



Perspectives on Civil Law and the Canon Law of the Catholic Church in a Multireligious Society

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Received: February 2024; *Accepted:* April 2024; *Published:* April 2024

Abstract: This research aims to explore the views of civil law and the Code of Canon Law regarding interfaith marriages, as well as their impact on individuals and society, especially in the Indonesian context. The method used is a comparative study, which allows an in-depth understanding of interfaith marriages. Interfaith marriage is a complex phenomenon with various legal implications, especially in the context of civil law and the Code of Canon Law of the Catholic Church. The background to this problem includes the growing differences in religious beliefs and practices in society, which has resulted in lawsuits regarding interfaith marriages. The results of the study reveal differences in civil law approaches, which tend to be secular and focus on legal aspects, while the Catholic Church's Code of Canon Law emphasizes spiritual and theological components. In the context of interfaith marriages, individuals entering into interfaith marriages face challenges in integrating two different beliefs. The conclusions of this study speak to the need for interfaith dialogue and collaboration between civil and church authorities to develop a more inclusive approach to interfaith marriage. Implementing policies that pay attention to legal and spiritual aspects can create a framework that supports diversity and social cohesion in an increasingly pluralistic society.

Keywords: ethnic relationship; inclusive approach; interfaith marriage; plural society; social cohesion.

1. Introduction

In the context of Sociology, inter-ethnic and inter-religious marriages are considered an important research topic because they influence social integration and the evolution of group boundaries. Max Weber, George E. Simpson, Milton Yinger, and others have emphasized the importance of intermarriage in understanding ethnic relationships and integration (Jian, 2017; Livingston, 2017). In the United States, intermarriage rates are increasing, especially among Hispanic and Asian populations. (de Guzman & Nishina, 2017). Acceptance of intermarriage has also changed, and more people see it as a positive impact on society (Livingstone & Brown, 2017). However, mixed marriages can also face challenges, such as social pressure from family and society, differences in culture and worldview, communication styles, religious and ethnic beliefs, and integration of the couple's identities (Toelle & Harris, 2012). Despite these challenges, interracial and interfaith marriages can lead to positive interfaith encounters and contribute to the formation of multicultural families (Gevrek, 2014).

Interfaith marriage, especially in the context of the Catholic Church, is a complex phenomenon involving civil law and canon law. In multireligious societies, such marriages are becoming more common, giving rise to legal challenges and are interesting to study. This study explores civil law perspectives and the Catholic Church's Code of Canon Law regarding interfaith marriages. From a legal perspective, marriage is something that is considered sacred and noble because it binds a man and a woman as husband and wife with the aim of forming a happy and loving family. However, problems arise when men and women of different religions want to marry, especially because there is a prohibition against marrying people of different religions, while the Catholic religion recognizes mixed marriages but with several

restrictions. Such marriages are a complex issue in Indonesia, involving aspects of personal relationships and legal conflicts, so they are often not legally recognized according to marriage law (Hanifah, 2019).

In this study, the problem studied is related to the complexity of interfaith marriages, especially in the context of the plural society of Indonesia (Setia & Rahman, 2022). Here, interfaith marriages maintain two different legal systems, namely civil law and Canon Law in the Catholic Church. The complexity lies in the conflict between norms in civil law and principles in the Catholic Church regarding the baptism of children and the rights of couples in interfaith marriages. The urgency of this study and the importance of raising the issue of interfaith marriage lies in the need to understand its impact holistically. Nowadays, there are more and more cases of interfaith marriages, so it is necessary for the general public to have an in-depth understanding of how the law can facilitate or hinder the process of interfaith marriages as well as the need to safeguard individual rights and ensure fair treatment for couples who decide to marry interfaith.

In the realm of civil law and the Catholic Church, interfaith marriage is a complex and interesting topic to investigate. This phenomenon describes the combination of two individuals from different religious beliefs who attempt to establish a marriage bond. On the one hand, civil law focuses on marriage regulations regulated by the state, namely Law Number 1 of 1974 concerning marriage (Abd, 2011). This law requires that marriages between followers of different religions must obtain permission from the relevant agency, with one party who does not share the same religion being asked to follow a procedure for changing religion or sign a marriage agreement containing certain clauses. This process requires approval from Ministry of Religion officials or local religious leaders. Even though interfaith marriages are legally recognized, in practice, they sometimes still pose social, cultural and administrative challenges for married couples (Abd, 2011).

The Code of Canon Law of the Catholic Church prohibits marriage between Catholics and people of different religious beliefs, except in situations permitted by ecclesiastical authorities. This is considered an obstacle to the sacrament of marriage and has the potential to threaten faith, family and children's education. The Church holds a firm commitment to the unity of faith in marriage as an agreement to accept each other and commit to living together with one belief (Raharso, 2016). The goal is to maintain unity of faith and practice in a Catholic household and enable couples to deepen their faith together. Although it respects religious freedom, the Church believes in the importance of shared beliefs in building a strong and harmonious marriage. This policy emphasizes consistency in the religious practices of Catholic families and protects the faith and spiritual identity of family members (Pamungkas & Viktorahadi, 2021).

Interfaith marriages often raise interesting legal questions, especially regarding the compatibility between civil law and the canon law of the Catholic Church. The questions asked in this study include: First, how do the two legal systems treat interfaith marriages? Are there significant differences in legal perspectives regarding the validity, procedures and implications of interfaith marriages between civil law and canon law? How do civil law and canon law resolve conflicts that may arise between religious rules and state regulations in the case of interfaith marriages?

In reviewing the issue of interfaith marriages, the author will compare the perspectives of civil law and the Catholic Church's Code of Canon Law regarding interfaith marriages. Here, we will discuss the similarities, differences and potential conflicts between the two legal systems and look at the moral and ethical views that can influence marriage itself. This study aims to provide an in-depth understanding of the civil and canonical laws governing interfaith marriages while providing a basis for readers to understand the social, cultural and religious implications associated with this phenomenon.

2. Method

The method used in this study is a comparative method. In the context of interfaith marriages, comparative methods are used to understand differences in approaches or views between civil law and the canonical law of the Catholic Church regarding the issue of interfaith marriages (Milligan, 2016). In terms of civil law, countries usually have special regulations governing interfaith marriages, with certain requirements to ensure legal validity and protection of individual rights. Meanwhile, from the

perspective of canon law, the Catholic Church provides internal guidance for Catholics who wish to marry people of different beliefs. This comparison can illustrate how the state and religion resolve the issue of interfaith marriages, whether or not they recognize these marriages, as well as the processes and requirements applied by each legal system.

3. Results and Discussion

a. Interfaith Marriage in Civil Law

Law Number 1 of 1974 concerning Marriage is the foundation underlying the institution of marriage for all Indonesian citizens in accordance with the principles of Pancasila. Article 1 emphasizes that marriage is a spiritual and physical bond between a man and a woman with the aim of forming a happy and eternal family based on the Almighty Godhead. This is followed by Article 2, which states that marriages are recognized as valid in accordance with respective religious laws and are recorded in accordance with applicable laws and regulations (Indonesia & Bab, 1974).

The process of forming Law Number 1 of 1974 concerning Marriage involved debate and pressure from various levels of society since the 1950s until it was finally passed in 1974 after three months of discussion. Although it is a step towards modernizing Indonesian law, this ratification also reflects a shift in the national legal paradigm with a focus on unification efforts, which face challenges in balancing tradition and modern values (Fuad, 2016).

This law provides a basis for interfaith marriages with the principle of free consent from both parties and compliance with the laws that apply to each religion represented by the couple, in accordance with Article 2, paragraphs (1) and (2) of the Marriage Law. However, the administrative process for interfaith marriages can be different in each region, often creating challenges for couples who wish to marry interfaith, especially if there are views or obstacles from the social or family environment (Abd, 2011).

Even though this law provides a legal basis, there are still differences in views and interpretations in society regarding interfaith marriages. Some religious communities apply stricter rules, resulting in challenges in their practical implementation. Thus, even though there is a legal basis that allows interfaith marriages, there are still challenges in its implementation related to administrative requirements and views and interpretations in society (Halima/Festy, 2023).

This legal unification process is reflected in the Marriage Law with the minimum age for marriage as a symbol of cohesion between state and religious interests. However, this arrangement faces challenges in integrating religious law with national law without reducing the essence of both, leading to debate regarding norms that are considered outdated. Additionally, the evolution of this law has involved a long history of legislative and policy changes relating to interfaith marriage in Indonesia. From the Dutch colonial era to the Constitutional Court's decision in 2019, allowing interfaith marriages with certain conditions to adjustments to regulations that continue to be made to meet the needs of society and the legal aspects that apply in Indonesia (Halima/Festy, 2023).

b. Interfaith Marriage according to the Canon Law of the Catholic Church

In the Code of Canon Law of the Catholic Church, interfaith marriages are regulated in several articles, which provide a legal basis for cases like this. The articles that regulate interfaith marriages include Articles 1124 to Article 1129. Article 1124 confirms that marriage between two people of different religions is valid, provided they obtain special permission from the ecclesiastical authorities. Article 1125 states that permission from ecclesiastical authorities must be obtained before an interfaith marriage can take place. In this context, the "ecclesiastical authority" is the local Bishop or Episcopal Conference that has jurisdiction. This permission is given on the basis that the marriage will not disturb the Catholic faith of either party (Rubiyatmoko, 2016).

Article 1126 emphasizes the need for special instructions or preparation for prospective husbands and wives of different religions. They must be given a proper understanding of their rights, obligations and the importance of maintaining the Catholic faith in their families. This includes respect for the couple's religious freedom as well as a commitment to ensure that children will be baptized and educated in Catholic teachings (Rubiyatmoko, 2016).

Article 1127 confirms that in interfaith marriages, it is possible for one of the non-Catholic partners to be asked to make certain promises, such as a promise to make every effort to have children baptized and educated in Catholic teachings. This is one of the requirements that needs to be met for the marriage to be recognized as valid by the Church (Rubiyatmoko, 2016). Article 1129 explains that in cases where permission cannot be obtained, or instructions cannot be given, but the marriage is still deemed necessary; the local Bishop may grant special permission with certain conditions deemed appropriate to the existing circumstances (Rubiyatmoko, 2016).

Norma-norma di atas bersumber dari kodex lama dan telah dimodifikasi. Dalam kodeks lama yang terkena sasaran norma halangan ialah pihak yang tidak dibaptis “tidak sahlah perkawinan yang diteguhkan oleh seorang yang tidak dibaptis dengan seorang yang dibaptis (KHK 1917, kan: 170 □). Sedangkan, norma yang berlaku sekarang dikenakan pada pihak yang Katolik. Perubahan ini sangat logis karena selaras dengan ketentuan lain bahwa yang terikat oleh UU yang semata-mata gerejawi ialah orang yang dibaptis dalam Gereja Katolik atau diterima di dalamnya. Norma halangan nikah beda agama merupakan norma yang paling kompleks, karena tidak hanya menyangkut persoalan hak fundamental setiap orang untuk menikah, melainkan unsur perbedaan agama yang ada di dalamnya membawa serta persoalan besar dari sudut teologis, kanonis, ekumenis, sosiologis, dan bahkan hukum sipil (Raharso, 2016).

Pada dasarnya, landasan pernikahan beda agama menurut Kitab Hukum Kanonik Gereja Katolik menegaskan bahwa izin dari otoritas gerejawi sangat penting, serta perlunya persiapan khusus bagi calon suami dan istri untuk memelihara iman Katolik dalam keluarga dan memastikan pembaptisan serta pendidikan anak-anak sesuai ajaran Katolik. Selain itu, terdapat pengecualian yang memperbolehkan izin khusus dalam situasi tertentu yang disetujui oleh Uskup setempat (Raharso, 2016).

c. **Interfaith Marriage Process in Civil Law**

The process of interfaith marriage in Indonesia involves several steps and rules regulated by civil law. Basically, in Indonesian law, interfaith marriages are regulated by Law Number 1 of 1974 concerning Marriage. According to this law, couples who want to marry must have the same religion, but in practice, there are exceptions where couples of different religions can marry with several conditions. One of the main requirements is a letter of approval from an authorized official (Abd, 2011). Couples who wish to marry must obtain permission from the local Religious Affairs office or Ministry of Religion. This letter of consent is important as a condition for the validity of the marriage in the eyes of the law. Apart from that, couples must also sign a statement to respect each other's religion and guarantee that they will follow the same religion as their children in the future (Ermasyanti, 2011).

Even though there are regulations governing interfaith marriages, the process is still often complicated and takes quite a long time. The reason is because each religion has different rules and requirements. In addition, there are regions in Indonesia where these rules are strictly applied, while in other regions, the process can be more flexible. Sometimes, couples who wish to marry between different religions are required to take additional processes such as marriage preparation courses or obtain approval from their families or religious communities. In a multireligious society like Indonesia, interfaith marriages are regulated by the Marriage Law. According to Indonesian civil law, marriage between two people who have different religions can be carried out, but there are special procedures that must be followed (Abd, 2011).

First, consent from both parties. Couples who want to marry must agree to marry even though they have different religions. In Indonesia, consent from both parties in a civil marriage is very important. Article 2 of Law Number 1 of 1974 concerning Marriage explains that every marriage must be based on the willingness of both parties who wish to marry. This means that both men and women who want to get married must voluntarily and fully agree to enter into a legal marriage bond (Abd, 2011). This is important to prevent forced marriages or pressure that could harm one party in the relationship. This agreement also emphasizes the importance of a clear agreement between both parties in building harmonious family relationships.

In the context of couples who have different religions, consent to marry remains the main requirement for civil marriage in Indonesia. Despite different religions, the country's civil marriage law emphasizes that

the agreement of both parties to marry voluntarily is fundamental. In this case, civil marriages can be carried out at the Religious Affairs Office (KUA) while still observing the applicable requirements and procedures. Both partners must consciously and fully agree to the marriage, even if they have different religious beliefs. This emphasizes the importance of personal agreement in establishing a marriage relationship, regardless of differences in religion or belief that they adhere to (Asyatama & Ridwan, 2021).

Second, choosing the law that will regulate marriage. Couples must choose the law that will govern their marriage, whether the husband's religion, the wife's religion, or secular law. This election is important because it will affect the marriage process and their legal status after marriage. Choosing the law governing marriage in civil law is an important decision for couples who are getting married. This allows them to determine the legal basis that will regulate the legal aspects of their marriage. This decision involves choosing whether the law to be applied is based on the husband's religion, the wife's religion, or the choice of secular law (Abd, 2011). For example, in some cases, a couple may choose to follow certain religious laws that establish specific rules and requirements for marriage, such as those in the Islamic or Christian faiths. This choice has major implications for the wedding process, such as ceremony requirements and required documents (Santoso, 2016).

Apart from that, the right choice of law will also have an impact on the legal status of the couple after they get married. The law they choose will regulate things such as inheritance rights, financial obligations, and other rights related to their marital status. For example, in some cases, secular law may provide more flexibility in terms of a partner's rights and obligations that are not rigidly regulated by religious law. Thus, choosing the right law will ensure that couples have a clear understanding of the legal consequences of their choices and will allow them to live their marriage with legal certainty in accordance with their wishes (Jamaludin, 2016).

Third, administrative processes. Interfaith marriages must be carried out in accordance with the regulations in force at the Ministry of Religion. Usually, several documents need to be prepared, such as a statement about religion, a letter of permission from both parents (if one is a minor), and a statement from an authorized official. The administrative process in interfaith marriages follows a number of rules set by the Ministry of Religion (Abd, 2011). The first step is to prepare a number of required documents. These documents include a statement regarding the religion of each couple who is getting married. Apart from that, if one of the couples getting married is still a minor, permission is also required from both parents or legal guardians. Additional documents, such as a statement from an authorized official, are also required in this process. All of these documents are an important part of the administrative requirements that must be fulfilled before an interfaith marriage can take place in accordance with applicable regulations (Sepang, 2015).

Apart from the document requirements, the administrative process also involves submitting an official application to the Ministry of Religion or an authorized agency. These applications must follow established procedures and often involve a document verification process as well as a review of the requirements that have been met. The submission of this application allows the government to ensure that interfaith marriages are carried out in accordance with applicable legal provisions and do not violate established regulations. By complying with this administrative process, couples from different religions can legally marry in accordance with the provisions applicable in that country (Abd, 2011).

Fourth, the wedding ceremony. The marriage can take place with a procession according to the religion of each couple or can use a civil procession regulated by the government. A wedding ceremony is a sacred ritual that binds two individuals in the bonds of life together. This procession reflects the different values, beliefs and traditions of each culture and religion. In general, a wedding ceremony consists of a series of rituals that include exchanging promises, giving rings, prayers, and various symbols that symbolize the couple's commitment and loyalty. In many cultures, this ceremony is also followed by a festive party to celebrate the unity and happiness of the newly married couple (Abd, 2011).

Weddings can be held with a procession in accordance with the religious teachings of the married couple. Each religion has specific procedures, rituals and traditions, such as Hindu, Islamic, Christian, Buddhist or other religious ceremonies. However, there are also civil processions that are regulated by the government, especially in the context of state law and administration. This civil procession includes marriage registration at a civil registry office or equivalent institution, where the couple conveys their desire to legally

become husband and wife. Even though they differ in procedures, both religious and civil processions have the same goal: to officially confirm a couple's relationship in the eyes of society and the law (Abd, 2011).

Fifth, marriage registration. After the wedding, the marriage registration is carried out at the Ministry of Religion to obtain official proof of the marriage. Marriage registration is a formal process carried out after a couple marries. This process involves registering the marriage at an authorized institution, such as the Ministry of Religion. Its main purpose is to create official and legal proof of the marriage bond between two individuals. This process involves filling out official forms, submitting required documents, such as a marriage certificate from a religion or institution that legalizes marriage, as well as self-identification of the married couple. This registration provides legal legitimacy for couples, providing official rights and responsibilities related to marital status, such as inheritance rights, insurance and other legally recognized rights (Abd, 2011).

Registration of marriages at the Ministry of Religion or similar institutions is also important because it creates a reliable database about marriages within a country. This information is important for administrative, statistical and research purposes. In addition, this registration also facilitates the official recognition of marriages for the general public, ensuring that the marriage is widely recognized in social and legal circles. In this way, marriage registration is not only an administrative step but also helps to enforce the legal and social validity of the marriage bond (Abd, 2011).

d. Comparing Civil Law and the Code of Canon Law

Marriage Regulations

Both Civil Law and the Code of Canon Law have the aim of regulating marriage so that it occurs within a clear legal framework and in accordance with the principles recognized by the society or church concerned (Ermasyanti, 2011). Civil Law aims to regulate legal aspects related to marriage in the context of state law, determining the rights and obligations of couples and protecting the interests of the parties involved. Meanwhile, the Code of Canon Law aims to regulate marriage within the scope of the Catholic Church by taking into account church values and teachings and providing guidelines for Catholics in carrying out marriages in accordance with their religious beliefs. Even though they have different points of view, the two legal systems aim at the same goal, namely maintaining order in marriage in accordance with the principles recognized by the society or church concerned (Wiludjeng, 2020).

Legal Recognition

Status Recognition. Both civil and canonical law recognize the status of interfaith marriages, although there are differences in how they treat them. Recognition of interfaith marriage status in civil law includes legal regulation of couples who come from different religious beliefs. Typically, civil law will recognize interfaith marriages as valid. However, some jurisdictions may impose additional requirements or limit certain rights for interfaith couples. This may include special administrative requirements or restrictions on inheritance rights, child custody, or other legal aspects. However, in general, civil law treats interfaith marriages as valid and recognizes the rights and obligations associated with the marital status (Wiludjeng, 2020).

On the other hand, in the Code of Canon Law of the Catholic Church, recognition of the status of interfaith marriages also occurs, although with several different approaches. The Catholic Church recognizes interfaith marriages as valid if certain conditions stipulated in canon law are met. The Church usually requires special permission from ecclesiastical authorities to ensure approval of interfaith marriages and ensure that the couple is aware of their responsibilities in raising children in the Catholic faith. Although recognition of interfaith marriage status occurs, the Catholic Church also has special procedures for cases like this so that the spiritual needs of partners and their children can be accommodated as best as possible within the context of Catholic beliefs (Kancak, 2014).

Religious Freedom

Protection of Religious Freedom. Religious freedom is a human right that allows individuals to choose and practice religious beliefs without external pressure. This includes the right to hold, change,

or even not hold certain religious beliefs. The state is responsible for protecting this right, which includes the protection of places of worship, religious rituals, and freedom of thought and expression regarding religion (Fatmawati, 2016). The civil law system and the canonical code of the Catholic Church, although different in focus, both respect religious freedom. The civil law system emphasizes protections in state law, while the canon law code provides the internal guidance of the Church. However, both are aligned in recognizing and respecting human rights related to religious freedom (Sekarbuana et al., 2021).

Legal Authorities and Sources

Legal authority in Civil Law is closely related to the government structure of a country. The legislative and executive bodies have a major role in making laws, regulations and court decisions which are the foundation of this legal system. Laws are created by legislative bodies, such as parliament, to regulate various aspects of society. Regulations, which originate from statutes, are created by executive bodies to enforce more specific provisions. Court decisions, as a result of legal interpretation of the cases submitted, become a guide for future law enforcement (Nursadi, 2015).

Civil Law has different principles and roots from other legal systems, such as Common Law. In this system, legal authorities are responsible for drafting laws that include civil, contract, property, and criminal law. Courts have a central role in interpreting the law and making decisions based on existing laws and precedents. Although laws, regulations and court decisions are the main pillars of legal authority in Civil Law, this system is subject to evolution and adjustment. Legal authorities periodically revise laws, change regulations, and adjust legal interpretations to keep pace with social, economic, and cultural changes. Thus ensuring that the law remains relevant and can be applied in an ever-changing society (Nursadi, 2015).

The source of Canon Law, on the other hand, is the rules issued by the Catholic Church for its people throughout the world. The Bible is the main foundation, integrating teachings, traditions and moral views. The Code of Canon Law refers to the Bible as a moral and spiritual guide in the religious life of Catholics. Apart from that, official church teachings, church council decisions, and regulations issued by the Pope are also an integral part of church governance (Binawan, 2022). The decisions of church councils, such as the Council of Nicaea or the Second Vatican Council, have important weight in canon law. The Pope plays a significant role in creating the rules that govern the Catholic Church through encyclicals, papal bulls, or decrees that provide direction for Catholics globally. These canonical law sources maintain harmony and consistency in the teachings and procedures of the Catholic Church throughout the world (Bustamin. et al., 2014).

Marriage Requirements

Civil law requirements for interfaith marriages vary greatly in different countries. Some demand special approval from the government or relevant agencies, involving different administrative processes and requirements such as submission of official documents or eligibility checks. However, these requirements are not uniform throughout the world; there are looser jurisdictions that only ask for consent from the couple who is getting married without additional conditions (Abd, 2011). Besides civil law, the Catholic Church has its own requirements for interfaith marriages. The Code of Canon Law stipulates that ecclesiastical consent is required for a marriage to be considered valid in ecclesiastical law. The local bishop or ecclesiastical authority usually grants this approval, ensuring that the marriage complies with Church teachings and rules. Apart from that, pre-wedding preparations are also required, such as attending pre-marriage classes and understanding the meaning of the Catholic sacrament of marriage (Lon, 2019).

All of these requirements aim to ensure that interfaith marriages performed by Catholics comply with religious standards and ecclesiastical law. The Church wants to ensure that the marriage is not just a formality but also reflects the spiritual meaning of the sacrament of marriage. Therefore, an in-depth understanding of the requirements of canon law is crucial for couples who wish to marry in the context of religious differences. Civil legal requirements for interfaith marriages vary, ranging from special approval from government bodies to administrative requirements involving official documents or eligibility checks (Lon, 2019).

The Catholic Church has its own regulations regarding interfaith marriages. The Code of Canon Law emphasizes that ecclesiastical consent is essential for a marriage to be considered valid in ecclesiastical law. This is ensured by the bishop or local ecclesiastical authority, whose aim is for the marriage to follow Church teachings. Pre-marital preparation is also required, including attending pre-marital classes and understanding the meaning of the Catholic sacrament of marriage. All of these requirements aim to ensure that interfaith marriages in the Catholic Church meet religious standards and ecclesiastical law. The Church wants to ensure that the wedding has deep spiritual meaning, not just a formality. Therefore, an in-depth understanding of the requirements of canon law is very important for couples who want to marry amidst religious differences (Lon, 2019).

Validity of Civil Marriage

Civil law recognizes interfaith marriages as valid if they meet the conditions set by local law, although there may be differences in how their legal status is handled, such as in matters of inheritance or child custody. The validity of civil law regarding interfaith marriages refers to its legal recognition by the law in force in a particular region, with administrative requirements that must be fulfilled, such as regulated marriage procedures and official registration by the competent authority. Even though it is recognized as legal, differences in handling legal status, such as inheritance or child custody, can be complex and require careful consideration for couples. Differences in handling legal status in interfaith marriages can give rise to complexity, especially in terms of inheritance and child custody (Arliman, 2019).

Although civil law recognizes the validity of such marriages by fulfilling the specified conditions, it is important for couples who come from different religious beliefs to understand the legal implications that may arise in the future. Consultation with legal experts can help them understand more deeply the legal implications of interfaith marriages and how best to navigate the complexities that may arise (Desa, 2021).

Validity of Canon Law

In the context of the Catholic Church, some procedures and requirements must be fulfilled to recognize the validity of interfaith marriages in the eyes of the church. If these requirements are not met, the Church does not recognize the marriage as valid or requires a certain process to recognize its validity. Canonical legal validity refers to the suitability or suitability of a marriage within the order of the Catholic Church. In this context, the Church has strict provisions regarding interfaith marriages. To be recognized as valid in the eyes of the Church, this marriage must meet a number of specified requirements. One of the main requirements is the approval of a competent ecclesiastical authority, which often involves permission from the local bishop or other formal actions determined by canon law (Raharso, 2016).

When interfaith couples wish to marry under Catholic teachings, they must comply with the rules established by canon law. This work may involve several processes, such as obtaining special dispensation or permission from ecclesiastical authorities to legally marry. This dispensation is given on the basis of careful consideration and assessment of the specific situation and conditions of the couple concerned. However, if the necessary conditions are not met, the Catholic Church may not recognize the marriage as valid in its view. In some cases, the Church can also establish a special process to validate the validity of an interfaith marriage that has been performed without the necessary approval or dispensation (Raharso, 2016).

The validity of canon law in the context of interfaith marriages is an important aspect of the Catholic Church. This does not only involve legal aspects or formalities, but is also related to the Church's view of the sacrament of marriage, which is considered sacred and has deep meaning for Catholics. Therefore, complying with the requirements of canon law is essential to recognize the validity of interfaith marriages in the eyes of the Catholic Church (Raharso, 2016).

e. Challenges and Solutions for Interfaith Marriage

In Indonesia condition of a multi-religious country, interfaith marriages face significant challenges both in terms of civil law and in terms of canonical law of the Catholic Church. Civil law in Indonesia allows interfaith marriages, but with certain conditions which sometimes require a complex process.

One of them is special requirements related to religion, such as the requirement for one party to convert to their partner's religion or convert to a certain religion in order to legally marry according to state law. This can be a big challenge for couples who want to maintain their respective religious beliefs (Kaharuddin & Syafruddin, 2020).

In the context of the Catholic Church in Indonesia, interfaith marriages are also a challenge. The Church has specific rules regarding the validity of marriages, such as the requirement that marriages take place in front of a Catholic priest and compliance with canon law. The process of obtaining dispensation for interfaith marriages from ecclesiastical authorities can be complicated, and this can be an obstacle to canonical recognition of marriages (Raharso, 2016).

One solution often adopted by couples in interfaith marriages in Indonesia is to find a compromise that takes both religious beliefs into account. This compromise can include agreements regarding the implementation of worship, as well as respect for each other's beliefs. In addition, to fulfill civil law requirements, some couples choose to marry abroad in countries that apply rules that are more supportive of interfaith marriages. In the context of the Catholic Church, couples can apply for a dispensation to local ecclesiastical authorities to obtain canonical recognition for their interfaith marriage. This process may involve additional requirements that must be met, such as a promise to raise children in Catholic teachings or a commitment to certain religious practices (Raharso, 2016).

It is important to note that each case of interfaith marriage in Indonesia has its own unique dynamics, depending on individual circumstances and the legal policies in force at a particular time. Good communication, a deep understanding of legal rules, and respect for the couple's religious beliefs are the keys to overcoming the challenges of interfaith marriages in Indonesia, both from the perspective of civil law and the canonical law of the Catholic Church.

4. Conclusion

A study of the treatment of interfaith marriages in civil law and canon law reveals significant differences in approach, validity, procedures and legal implications. Civil law tends to recognize interfaith marriages as valid, focusing on legal aspects and the consent of both parties. Meanwhile, canon law within the scope of the Catholic Church emphasizes that marriages must be solemnized within the same religious belief so interfaith marriages are often considered invalid or require special permission from Church authorities. This difference has major implications for the validity of marriage in the eyes of the law and a multireligious society. In dealing with conflicts between religious rules and state regulations regarding interfaith marriages, civil law tends to prioritize the protection of individual rights and religious freedom. Typically, civil law offers alternatives or special procedures to accommodate interfaith marriages, often with additional requirements or special processes to ensure legal compliance. On the other hand, canon law creates major challenges when religious rules conflict with state law, as the Church tends to maintain rigid standards of religious belief and dogma. This can lead to more complex conflicts between civil law rules and Church rules in the case of interfaith marriages.

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