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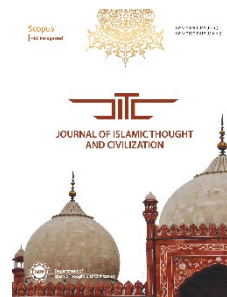
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Exploring Interfaith Marriage in Qur'an: A Hermeneutic and Anthropological Analysis of Permissibility

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Abstract

This study seeks to explain the concept of the permissibility of interfaith marriage, as found in the interpretation of Surah Al-Maidah: 05, within the cultural context of Arabic society. It explores cultural systems, which influenced the socio-anthropological understanding of this permissibility. The research employs a qualitative approach, utilizing muqaran (comparative) and hermeneutic interpretation methods alongside an anthropological perspective. This study demonstrated several key findings on interfaith marriage in Al-Maidah: 05. The verse conceptually permits Muslim men to marry women from *Ahl al-Kitab* (People of the Book) under certain conditions, according to various scholarly interpretations. The text also indicates that Muslim men may marry women from *Ahl al-Kitab* who are independent and able to preserve their honor (*muhsanat*), provided they pay the dowry. Some scholars assert this permissibility applies without restriction, while others limit it to *Ahl al-Kitab* before Islam or to *Ahl al-Kitab* Dzimmiyyah, excluding Jews and Christians in some interpretations. The permissibility of such marriages from a socio-anthropological perspective reflects a continuation of earlier interfaith marriage practices among Arabs, influenced by the patriarchal social system, which was later redefined according to the Islamic perspective. Thus, the concept of interfaith marriage in Al-Maidah: 05 is deeply rooted in both pre-Islamic cultural practices and evolving Islamic jurisprudence, indicating that interfaith marriage conception has Quranic relevance.

Keywords: anthropological, hermeneutic, interfaith marriage permissibility, Qur'an

Introduction

In Indonesia, interfaith marriage remains a complex issue, lacking clear legal support, which poses challenges for couples wishing to marry across religious boundaries. Some couples choose to have two distinct wedding ceremonies in line with their individual religions, like performing a nikah ceremony for Islam and receiving a blessing in a church. However, this approach raises questions about the validity of such marriages. A frequently chosen option involves one partner pretending to convert, although this is prohibited by all religions, as it is considered a disrespectful imitation of faith.¹ Some couples choose to marry abroad to bypass legal issues in Indonesia, though this is often viewed as a legal loophole. For Muslims, interfaith marriage remains a topic of debate, with most Islamic scholars, including the Indonesian Ulema Council (MUI), forbidding it based on Sharia law and Indonesia's Marriage Law No. 1 of 1974. This prohibition stems from the belief that interfaith

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¹Aulil Amri, "Perkawinan Beda Agama Menurut Hukum Positif Dan Hukum Islam (Interfaith Marriage According to Positive Law and Islamic Law)," *Media Syari'ah* 22, no. 1 (May 6, 2020): 48, <https://doi.org/10.22373/jms.v22i1.6719>.

marriages bring more harm than good. However, some adopt a more tolerant view, believing that love can transcend religious boundaries, provided both parties are prepared to face the consequences.² This debate reflects the diversity of opinions within Indonesian society, where some firmly uphold religious rules, while others prioritize personal and emotional aspects of marriage.

The differing views on interfaith marriage among Islamic scholars primarily stem from the interpretation of Qur'anic verses, particularly Al-Maidah 5, which allows marriage to women from the *Ahl al-Kitab*. This verse serves as a basis for some scholars to permit Muslim men to marry Jewish or Christian women, as they are considered *Ahl al-Kitab*.³ However, other scholars question whether the concept of *Ahl al-Kitab* remains relevant after Islam, or if they should be classified as polytheists.⁴ This issue is further complicated by differing opinions on whether the teachings of Judaism and Christianity today still align with their original scriptures.⁵ Some scholars emphasize that the primary purpose of marriage in Islam is to preserve the faith and ensure future generations' religious adherence, making marriage to non-Muslims potentially increase risk for the faith of the offspring.⁶ This perspective leads to the debate over whether the ruling in Al-Maidah 5 is absolutely or contextually bound to social and religious conditions.⁷ Additionally, some scholars believe that the state plays a crucial role in determining interfaith marriage policies, considering its impact on social and religious harmony in the community.⁸

2. Research Methods

This research is a qualitative study using a library research model, focusing on the interpretation of Qur'anic texts, specifically the exegesis of Al-Maidah: 05 regarding the permissibility of interfaith marriages. The approach used is critical hermeneutics, which examines the threefold interpretation of a text via its linguistic characteristics, the author's context, and the reader's perspective. In gathering data, the researcher utilized both primary and secondary sources from various Qur'anic interpretations and the commentaries of Muslim scholars and intellectuals on this issue.⁹ Data validation was conducted through source triangulation, where multiple interpretations were compared to identify similarities and differences in perspectives. The gathered data was subsequently

²Jane Makalew, "Akibat Hukum Dari Perkawinan Beda Agama Di Indonesia (The Legal Consequences of Interfaith Marriage in Indonesia)," *Lex Privatum* 1, no. 2 (2013), <https://ejournal.unsrat.ac.id/v3/index.php/lexprivatum/article/view/1710>.

³Voa Islam, "Interfaith Marriage, Misleading Pluralism," *VOA Islam*, August 27, 2024, <http://www.voa-islam.com/read/muslimah/2022/03/17/80222/pernikahan-beda-agamapluralisme-yang-menyesatkan/>.

⁴Suara.com, "Interfaith Marriage Legalized at the Surabaya District Court, This Is the MUI's Attitude," August 27, 2024, <https://www.suara.com/news/2022/06/22/103816/pernikahan-beda-agama-disahkan-di-pn-surabaya-ini-sikap-mui>.

⁵Updatenetizen, "The National Ulema Halaqah Is Themed 'Marriage of Different Religions,'" *Updatenetizen*, November 18, 2017, <https://updatenetizen.wordpress.com/2017/11/18/halaqah-ulama-nasional-bertema-nikah-beda-agama/.worldnews>.

⁶Chamim Tohari, "Methodological and Sociological Analysis About The Fatwa Of Majelis Tarjih Muhammadiyah Concerning to the Muslim Marriage With An Ahl Al-Kitab," *Jurnal Ilmiah Al-Shari'ah* 16, no. 2 (December 26, 2018): 161, <https://doi.org/10.30984/jis.v16i2.744>.

⁷M.A. Muhibbu-din, "Principles of Islamic Polity towards Ahl Al-Kitab and Religious Minorities," *Journal of Muslim Minority Affairs* 24, no. 1 (April 2004): 163–74, <https://doi.org/10.1080/1360200042000212269>.

⁸Ibid.

⁹Shehnaz Haqqani, "The Qur'an on Muslim Women's Marriage to Non-Muslims: Premodern Exegetical Strategies, Contradictions, and Assumptions," *Journal of Qur'anic Studies* 25, no. 1 (May 2023): 36–78, <https://doi.org/10.3366/jqs.2023.0529>.

examined through a socio-anthropological perspective, taking into account the social and cultural backdrop of the text's authors as well as its significance for today's readers. This analytical process helps in understanding how the norms and values prevailing during the text's composition influenced its interpretation and how modern readers perceive these interpretations.¹⁰ Furthermore, the researcher evaluated the impact of these interpretations on contemporary issues such as pluralism and individual rights in interfaith marriages.

3. Results and Discussion

3.1. Interfaith Marriage Concept

A physical and spiritual bond between a man and a woman with the roles of husband and wife confines the marriage. The outward and inward bonds (*'aqd*) signify that marriage cannot be fulfilled by just one bond; however, it necessitates the presence of both at the same time. The external bond is intended as a connection that can be witnessed in real terms, such as the existence of a legal bond between the two of them to live together as husband and wife, as well as an inner bond that cannot be seen, such as love and affection, which strengthens the birth bond.¹¹

Marriage in Islam transcends love, but it also includes the value of worship, making this bond of love align with religious principles, such as reserving sexual relations for the marital union. This spiritual aspect distinguishes it from the concept of marriage in Western societies. In Western cultures, people typically view love as the sole foundation for marriage. It is seen as a public expression of love, with love being considered the most important prerequisite for marriage. This implies that, privately, expressions of love can occur outside of marriage, allowing sexual relations to be seen as an expression of love, even if they take place before marriage.

Marriage is carried out between men and women because they have harmony and compatibility, including religion. However, there are also marriages carried out by men and women based on compatibility of the heart, even though they have different religions. This kind of marriage is known as interfaith marriage. Even though there is no agreement on the boundaries of interfaith marriage, there are several definitions some scholars have put forward about it.¹² Rusli and R. Tama, for example, limit interfaith marriage as a physical and spiritual bond between men and women of different religions, which results in the mixing of two different regulations regarding terms and procedures for carrying out marriages under the laws of their respective religions, intending to create a happy and lasting family based on belief in One and Only God.¹³

Ketut Mandra and I Ketut Artadi stated that marriage of different religions also put a similar limitation forward, an inner and outer bond between a man and a woman of different religions who still maintain their religious differences as husband and wife.¹⁴ Interfaith marriage is the relationship of a man and a woman who have different religions or beliefs in a marriage bond to form a harmonious and lasting household. Both religious differences are lasting or tentative.¹⁵

¹⁰Azmar Hidayat, Haidar Putra Daulay, and Zaini Dahlan, "The Civilization of Pre-Islamic Arab Society," *Al-Ulum: Jurnal Pendidikan Islam* 2, no. 1 (February 24, 2021), <https://doi.org/10.56114/al-ulum.v2i1.124>.

¹¹K. Watjik Saleh, *Indonesian Marriage Law* (Jakarta: Ghalia, 1992).

¹²Purwaharsanto, *Interfaith Mixed Marriage According to Law of the Republic of Indonesia No. 1 Year 1974 On Marriage: A Critical Study of Actuality* (Yogyakarta: Print Media, 1992).

¹³Rusli and R. Tama, *Interfaith Marriage and Its Problems* (Bandung: Pioneer Jaya Publishers, 2000).

¹⁴O.S. Eoh, *Interfaith Marriage in Theory and Practice* (Jakarta: PT. Raja Grafindo Persada, 1996).

¹⁵*Ibid.*

Marriages of different religions among the people occur because of various factors, such as social interaction and blind love to the experience of previous parents.¹⁶ According to Makalew, several factors trigger the occurrence of marriages of different religions, such as (1) a social interaction in a heterogeneous society; (2) a person's lack of education and religious knowledge that causes the growth of indifferent views, neglectful, and not caring about one's religious status in daily social interactions;¹⁷ (3) the experience or background of parents who have previously performed different religious marriages; (4) the freedom to choose a partner in modern society; and (5) the relationship and social interaction of young people with foreign countries because of global communication.¹⁸

3.2. Scholars' Discourse on Interfaith Marriage

There are several categories of interfaith marriages among Islamic scholars, namely the category of marriages between Muslims and polytheists and the categories of marriages between Muslims and non-Muslims of *Ahlu Kitab*, namely Judaism and Christianity. The scholars agree that the marriage of Muslims to polytheists, both men and women, is prohibited in Islam. They stated this view based on legal instructions contained in *al-Baqarah*: 221 and *al-Mumtahanah*: 10. They also agreed on the prohibition of interfaith marriages between Female Muslim and non-Male Muslim from the People of *Ahl al-Kitab*, not the other way around.¹⁹

Meanwhile, regarding marriage between Male Muslim and Female non-Muslim from the People of *Ahlu Kitab*, there are different views and understandings among Islamic scholars. This difference in understanding and opinion is caused by differences in interpretation and understanding of the verses of the Qur'an regarding the permissibility of interfaith marriage. In this case, there are at least three kinds of views,²⁰ that have developed among Islamic scholars regarding this issue.

First, some Islamic scholars state that Male Muslim are not allowed (*haram*) to marry female non-Muslim of the People of *Ahl al-Kitab*, even though the text of the verses shows that it is *halal*, because there are different understandings of the meaning of *Ahl al-Kitāb* and polytheists. This opinion, among others, was put forward by Ibn Umar. According to him, women of the People of the *Ahl al-Kitab* among adherents of Christianity and Judaism are among the polytheists. This is because adherents of the Christian religion have deified Isa Ibn Maryam, while the Jews have deified the prophet Uzair.²¹

Second, the view that marrying *Ahl al-Kitab* was a tentative dispensation (*rukhsah*) for Muslims. This opinion, among others, was put forward by Atha' bin Rabbah, where marrying *Ahl Kitab* was a dispensation (*rukhsah*) because the context showed that the quantity of female Muslims was still very few and limited, which resulted in difficulty getting married for Male Muslim because there are a limited number of Muslim females available.²² For almost the same reasons, once Umar bin Khathab prohibited Muslim youths from marrying Female *Ahl al-Kitab* because in his view the permissibility

¹⁶Ibid.

¹⁷Makalew, "Akibat Hukum Dari Perkawinan Beda Agama Di Indonesia (The Legal Consequences of Interfaith Marriage in Indonesia)."

¹⁸Ibid., 139.

¹⁹Abd Salam Arief, *Renewal of Islamic Legal Thought: Between Fact and Reality: A Study of Shaykh Mahmud Syaltut's Legal Thought* (LESFI, 2003).

²⁰Syamruddin Nasution, *Pernikahan Beda Agama Dalam Al-Qur'an : Kajian Perbandingan Pro Dan Kontra (Interfaith Marriage In The Qur'an: A Comparative Study of Pros and Cons)*, ed. Pekanbaru (Yayasan Pusaka Riau, Pekanbaru, 2011), <https://repository.uin-suska.ac.id/10387/>.

²¹Ibid.

²²Ibid.

of marrying *Ahl al-Kitab* female was intended so that they could be drawn to Islam.²³

Third, the view of the majority of scholars states that it is permissible to marry a female from the People of *Kitab*. Friends who adhere to the text of the verse also agree this view upon al-Maidah: 5 which confirms that Allah does not equate *Ahl al-Kitab* with polytheists. Among the friends, some adhere to the text and marry women from *Ahl al-Kitab*.

The People of *Ahl al-Kitab* are people who believe in and believe in the truth of their prophet and also their holy book from divine books, both pure and partially falsified. Whereas what is meant by the category of polytheists are people who not only associate partners with Allah (SWT) but also do not believe in any of the original or falsified heavenly books, and people who do not believe in any of the prophets the messenger of Allah SWT.²⁴

Compared to the doctrine of interfaith marriages contained in other religions, Islam is much more open. This is because all religions other than Islam, normatively, have prohibited interfaith marriages for their reasons.²⁵ However, Islam still provides space for interfaith marriages to occur, even with certain limitations. Islamic inclusivity in this context certainly has certain meanings and lessons.

3.3. Arab Wedding Traditions

Arab society reflected the reality of tribalism. Some families formed tribes (clans), and clan wars were common. This attitude was ingrained in Arab society.²⁶ In this warlike tribal society, the value of women is very low. This situation continued until Islam came as a prevalent religion. Because of constant warfare, their culture did not develop.²⁷ The development of culture in the Arab region before Islam began with the influence of the culture of the surrounding nations, which were more advanced than Arab culture and civilisation.²⁸ Although Judaism and Christianity have entered the Arabian Peninsula, most Arab societies still adhere to their original religion, which is to believe in gods and goddesses who are represented by idols and statues.²⁹

Before Islam came, Arab societies had long had several marriage customs that prevailed in their midst. Islam still widely recognizes marriage today; however, there are different marriage customs depending on the situation one encounter Istibdha marriage, which is the marriage of a man with another person's wife after he has intercourse with her in a state of chastity and has not had sexual intercourse with her legitimate husband.³⁰ This marriage aims to enable the wife to give birth to a child who has the qualities or honor of the man who has sex with her, which her husband does not have.³¹

²³Ibid.

²⁴Nurcholis Madjid, *Fiqh Lintas Agama (Interfaith Fiqh)* (Jakarta: Paramadina, 2004).

²⁵Makalew, "Akibat Hukum Dari Perkawinan Beda Agama Di Indonesia (The Legal Consequences of Interfaith Marriage in Indonesia)."

²⁶Ibid.

²⁷Muhammad Yamin, "Islamic Civilization in the Time of the Prophet Muhammad PBUH (Islamic Civilization in the Era of the Prophet Muhammad PBUH)," *Ihya Al-Arabiyah: Journal of Arabic Language and Literature Education* 1 (3AD), <https://www.neliti.com/publications/265468/islamic-civilization-at-the-time-of-the-prophet-muhammad-saw>.

²⁸Ibid., 109-11.

²⁹Ibid.

³⁰Sekh Ahmad bin Mustafa al-Farran, *Tafsir Shafi'i Al-Baqrah (Translated by Ali Sultan)* (Jakarta: PT. Niaga Swadaya, 2008).

³¹Muhammad Satir, "The Social Life of the Arab Community in the Early Period of the Presence of Islamic Education (The Social Life of the Arab Community in the Early Presence of Islamic

Rahth marriage or polyandry, namely marriage that occurs after a group of men numbering less than 10 people agree to take turns having intimate relations with a woman who is not their wife. If she is pregnant and has given birth, the woman is presented in front of the men to choose who should be the father of the child she has just given birth to.³² *Maqtu* marriage, namely a man, marries his stepmother after his father dies. Shighar marriage, takes place when a guardian marries his child or sister to a man without a dowry.³³

Additionally, marriages sanctioned by Islam, namely a person asking another person to marry a sister or slave for a certain fee (similar to a contract marriage) depict the religious context of sanctioned marriage. Lastly, the prostitution marriages are carried out to newcomers/guests in tents by waving flags as a calling sign. If the woman is pregnant, she will choose among the men dating her as the father of the child she is carrying. *Mut'ah* marriage is commonly practiced by the Arabs before Islam. Although at first, the Prophet Muhammad tolerated but eventually banned this type of marriage act.³⁴

The Prophet (SAW) revised the various wedding traditions of the Arab community because they were not in line with the values of honor for women. The pre-Islamic Arab wedding tradition that was accepted and then perfected in Islam is *ba'ulah* marriage, namely the marriage model initiated by the man submitting a proposal in advance which is usually carried out by his father, uncle, older brother or may be carried out directly by the prospective bride. At the time of marriage, a statement of consent and *qabūl* are required. At the time of the implementation of the marriage contract, there is a mandatory dowry (dowry) as an absolute requirement. After the marriage occurs, the husband is responsible for procuring the house and other necessities of life. If in the future you have offspring, the offspring must be assigned to your husband (male).³⁵

From an ethnic point of view, in Arab society, three types of marriage act as instruments to maintain the existence of their clan, namely endogamy, exogamy, and mixed marriages.³⁶ Endogamous marriage is meant here as a model of representation in which a man is not permitted to marry a woman outside his tribe. Meanwhile, exogamy marriage is a marriage pattern in which a man is not allowed to marry a woman from his tribe. A mixed marriage pattern allows individuals to marry both people of the same ethnicity or people from other countries, making it a broader and freer approach to marriage.³⁷

According to Smith, endogamy was not valid among the people of Arabia at the time and before the time of the Prophet Muhammad (SAW). They can enter into marriage contracts and get legitimate children with women from other tribes. Although parents were often unwilling to hand over their

Education)," *Alfikir: Journal of Islamic Education* 5, no. 1 (2019), <https://jurnal-tarbiyah.iainsorong.ac.id/index.php/alfikr/article/view/17>.

³²Rizqullah Ahmed Mahdi, *Biography Rasulullah (Rasulullah's Biography)*, (n.d.).

³³Satir, "Kehidupan Sosial Masyarakat Arab Masa Awal Kehadiran Pendidikan Islam (The Social Life of Arab Society in the Early Presence of Islamic Education)."

³⁴Dahlia Lubis, and Syarifah Rahmah, "Education Movement of Shia Group in Contemporary Indonesia," *Journal of Contemporary Islam and Muslim Societies* 5, no. 2 (January 14, 2022): 224, <https://doi.org/10.30821/jcims.v5i2.9654>.

³⁵Wardah Nuroniyah, "Perempuan Arabia Dalam Lingkaran Perkawinan Di Era Pra-Islam (Arabian Women in the Marriage Circle in the Pre-Islamic Era)," *Yinyang: Jurnal Studi Islam Gender Dan Anak* 14, no. 2 (December 10, 2019): 175–200, <https://doi.org/10.24090/yinyang.v14i2.3044>.

³⁶Naimah Alasdaq, and Deni Irawan, "Endogamous Marriage as a Criteria for Kafaah in the Arab Community of Jember Based on Al-'Adah Muhakkamah Perspective," *Indonesian Journal of Law and Islamic Law (IJLIL)* 5, no. 2 (October 23, 2023): 1–17, <https://doi.org/10.35719/ijlil.v5i2.315>.

daughters to the enemies of their tribe, tribesmen frequently captured women in war and married them.³⁷

In addition, marriage to non-ethnic women was preferred by Arab men because it was thought that the children born of such marriages were stronger and better and because inter-tribal marriages led to dangerous family disputes.³⁸ For Smith, the evidence regarding matrilineal and sexual behavior that is compatible with matrilineal, including polyandry, is clear enough to show that early Arabian society was matriarchal and that Islam then replaced a matriarchal order with a patriarchal one.³⁹

Marriage in Islam is the marriage of a man to a woman, which begins with proposing to the woman's family. If the proposal is accepted, it is followed by giving the dowry, then the wedding procession is carried out by the woman's guardian. This marriage model is adopted in Islamic family law, established and continued in the Islamic tradition.⁴⁰

3.4. Permissibility Interpretation of Interfaith Marriage in al-Maidah: 05

In the Qur'an, there are at least 3 verses that intersect with interfaith marriages, namely al-Baqarah: 221, al-Mumtahanah: 10, and al-Maidah: 5. of the three verses, only al-Maidah: 5 explicitly explains the permissibility of marrying a woman from the People of Ahlu Kitāb. While al-Baqarah: 221 and al-Mumtahanah: 10 the prohibition of marrying women from polytheists and infidels or vice versa. Al-Maidah: 05 is an exception from al-Baqarah: 221 and al-Mumtahanah: 10 because in it there is an affirmation regarding the permissibility of marrying *Ahl al-Kitab* women for Muslims, not *Ahl al-Kitab* men, as it is permissible to eat their slaughtered food, even though there is still controversy regarding the limitations of *Ahl al-Kitab* in terms of substance and the time allowed for marriage among the interpreting scholars.

Al-Maidah 05:05 reads; "This day [all] good foods have been made lawful, and the food of those who were given the Scripture is lawful for you and your food is lawful for them. And [lawful in marriage are] chaste women from among the believers and chaste women from among those who were given the Scripture before you, when you have given them their due compensation, desiring chastity, not unlawful sexual intercourse or taking [secret] lovers. And whoever denies the faith – his work has become worthless, and he, in the Hereafter, will be among the losers."⁴¹

Related to marriage, the commentators saw the above verse as a verse that affirms the halālness of Muslim men and *Ahl al-Kitab* women who are *muhsanat* to marry. Scholars of interpretation hold varying opinions about the meaning associated with the term *al-muhsanat* and the boundaries of Ahl al-Kitāb. Regarding the meaning of *al-muhsanat*, some interpret it as women who are believers and women of *Ahl al-Kitāb* who protect themselves from adultery, both free women and enslaved women.⁴² In contrast to the opinion above, some interpreting scholars stated that the term al-

³⁷Felicity Donohoe, "To Beget a Tame Breed of People: Sex, Marriage, Adultery, and Indigenous North American Women," *Early American Studies: An Interdisciplinary Journal* 10, no. 1 (December 2012): 101–31, <https://doi.org/10.1353/eam.2012.0006>.

³⁸Glenn E. Weisfeld, "Sociobiological Patterns of Arab Culture," *Ethology and Sociobiology* 11, no. 1 (January 1990): 23–49, [https://doi.org/10.1016/0162-3095\(90\)90004-P](https://doi.org/10.1016/0162-3095(90)90004-P).

³⁹Nuroniayah, "Perempuan Arabia Dalam Lingkaran Perkawinan Di Era Pra-Islam (Arabian Women in the Marriage Circle in the Pre-Islamic Era)."

⁴⁰Muhammad Thoyib, and Muhammad Chairul Huda, "Dinamika Hukum Keluarga Islam: Dari Pra Kenabian Hingga Kenabian (Dynamics of Islamic Family Law: From Pre-Prophetic to Prophetic)," *Bidayah: Studi Ilmu-Ilmu Keislaman* 19, no. 9 (June 30, 2022): 132–48, <https://doi.org/10.47498/bidayah.v13i1.1054>.

⁴¹Al-Maida 05:05.

⁴²Ahmed Mustaf Al-Maraghi, *Tafsir Al-Maraghi*, Juz IV (Semarang: PT. Karya Toha Putra,

muhsanat means in this verse is believing women and Ahl Kitab women who have independent status,⁴³ not female slaves.⁴⁴

There are variations in viewpoints among interpretative scholars concerning the definition of women who belong to *Ahl al-Kitāb*. Does *Ahl al-Kitāb* mean that it is limited to those who have the *Ahl al-Kitāb* religion before Islam or does it also include all adherents of the *Ahl al-Kitāb* religion after Islam, and is the category of *Ahl al-Kitāb* only limited to Jews and Christians? or also include adherents of other religions. Another variance among interpreters involves the restriction of Ahl al-Kitāb eligible for marriage, whether it is confined to *dhimmiyah* *Ahl al-Kitāb* only or also encompasses those who are *harbiyyah*. Concerning the demarcation of Ahl al-Kitāb belonging to the period before or after the advent of Islam. Some opinions hold that Ahl al-Kitāb may marry those who embraced the Ahl al-Kitāb religion before Islam, but it is unlawful to marry those who did so after Islam was revealed. This opinion, among others, was put forward by al-Shafi'i.⁴⁵ Meanwhile, other opinions state that the permissibility of marrying *Ahl al-Kitāb* women is not limited by the time limit before Islam came or after Islam came. The permissibility of such marriages is general.⁴⁶

Regarding the category of *Ahl al-Kitāb*, there are two views among the interpreting scholars. The first view stated that the *Ahl al-Kitāb* category only includes adherents of Judaism and Christianity.⁴⁷ This view is guided by the majority of scholars of *salaf* and *khalaf* interpretations. Meanwhile, the second view states that the *Ahl al-Kitāb* category does not only include adherents of Judaism and Christianity but also includes other non-Semitic religions that have holy books. Muhammad Abduh put this view, among others forward (1849-1905) and Rashid Rida (1865-1935) in the book of *Tafsir al-Manar*.

Meanwhile, regarding the limits of *harbiyyah* and *dhimmiyyah*, some scholars stated that it is lawful to marry *Ahl al-Kitāb* women who are not from *Ahl al-Kitāb* who are hostile or fighting the Muslims (*harbiyyah*).⁴⁸ Therefore, marrying *Ahl al-Kitāb* women from among the *harbiyyah* who are against Islam and Muslims is prohibited.⁴⁹ Another opinion stated that it is permissible to marry *Ahl al-Kitāb* women from both *dhimmiyyah* and *harbiyyah* *Ahl al-Kitāb* circles.⁵⁰

However, the scholars of tafsir agree that the above verse affirms that it is permissible to marry a believer woman and a woman of *Ahl al-Kitāb* after giving her dowry according to Islamic marriage law. The marriage is a genuine marriage, namely a marriage that does not contain elements and purposes of adultery such as concubines, prostitution, or contains elements of humiliation and tyranny against women. In addition, Muslim men are prohibited from marrying polytheistic women who are not from the Book of Books, as outlined in QS. *Al-Baqarah*: 221 and *Al-Mumtahanah*: 10. These verses expressly prohibit marrying polytheistic women or men.⁵¹

This is because in the eyes of Allah, polytheism is considered much lower than the honor of faith. Marrying a slave whose heart is believing is much better than marrying a polytheist. In addition,

1993), 104–14.

⁴³Sayyid Ibrahim, *Tafsir Fathul Qadir* (Jakarta: Pustaka Azam, 2009).

⁴⁴Abdul Halim Hasan, *Tafsir Al-Ahkām* (Jakarta: Kencana, 2016), 355–57.

⁴⁵Ibid., 355–57.

⁴⁶Ibid.

⁴⁷Al-Maraghi, *Tafsir Al-Maraghi*, 104–14.

⁴⁸Syekh Ahmed Sikar, *Tafseer Ibn Katseer* (Jakarta Timur: Darus Sina pers, 2012), 497–99.

⁴⁹Sayyid Qutb, *Tafsir Fi Zilalil Qur'an* (Depok: Gema Insani, 2014), 177–78.

⁵⁰Syaikh Imam Fathurrahman, Ahmad Hotib Al-Qurthubi, *Tafsir Al-Qurthubi*, 2012.

⁵¹Najib, Moh, U. Abdurrahman, and Ayi Sofyan, "Interpretation of Verses on the Law of Marriage between Muslims and Non-Muslims (Musyrik, Kafir and Ahl Al-Kitab)," *West Science Law and Human Rights* 1.04 (2023): 307-317.

the marriage bond between husband and wife is automatically broken if one of them becomes polytheistic while the other remains faithful.⁵² Polytheism refers to the act of uniting God with others. A polytheist, from a religious point of view, is someone who believes in a god other than Allah or performs acts of worship with double intentions, one for Allah and the other for something else. Therefore, from this point of view, anyone who condemns Allah is considered polytheistic.

The purpose of being allowed to marry *Ahl al-Kitab* women is not only for Islamic da'wah, but also for demonstrating the value of tolerance and inclusiveness in social relations that Islam shows to mankind. Sayyid Qutb (1906-1966) in his commentary explains that in this marriage pattern one can see a form of Islamic tolerance in associating with non-Muslims, who live together with Islamic communities in Islamic lands or who are bound by agreements such as the People of *Ahl Kitab*.⁵³

Another lesson from this marriage pattern, according to al-Maraghi, is that the People of *Ahl Kitab* can see how Islam treats a wife and how easy Islamic religious law is.⁵⁴ Meanwhile, the wisdom behind prohibiting a man from the People of *Ahl Kitab* from marrying a Muslim woman is that a wife does not possess the same rights as a husband. Thus, the advantages previously mentioned cannot be achieved because the authority of a husband significantly exceeds that of a wife.⁵⁵

3.5. Permissibility of Interfaith Marriage from a Socio-Anthropological Perspective

Before the advent of Islam, the Arabs regarded the city of Mecca as their most significant city. Mecca is very important and well-known among cities in Arab lands, both because of its traditions and because of its location.⁵⁶ Religion and Arab society reflected the reality of the tribal people of the Arabian Peninsula. Two major groups, the Qahthaniyun (descendants of Qahthan) and the Adnaniyun (descendants of Ismail bin Ibrahim), make up the population of the Arabian Peninsula. Because of this, clans often fought to maintain their respective existences.⁵⁷ They have advantages, especially in terms of war, brotherhood (tribes), and even in language and literature, so they are known as a nation that has strong memorization.⁵⁸

In this tribal and warlike Arab society, the value of women reduced. This situation continued until Islam came. This is often reflected in several phases of the marriage tradition that developed among them. It is stated that among the Arab community, there are several marriage traditions, such as (1) the marriage is commonly known in the Islamic tradition; (2) The *istibdha* marriage; (3) the *rahth* marriage; (4) the *maqthu* marriage; (5) *badal* marriage; and (6) *shighar* marriage.⁵⁹

From an ethnic point of view, in Arab society, three types of marriage act as instruments to maintain the existence of their clan, namely endogamy, exogamy, and mixed marriages. Endogamous marriage is meant here as a model of representation in which a man is not permitted to marry a woman outside his tribe. Meanwhile, exogamy marriage is a marriage pattern in which a man is not allowed to marry a woman from his tribe. The pattern of mixed marriage here is defined as a wider and freer pattern of marriage where a man or a woman is allowed to marry both people of the same

⁵²Arifin, "Actualization of Imam Al-Ghazali's Maslahah Concept in the Context of Mixed Marriage," *Jurnal Mahkamah: Kajian Ilmu Hukum Dan Hukum Islam* 8 (2023).

⁵³Qutb, *Tafsir Fi Zhilalil Qur'an*, 177–78.

⁵⁴Al-Maraghi, *Tafsir Al-Maraghi*, 104–15.

⁵⁵Ibid.

⁵⁶Hidayat, Daulay, and Dahlan, "The Civilization of Pre-Islamic Arab Society."

⁵⁷Yamin, "Islamic Civilization in the Time of the Prophet Muhammad PBUH (Islamic Civilization in the Era of the Prophet Muhammad PBUH)," 109–11.

⁵⁸Ibid.

⁵⁹Satir, "Kehidupan Sosial Masyarakat Arab Masa Awal Kehadiran Pendidikan Islam (The Social Life of Arab Society in the Early Presence of Islamic Education)."

ethnicity or foreigners.⁶⁰

The tradition of endogamy, according to Smith, did not apply to Arab societies and before the time of the Prophet Muhammad. They are used to having marriage contracts and having legitimate children with women of different ethnicities. This is because many women are constantly held captive in wars and marriages with prisoners of war continue to occur.⁶¹ In addition, Arab men prefer to marry women who are not from the same ethnicity because of the belief that children born from such marriages are stronger and better, and there are concerns that interethnic marriages often cause dangerous family disputes.⁶² This confirms that, since the beginning, Arab society has adhered to a more open marriage tradition. In terms of A.R. Radcliffe-Brown's structuralist functionalism, this pattern of inter-tribal marriage in Arab society has the function of strengthening inter-tribal alliances.⁶³

The other side of the Arab marriage tradition that is interesting is the matrilineal tradition that developed among them before Islam. According to Smith, the evidence regarding matrilineal and sexual behavior that is compatible with matrilineal, including polyandry, is clear enough to show that early Arabian society was matriarchal and that Islam later replaced a matriarchal order with a patriarchal one.⁶⁴

This can be proven because in Arabia there is a well-established marriage custom in which the woman remains with her tribe and chooses and rejects her partner when she wants, her children belong to her mother's tribe and grow up under their protection.⁶⁵ Additionally, there is also the tradition of *ba'al* marriage, which according to Smith came later under the male kinship system the wife follows her husband and gives birth to children who are her husband's descendants; the wife loses the right to divorce her husband freely; the husband has authority over her, and only the husband had the right to divorce. This is the point of shifting from the matrilineal system to the patriarchal system.⁶⁶ In this marriage, the husband is called, not only in Arabia but also among the Jews and Aramaeans, the master or owner of the woman. Smith also called this type of marriage a dominion marriage. *Ba'al* marriage was originally formed through the capture of female captives and was still valid until the Prophet. Then marriage through arrest was followed by marriage through purchase (by giving a dowry to the parents of the woman by the suitor), but the type of marriage relationship did not change, where the woman remained under the authority of her husband.⁶⁷

This *ba'al* marriage system was later revised and perfected by the Prophet Muhammad (SAW)

⁶⁰Nuronyah, "Perempuan Arabia Dalam Lingkaran Perkawinan Di Era Pra-Islam (Arabian Women in the Marriage Circle in the Pre-Islamic Era)."

⁶¹John Ferguson McLennan, *Primitive Marriage: A Study of the Origins of the Form of Capture in Wedding Ceremonies* (Gyan Publishing House, 2022).

⁶²Nuronyah, "Arab Women in the Circle of Marriage in the Pre-Islamic Era."

⁶³Milton Singer, "A Neglected Source of Structuralism: Radcliffe-Brown, Russell, and Whitehead," *Semiotica* 48, no. 1-2, (1984): 11-96, <https://doi.org/10.1515/semi.1984.48.1-2.11>.

⁶⁴Nikki R. Keddie, and Beth Baron, *Women in Middle Eastern History: Shifting Boundaries in Sex and Gender* (Yale University Press, 2008).

⁶⁵Syaikhudin Syaikhudin, "Kearifan Dialogis Nabi Atas Tradisi Kultural Arab: Sebuah Tinjauan Hadis (The Prophet's Dialogical Wisdom on the Arab Cultural Tradition: A Review of Hadīth)," *ESENSIA: Jurnal Ilmu-Ilmu Ushuluddin* 13, no. 2 (July 22, 2012): 187-202, <https://doi.org/10.14421/esensia.v13i2.737>.

⁶⁶Nuronyah, "Perempuan Arabia Dalam Lingkaran Perkawinan Di Era Pra-Islam (Arabian Women in the Marriage Circle in the Pre-Islamic Era)."

⁶⁷Elizabeth Brake, *Minimizing Marriage: Marriage, Morality, and the Law* (Oxford University Press, 2012), <https://doi.org/10.1093/acprof:oso/9780199774142.001.0001>.

so that it is under Islamic law, which was in line with the values of honor for women. The tradition of *ba'ulah* marriage in Islam is a marriage model initiated by the man submitting a proposal in advance which is usually carried out by his father, uncle, or older brother or may be carried out directly by the prospective bride. At the time of marriage, a statement of consent and *qabul* are required. At the time of the implementation of the marriage contract, there is a mandatory dowry (dowry) as an absolute requirement. After the marriage occurs, the husband is responsible for procuring the house and other necessities of life. If one day has offspring, then the offspring must be assigned to her husband (male).⁶⁸ This Islamic marriage tradition still maintains a patriarchal system in the family system with major changes in raising the rights and dignity of women in it compared to pre-Islamic times.

From the perspective of Gayle Rubin's feminist theory, it can be stated that the pattern of marriage and the pattern of husband-and-wife relations changed after Islam, with a significant influence on human values and equality. It is recognized that the patterns and traditions of marriage in Arab society before Islam reflected various forms of injustice and inequality against women. After Islam came, there was a massive renewal of all the above types of marriage. The marriage tradition in Islam is no longer burdensome for women, such as the marriage of the Prophet with Zainab.⁶⁹

Based on the socio-anthropological facts among the Arabs as mentioned above, it can be understood that in Islam there is a pattern of marriages of different religions and even tribes, even with the limitation of only Muslim men and *Ahl al-Kitāb* women. This is understandable because long before the Arabs had practiced mixed marriage patterns between endogamy and exogamy besides the existence of a patriarchal system of power in the family which was maintained in Islam. Marriage between different ethnic groups and certain religions in Islam shows the continuation of the tradition of mixed marriages that is open in Arab society. Whereas only Muslim men are allowed to marry Ahl Kitab women, it shows that there is a demand for the continuation of the patriarchal system that applies in Islam, as well as for the benefit of Islamic *da'wah*.

Anthropologically, interfaith marriage aims to open up alienation between tribes or groups in society. This alliance between tribes and groups will make it easier for social interaction and *da'wah* communication.⁷⁰ Meanwhile, the marriage of Muslims with non-Muslims shows the nuances of more complex intercultural interactions, where interpretation and understanding of sacred texts are important variables in shaping the views of husband and wife in the family.

Interfaith marriage with certain restrictions in Islam aims to invite followers of other religions, especially the Book Scholars, to know, understand and embrace Islam. Establishing a relationship with the awareness of tolerance between religious believers, by the way Muslim men marry women of the Book of Scripture. This is because patriarchally and psychologically, men are stronger and can tolerate women practicing their religion (Islam recognizes Jesus as the Prophet of Allah, while the People of the Book do not recognize Muhammad as the Apostle). In this way, diplomatic connections will form between Muslims and the People of the Book. Over time, they will become aware of the existence and beliefs that have been followed. Even without coercion, they will convert to Islam by themselves to realize the ideals of Islam as a religion of *rahmatan lil alamin*.⁷¹

The Prophet's marriages with wives of various religions have demonstrated and validated this

⁶⁸Nuroniayah, "Perempuan Arabia Dalam Lingkaran Perkawinan Di Era Pra-Islam (Arabian Women in the Marriage Circle in the Pre-Islamic Era)."

⁶⁹Mahdi *Biography of the Prophet (Biography of the Prophet)* .

⁷⁰Shweta Verma, and Neelam Sukhrmani, "Interfaith Marriages and Negotiated Spaces," *Society and Culture in South Asia* 4.1 (2018): 16-43.

⁷¹Zainal Arifin, "Interfaith Marriage," *Al-Insiyroh: Journal of Islamic Studies* 2, No. 2 (12 October 2018): 150-69, [HTTPS://DAY.org/10.35309/Alinsiroh.V2I2.3327](https://day.org/10.35309/Alinsiroh.V2I2.3327).

purpose previously. They include Saudah,⁷² Shafiyah bint Huyay ibn Akhtab ibn Sa'id ibn Tsa'labah al Israiliyah,⁷³ and Maria al-Qibtiyah and the marriage of non-Muslim Ibn al-Ash that time with Zainab bint Muhammad saw.⁷⁴ The Prophet's marriage to Maria al-Qibtiyah confirmed the mission of Islam in abolishing slavery, assuring that Islam does not look at status, ethnicity, race, and nation apart from for Islamic da'wah. Another meaning is to establish laws and marriage traditions that are justified in Islamic law and cancel the laws of ignorance, respect for martyrs, and respect for their friends.

4. Conclusion

Based on the study of different religious marriages in the interpretation of the Qur'an as described in the previous sections, the following conclusions can be drawn. First, al-Maidah: 5, explicitly explains the permissibility of marrying women from *Ahl al-Kitab*. The textual meaning of the verse, according to commentators, explains the halal permit for a Muslim man to marry a woman from Ahl Kitab who is independent or who can maintain his honor (*muhsanat*) as long as he has paid the dowry. There are still differing views regarding the limits of *Ahl al-Kitab*, some say that *Ahl al-Kitab* is absolute without certain restrictions, while others limit *Ahl al-Kitab* women who can be married as *Ahl al-Kitab* before Islam, who are in the *Dzimmiyyah* category, or only from among the Jews and Christians.

Second, the permissibility of marriage between Muslim men and *Ahl al-Kitab* women shows inclusivity in Islam related to interfaith marriages. Socio-anthropologically, it can be understood why in Islam there is a pattern of marriages of different religions and even tribes, even though it is limited to only Muslim men and *Ahl al-Kitab* women. Arab society practiced mixed marriage patterns between endogamy and exogamy long before the advent of Islam. Furthermore, a patriarchal system of power within the family was already present in Arab society and remained in place after Islam's arrival. Marriage between different ethnic groups and certain religions in Islam shows the continuity of the tradition of mixed marriages that are open in Arab society. Whereas only Muslim men are allowed to marry Ahl Kitab women, it shows that there is a demand for the continuation of the patriarchal system that applies in Islam, as well as for the benefit of Islamic da'wah.

4.1. Recommendations

The differences in views and understandings mentioned above are interesting for further study to find legal reasons (*'illah al-hukm*) that lie behind the emergence of each of these understandings and interpretations. Based on this thought, research on "Permissibility of Interfaith Marriage in the Qur'an; Socio-Anthropological Review of al-Maidah: 05," can be considered. This study seeks to answer the question of how the concept of interfaith marriage is permitted in the interpretation of al-Maidah: 05 and what is the socio-anthropological perspective on the concept of the permissibility of interfaith marriage. Thus, future researchers can utilize this study for a better understanding of interfaith marriage contexts.

⁷²Nuzula Ilhami, "Ta'aruf in Marriage; A Sociological Review," *Curiosity: Social and Religious Communication Media* 12, no. 1 (2012).

⁷³Rabiatul Aslamiah, "The Role of Shahabiyah Women In The Narration of Hadith," *Alhadharah: Jurnal Ilmu Dakwah* 18, no. 1 (July 7, 2019): 41, <https://doi.org/10.18592/alhadharah.v18i1.2996>.

⁷⁴Abdul Jalil, "Pernikahan Beda Agama Dalam Perspektif Hukum Islam Dan Hukum Positif Di Indonesia (Interfaith Marriage in the Perspective of Islamic Law and Positive Law in Indonesia)," *Andragogi: Jurnal Diklat Teknis Pendidikan Dan Keagamaan* 6, no. 2 (December 31, 2018): 46–69, <https://doi.org/10.36052/andragogi.v6i2.56>.

Conflict of Interest

The authors of the manuscript have no financial or non-financial conflict of interest in the subject or materials discussed in this manuscript.

Data Availability Statement

The corresponding author will provide the data associated with this study upon request.

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