



Harmonization of Human Rights Principles and Maqasid Syari'ah in The Issue of Interreligious Marriages

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Abstract

*This research examines the issue of interreligious marriage in Indonesia through the perspective of Human Rights (HAM) principles and Maqasid al-Shari'ah (objectives of Islamic law). Although the practice of interreligious marriage continues to increase, its legal certainty remains unclear, leading to theological, social, and administrative problems. Human Rights guarantee freedom of religion and the right to marry, but their implementation in Indonesia must be aligned with the Marriage Law, religious norms, and the values of Pancasila (ideology). This research employs a literature review with content analysis and positions Maqasid al-Shari'ah as an analytical framework to assess the *maṣlahah* (benefit) and *mafsadah* (disadvantage) of interreligious marriage based on the *al-darūriyyāt al-khams* (five essential objectives of Islamic law). The findings show that restrictions on interreligious marriage are not a form of human rights violation but rather a mechanism to protect religious identity, family stability, the legal status of children, and the social order. The study concludes that Human Rights and Maqasid al-Shari'ah share an orientational meeting point: the protection of human dignity and the promotion of public welfare. Therefore, harmonization can be achieved through a proportional legal approach, protection of vulnerable parties, and a legal interpretation responsive to Indonesia's socio-religious context.*

Keywords: *Interreligious marriage; Human Rights; Maqasid al-Shari'ah.*

Abstrak

Penelitian ini mengkaji isu perkawinan beda agama di Indonesia melalui perspektif prinsip Hak Asasi Manusia (HAM) dan *maqasid shari'ah*. Meskipun praktik perkawinan beda agama terus meningkat, kepastian hukumnya masih belum jelas dan menimbulkan problem teologis, sosial, serta administratif. Hak Asasi Manusia menjamin kebebasan beragama dan hak untuk menikah, namun implementasinya di Indonesia harus sejalan dengan Undang-Undang Perkawinan, norma agama, dan nilai Pancasila. Penelitian ini menggunakan metode studi pustaka dengan teknik analisis isi serta memposisikan *maqasid shari'ah* sebagai kerangka analitis dalam menilai *maṣlahah* dan *mafsadah* perkawinan beda agama berdasarkan lima tujuan dasar syariat (*al-daruriyyat al-khams*). Hasil penelitian menunjukkan bahwa pembatasan perkawinan beda agama bukan bentuk pelanggaran HAM, melainkan mekanisme perlindungan

terhadap identitas agama, stabilitas keluarga, status hukum anak, serta tatanan sosial. Penelitian ini menyimpulkan bahwa HAM dan *maqasid shari'ah* memiliki titik temu orientatif, yakni menjaga martabat manusia dan kemaslahatan umum. Oleh karena itu, harmonisasi dapat dicapai melalui pendekatan hukum yang proporsional, perlindungan terhadap pihak rentan, dan penafsiran hukum yang sesuai dengan konteks sosial-keagamaan Indonesia.

Kata Kunci: Perkawinan Beda Agama; Hak Asasi Manusia; Maqasid shari'ah.

Introduction

Marriage is a physical and spiritual bond between a man and a woman, creating a happy, eternal family grounded in faith in God (Setiarini, 2021). In Islam, marriage is a noble and sacred act that involves worship, follows the sunnah of the Prophet Muhammad, and is carried out with sincerity and responsibility in accordance with the provisions of Islamic law (Wibisana, 2016). At the constitutional level, Article 28B paragraph (1) of the Undang-Undang Dasar 1945 (1945 Constitution) guarantees the right of every person to form a family through marriage. Thus, legally and theologically, marriage occupies a fundamental position in individual and social life. However, this constitutional right faces a normative dilemma when applied to interreligious marriage (Setiarini, 2021).

The phenomenon of interreligious marriage has been a long-standing polemic in Indonesian society, both among traditional Muslims and modern reformists (Niekerk & Verkuyten, 2018). Every religion has normative provisions that generally prohibit interreligious marriage, as they are considered a threat to the purity of faith and social stability. In Islam, this prohibition is based on the interpretation of the majority of scholars, who assert that marriage between a Muslim and a non-Muslim is not permitted (Nurcholish, 2015). Sociologically, this demonstrates a clear boundary between religious norms and personal aspirations within the context of individual rights. Mashuri and Helmi identify three main challenges to the practice of interfaith marriage in Indonesia: theological, legal, and psychological (Mashuri & Helmi, 2019). In addition, Law Number 1 of 1974 concerning Marriage (which has been amended to Law Number 16 of 2019) does not expressly prohibit interfaith marriages. Still, Article 2 emphasizes that the validity of a marriage depends on the laws of each religion, thereby implicitly leaving the state free to refuse to recognize interreligious marriages (Wahyuni, 2011).

Various studies demonstrate a gap between prevailing legal norms and evolving social realities. Although religious and state laws tend to be restrictive, social practice shows a rise in the number of interfaith couples, reaching 1,655 in 2023 (Fazila, 2024; Wahyuni, 2010). In this context, the issue of interfaith marriage is often linked to the protection of human rights. One example that has emerged is the judicial review filed by Ramos Patege, who

considers his failed marriage to a Muslim partner a human rights violation (Saputra, 2022; M. Ichsan, 2016). On the other hand, inconsistent legal interpretations such as the marriage of Rio Febrian and Sabria Kono abroad, as well as the South Jakarta District Court's decision to allow interreligious couples to marry indicate the existence of inconsistent legal interpretations among state institutions, giving rise to what is known as "legal uncertainty" (Budi, 2022; Falady, 2022; Rizkarima, 2010; Panjaitan, 2020). Meanwhile, Foresty et al. show that legal protection for interreligious marriages has actually emerged in judicial practice (case law), although its implementation remains inconsistent. These two views illustrate a shift in attention from the normative level to legal practice on the ground (Foresty et al., 2016). Unlike both, Rizqon, through his Counter Legal Draft Compilation of Islamic Law (CLD-KHI), puts forward a more progressive view. He argues that interfaith marriage is permissible as long as the marriage's objectives are achieved (Rizqon, 2022). However, this idea was refuted by Nurkhasanah and Fauzi et al., which emphasizes that interreligious marriages cannot be justified in Islam, because they conflict with the principles of *Maqasid al-Shari'ah* (objectives of Islamic law) (Fauzi et al., 2023; Nurkhasanah, 2023). On the other hand, Nurcholish put forward an alternative view, emphasizing that there is no explicit prohibition in the constitution or Islamic law against this practice, thus opening up space for greater contextual interpretation (Nurcholish, 2015; Hermanto, 2024).

The novelty of this study lies in its conceptual synthesis of *Maqasid al-Shari'ah*, human rights principles, and the Indonesian socio-legal context in examining interreligious marriage, an issue that has predominantly been approached through fragmented normative or legal-formal analyses. Departing from the assumption that both Islamic law and human rights share a common orientation toward human welfare (*maslahah*), this research adopts a comprehensive and contextual analytical framework. It does not merely address questions of formal legality, but critically explores how these two value systems can be reconciled in interpreting Indonesia's legal position on interreligious marriage and its implications for spouses and their children. The urgency of this research is underscored by the increasing prevalence of interreligious marriages and the absence of a responsive and integrative regulatory framework capable of addressing their complex social and legal consequences. By employing *Maqasid al-Shari'ah* not only as a normative benchmark but also as a theoretical instrument for harmonizing religious principles and universal justice, this study offers an alternative perspective on Islamic family law and provides an academic foundation for the development of more inclusive and socially responsive legal regulations in contemporary Indonesia.

Research Method

This study uses library research with a descriptive, qualitative approach, employing content analysis of legal documents. The analytical method is a comparative analysis of the principles of Human Rights (HAM) and the concept of *Maqasid al-Shari'ah*, with a focus on identifying their harmonization in the context of interreligious marriage. In this study, *Maqasid al-Shari'ah* is positioned as a normative analytical framework to examine legal phenomena, particularly through the *dharuriyat al-khamsah* (five basic protections), which include *hifz ad-din* (protection of religion), *hifz an-nafs* (protection of life), *hifz al-'aql* (protection of intellect), *hifz an-nasl* (protection of lineage), and *hifz al-mal* (protection of property). The primary data sources analyzed include laws and regulations such as the Marriage Law, the Compilation of Islamic Law (KHI), the Supreme Court Circular Letter (SEMA), and international legal instruments such as the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR). Secondary data sources, including international journals and reference books, are used to enrich the analysis and provide a comparative perspective. Within the framework of *dharuriyat al-khamsah*, this study analyzes how each aspect of basic protection intersects with interfaith marriage regulations and identifies common ground and potential harmonization between universal human rights values and objectives of Islamic law in providing security and *maslahat* (benefits) to individuals and society.

Operationally, the five maqasid protections are used as analysis parameters in the following ways: first, *hifz ad-din* (protection of religion) is used to analyze how interreligious marriages affect the freedom of religion and the religious identity of the couple and the children born; second, *hifz an-nafs* (protection of life) to evaluate aspects of psychological well-being, emotional security, and the right to live with dignity in interreligious marriages; third, *hifz al-'aql* (protection of intellect) to examine the implications for children's religious education, freedom of thought, and rational decision-making in the family; fourth, *hifz an-nasl* (protection of lineage) to analyze the legal status of children, inheritance rights, custody, and the continuity of the family institution; and fifth, *hifz al-mal* (protection of property) to examine the legal aspects of joint property, inheritance rights, and economic protection of the couple. Each of these protection dimensions is studied comparatively between the human rights perspective, which emphasizes individual freedom, and the *Maqasid al-Shari'ah* perspective, which prioritizes public interest.

Result and Discussion

Human Rights Principles on Freedom of Religion and the Right to Marry

Humans and human rights (HAM) are inseparable. From birth, humans have been endowed with natural rights inherent in their being as God's creatures. Jean-Jacques Rousseau explained that humans are essentially free beings with the potential to develop and express their human values within a natural space of freedom (Wilujeng, 2013). From an international human rights perspective, religious freedom is guaranteed in Article 18 of the Universal Declaration of Human Rights (UDHR) and Article 18 of the International Covenant on Civil and Political Rights (ICCPR), which affirms that every individual has the freedom to embrace, change, and express religion both individually and collectively without discrimination. In addition, the right to found a family or marry is regulated in Article 16 of the UDHR and Article 23 of the ICCPR, which states that adult men and women have the right to marry without restrictions on nationality, race, or religion.

In the context of Indonesian law, Article 1 number (1) of Law Number 39 of 1999 concerning Human Rights states that human rights are a set of rights inherent in the nature and existence of humans as creatures of God Almighty, and are His gifts which must be respected, upheld, and protected by the state, law, government, and every person (Sulisworo et al., 2012). Meanwhile, the principles of building a family and choosing a religion are stated in Article 28B, paragraph (1), and Article 28E of the 1945 Constitution, as well as in Articles 10 and 22 of Law Number 39 of 1999 concerning Human Rights. However, the implementation of this right can be limited by a "limitation clause" set out in Article 18, paragraph (3), of the ICCPR and Article 73 of Law Number 39 of 1999. These restrictions may be implemented as long as they are based on law, proportional, and aimed at maintaining public order, morals, and the rights of others.

Within the framework of international human rights, choosing a life partner and forming a family are categorized as part of the sphere of personal freedom that may not be arbitrarily interfered with by the state. The UN Human Rights Committee, through General Comment No. 22, emphasized that freedom of religion encompasses not only internal beliefs but also external expression, including the choice of a life partner based on religion (UN Human Rights Committee (HRC), 1993). In addition, through General Comment No. 28, the Human Rights Committee clarified that restrictions on the right to marry must be consistent with the principle of non-discrimination, including discrimination based on religion (UN Human Rights Committee (HRC), 2000). Therefore, based on the ICCPR and General Comment No. 22, from an international human rights perspective, interreligious marriage is seen as a personal right that cannot

be restricted unless it meets strict restriction requirements: being based on law (legality), having a legitimate aim (legitimate aim), being necessary (necessity), and being proportional (proportionality test).

However, implementing these principles poses challenges when confronted with a national legal framework that bases marriage on religion. In other words, there is a difference in orientation between human rights standards, which emphasize individual autonomy in choosing a life partner, and the national legal system, which prioritizes religious legitimacy as a prerequisite for valid marriage. This situation demonstrates a normative tension between the universalism of human rights and the legal formal approach grounded in Indonesia's prevailing socio-religious values.

Marriage in Indonesia is generally regulated by Law Number 1 of 1974, as amended by Law Number 16 of 2019. This law implicitly prohibits interreligious marriage under Article 2, paragraph (1), which states that a marriage is valid if it is carried out in accordance with the laws of each religion. This statement is emphasized in Article 8, letter f, of the Marriage Law and in Supreme Court Circular Letter (Surat Edaran Mahkamah Agung-SEMA) Number 2 of 2023, which contains instructions for judges not to grant applications for the registration of marriages between people of different religions, to provide certainty and unity in the application of the law. In addition, Article 40 letter (c) and Article 44 of the Compilation of Islamic Law (KHI) also prohibit a Muslim man from marrying a non-Muslim woman, and vice versa.

Thus, there is a clash between the principle of individual freedom embodied in the UDHR and the ICCPR particularly the freedom to form a family without religious restrictions and the socio-religious values that underpin the national legal system. To clarify the philosophical roots of this debate, the classical view of basic human rights is relevant. According to Locke, the country may not restrict an individual's rights, even if those rights conflict with positive law. In this regard, Alawi interprets this perspective as holding that the Compilation of Islamic Law deviates from universal human rights principles (Alawi, 2024). Because according to Locke's theory, these rights are not basically given by the state, but are inherent and inalienable, they cannot be revoked by anyone (Karsa et al., 2024). Locke's perspective reinforces the position that the right to choose a life partner is a fundamental right that should not be restricted without strong justification. In line with this theory, from an international human rights perspective, interfaith marriage is a right that should not be interfered with by state law. The UN Human Rights Committee has stated that there should be no hesitation in permitting interfaith marriage (Pujianti, 2022).

From a philosophical perspective, human rights are an effort to safeguard the integrity of human existence by balancing individual and

social interests. The obligation to respect and protect human rights is not only the responsibility of the state, but also the moral and spiritual responsibility of every individual (Sulisworo et al., 2012). Therefore, human rights do not only concern individual freedom but also broader social welfare.

Conceptually, human rights cannot be separated from religious teachings, because both are oriented towards respect for human dignity. In Islam, the concept of benefit, which is the core of *Maqasid al-Shari'ah*, also aims to protect basic human rights, such as the right to religion (*hifz ad-din*), life (*hifz an-nafs*), intellect (*hifz al-'aql*), lineage (*hifz an-nasl*), and property (*hifz al-mal*). These five aspects align with the main pillars of human rights: freedom of religion, the right to life, the right to think, the right to have a family, and the property right. Thus, there is substantial common ground between human rights and *Maqasid al-Shari'ah*, because both place humans as moral and legal subjects who must be protected.

Maqasid al-Shari'ah and the Rationality of Restricting Interreligious Marriage

Interreligious marriage is a contemporary issue in family law discourse. According to Recep Cıgdem, interfaith marriage is a union between partners of different religions. Although this type of marriage was not common until modern times, its practice began in the 20th century. The disintegration of empires, population growth, mobility, and economic migration are all factors contributing to the increase in interreligious marriages. The financial challenges of developing countries also lead to an influx of migrants to economically prosperous countries. This has led to the emergence of many problematic issues, one of which is mixed marriage (Çiğdem, 2015). Thus, in the context of globalization, economic and social factors play an important role in increasing interaction among different religious groups, thereby opening up opportunities for interfaith marriages.

According to Alex Minichele Sewenet, Fasil Merawi Tessagaye, and Getnet Tadele, interfaith marriages can also be called mixed marriages, or religious exogamy. Interfaith marriage refers to marriages between people of different faiths or religions. This is a form of mixed marriage and represents interaction between religious groups, sub communities, or communities. The practice of interfaith marriage has been around for quite some time, as long as religion itself (Sewenet et al., 2017). Thus, this practice has been known since the beginning of human religious history and reflects the dynamics of social relations across religious identities. Therefore, anthropologically, interreligious marriage is not merely a modern phenomenon but also part of a long process of human interaction across diverse faiths.

Indonesia is the world's most populous Muslim country and an ethnically diverse archipelago with sizable non-Muslim communities. While Islam is the majority religion in most parts of Indonesia, several notable regions are not included in this majority, such as the Hindu-majority in the province of Bali, the Catholic-majority in the province of East Nusa Tenggara, the Christian-majority in provinces of North Sulawesi, West Papua, and Papua, and other regions with both Muslim and Catholic majorities, such as Maluku (Aini et al., 2019). In this regard, as noted by Aini et al., demographic studies examining the relationship between religion and marriage patterns in Indonesia are still relatively limited. Yet, the reality of this diversity has important implications for family law and state policy.

Normatively, Pancasila (national ideology) serves as a source of law and a foundation of values for the protection of Human Rights, including the rights to have a family and to freedom of religion (Indrayanti, 2018). Under Indonesian law, the rules regarding interfaith marriages are set out in Article 2, paragraph (1), of Law No. 1 of 1974 concerning Marriage (Marriage Law), as amended by Law No. 16 of 2019. Under this law, a marriage is valid if it is carried out in accordance with the laws of each religion. Article 10 of Government Regulation (PP) No. 9 of 1975 concerning the Implementation of the Marriage Law explains that a marriage is valid only if it is performed before a registrar and attended by two witnesses. Marriage procedures are carried out according to the laws and beliefs of each religion. So, the Marriage Law does not recognize interfaith marriages, so such marriages cannot be carried out (Hukumonline.com, 2014).

Rusli and R. Tama understand that interreligious marriage is an intersection of two different legal systems and norms, so it has the potential to cause legal and social disharmony (Arifin, 2018). Hasna highlighted that there is disharmony in the laws regarding interreligious marriages, resulting in confusion and difficulties for the public regarding which rules should be used as a reference in determining interfaith marriages (Alifa et al., 2023). In a social context, religion is a dominant institution and has a significant influence on all aspects of life, from politics and economics to family building (Sewenet et al., 2017). Therefore, the religious perspective on interreligious marriages not only reflects theological beliefs but also has direct implications for the country's social and legal order.

From a theological perspective, the majority of religions in Indonesia view interfaith marriage with caution or rejection. In Islam, the majority of Islamic scholar view marriage between Muslims and non-Muslims as impermissible, as it has the potential to undermine the continuity of faith and the stability of religious education within the family. While there are differing opinions regarding marriage to people of the book for Muslim men, contemporary Islamic scholars tend to tighten this law, taking into account modern social situations (Nurcahaya et al., 2018).

At this point, the *Maqasid al-Shari'ah* approach becomes relevant for understanding the rationale for these restrictions. Maqasid not only explains the law in a textual context, but also in terms of the objectives, social functions, and moral values that sharia seeks to uphold. The evaluation of *maqasid* in interfaith marriage focuses on *ad-daruriyyat al-khams* (the five basic objectives of sharia):

1. *Hifz ad-Din* (Protection of Religion)

Restrictions on interreligious marriages aim to maintain the continuity of faith within the family. Differences in belief can create ambiguity about spiritual authority, lead to differences in religious practices, and even spark ideological conflict within the household. Within the *maqasid* framework, harm to religious aspects is considered *mafsadah* (disadvantages), as religion is the foundation of a family's values and moral orientation (N. Ichsan et al., 2025).

2. *Hifz an-Nafs* (Protection of Life)

Differences in theological values in marriage affect not only the family's religious structure but also its emotional dynamics. The goal of sharia is to prevent conditions that lead to internal conflict and psychological distress, as emotional stability is part of the *maqasid* (protection of the soul). In this regard, interreligious marriages can bring harm for the children, both psychologically and sociologically (Muhaimin, 2010).

3. *Hifz al-'Aql* (Protection of Intellect)

Children growing up in an environment with two different faiths can experience cognitive dissonance and confusion about religious identity. Therefore, consistent values education is considered an essential part of Sharia's function in maintaining clarity in religious reasoning.

4. *Hifz an-Nasl* (Protection of Lineage)

Interreligious marriages have the potential to create uncertainty regarding children's religious education, religious status, and inheritance rights. Damage to the *hifz ad-din* (religion) aspect results in the misuse of the *hifz an-nasl* (lineage) element. When an interfaith marriage is invalid according to religious teachings, it is not recognized by law.

5. *Hifz al-Mal* (Protection of Property)

Differences in legal systems across religions can create legal uncertainty regarding inheritance, property ownership, and family status.

Thus, within the framework of *maslahah-mafsadah*, restrictions on interreligious marriage are not understood as a form of repression of human rights, but rather as a mechanism for social protection and the preservation of people's spiritual values. This is based on the meaning contained in

maslahah-mafsadah itself, where *maslahah* (benefit) is pleasure or joy, and the cause of both, and *mafsadah* (disadvantage) is sin or sorrow, and the cause of both (Abdussalam, 2023). This approach shows that *maqasid* does not aim to limit freedom, but to ensure that freedom operates within the corridor of the welfare of the family, society, and the sustainability of religion.

Model of Harmonization of Human Rights and Maqasid al-Shari'ah in Marriage Policy in Indonesia

Interreligious marriages create tension between human rights and the *Maqasid al-Sharia* or Islamic principles. Human rights emphasize the individual right to marry and form a family without discrimination, as guaranteed by Article 16 of the Universal Declaration of Human Rights (UDHR), Article 28B of the 1945 Constitution, and Law Number 39 of 1999 concerning Human Rights (Christy, 2022). However, Islamic law and Indonesian national law emphasize that marriage must be in accordance with each person's religion, to maintain the purity of faith and the purpose of marriage, including *hifz ad-din* (protection of religion), *hifz an-nasl* (protection of lineage), and *hifz al-mal* (protection of property) (Azmi, 2021; Haryadi, 2018).

Interreligious marriages can cause harm to children from a psychological and sociological aspect, where children face pressure in performing worship and confusion in determining their beliefs (Muhaimin, 2010). For example, children of interreligious couples may experience identity conflict and legal uncertainty regarding their status, which has implications for *hifz an-nasl* and *hifz al-mal*. Despite these tensions, several points of agreement can serve as a basis for harmonization, those are:

1. Human dignity and protection of individual rights
2. Protection of families and children, especially the rights of children born from marriages that are legally valid according to religious law.
3. *'Ammah* (public welfare), including maintaining social order and preventing social damage

The main point of tension arises between individual freedom and religious norms. This conflict can cause legal, psychological, and social damage if not handled properly. For example, a marriage that is valid under international human rights but invalid under religious law raises issues of legality, child status, and inheritance (Andrew, 2020). Therefore, mitigation is necessary to ensure that individual rights are respected while maintaining religious values and social order.

Thus, to achieve harmony, several approaches can be implemented:

1. Constitutional Approach

Marriage regulations must balance human rights and religious norms. The Marriage Law and the 1945 Constitution serve as the legal basis, recognizing individual rights while respecting religious beliefs. For example, marriage registration adheres to religious law while providing administrative recognition for couples, thereby ensuring their civil and social rights.

2. Educational Approach

The public needs education about human rights, *Maqasid al-Shari'ah* (the objectives of Islamic law), and child protection. This education aims to help couples and families understand the boundaries and responsibilities of interfaith marriages. For example, premarital counseling programs emphasize children's rights, psychological well-being, and managing religious conflict.

3. Child Protection Mechanism

Regulations must ensure that children can make their own choices, maintain their psychological and social well-being, and avoid pressure from parents or society. This includes the child's right to choose a religion, the right to education, and the right to a clear legal status.

4. Reconstruction of Marriage Law

Developing social or administrative recognition mechanisms without violating religious law, such as prenuptial agreements that regulate the rights and obligations of spouses, or registering the social status of children. The goal is to minimize legal conflicts and safeguard the public interest.

With this approach, the harmonization of human rights and *Maqasid al-Shari'ah* can be achieved, maintaining religious values, individual rights, and the welfare of society. The protection of children remains a priority, which is also a meeting point between human rights and *Maqasid al-Shari'ah*. Overall, this harmonization model offers a middle ground for the state to respect human rights without ignoring *Maqasid al-Shari'ah*, through regulation, education, and adaptive and law-based child protection mechanisms.

Conclusion

This research demonstrates that interreligious marriage represents a critical intersection between individual freedoms protected by human rights and religious norms that underpin Indonesia's legal system. While human rights principles affirm the freedom to choose a spouse, determine one's faith, and establish a family, their implementation in Indonesia is mediated

by religious values, cultural considerations, and public morality as reflected in the Marriage Law. Through the Maqāṣid al-Sharī'ah framework, restrictions on interreligious marriage may be understood not as a denial of human rights but as an effort to preserve *maṣlahah* and prevent *mafsadah*, including the protection of religion (*ḥifẓ al-dīn*), lineage (*ḥifẓ al-nasl*), psychological well being (*ḥifẓ al-nafs*), intellectual integrity (*ḥifẓ al-'aql*), and legal certainty in property (*ḥifẓ al-māl*). This convergence indicates a shared objective between human rights and Maqāṣid al-Sharī'ah in safeguarding human dignity and social welfare. The study recommends that harmonization between these frameworks be pursued not through unconditional legalization of interreligious marriage, but via proportional and adaptive regulatory approaches that strengthen legal protection for vulnerable parties particularly children ensure clarity of civil status, and provide consistent administrative and judicial guidance. Nevertheless, this research is limited by its normative and conceptual focus, which does not incorporate empirical data on lived experiences of interreligious families or comparative perspectives from other legal systems, thereby constraining its ability to capture social diversity and practical challenges. Future research should therefore integrate socio legal and empirical approaches across different regions to more comprehensively assess the impacts of regulatory models on rights protection, social cohesion, and the development of Islamic family law in Indonesia.

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