a merely restrictive or exclusionary text, the unified-faith household is positioned here as a strategic necessity for psychological resilience and long-term socio-legal stability. Furthermore, these insights offer immediate value for the Ministry of Religious Affairs and religious institutions to revamp pre-marital counseling guidelines. Rather than relying on uncritical, defensive rhetoric, policymakers can utilize this model to foster higher religious literacy and intellectual self-differentiation among the Muslim diaspora, ensuring that future generations are legally protected from the administrative deadlocks and identity fragmentation inherent in modern split-faith environments.

Consequently, to move beyond the normative boundaries established in this study, future scholarly inquiries must actively pursue three strategic research trajectories within contemporary Muslim societies. First, there is an urgent need to expand this textual analysis into comparative jurisprudence (*fiqh muqāran*), systematically cross-examining how different Muslim-majority nation-states in Southeast Asia, the Middle East, and North Africa structurally adapt their statutory family laws and fatwa mechanisms to regulate inter-religious unions. Second, future scholars should employ rigorous socio-legal research frameworks to investigate the systemic frictions that occur when classical theological boundaries intersect with modern secular courts, administrative bureaucracies, and human rights discourses globally. Finally, this study strongly recommends the execution of longitudinal empirical studies focusing directly on interfaith households. By leveraging qualitative fieldwork, phenomenological interviews, and sociological data, future research can map the practical realities of everyday religious negotiation, psychological coping mechanisms, and generational identity formulation among descendants in split-faith families, thereby providing a more holistic and grounded understanding of *ḥifẓ al-dīn* in the contemporary era.

Author Contributions

Nurul Maulida: Conceptualization, Methodology, Writing – review & editing, Supervision, Project administration. **Andy Luqman Hakim:** Writing and review. **Suqiyah Musafaah:** Methodology, Writing – review & editing, Investigation.

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