

INTERFAITH MARRIAGES AND ITS IMPACT TO THE FAMILY: A LESSON LEARNT FROM EAST NUSA TENGGARA PROVINCE

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INTRODUCTION

In this paper, I would like to discuss religious interaction on Flores island (and East Nusa Tenggara or NTT Province) as the fruit of missionary work (known as *mission*) and the Muslim proclamation (known as *da'wah*). Their mission and ministries to some extent have led the locals to be involved in religious interaction (local belief, Christianity and Islam), conversion, social changes (development) and even interfaith marriage (or mixed marriage), which has impact on their family lives. The dynamism and changes in their family lives will be different, when their members with different religions or identities decide to marry.

Mixed marriage will be treated as a social anthropological phenomenon, without any pretention to value as a good or bad practice. We can not deny that it has been a crucial issue and a topic of debate. Although its formal and legal dispensation is still controversial, few Christians and Muslims are still involved in mixed marriages. Thus, how should it be responded in religious and legal perspectives (Ecclesial Canon Law, Islamic *Syari'ah*, and Indonesian Civil Law)? How should it be coped with within anthropological perspective and pastoral ministries?

RELIGIOUS INTERACTION IN FLORES (NTT): LOCAL BELIEF AND MONOTHEISTIC RELIGIONS

Christianization of Kéo (Flores) and NTT

Nearly 90% of the Kéonese and NTT people are Christians (Catholics and Protestants), and small groups are Muslims and local believers. The introduction of Christianity (Catholicism and Protestantism) in NTT and the Kéo region was due to the central role of the missionaries, who laid the foundation of the churches and schools. The first seed of Catholicism was sown by the Portuguese missionaries whose footsteps can be traced back to the beginning of the 16th century. Several old parishes initiated by the Portuguese missionaries in the Keo region (such as Kewa, Lena, and Mari) are worthy of consideration, although we have no evidence to prove their contribution to current Catholicism.

The coming of Christianity to the NTT and Kéo (Flores) regions should be seen in the context of the establishment of Christianity on Flores and Timor. In the 16th century, the coastal areas of Sumatra, Java, Kalimantan, Sulawesi and other Greater Sunda islands became strongly Muslim. The strong position of Muslims on the coast made it difficult for the Portuguese missionaries and traders to remain there, so they moved further to the East where they had to encounter Chinese, Javanese and Malay traders. By the fourteenth century, both Chinese and Javanese documents report that

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The island (Timor) has no other rare product but sandalwood which is abundant and which is bartered for with silver, iron, cups (of porcelain), his-yang ssu pu (a kind of cloth), and coloured tafetas (Fox 1996b: 4; Rockhill 1915: 257-258).

A century later, the first European account of trade of Timorese sandalwood can be found in *The Book of Duarte Barbosa* written in 1518:

In this island there is abundance of white **sanders-wood** which “the Moors in India and Persia value greatly, where much of it is used. In Malabar, Narsyngua and Cambaya it is esteemed.” The ships “of Malaca and Jaoa (Jawa)” which come hither for it bring in exchange aces, hatchets, knives, swords, Cambaya and Paleacate cloths, porcelain, coloured beads, tin, quick-silver, lead and other wares, and take in cargoes of the aforesaid sanders-wood, honey, wax, slaves and also a certain amount of silver (Dames, 1921: vol.2: 195-196; as cited in Fox 1996b: 4).

One of the first European vessels to reach Timor was the *Victoria*, a ship of Magellan’s fleet. The ship put in on the north coast of Timor on the 26th of January, 1522. Antonio Pigafetta, who was in the expedition explains:

All the sandalwood and wax which are traded by the people of Java and Malacca come from this place, where we found a junk of Lozzon which had come to trade for sandalwood (Fox 1996b: 5; Pigafetta 1969: 141).

All these reports, including that of Tome Pires (1522), brought ideas to the Portuguese traders and missionaries that Timor (Solor and Flores) was rich in sandalwood. When they began to establish themselves in the area, the Portuguese initially chose the island of Solor to the north of Timor (1556), followed by the island of Ende, where they introduced Christianity.

Although Islam had been introduced to parts of the south coast of Flores, the Portuguese missionaries also started their simple mission in the whole territory, including Kéo. They built chapels in the villages of Kewa, Lena, Mari, Lambo and Tonggo at the end of the 16th century and to some extent built up a pastoral network with those chapels on Ende island. At the end of the 16th century, the number of Catholics in those stations/chapels (Kewa and Lena) of Kéo region is said to have reached about two thousand in number, out of a total of 25 000 in the whole of Flores, Solor and Ende (Biermann 1924; Muskens 1974: 376-377).

Missionaries in many areas of Flores and Timor have played a significant role in the spread of Christianity through churches and schools until today. No one in NTT, neither Muslims nor non-Muslims, denies the positive role of these pioneer missionaries and their important influence on their education.

The introduction of Islam to NTT and Kéo Region

In competition with Christianity, Islam also entered NTT and Kéo region. The introduction of Islam to NTT and Kéo should also be seen in the context of the struggle for power between Macassar, the Portuguese and the Dutch in Flores. According to historical record, in Tonggo, between 1601 – 1603, a local ruler named Amaqira allied himself with the ruler of Tallo from Macassar in fighting against the Portuguese in Solor and Ende.

Tonggo and Ndetu Nura, on the south coast of Kéo, played a special role in the Catholic – Islam conflict in the past (Ettel, 1958: 35). Oral tradition also mentions Tonggo as a famous harbour, where many ships anchored and sheltered during the terrible West and South-East windy seasons. The people of Tonggo were traditionally known as skilled and

brave sailors, who had successfully sailed as far as Mento (Bangka), Singapore and Macao. Amaqira allied himself with the ruler of Tallo from Macassar in fighting against the Portuguese in the Solor and Ende islands. The troop of Macassar sailed to Solor with 40 ships and 3 000 men, but failed to occupy the Portuguese fort. They then sailed west to Sikka and Paga in the Sikka district, then to Tonggo to meet Amaqira and to prepare a new attack on Ende island. However, they failed in this expedition (Muskens 1974: 379; Rouffaer and Suchtelen 1923/1924: 209; Suchtelen 1921: 9; Visser 1925: 299-301).

The existence and role of Amaqira as the pioneer of contact with Islam is still in dispute. Although his name has been recorded in historical documents, there is no oral tradition concerning his *silsilah* or genealogy. Father Josef Ettel, a Divine Word missionary working in the Kéo region, published an article in the *Pastoralia Bulletin* mentioning that Amaqira was an instigator in the expedition led by a Catholic renegade, Don Joao, in his attack on the Portuguese on Flores. He was originally a refugee from a blood-battle in Lamaqira or Lamakera of East Solor in 1589 who then settled in the hamlet of Mari, on the top of a mountain, Kedi Mali, up north of Ndetu Nura. His name seemed to be taken from such names as Lamaqira or Lamakera (Ettel 1958: 35).

The introduction of Islam to other parts of Kéo (Daja, Ma'undai, Ma'unori, Ma'uponggo, Ma'ukeli and Ma'umbawa) is always related to Ende as the cradle of Islam. Ma'undai, a Muslim community in which I have spent most of my life, still owes its origin to the work of Nggawa Ende and Kala Ende as the pioneers of Islam in the 1800s. Due to the work of these pioneers, an indigenous young man from Ma'undai, Batu Wuda, converted to Islam circa 1820 and performed his pilgrimage to Mecca. He bore the title Haji Abdul Semad. He built a small mosque Nur Ilahi in Ma'undai in 1825 after he returned from the pilgrimage. The second indigenous man from Ma'undai who adopted Islam was Haji Ibrahim Embu Sawo, who died in 1979. He established a Madrasah School in Ma'undai in 1959, where Muslim boys and girls were trained in Quranic readings and chanting. Although the Madrasah did not survive long, some students were well prepared before joining the School for training Muslim teachers (Pendidikan Guru Agama Islam) in Ende.

Soon after Ma'undai came into contact with Islam, another Muslim from Ende by the name of Jawa Nori (or Badhuru) and an Arab by the name of Habib Idrus Al-Hadat settled in Ma'unori in 1914 and built the mosque Bait al-Rahman. The members of the Arab family in Ma'unori that are the descendants of Sayid Habib Muhammad from the city of Tarim in Hadramaut have played important roles as Imam and Chatib successively, because they are more fluent in Arabic than other indigenous Muslims.

Apart from the alliance with a 'quasi-Muslim ruler' initiated by Amaqira (1601-1603) and the dakwah introduced by the Arab family of Tarim (Hadramawt), the introduction of Islam to Kéo seems to have come predominantly from a single source, that of Ende. Another phenomenon which indicates Ende as their cradle of Islam is the term *ndua Ende*. It literally means going down to Ende, but in Kéo society the term has a special meaning referring to a newly converted Muslim, while the title 'ata Ende or sometimes 'ata Tonggo Ende is also used to refer to Muslims in contrast to 'ata Kéo which means Christians or local believers.

CONVERSION AND SOCIAL CHANGES

Missionaries in many areas of Indonesia, including Nusa Tenggara Timur (NTT) and Flores, played a significant role in spreading Christianity through churches and schools. As I have noted in a chapter of my book, it was not until 1936 that a missionary, Fr. Martinus Boot, SVD, was permanently based in Ma'unori, although Fr. Yosef Ettel, an itinerant missionary from the Society of the Divine Word, had occasionally visited the region since the 1920s.

Since seeds of Catholicism which had been planted by the Dominican missionaries in the early 15th century around Kewa and Lena seemed to have left no remnants, a new process of Catholicisation of Kéo had to be undertaken through schools by these later missionaries. The Sekolah Desa (Volkschool) located in Ma'uara, in the territory of Worowatu, which was transferred later to Tunu 'Ata (near Ma'unori) was opened in 1924 for Muslim and non-Muslim children. Later, in 1952, a Catholic Secondary School (*Sekolah Menengah Pertama Katolik*) Setia Budi was opened in Ma'unori, followed by other Catholic primary schools around the territory. The longest serving missionary at the Sacred Heart Parish of Ma'unori, Father Anton Bakker, SVD, acknowledges that Christianity has had a great impact on the lives of the locals, both Muslims and non-Muslims. He attributes this impact not to his own actions but to a great number of local teachers, both school teachers (*guru sekolah*) and religious teachers (*guru agama*):

We missionaries of course, as far as the local people and their customs are concerned, are the worst cause of the degradation and disappearance of their customs and most sorts of rituals. We take away the old customs from them and impose on them Christianity. However, through the educational institutions we have introduced many good things and values for Muslims and non-Muslims (personal conversation, April 1999).

When I was undertaking an intensive fieldwork in 1996 - 1997, I got the impression that many locals were grateful for the work of the missionaries. My cousin and informant, Jamaludin Husein from Ma'undai, said that the establishment of a school in Niodede (1960) was in response to a particular request which the leaders of Udi Worowatu had made to the missionaries. At the time, he said, the other surrounding hamlets sent most of their children to school, and had many local teachers and civil servants working in various towns of Flores, Timor and elsewhere. However, the people of 'Udi Worowatu were known as backward; the majority were pagan (*kafir*) and were preoccupied with their sacrificial posts (*peo enda*) and custom of sacrificing animals (*pala weda*).

Some of the 'Udi Worowatu people nowadays see Christianity as part of a reciprocal relationship, with missionaries providing schooling in exchange for the people's acceptance of aspects of missionary teaching. As a result of this reciprocal contact, there are many among the younger generation in 'Udi Worowatu who have received a better religious education compared to those in other neighbouring hamlets. They have had four Catholic priests ordained, two nuns in the final vows and a dozen seminarians. Christianity to most of the 'Udi Worowatu people does not necessarily involve giving up their customs and local belief system. Local beliefs are still maintained in many aspects that previous missionaries would have regarded as pagan (*kafir*). Such a phenomenon really challenges us to look at the **process of conversion**.

Conversion is a dynamic and multifaceted process of religious change. Its meaning can vary according to different points of view: psychological, sociological, historical, anthropological or theological. To investigate **conversion** requires a heuristic typology that takes into account its diversity and complexity. In this section, I limit my discussion to conversion as a transition of tradition, including its various motivations and consequences (Rambo 1987: 74). Conversion as a transition of tradition refers to the movement of an individual or a group from one religious tradition to another. This can also be seen as a transfer of primary religious identification (Comaroff and Comaroff 1991: 249).

In the context of Kéo, the **conversion** moved the indigenous people from their local worldview, ritual system, symbolic universe, and lifestyle to either Christian or Islamic world views. However, this new shift, using Nock's expression, does not absolutely cut off their

adhesion to their local belief and cultures. Nock argued that in adhesion new practices (or religions) are accepted by the believers as useful supplements and not as substitutes. He also claimed that the influence of external circumstances also lead individuals not to any definite crossing of religious frontiers in which an old spiritual home was left for a new one and for all, but to having one foot on each side of a fence which was cultural and not creedal (Nock 1933: 6-7).

The social, political and cultural motivations for these shifts in world view will now be analysed in some detail. Horton's studies about conversion among Africans shed some light on the social motivations. Horton argues that African conversion arises from the quest for meaning in the face of modernisation. Reminiscent of Weberian ideas, he argues that the shifts in spiritual identity are perceived to occur as a result of the incapacity of traditional cosmologies to account for existence outside the local microcosmos (Horton 1975: 219-220).

Another social dimension shows that conversion generally occurs in relation to village and house cohesiveness, either as a form of solidarity with all the members of a society and a house or with their leader. In the process of the re-missionization of Kéo in the early 1920s, the missionaries seemed to consider the conversion of the hamlet leaders as the main target of their work. They seemed to be aware of the common attitude of the local leaders, who initially opposed conversion but eventually joined the Church, or allowed their children to be baptised and educated as Catholic teachers, even leading their people towards conversion.

Je Mbe'e, a local adat leader (*mosa daki*) from Worowatu, and his colleague Dhae Medi, another *mosa daki* from 'Udi hamlet can be taken as examples. Both of them were polygamous (or more precisely bigamous) when Christianity was initially introduced. For the locals, polygamy is one of the qualities of a big leader (*mosa daki*). Due to their social status as *mosa daki*, Catholicism was not a suitable religion for them because it only accepts monogamy. Both Je Mbe'e and Dhae Medi did not want to be Catholics because they believed Catholicism would force them to leave one of their wives and leave aside their ancestors and other adat rituals. Although they did not accept Catholicism, they still allowed their children to be baptised and were close friends of the missionaries stationed in Ma'unori. In collaboration with Fr. Lehman, SVD and Fr. Bakker, SVD they even sponsored the primary school in Niode in 1960.

The conversion of local *mosa daki* had political implications too. The rebellion of a particular chief or *mosa daki* was sometimes related to conversion as illustrated by Haji Ibrahim Embu Sawo. My informant explained that Haji Ibrahim Embu Sawo, an influential figure from Ma'udara, converted to Islam only because of his conflict with his teacher in Wajo, who insisted he go to church and pray, while in his mind he wanted to practise polygamy. In addition to such motivations for conversion, marriages between Kéo women who still held local beliefs and migrant Muslims was a major channel for conversion to Islam. In several cases, Kéo men who were Catholics and later married migrant Muslim women also converted to Islam. As a consequence of these stimuli for conversion, the number of Catholics and Muslims increased rapidly in the region.

According to Fr. Simon Buis, SVD, **the political situation** in Europe also generally supported the relatively successful conversion to Islam and the secure position of Islam in Eastern Kéo and other parts of Flores before independence. He pointed out that the secure position of Islam in Indonesia evolved, partially, because of the anti-Catholic attitude of Dutch Calvinists in the seventeenth to nineteenth centuries. He wrote that:

The 39 million followers of Islam in the Netherlands East Indies (in 1926) are a bitter realization of the Calvinist principle: *Liever Turksch dan Paapsch* which means 'better Turkish/Muslim than Popish/Catholic' (Buis 1926: 148).

Another political influence which brought a big push for conversion in Kéo, as well as in the whole country, happened from 1966 onwards, in the beginning of the New Order Government. Based on the bitter experience of a failed coup d'état by the Communist Party on 30th September 1965, many government officials believed that the atheistic Communists and the widespread local folk traditions or beliefs shared two common features: a rejection of 'religion' and opposition to the government. In an ideological sense, both were out of the control of the centralized state (Atkinson 1987: 178). It is therefore no wonder that, at the time, there were a great number of conversions to Islam or Christianity in Kéo and Flores (NTT) among the indigenous population and among the Chinese ethnic group, who were suspected of being communist sympathizers, from their previous beliefs. In addition to various other motivations of simple self-interest, Christianity and Islam are religions that have thus benefited from such social and political pressures.

The fact that Christianity might promise a better future in society and government by means of modern education is another motivation for conversion. However, Islam seems to fulfil the main inclinations of the local leaders who prefer polygamy, divorce and remarriage as the symbol of their higher status. For some others, conversion might be preceded by some kind of crisis in their psychological and cultural lives, and a new religion may open their mind to new options (Rambo 1987: 75).

A further way to understand conversion among the Kéo people is through the dimension of their **religious transformations**. Transformation in this context should be defined as the process of religious change manifested through alteration in people's thoughts, feelings, and actions (Rambo 1987: 74). To better understand religious and cultural change among the Kéo, Shimahara's concept of enculturation is enlightening. For Shimahara, **enculturation** is a universal process of behaviour (religious and cultural as well) which includes a culture's transmission and transmutation. The former is defined as the process of acquiring traditionally inherited culture, the latter as the process of psychological transmutation through deliberate, reflective, functional, yet occasionally incidental, processes of learning (Shimahara 1979: 147, 159-160). This seems to fit with the idea of Shorter when he claims that 'enculturation refers to the cultural learning process of the individual, the process by which a person is inserted into his or her culture (Shorter 1995: 5).

In a more drastic sense, **religious change and transformation among the Kéo** can mean partially changing the appearance or a shift in form of religious phenomena. For example, Kéo belief takes on the symbolism of Christianity and Islam, or vice versa. The adherents of *Ngga'e-Ndéwa* in Kéo have started to appreciate their community meal (*nado mére*) in a sacrificial ceremony in a similar way **to the eucharist in Christianity** or to the spirit of *ummah* in Islam. Their sacrificial post (*péo*), where the buffaloes are bound before being killed, is compared to the Christian **holy cross**, where Christ was crucified. That is why, very often, they allow Catholics to place a cross on the top of the peo and celebrate Mass around it. Furthermore, in front of the parish Church in Ma'unori, an imitative peo has been erected, around which several inculturative Masses have been celebrated.

MIXED MARRIAGES (INTERFAITH MARRIAGES) AND THEIR IMPACT ON FAMILY LIVES

The essence, goal and character of Catholic Marriage

In the Catholic Church we have an adage, saying: the family is a small Church (*Famiglia e Ecclesiola*). Along with the adage, we are facing a variety of modern phenomenon, which

challenge our families: poverty, conflict between husbands and wives, Kekerasan Dalam Rumah Tangga (violence in the family), divorce and remarriage, *penelantaran anak-anak dan isteri* (neglect of wives and children), etc....

The challenges for our family lives nowadays can be grouped into internal and external challenges. These are the internal challenges: the maturity of the couples in intellectual, psychological, emotional, spiritual, moral and economic aspects. The external challenges are modernity and global challenges, as well as the third party involvement: parent in law, other men and women. We are also coping with various challenges such as: materialistic mentality, hedonism, consumerism, utilitarianism, individualism, moral relativism, etc.....

The goal of Catholic Marriage

- Both parties are struggling to create their happiness and social welfare (unitary aspect); supporting each other to contribute for their social welfare.
- They aim at procreation (procreative aspect). As a couple, they should be blessed with children. The children as God's blessing should be loved, protected and brought up in a Catholic way.
- Both parties should get rid of any extra-marital sexual relationships. Sacramental marriage should become a mean for expressing love and the human nature of sexuality. Through marriage, couples are guided to their legal partners, whom have freely been chosen and loved, as it is stated by St Paul to the Corinthians, "To the unmarried and to the widows I say, it would be a fine thing if they were to remain like myself; but if they find continence impossible, let them marry; for it is better to marry than to go on being inflamed with passion" (1Cor 7:9).
- In Catholic marriage, sterility (or barrenness), either one or both partners, can not annul the marriage, and can not cause a man to leave behind his women and marry another women instead.

The Characteristics of Catholic Marriage

- **Unity.** This character explains that the unity of a man and women demands a loving relationship, which is exclusive, without any extra or reserved relationship outside the marriage, such as polygamy, etc...
- **Indissolubility,** undivorced. It means a Catholic marriage can only be dissolved by the death of one of the couple or of both. "What, then, God has joined together, let no man separate" (cfr. Mat 19:6; Mrk 10:9).
- **Sacramentality.** It means that the marriage has been a sign (sacramentum) of the Lord saving presence. Thus, from the couple are demanded a total, radical and undivided love as Jesus has loved His Church (cfr. Eph. 5:22-33).

INDONESIAN CIVIL LAW PERSPECTIVE (UU PERKAWINAN RI No.1, 1974) ON MIXED MARRIAGE

Undang-Undang Perkawinan RI, No.1, 1974 (which is often cited as reference and quoted in the compilation of Islamic Law or **Kompilasi Hukum Islam**) states the principle of an Islamic marriage valid and legal according to Indonesian civil law, if it is conducted in accordance with their **consecutive** religious law and belief system.

The term **consecutive** or “*masing-masing*” is used in this context to refer to the religions they adopt, not to refer to the consecutive bride and bridegroom. It is clear from the Indonesian legal perspective that the marriage of those who have disparity of cult (=perkawinan BEDA AGAMA) is forbidden in Islamic Law, although the Catholic Church and Canon Law can give its dispensation, but this is not yet clearly elaborated in Indonesian civil law (c.q. UU Perkawinan, 1974).

Although there is no exact law on the disparity of cult marriage (Perkawinan BEDA AGAMA), in paragraph 2, line(1) UU Perkawinan RI 1974, such an issue is also appreciated in Indonesia. So, in front of the law the Indonesian government acknowledges the plurality of the marriage law, including the variety of religious laws about marriage.

The issue elaborated in UU Perkawinan 1974, chapter 57 and 58 is only about “*Perkawinan Campuran*” which is in line with the UUD 1945 **chap. 29** paragraph 2 (religious freedom) saying that

Chap. 57:What is meant by mixed marriages in this law is the marriages between two subjects, who are in Indonesia faithful to the different laws, due to their **differences in nationalities**, in which one party is a **foreigner** and another is an **Indonesian**.

Chap. 58:Those who are of different nationalities and engage in mixed marriages, may either obtain the citizenship of their prospective husband or wife, or lose it, based on the law of Indonesian citizenship.

ISLAMIC PERSPECTIVE ON MIXED MARRIAGES

In the compilation of Islamic Law (*Kompilasi Hukum Islam* or KHI) chap. 40 juncto by Presidential Instruction (*Instruksi Presiden Nomor 1 tahun 1991*) it is stated that “It is prohibited for a Muslim man to marry a woman, who is a non-Muslim”. Such a prohibition in the Indonesian context is based on its *mudharat-maslahat* (disadvantages and advantages) a Muslim man marries a non-Muslim woman (esp. a Christian) since it will be difficult to perform their rights and duties in bringing-up their children in an Islamic way; the children will be closer in relationship with their mother. The situation will be worse, if the non-Muslim woman is fanatic in her religion. From the social and religious perspectives, mixed marriages with the disparity of cult, have very often been used as means by non-Muslim to carry out apostasy (*pemurtadan*).

That is why, the Indonesian Muslim Scholars (Majelis Ulama Indonesia /MUI) pronounced an *ijma'* (legal consensus) to prohibit such marriages because its disadvantages (*mudharat*) are higher than its advantages (*maslahat*). Such a marriage can cause the children to adopt the religion of their mother rather than of their father. It is also disturbing and can cause uneasiness in the relationship between the two families, which can be cut off.

Recently, new opinion comes up to legally allow such a marriage (pernikahan BEDA AGAMA). An institution which allows is *Pusat Studi Islam Paramadina* (founded by Nurcholis Madjid on 30 October 1986). In *Klub Kajian Agama* (KKA) ke-200, held on October 17th, 2003, a clear interpretation (*exegesis*) of this issue was pronounced. According to this group, in Islamic Law, both in the Holy Book (*Qur'an*) and oral tradition of the Prophet (*hadits*), there are many texts deal with this issue, including the following verses:

First, al-Qur'an Surat al-Baqarah : (Q.2, 221), which clearly forbids all the Muslims (men and women) to marry unbelievers (*musyrik*) before they convert to be Muslims. God says: “Do not marry unbelieving women (idolaters), until they believe: a slave woman who believes is better than an unbelieving woman, even though she allure you” (QS. al-Baqarah: 221).

Asbab al-nuzul of this verse is this : When one of the Prophets' friends (sahabat) named Ibnu Mursyid al-Ghanawi wanted to marry an unbelieving women (musyrik) he asked for permission from the Prophet twice. Then, the Prophet prayed and this verse was revealed.

Second, *al-Mumtahanah*: (Q. 60,10)also forbids the Muslim women to marry the unbelieving men. The verse states: "O ye who believe ! When there come to you believing women refugees, examine (and ttest) them. God knows best as to their faith: if ye ascertain that they are believers, then send them not back to the unbelievers. They are not lawful (wives) for the unbelievers, nor are the (unbelievers) lawful (husbands) for them".

Third, *al-Maidah* : (Q.5, 6),also states that it is allowed for the Muslim men to marry women who are the People of the Book (*ahl al-kitab*).The verse quotes: "This day are (all) things good and pure made lawful unto you. The food of the People of the Book is lawful unto you, and yours is lawful unto them. (Lawful unto you in marriage) are (not only) chaste women who are believers, but chaste women among the People of the Book revealed before your time".

After the revelation of this verse, many of the Prophet's friends (sahabat) married the *Ahl al-Kitab* women, for example: Usman bin Affan married Nailah binti Quraqashah al-Kalbiyah, a Christian; Thalhah bin Ubaidillah married a Jewish woman from Damaskus; Huzaifah married a Jewish woman from Madyan; eventhe Prophet Muhammad himself married Maria Qobtiyah, a Christian women from Egypt and Sophia a Jewess.

However, a question is still worthy to be raised: who are the People of the Book (Ahl al-Kitab) in our context nowadays? Imam Abu Hanifah and the majority of the Islamic Lawyers, as cited by Zainun (a lecturer from UIN Syarif Hidayatullah), hold an opinion that all those who believe in a Prophet or one of the Holy Books revealed by God, belong to the People of the Book (*ahlul kitab*). Rasyid Ridha, an Egyptian scholar even stated that the Majusi, Sabian, Hindust (Brahmanism), Buddhists, Konghucu, Shintoistsand other believers can be categorised as *ahli kitab*.

However, according to Mahmud Yunus, Jews and Christians nowadays can not be seen as the *ahli kitab* (if they are, they are very small in number). The reason is that nowadays, the Holy Books (the Old and the New Testament) are too contaminated by human involvement in the form of falsification (*tahrif*).

Finally, it can be concluded that, based on the study of Islamic law, mixed marriage with the disparity of cult can be categorised into three options as follows: **First**, it is strongly forbidden that the Muslim men marry the unbelieving women (kafir). **Second**, it is strongly forbidden that the Muslim women marry the non-Muslim men; **Third**, Muslim men are allowed to marry women who are really People of the Book (*ahli kitab*).

CANON LAW PERSPECTIVE ON MIXED MARRIAGE

An important distinction must be made between the marriage of a Catholic and a baptized non-Catholic (**mixed religions** = *perkawinan campur* = *mixta religio*), and that of a Catholic and a non-Christian (**disparity of cult**).

According to Canon Law (Can.1124), 'PERKAWINAN CAMPUR BEDA GEREJA' is a marriage of a Catholic and a baptized non-Catholic. In our daily conversation, it is called '*perkawinan campur beda Gereja*' (cfr. Canon 203). This kind of marriage is sacramental, as far as it is validly conducted between two parties, who are baptized (cfr.

Canon 1055 – 1056). If it is conducted without permission of the local bishop (Church authority), it is valid, but illegal or *illisit*.²

However, according to **Canon 1086**, a **disparity of cult marriage** or in *bhs Indonesia PERKAWINAN BEDA AGAMA* (Lat. *disparitas cultus*) is a marriage between a baptized Catholic and a non Catholic Christian and merely requires dispensation. If the couple for some reason failed to get this dispensation, the marriage would be valid, although technically it would be illicit (illegal) and only natural in character.³

The debate on mixed marriage issues has been popular since the beginning of heresy sects and schismatic movement in the Church. A fundamental question raised at that time: “Is it possible for a Catholic to marry a heretic or schismatic, since they are not Catholic?”. The Councils of **Elvira** (Granada 309 AD), **Laodicea** (365 AD), **Chalcedon** (451 AD) and **Trent** (1545 AD) have strongly opposed the possibility of mixed marriages with heretics and schismatics, since they can violate the Catholic faith and not guarantee baptism, the upbringing and the education of their children as Catholics.

A big change took place in the 18th century, when the Catholic Church started to give dispensation for Catholics to marry heretics and schismatics, if there were good signs that they would give freedom for the Catholic party to perform their religiosity. In the beginning, the dispensation was only authorised by the Pope, but in the late 18th century it was also given to the local bishops in the mission.

The Post Second Vatican Council era has also brought a new and more drastic development in this issue, since the Church has to cope with the global condition with complexity and plurality in societies. In many parts of the world, especially in Asia and Indonesia, we have to be aware that many Catholics are living as minorities and can build up friendships and fall in love with non-Catholic partners.

Taking into account the above items and paragraphs of Canon Law, both at Universal and Local Church levels, we should raise a question: why does the Church make it more difficult for Catholics to marry non-Catholics, whether they are baptized or not? Our response is clear that: the Church’s chief concern is for the faith of the Catholic party to the marriage, and the spiritual welfare of the Catholic party and their children (cfr. **Canon 383.1**). It is always a greater challenge when both parties are well connected to their faith. In some of these situations, when no possible agreement can be reached as to the children’s religion, it may even be best if the marriage is postponed or even rethought.

In my experience, if there are major divisions over the religious upbringing of children before the marriage, then these issues will only be greater and more troublesome when the children arrive.

INTERFAITH MARRIAGES AND RELIGIOUS HARMONY : ALTERNATIVE SOLUTIONS

²Kletus Hekong, “Kawin Campur Beda Agama Dalam Kebijakan Keuskupan Agung Ende”, dalam *Jurnal Ledalero*, vol.3, no.2, Desember 2004, hlm. 71.

³Robertus Rubyatmoko, *Perkawinan Katolik Menurut Kitab Hukum Kanonik* (Yogyakarta: Kanisius, 2011), hlm.131-133.

However, from my observation in interreligious dialogue, it also seems to me that we need to appreciate the good that can come from the mixed or interfaith marriages. In a strange sort of way, these marriages do remind us that God's call for the human family transcends all religious boundaries. There is no religion that has the only path to God. While we find great benefit in our own faith traditions and want to see them passed on to future generations, no one tradition has an exclusive hold on God's attention. When people of radically different yet connected traditions marry, perhaps they are imaging a new way of viewing life. It may seem disconcerting, but could it not also be a call to greater religious harmony?

In our Indonesian society, it has been uncommon for people to marry outside of their religion. It is common that Catholics marry Catholics, and Muslims marry Muslims. In fact, there was a time when even a marriage between a Dutch Catholic and Indonesian Catholic was frowned upon. But that world is long gone. Today it is very common to find our children wanting to marry someone of a different faith and nationality. I myself have four cases of interfaith marriages (or mixed marriages) to be raised as lessons to be discussed and learnt.

One wedding I blessed in Kupang, over 10 years ago (2007), was a Catholic man with a Protestant woman. The result: two children are not clearly brought up in one religion or the other; they are left unbaptized until now (though the first son has been in grade 5th of the Primary School).

My own niece (Leny Ina, a Catholic woman) married a Hindust man (Suranti, an Indonesian soldier from Mataram / Lombok) with dispensation from the Local Bishop of Ende in 1986. When they were still living in Ende Flores, the husband was faithful to accompany and bring her to the Church. Their two children were brought up in a Hindust way. When they moved to Mataram, the wife could not go to Church anymore. Finally, she got sick. Her husband brought her back to the Church. She recovered and one of her daughter (in 2012) converted to Catholicism following her mother and married to a Catholic husband.

Our former worker (*karyawan*) from Java, Mr Dadang, a Muslim, married a Catholic girl near St Paul Major Seminary (Mrs. Ludgardis) in 1980 in an Islamic ritual. After having four children, in 2005, the wife found out that her husband has another Muslim wife in Ende. She decided to divorce and convert to Catholicism and brought back all of her children to be Catholics.

My good friend (Mrs Paulina Nona, a Catholic) married a Balinese Hindust (the belated Mr I Wayan Nadi Winarta) in 1977 and had three children. Her husband was a *pinandita* (a Priest for the Balinese temple / shrine or *Pura Agung* at Waidoko, Maumere during his life time. Mrs Paulina is still Catholic and active in our Parish Church of Maumere and a retired lecturer at NUSA NIPA University. Her belated son was a Hindust artist and one of her daughter is a devoted Catholic.

"When people of radically different yet connected traditions marry, perhaps they are imaging a new way of viewing life. It may seem disconcerting, but could it also be a call to greater understanding and support for religious harmony in our pluralistic society?"

How do we deal with this challenge? I would like to offer a few points for reflection based on my long experience as a priest who has been involved in interreligious dialogue and has gotten to know of many interfaith weddings. These points do illustrate some of the areas that need to be addressed.

1). All decisions about ceremony and children need to take second place to the love relationship of the couple. If that is weakened, then no matter how the children are raised, they will still benefit from the strong love of the couple.

2). You cannot be a Muslim or a Hindu and a Christian at the same time. You can be open to the other faith and appreciative of its values and traditions, but you cannot be both. This truth is part of the limitation of life and part of the beauty of the diversity of human and religious experiences. I have found that many young couples who may not be that connected to their faith traditions think that the religious issue will not be a problem. Unfortunately, they don't appreciate how these matters may crop up later to present very difficult challenges. For example, many people begin to rediscover the importance of a faith tradition when they start having children.

3). The wedding ceremony, which in some ways is less important than the issue of children, should reflect the traditions of both because both are involved. This is sometimes more difficult for the Muslim partners than the Catholics, because on this issue the Catholic Church allows great freedom (I fully empathize with my Muslim relatives on this, since they are a minority in NTT, because it is easy for the Catholic Church, with many members, to be liberal on this point in comparison to the Muslim community with small population).

4). On the issue of raising children: A child cannot be a Muslim and a Catholic at the same time. It is very important that the couple come to a decision about the way they will raise their children. Sometimes that decision needs to be based on whichever of the two is the practicing person. Who is the one who will be mainly responsible for the religious upbringing of the children? Whatever tradition children are raised in, hopefully they would be exposed to the other faith and share to some extent in the rituals of that tradition. But as they do that, they need to know their own identity.

The Catholic Church used to require those who were not Catholics to sign a document promising that the children would be raised Catholic. This was true also when Catholics married other Christians. That is no longer the case nowadays. Canon Law today (**Canon 383.1**) requires that the Catholic parties promise that they will not give up their faith due to the marriage and that they will do "what is in their power" to share the Catholic faith with their children. These words were carefully chosen and mean what they say. It may be that some Catholics who are not strong in their faith can only share it by their example. The Church recognizes that there may be cases in which the children will be raised in another faith. But the marriage can still go forward. Thus, special Pastoral Ministries are really needed for those couples (through Marriage Encounter, retreat and other special meetings and gatherings).

For the Christians/ Catholics in NTT (and Flores) who have many Muslim relatives, we should learn from an oral tradition of the Prophet (*hadits*), saying: "A woman is married for four reasons. First, for her social status; second, for her beauty, third, for her richness; and fourth, for her religion. And you, who are Muslim, please marry her because of her religion [Tunkiha an-nisa li-arba'in ya'ni li-hasabiha, li-jamaliha, li-maliha, wa li-diniha. Wa anta Muslimun inkah li-diniha].

CONCLUSION

From my presentation, we have at least learnt that mixed marriages (or interfaith marriages) are prohibited by the Islamic Law (*fiqh*), although we still find some liberal interpretations, which allows it. From the perspective of Islamic Law, at least there are three options offered.

First: prohibition for all Muslim men and women to marry anyone, who is not Muslim.

Second: prohibition for all Muslim women to marry a non-Muslim or a pagan man (*Kafir*).

Third: It is allowable for a Muslim man to marry a woman from the People of the Book (*ahlal-Kitab*).

UU Perkawinan RI 1974, which holds the plurality of the law according to the UUD 1945, allows mixed marriages, which is termed in *UU Perkawinan* as “*perkawinan campur*” (difference of nationality) with the condition that it is conducted in accordance with the law of his/her partner. However, the *KHI* Chap. 40 strongly opposes all forms of mixed marriages on the basis of fulfilling what is known in Islamic teaching as *maqasyid al-syari’ah* (the aims of the *Syari’ah*).

The Catholic Church also prohibits interfaith marriages as it is codified in Canon Law (c.1086, 1142) which states that “the marriage of those with the disparity of cult is illicit, except with the dispensation of the local Bishop”. However, the Church is still open to allowing it, with the conditions that the non-Catholic party still adopt his/her own religion, but he/she allow the children to be baptised in a Catholic Church.

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RELIGIOUS INTERACTION, CONVERSION, INTERFAITH MARRIAGES AND ITS IMPACT TO THE FAMILY: A LESSON LEARNT FROM NTT

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