

# ABED AL-JABIRI

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**Abed Al-Jabiri's Epistemology of Intelligence: A Case Study of Interfaith Marriage In Indonesia**

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**Abstract**

*Interfaith marriage/mixed marriage is currently an unresolved social polemic. It means that the marital status of different religions is still a hot topic of discussion because seeing the impact caused by interfaith marriages is very large. These impacts are child care, inheritance rights, child morals, and up to divorce. Often, interfaith marriages occur based on freedom of reasoning in religion. Thus, for people in an interfaith marriage, the perception of reason provides legal justification to strengthen the legality of interfaith marriages. Therefore, various efforts in interfaith marriages continue to be carried out in Indonesia. This research used the epistemology of Abed al-Jabiri, namely: Bayani, Burbani, and Irfani to emphasize reason as Idraku al-Sabab Wa al-Musabbab and reason as Bila Wasitab. This method is different from the epistemological methods of other figures such as Ibn Rusbd and Ibn Khaldun. Thus, the researcher used al-Jabiri's epistemological trilogy as a method of thinking to see the freedom of reasoning in interfaith marriages. This research was qualitative research with heuristic methodical elements and used an epistemological approach. The heuristic method provides criticism of a certain paradigm so that the consequences of criticism become an alternative to a new paradigm. The results of this research were Abed al-Jabiri's criticism through an epistemological trilogy to provide limits on freedom of reasoning in interfaith marriages.*

**Keywords:** Intellect, Epistemology Trilogy, Interfaith Marriage

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**INTRODUCTION**

The author found several facts in the field that have been studied by several previous studies about interfaith marriages. First, it is about interfaith marriage and human rights protection: a critical study of the 1974 marriage law number 1 and the 1945 constitution and the prohibition of interfaith marriage from a human rights perspective. The research explained that interfaith marriages have many negative impacts on society. These impacts include the shallowing of faith, religious education for children, and inheritance problems.

Nevertheless, interfaith marriage does always consider human rights (Yedi Purwanto, 2014: 216-223). As explained above, all aspects of law, social activities, and people's lives in Indonesia are based on religious aspects. In fact, a private sphere such as human rights in Indonesia is different from secular human rights. Therefore, interfaith marriages in Indonesia are considered a violation of Article 29 of the 1945 Constitution concerning marriage (Yusuf and Fikry, 2017: 70-87).

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Second is the journal written by Ahmadi et al with entitled *pernikaban beda agama ditinjau dari perspektif Islam dan Ham*. Islam has emphasized interfaith marriages with exceptions. For example, if the male partner is a believer and a female partner is a person of *abul kitab*, then interfaith marriage is permissible. It is legal to carry out interfaith marriages, but with conditions that have been determined that the man must be a Muslim and the woman is a non-Muslim (Dardiri et al, 2013: 99-117). However, the problem today is that the criteria for *abul Kitab* are rarely found. Furthermore, many people match the criteria of the *Ahlul Kitab* in the Al-Qur'an with criteria according to the social humanist basis. This is what causes misperception.

Third, efforts to match the criteria of the Ahlul Kitab are attempted by changing or modifying existing laws in the country. Prasertyo and Ambar (2019: 251-257) in a journal entitled *penyelundupan hukum perkawinan beda agama di Indonesia* explained that marriage is considered valid if it is carried out according to their respective religions and beliefs. Thus, many people conduct interfaith marriages abroad. After obtaining the legality of marriage abroad, they equalize the legality status in a district court in Indonesia. Furthermore, they carry out marriages according to each religion and impose temporary submission to one of the religious laws. Fourth, the prohibition of interfaith is strengthened in the journal entitled *pendapat para fuqoha dan majelis ulama Indonesia (MUI) tentang filosofi dan hikmah larangan pernikahan beda agama serta dampaknya*. However, efforts to legalize interfaith marriages, in the future, will cause very fundamental problems such as vulnerability to conflict, weak faith, and distancing of sacred values in marriage (Annikmah Farida, 2016: 257-283). Fifth is the article entitled *kebolehan pernikahan beda agama menurut undang-undang nomor 1 tahun 1974 dan kompilasi hukum Islam*. The article shows that the prohibition of constitutional law and based on the compilation of Islamic law has been clearly stipulated in Law No. 1 of 1974 concerning interfaith marriages. Sixth is an article written by Friska Widyawati entitled *when love and faith collide women's conversion to husband's religion in Flores*. The article writes about several cases that occurred in Flores Nusa Tenggara about the basic humanity of 'human feelings' colliding with belief, thus requiring one partner to convert to one religion only. This requires women to be submissive and surrender themselves to carry out religious conversions/religious switching. However, indirectly converting religious for women is a

right choice or also an exploitation of women's freedom of religion (Widyawati, 2020: 348-352).

Marriage is *sunmatullah* which is generally a necessity for all God's creatures. Marriage is the goal of living things to continue to develop and continue the continuity of the next generation (Hadikusuma, 2003: 1). Thus, we can say that marriage is an instinct for all creatures, an instinct to reproduce and preserve life. For humans, marriage is natural to need each other. However, it should be understood that the feeling of mutual need can turn into a wrong action if it is not accompanied by the procedures and rules that exist in religion (Herdiana, 2004: 5). Therefore, marriage accommodates human needs in the form of a sacred bond that unites not only the body but also unites two different personalities.

18 Marriage is sociologically a form of cooperation between two human beings "male and female" in a legal or special regulation along with certain characteristics, meaning that men are "husbands" and women are "wives" (Munir Subarman, 2013: 65). -83). Meanwhile, in the view of Islam, marriage as an ideal relationship not only unites men and women, but marriage becomes a sacred contract with various shared duties and responsibilities, which then generate rights and obligations for husband and wife (Sudarsono, 2010:1). ). So, for Muslims, marriage is prescribed to make humans have offspring and a happy life in this world and in the hereafter (Sosrotarmodjo, 1978: 33). Therefore, we can say that marriage is one of the most crucial dimensions of life. Marriage is highly important for humans and in every religion in the world, society, and formal and non-formal institutions try to regulate this marriage problem.

9 The polemic causing social conflict in society is the occurrence of interfaith marriages. This is a special concern because of the sacred bond that is carried out between two people of different religions (read: belief) (Karsayuda, 2006: 84). However, in the life of Indonesian society, which is a plural and diverse society, the criteria of religion sometimes do not become one of the priority guidelines. However, looking at it from a theological perspective, interfaith marriages do not obtain any room for legitimacy for any religion. In fact, every religion rejects and only expects marriages carried out by the same religion (read: one belief). Based on these reasons, there are several aspects of religion that underlie the legal system of marriage applied in Indonesia (Suhasti et al, 2018: 367-394). Therefore, people should be able to raise awareness in carrying out their respective religious laws, including in marriage matters.

The research described above shows that interfaith marriage is a problem that has been studied for a long time, both theoretically and studied using several points of view that provide a legal basis. Hence, the rules and practices in interfaith marriages continue to be unresolved polemics (Suhasti et al, 2018: 367-394). However, now, the problem is still

very relevant. Many researchers discuss it using different points of view. Thus, no matter how it is seen, the result will still be the same, interfaith marriages are not allowed regardless of the basis. Moreover, the impact of interfaith marriage is greater than the benefits obtained. Although, sociologically, interfaith marriage will build peacebuilding and peacekeeping (Syamhudi, 2013). This research was conducted, unlike previous research which was limited to constitutional law. Thus, the point of view that is often carried out is the basic law related to interfaith marriage, then conformity with the concept of human rights, as well as the legal basis for all religions. Therefore, this article tries to draw a different point of view from al-Jabiri's concept to draw an existing point of view with the theory of the epistemological trilogy.

On March 12, 2022, the news about interfaith marriages in Indonesia became a debate. The reason is, interfaith marriages are carried out in the church of Saint Ignatius Semarang and the groom is seen wearing a shirt wrapped in a black coat while the bride is wearing a white hijab. Thus, the old problem of interfaith marriage has become a new polemic in society. In fact, the most surprising thing is that interfaith marriages have been carried out by more than 1424 couples. According to an interfaith marriage consultant, Ahmad Nurcholish, differences unite, not separate. Therefore, we can capture and conclude that interfaith marriages are being re-legalized secretly under the pretext of uniting existing differences. The author in this research then tries to re-emphasize the dimension of reason to interpret interfaith marriage by using Abed al-Jabiri's epistemological perspective. The hope is that the status and law of interfaith marriage will be seen more clearly again.

This article was qualitative research with the formal object of epistemology while the material object is an interfaith marriage. This research had several methodical elements used by researchers (Kaelan, 2005: 54-95); First, the analytical method was used to provide an interpretation of the phenomenon of interfaith marriage that occurs in Indonesia. The initial step taken in this method was to find some data that already existed in Indonesia regarding the legality and illegality of interfaith marriages, then from these data, some basic conclusions were drawn using the perspective of Abed Al-Jabiri's epistemology trilogy. Second, of course, in the context of interfaith marriages, it was limited by the standards or legal basis of each religion. Thus, the conclusion that can be given will always be the same interfaith marriage is a prohibited act. However, with the heuristic method, researchers found and developed a new method, namely the prohibition of interfaith marriages from an epistemological point of view.

The first step was that researchers looked for previous research data that had similarities in the object of study, related research, and research that had similarities in material objects and formal objects. Second, from some similarities in the title, the



researcher then withdrew it as a basic reference to give later researchers could provide different points of view. Thus, it obtained a clear common thread of difference and became a novelty in this research. Third, from the novelty of this point of view, the author could provide answers about the law of interfaith marriage.

## DISCUSSION

### 1. Dimensions of Reason and Epistemology of Abed Al-Jabiri

#### 1.1. Common sense/Intelligence

The word "intelligence" is etymologically derived from Arabic, namely "*al-aql*", from the verb "*ain, qaf, lam*" which means binding or restraining (Al-Attas, 1995: 41). *Al-Aql* is the same as *al-idrâk* (awareness), *al-fikr* (thought), *al-hjir* (retainer), *al-imsâk* (detention), *al-ribât* (binding), *al-man'u* (det<sub>6</sub>rent), dan *al-nubâ* (wisdom) (Ibn Manzûr, 458-459). In English, it is translated into reason, intelligence, intellect, understanding, and intellectual powers. Whereas in French, it is called reason, intelligence, and intellect. While in Latin the word "*al-aql*" is ratio and intelligence (Hodri, 2013: 1-24). The word "*al-aql*" then becomes the standard translation and is accepted absolutely with the word "akal" in Indonesian (Burhanuddin Yusuf, 2013: 74).

In terms, intelligence has a very diverse meanings; First, instinctual intelligence is a mind that has the potential to think and argue. Second, theoretical intelligence is a reason that has the ability to know something that exists and does not exist. Third, practical intelligence is the ability of the human soul to act, act, and do charity following knowledge (Juwaini, 2010: 382-383).

Whereas in the Western worldview, intelligence is called reason which is understood as "reason". intelligence is not a brain, but rather a power of thought that is owned and resides in the human soul (Harun Nasution, 1985: 13). So, we can conclude that intelligence is a human substance to understand life. This is reinforced by Al-Ghazali in the book *Mishkat al-Anwâr* (1994: 7) that intelligence is a human tool for understanding the reality of everything. The word intelligence is then used as a meaning of understanding and *tadabbur*, with the human mind being able to distinguish between right and wrong, good and bad. Thus, intelligence is concluded as a means of understanding and *tadabbur* in gaining knowledge (Harun Nasution, 1982: 7-8).

Quraish Shihab added that there are three potentials of intelligence; First, intelligence can be used to know and understand God. Second, intelligence can know good and bad deeds. Third, intelligence can prevent someone from doing evil deeds (Quraish Shihab, 2005: 87-88). Therefore, intelligence is a form of special potential given by God to humans, and it is a differentiator from other God's creatures. Humans with intelligence can think, know, understand, bind information, and produce knowledge (Al-Ghazali, 116).

hence, based on the three potentials of reason, the use of intelligence is not only to understand physical knowledge but also to help humans project God in life.

Linguistic analysis of religious texts leads to two types of definitions; First, intelligence is intelligence as the process of binding meaning and knowledge. Thus, the essence of intelligence is a form of activity not in the material sense. Second, intelligence is defined as a function of the heart in binding meaning. It means that intelligence becomes a tool for strengthening the heart (al-Jabiri, 1990: 208-209). In contrast to the Mu'tazilite understanding, intelligence is not character, substance, tool, sense, potential; but rather the specific knowledge of "*al-ulūm al-mākshūshāb*". According to Ash'ariyah, intelligence is necessary knowledge "*al-ulūm al-dhārīyah*". Whereas in the Al-Qur'an the term *aql* is in the form of a verb "*aqolu, na'qil, tā'qiluun, nā'qilu, aqāluna* and so on. it shows that "*aql*" is not a noun but a verb, this is shown in the verses of the Al-Qur'an that separate the understanding of intelligence and knowledge (al-Jabiri, 1990: 212).

In the oral study of al-'Arab, al-Jabiri gave a meaning that is almost the same as the above understanding. Yet, there is a slightly different explanation. Intellect according to al-Jabiri comes from the term *al-'Aqlu as al-rābthu* "bond" (Al-Jabiri, 1990: 209). Furthermore, al-Jabiri (2001: 15) divided intelligence into two parts; First, "*aql mukānwīn*" is a human ability that is inherent or inherent in "*al-malākah*" to realize the general nature or dhāruri based on the relation of all things. This intelligence applies universally because it is owned by every human being. Second, "*aql mukānwān*" is a set of principles and principles that guide *istidlāl*. This reason does not apply universally because the existence of this mind is different. Thus, not all humans use the potential of this intelligence.

The question of the essence of intelligence, according to al-Jabiri, is to maintain the notion of reason as a fixed structure or some fixed principles. Apart from the debate on the essence of reason above, intelligence is understood as reason according to Abed al-Jabiri in three forms of episteme; First, the system of indications or explications "*nalar bayani*". Second, is the illumination system or gnostic "*irfani reason*". Third, the demonstrative system or inference information "*burhani reason*" (Nurfitriyani Hayati, 2017: 72). The three reasons for Al-Jabiri are the basic principles of the epistemological system and forms of activity to acquire knowledge in a historical era (Kairina, 2016: 105-116). Therefore, to achieve the maximum potential of human intelligence, al-Jabiri then seeks to create an epistemological trilogy paradigm to obtain a basic concept of knowledge.

## 1.2. Abed Al-Jabiri

In 1936, on December 27, in the city of Fiquiq, Southeast Morocco, a Muslim intellectual was born. The figure was very well known in various circles named Muhammad Abed al-Jabiri who was also called a contemporary Arab philosopher, and his thoughts influenced the thinking of the next generation. Al-Jabiri was a very productive Arab intellectual with many works that attracted the attention of many Arab intellectuals and academics (Harmaneh, 2003: xviii-xix). The writing that has received the most attention is

the trilogy “*Takwin al-Aql al-Arabi*, *Binyan al-Aql al-Arabi*, and *al-Aql al-Siyasi al-Arabi*” in the Critique of Arabic Intelligence “*Naqd al-'Aql al-'Arabi*” in four volumes (Bahrur Rozi, 2020: 98-101). In addition to this phenomenal work, al-Jabiri also wrote a book entitled *Himar al-Masyriq wa al-Magribi* as the result of a long debate with the figure who wrote the theological reform thesis, Hasan Hanafi. (Jamhari, 2017: 18-34).

Of the several works above, of course, Al-Jabiri cannot be separated from the influence and intellectual background, culture, and socio-political situation in Morocco. The legacy of thought in the city was dominated by post-structuralists and post-modernists. Like the work of Michel Foucault and Levi Strauss entitled “*The Archeology of Knowledge and the Birth of the Clinic*”. This proved al-Jabiri's form of appreciation for these works, even to the level of methodological applicability in Islamic studies. Apart from the two thoughts of these figures, some Marxist doctrines “social determination and Historical Materialism” are also a comparison for Al-Jabiri. However, al-Jabiri still gives a firm position in reading the tradition of Islamic thought. Different approaches from al-Jabiri are *tārikhīyyāh* “history”, *māudū'iyyāb* “objectivity” and *istimrārīyāb* “continuity” (Ahmad Baso, 2000).

Al-Jabiri is a Rationalist figure who also used a track record of Rationalism in the Classical Islamic philosophy of Ibn Rushd. It is not surprising that al-Jabiri's line of thought is characterized by Averroism rationalism “*al-Aql al-Burhani ar-Rusydi*” seen in all of the works he wrote (Abied Shah and Aunul, 2001: 302). Traces of Averroism are very clear in the thought of al-Jabiri (Abed al-Jabiri, 1994) who is also an expert in the disciplines of hermeneutics and Islamic philosophy. In particular, the diagnosis was carried out in the Classical Islamic Philosophy tradition, thus, that al-Jabiri's thinking has a significant influence on the development of Modern Islamic thought (Burhanuddin, 2016: 181). Therefore, many people view al-Jabiri as a contemporary figure who adheres to the classical Islamic tradition and the post-structuralist tradition (Julkarnain, 2015: 132). This can be seen from the work and pattern of al-Jabiri's thought which is still thick with the influence of some of the thoughts above.

### 1.3. Epistemology of abed al-Jabiri

Epistemology is etymologically derived from Greek; *episteme* which means knowledge, while *logos* means science or theory (Arief, 2002: 3 and Tazkiyah Basa'ad, 2018: 100). The material object of epistemology is knowledge and the formal object is nature of knowledge. In general, epistemology can be concluded as a branch of philosophy that examines the sources of knowledge, character, and truth of knowledge (Tazkiyah Basa'ad, 2018: 101). Epistemology can also be referred to as a philosophy of knowledge which is a branch of philosophy that seeks to determine the nature and scope of knowledge, presuppositions, and their basis, as well as accountability for knowledge questions possessed (Hardono Hadi, 1994: 5). Thus, epistemology can be considered as a theory of knowledge “the theory of knowledge” (Ahmad Atabik, 2010: 213-214). This is because



epistemology is concerned with questions and problems about knowledge (Kattsof, 2004: 131).

The essence of knowledge is the cause of how humans are different from other creatures. Ibn Khaldun said that the difference is Allah's gift to humans in the form of reason. Through intelligence, humans will determine their idealism to achieve the concept of realism (Pasiska, 2019). Meanwhile, according to Al-Jabiri, epistemology is a traditional epistemology that is applied and interrelated with one another in Classical Islamic scholarship (Sa'adi, 2011: 153). Al-Jabiri's epistemology is a collection of principles and rules given by Arab civilization as a basis for acquiring knowledge. Al-Jabiri's epistemological system is almost the same as Michel Foucault's epistemological system, meaning that epistemology is used only as a procedure in research. (Harmaneh, 2003: xxvi-xxvii).

The three categories of al-Jabiri's *episteme* that have been mentioned above are; First, epistemology based on rational thinking "*nalar bayani*". This reasoning relates to linguistic rules and principles such as "the science of Nahwu, Sharf, Mantiq, Kalam, and Balaghah" which can also be referred to as a textual system (Faisol Haq, 2020: 64). It is because the existence of several disciplines. Furthermore, it generated to a need to understand grammar and language laws which are interpreted as reasoning in the "*nasb*" text (Khudri Soleh, 2013: 237-239). Therefore, the standard of thinking as an *episteme* is formed from the basis of language and religious texts.

The epistemology of *Bayani* in the process uses two basic principles and two basic methods. The two basic principles are the discontinuity or separation of "*al-infisbal*" and the concept of contingency or possibility "*al-tajwiz*". Furthermore, the two basic methods used by al-Jabiri are; First, adhering to the "*lafazd*" editorial on the rules of the Arabic language. Second, it uses the "qiyas" analogy method (Al-Jabiri, 2003: 64). Thus, *Bayani*'s epistemology produces a combinative form between interpreting discourse and determining the conditions for discourse production (Shofan, 2006: 369).

*Bayani* is a philosophical system of building knowledge that places the text of "revelation" as absolute truth. While intelligence is placed in a secondary position as a support in interpreting and explaining the text. Thus, at this stage, *jabiri* is focused on text orientation which for some people considers the implications of al-jabiri's thought on Islam to be rigid (Wirianto, 2011: 70-71). This is considered by al-Jabiri as an adjustment to the conditions of Arab culture at that time, so it is clear that the distinctive characteristics in the pattern of language correlated with Arab cultural thought at that time. In the end, the *Bayani* epistemology process became a paradigm composed of worldview and material aspects of Arabic, logical characters in grammar, reasoning on the beauty elements of language, to rational mechanisms in the methodology applied to scientific studies (al-Jabiri, 2000: 113).

The authority of the text in *bayani* epistemology is determined by logic and intelligence as a form of interpretation and analysis to realize the exoteric knowledge of "*shari'at*" (Khatamunisa and Koniah, 2020: 47). Intelligence in *bayani* is justification and confirmation of truth (Wirianto, 2011: 72). This method is mostly used by *fuqāba* 'experts of fiqh', *mutakāllimin* "experts of kalam", and *usuliyūn* "experts of ushul fiqh" in understanding and analyzing texts as well as to reveal the meaning contained or intended by lafaz (Hasyim, 2018: 218). Thus, bayani is a procedural epistemological method that starts from the "revelation" text as a primary source and reason as a secondary support to find the meaning behind the text. Thus, it can be seen that this method emphasizes the authority of the text (*Sulbat al-Nash*) (Amat Zuhri, 2016: 9). Hence, these efforts must obtain a normative basis in the Qur'an and al-Hadith. This has little in common with Ibn Khaldun's thought of Naqli Science (*al-'ulum al-naqliyyah al-wad'iyyah*) which is based on the authority of religious texts. Therefore, religious texts for humans are a guide to get closer to their God. Thus, Ibn Khaldun did not give the slightest space to reason (Mustofa, 2016). However, in certain problems, ibn Khaldun uses the *qiyas* method to provide interpretations of the text. Intelligence for ibn Khaldun is only to explore objects (*mawdu'at*), problems (*masa'il*), arguments and evidence (*barahin*), speculative assumptions (*nadzr*), and research. (*bahts*) (Mustofa, 2016).

The second is epistemology based on mystical terminology (Al-Jabiri, 1989: 169). *Irfani* is a thinking methodology that focuses on approaching and directing the experience of "esoteric" spiritual reality. The aspect that is built in the *irfani* epistemology is the inner aspect of the "revelation" text while intelligence and logic are used to explain spiritual experiences. The inner aspect in question is "*kasyf*" or intuition in revealing God's metaphysics (Yandi and Wafa, 2019: 69). This can be conducted through deep contemplation accompanied by the sharpening of conscience which is trained through certain stages of "*maqom*" and experiencing certain mental conditions "*haal*" (Amat Zuhri, 2016: 10) such as *mujahadah*, *munajat*, *taqarrub* to Allah SWT. This method is often used by Sufi "sufism experts", eastern illuminations, and religious groups with a Sufistic pattern (Yandi dan Wafa, 2019: 69).

*Nalar irfani* derived from the Shi'a tradition of "*gnosis-mystic*" thought and utilizes the traditions of pre-Islamic thought "*bermeneticism*". Then, in the period of Al-Suhrawardi al-Maqtul is called "*al-Hikmah al-Iyraqiyah bil kasyf*" (al-Jabiri, 2000: 106-107). The method was the typical use of language with light symbolism "Nūr al-Anwār" to describe ontological problems, such as cosmological structures. The epistemological basis is obtained and is based on knowledge of oneself through a special method called "science and presence" (Hossein Nasr, 2003: 558-559). For users of the *irfani* method, knowledge about God is not only obtained through empirical or rational evidence but also through direct experience. The experience is carried out by breaking away from all *dunawiyah* ties and in several ways by the Sufis.

Irfani epistemology is not easy to obtain only by increasing *ubudiyah*, because at this stage, it is the highest stage of human knowledge in general. It is not only knowledge that is usually obtained through the attainment of the senses and intelligence. However, the result of the *irfani* method is the inner ability of "*takwīn*", the meaning behind the text to the nature of *lafadz* in revelation. This can be seen from the Sufis who succeeded in achieving the unity of the active mind by going beyond discursive philosophy and personal experience (Hossein Nasr, 2003: 559).

Third, the epistemology of *burhani* is very different from *bayani* and *irfani*. This method requires intelligence and logic which must play the most important role in a methodology. Hence, a method that focuses on the strength of human nature, namely empirical professionalism and logical instincts to determine the truth of statements. *Burhani* is an epistemology based on a strong and clear argument "*al-hujjāh al-fashilah al-bayyināh*" of course by paying attention to the law of causality. Therefore, the *burhani* epistemological system is based on a causal system from various aspects. This method according to al-Jabiri has similarities with the method of rationalism (Shofan, 2006: 374). Thus, this method is supported by the power of reason, and reason by including strong logical arguments. Thus, even religious arguments can be accepted as long as they can be adapted to rational logic.

*Burhani* briefly can be interpreted as an activity to determine the truth of the "*qadliyah*" proposition with the "*al-istintāh*" deductive method approach. Furthermore, axiomatically, "*badhibi*" the truth obtained through proving different propositions are interrelated (Yandi and Wafa, 2019: 70). This activity is often called *Qiyas* "syllogism", which means concluding directly from two propositions that exist simultaneously. First, the major premise functions as the predicate "*mābmul*" in the conclusion. Second, the minor premise is the premise that functions as the subject of "maudhū" (Hasan Ridwan, 2016: 210). Thus, the truth produced by the Burhan method is the determination of a conclusion between propositions so that it becomes a postulating truth.

Burhani's epistemology is based on reality or "*al-wāqī*" both natural reality, social humanity to religion. Thus, many scientific outputs are born through this concept which is commonly referred to as "*al-Ilm al-Husuli*" or science that is structured, systematized, and conceptualized through logical premises or *mantiq*. Therefore, it can be said that the burhani method is very much different from *irfani* and *bayani*. Because, in the process, burhani does not need a textual basis nor does it need experience. Instead, this method purely maximizes the power of human thought through logical arguments known as *tasānnur* and *tasdiq*. *Tasānnur* is a concept that is generated through the process of forming data through the senses, while *tasdiq* is proof of the truth of the concept (Hadi Kusuma, 2018: 11).

## 2. Interfaith Marriage

Marriage is basically something that is a human need. However, marriages between couples of different religions are questionable. Marriage will cause some problems in terms and procedures according to the laws of their respective religions. Thus, the goal in marriage is certainly clear to obtain happiness in the world and in the hereafter and expect pleasure or blessings from God. However, the question is "which God's blessing"? While marriage is carried out by two beliefs in different gods. This is reinforced by Article 2 paragraph 1 of Law No. 1 of 1974.

*"Marriage is valid if it is carried out according to the laws of each religion and belief"* (Soemiyati, 1986: 63).

Constitutionally, Indonesia has clearly implemented a ban on interfaith marriages. However, there are many contradictions if interfaith marriages are still carried out or forced. It will violate the first precepts of Pancasila which is following Law No. 1 of 1974 concerning marriage which reads:

*"the bond between a man and a woman as husband and wife to form a happy and eternal family/ household based on the Almighty God"*.

However, interfaith marriage is still widely practiced in Indonesia, starting with artists, officials, religious people, and also ordinary people (Ramulyo, 2004: 55-59). They continue to maintain their beliefs, even though new problems will arise regarding state recognition or recognition from religion, divorce, inheritance rights or property distribution, the status of children born, and so on (Fatoni and Rusliana, 2019: 101-102). According to Wahyono Darmabrata, various efforts were made. Thus, interfaith marriages could still be carried out, such as; requesting a court order, marriage is carried out according to their respective religions, and temporary submission to one of the religious laws, as well as conducting marriages abroad (2003: 102).

In addition, the decisions made by the court are attempted to follow and adjust a procedure in marriage in general; First, married couples of different religions must choose to marry with an institution of one religion. Second, the files that have been prepared are then adjusted as if they were married to the same religion. Third, the marriage will be carried out and inaugurated by religious leaders. Fourth, the marriage determination will be given by the district court after obtaining proof of marriage certificates from the two religious institutions concerned. Fifth, the stipulation letter that has been issued by the court is then submitted to the civil registry office for the process of issuing the marriage certificate (Wahyono, 2003).

In terms of human rights, interfaith marriage is an implication of the plurality of realities in Indonesia, including the diversity of religions, ethnicities, ethnicities, and races. Thus, the prohibition on interfaith marriage is a form of denial of the diversity of the Indonesian state. This is reinforced by article 22 paragraph 1 which reads;

*"Everyone is free to embrace his religion and to worship according to his religion and belief."*

For interfaith marriage counseling, such as Ahmad Nurcholis, the constitution allows for interfaith marriages. Interfaith marriages are viewed positively by groups that prioritize love between humans and put religion as a guide for that love. Thus, love and religious rituals must be balanced and harmonized (Ditya Perdana and Wahyu, 2020: 41). In fact, the Indonesian Ulema Council in the Commission C session on Fatwa used the basis of the fiqh hadith "*Sadd adz Dzari'ab*" to determine the law of interfaith marriage. The fatwas include; First, interfaith marriages are unlawful and illegitimate. Second, the marriage of Muslim men with women of the people of the Book, according to *qaul mu'tamad*, is unlawful and illegal (Suyaman, 2021: 121). Therefore, efforts to find small holes in the marriage regulations continue to be carried out even though they are willing to meet a lot of blasphemy and harsh criticism from both the MUI and religious leaders who are still clean hard to prohibit interfaith marriages (Fauzan Fikri, 2019: 192-196).

The paradigm shift that occurred in Indonesia was followed by the demands of the times that put forward the spirit of the times rather than maintaining existing religious traditions. These changes certainly occur both in the realm of law and religion and belief. In the end, the marriage law is considered irrelevant and causes legal confusion. It means that the state has banned interfaith marriages even though this is contrary to diversity and currently not all religions or beliefs prohibit it. If it is seen further, the spirit of the times and adapting legal minorities are still unclear, for example in Buddhism, where there are no standard rules about marriage, then Islam allows conditional interfaith marriages. However, in other religions, such as Hinduism, and Catholicism, there are fixed rules for marriage. So, the spirit of the times, of course, must still be authentically based on a religious framework.

### **3. Al-Jabiri's Epistemological Trilogy Criticism on Interfaith Marriage**

Interfaith marriages that occur today are actually just a lack of understanding of the religion they follow. Thus, they prioritize human feelings over the authenticity of God's teachings. However, for some people, interfaith marriages are seen as a form of harmonization in the application of *Bhineka Tunggal Ika* or the plurality of Indonesian society. However, the absolute agreement of both the law and the religious rules will remain the same. It means that the negative impacts will be more than the positive benefits



received. Basically, religion has seen more about interfaith marriage before humans consider their feelings.

*Bayani* epistemology emphasizes that intelligence is to help interpret the text. Therefore, the status of interfaith marriages should be clarified again, thus, the origin of the text based on God's revelation is maintained even though the demands of the times are constantly evolving. First, we need to look at the initial rules of each religion. According to Islam, marriage is considered valid if it has fulfilled the pillars and conditions of marriage and does not violate the prohibitions that have been determined by the Shari'ah (Asmin, 1986: 29). One of the mandatory requirements that must be met by the prospective bride and groom, both male and female, must be Muslim. This obligatory requirement is specified in the letter Al-Baqarah: 221 "and do not marry polytheist women, until they believe" which explains the prohibition to marry polytheists until they believe. Then, in Surah al-Mumtahanah: 10 "Do not hold on to the rope (marriage) with disbelieving women". Polytheist women are non-Muslims or infidels of "idolatry" (Karsayuda, 2006: 69).

The two verses of the Qur'an above clearly show that interfaith marriages are not allowed and are prohibited. However, there is a leeway given by Islam if it is still carrying out interfaith marriages. This leniency is reinforced by Surah al-Maidah: 5 which reads "*and [lawful in marriage are] chaste women from among the believers and chaste women from among those who were given the Scripture before you.*" people of the book)". According to Imam Shafi'i, **the people of the book** are **Jews and Christians** who are still descendants of Israel, not Jews and Christians from other nations. While some scholars say that the people of the book are human beings who have the holy book (Karsayuda, 2006: 7).

The results of *qiyas* obtained from the verses above are very clear that Islam provides legality for carrying out different marriages with the stipulation that women are people of the book while men are Muslims. *Ablul kitab* in question are descendants of the pure Israelites, not followers of Judaism and Christianity from other nations. Furthermore, legality is given to interfaith marriages provided that the man is a Muslim and the woman is an infidel who has converted to Islam. This explanation proves that the human mind is given the freedom to see the development of the times but to curb or regulate "lust" so that the truth and authority of the text are maintained, not the other way around to obey "lust" and "personal feelings".

Interfaith marriages in the Old Testament Christian tradition, for example, are generally viewed negatively. It is because interfaith marriages lead to "doubling" Yahweh. The verse used to prohibit interfaith marriages "dark cannot unite with light" that it will lead Israel to deviate from monotheism is considered to have an impact in the future

violating the wife's loyalty to her husband. Whereas in Catholic Church law, interfaith marriage is called an obstacle. This means that Catholics are prevented from marrying non-Catholics who have not been baptized. Therefore, the marriage of two people between one who has been baptized in the Catholic Church is valid or accepted in it, while the other is not baptized is invalid, it must be accompanied by proof of baptism.

Whereas in the Buddhist tradition, no law explains the chapter of marriage. However, there are rules regarding obligations in the family in Khuddaka Nikaya 33 which reads "respect, love, and care for fathers and mothers bring happiness in this world" and Khuddaka Nikaya 393 which reads "children who do not take care of their verses, and their mothers when they are old. , is not counted as a child. then in Samsutta Nikaya 163 which reads "mother is a friend in the household". In Buddhism, marriage is not a necessity. However, we can conclude with the Buddhist concept of happiness. What happens if happiness is pursued by two different religions? So, we can say that marriage is arranged by each tradition so it is recommended to only follow the same tradition. Meanwhile, in Hinduism, whether a marriage is legal or not is determined by the Hindu Religious Affairs Office by attaching the ratification of marriage according to customs and religion. Interfaith marriages can be carried out after both partners have the same belief. Thus, the Sudhiwadani ceremony can be carried out. Thus, interfaith marriages in Hinduism are not given the opportunity so marriages that are legalized must be from one religion (Siti Nur Fatono and Iu Rusliana, 2019: 104-112).

Second, we can see how *Irfani's* epistemology questions the spiritual reality of interfaith marriages. The spiritual experience gained by interfaith couples will be difficult to agree on. Mystical experiences that are interpreted and expressed by husband and wife must be different. Thus, the presence of different Gods interpreted simultaneously is certainly not possible. Outwardly, both the constitution and human rights are also clearly written about the prohibition of interfaith marriages (Wira, 2016: 131). Many interfaith marriages end in disharmony and ultimately divorce, and children born from these marriages do not get the right moral education (Prahasti, 2021: 121-122). Next, children experience confusion and often experience mental disorders (Halim and Hosnan: 2020: 323-324). Children will also be hindered by inheritance rights (Wahbah al-Zuhaily, 2002: 255). So, we can conclude that interfaith marriages will only lead to the breakdown of households, problems with obstructed inheritance rights, and depression experienced by children.

Inwardly, the impact of interfaith marriage is in providing faith education to children. This includes both practical worship and non-practice worship. In general, the worship of each religion is different in terms of terms, pillars, and sunnah. Islam and Christianity are very different, Buddhism and Catholicism are of course also different. Therefore, interfaith

marriages are not legalized because it is impossible to produce a good relationship with God. Whereas, marriage is expected harmony and blessing from God. Law Article 1 No. 1 of 1974 provides an understanding of marriage as "the bond between a man and a woman as husband and wife to form a happy household based on the One Godhead". So, marriage will not be said to be valid if it is physically and mentally not have the same consequences. Outward relationship means that the relationship with humans, both individually and socially, is not conducive, especially the inner relationship, which means that the relationship with God will certainly confuse. For example, in praying for children, husband and wife will ask for good for their children to different gods, then which God will answer the prayer?

Third, interfaith marriages often obtain negative responses from society, resulting in social discrimination that triggers conflict (Swastika and Dinie, 2016: 585). Whether it is seen in the original text or religious law, the constitution does not have a logical coherence. Burhani epistemology according to Ibn Rushd in seeing marriage is to strengthen the demonstrative method with the support of the text (Tamtowi, 2011: 1-14). Some of the methods used by Ibn Rushd are the *inayah* argument<sup>12</sup>. That is, in criticizing marriage as a provision of God or God's wisdom. However, if the marriage is carried out by two partners of different beliefs, then it is a violation of the provisions of God's nature. Second, the argument of endeavor. The argument gives an assessment that every human being has the right in determining their marriage. This is because the symptoms of life experienced by every human being are different. However, Ibn Rushd emphasizes on every human being to always pay attention to the impact of interfaith marriages. Because every action that becomes the law of cause and effect is the responsibility of the man himself.

However, Al-Jabiri's burhani epistemology plays an important role in giving a different final result. This means that reason gives legal agreement to interfaith marriages not only revolves around reasoning. However, various efforts need to be made; in the first attempt, often the perpetrators of interfaith marriages only always deny and change the basic legal pattern that has been determined by each religion with a unilateral desire or based on human free interpretation. The second effort is starting with how they build a commitment and maintain household harmony. Commitment is built through increasing trust, mutual acceptance, and mutual love for both partners (Swastika, 2016: 585). This will not be a specific reason, due to the facts on the ground that these efforts have not yielded significant results. Most of the perpetrators of interfaith marriages submit themselves or one of them has to give in and adhere to the same religion. This often happens to women in patriarchal provisions (Widyawati: 2020). However, in the end, he returned to his original religion after his marital status was legal.

In the third effort, they try to raise the issue of human rights that is adjusted to the implications of the reality of religious, ethnic, ethnic, and racial pluralism. Of course, this is an effort to find a loophole in the prohibition of interfaith marriages with legality for each individual in obtaining their rights in marriage. However, this is legally regulated in Law Number 39 of 1999 concerning human rights which is a legal instrument that regulates human rights specifically in Indonesia with article 10 paragraph (1) which reads "everyone has the right to form a family and continue their offspring through legal marriage". So, the word "legitimate" is very clear in the law, of course, it does not contradict the existing human rights in Indonesia. However, after all, human rights must comply with applicable law and be agreed upon by all parties, including religion, ethnicity, race, and customs.

The fourth effort is to change the marriage procedure in Indonesia. This is especially the case for interfaith marriages conducted abroad. Changes in procedures that should have been through court decisions and legal provisions based on Pancasila were changed to marriage procedures abroad. It should be understood that marriages abroad are procedural differences. This means that marriages abroad are only considered activities recorded by the civil registry and do not involve customary law, belief, or religion in it (Siti Nur Fatoni and Ius, 2019: 104). Thus, interfaith marriages are certainly legalized and allowed because the terms and conditions are civil and all citizens are the same. However, this is different if the marriage is carried out both legally and according to religious customs. Of course, it will be very difficult to carry out interfaith marriages. Therefore, the only way to go is to do a religious marriage first, then legalize it through the courts. One of the efforts made to help resolve interfaith marriages is with interfaith counseling services. This is mostly conducted in Indonesia with various considerations, one of which is so that interfaith marriage actors can face the problems of domestic life well (Zaen Musyiriffin, 2018: 53-72).

Prayitno's opinion (1990: 12) strengthens the argument above, that the background needed for counseling is departing from the nature of humans as unique creatures. The variety of differences and similarities possessed by humans is indeed nature, but this variety is not used as an excuse for God to follow human rules. This means that marriage is not as simple as only fulfilling outward needs, but inner fulfillment is the goal in marriage. Inner needs are logically impossible to get if we only tolerate and impose two different external problems. Inner needs are only obtained if both partners are in the same belief and religion.

In Suhrawardi's view, Lahiriyah "*burhani*" and Batiniyyah "*irfani*" are united in the *ishraqiyya* method. If the concept is used to criticize interfaith marriages, even with the power of humans to impose God's nature socially to obtain God's provisions transcendentally, it will not be met. It is because the effort to unite the outer and inner aspects is an effort that must be taken through the original understanding, namely "the



provisions of God" as a standard law for humans. So, to melt into something the mind 'kashf' must have carried out the basic rules of 'shari'a' well (Sa'adi, 2011: 154).

Furthermore, the five efforts made in the case of interfaith marriages are always looking for an adjustment of the times with the scriptures. In Islam, interfaith marriages are indeed allowed, if the male partner is Muslim and the female partner is *ablul Kitab*. Meanwhile, the people of the book in question are those who embrace Judaism and Christianity of pure Israelite descent, non-Jews, and Christians from other nations. Therefore, it will be difficult to find. Even if there were, it would be difficult for interfaith marriage actors to try to adapt the commands of the scriptures to the conditions of the times. That is, their efforts are made by removing the provisions of Jews and Christians from pure Israelites with Jews and Christians that exist today. In the end, interfaith marriages are legal even though they are not following the provisions of the holy book.

However, marriage will always be forced and collided with provisions in Islam, Catholicism, Hinduism, Buddhism, and other religions (Widyawati, 2020: 348). Basically, religious law and constitutional law in Indonesia emphasize that cultural diversity, traditions, and customs will always go hand in hand. Thus, efforts to increase public awareness and increase religious knowledge provide a stipulation that reason will not accept if the marriage is carried out by two prospective brides who do not have the same belief and faith. This will be seen in the enforcement and legal consequences that have been stipulated by the constitutional law and the laws that apply to each religion. Thus, it is the status regarding the prohibition of interfaith marriage and also allowing it with a record that one faith or one belief is required.

## CONCLUSIONS

This study shows that marriage is a formation of desire and also *fitrah* as a human being. However, marriage does not only adjust to the outward human needs and desires, but also the inner needs that have been determined by the rules of religious law.

Al-Jabiri's epistemological trilogy produced in this study provides a different common thread in the form of criticism of interfaith marriage which includes three aspects; first, in interfaith marriages, both in terms of the authority of the scriptures of each religion, there is no room for reason to conclude that interfaith marriage is permissible. However, reason leads to the meaning of the text so any attempt to change and replace it outside the meaning of the text is not justified. Second, interfaith marriages only harm religion. We can see this in parenting, religious education and character education, and inheritance rights to something private, namely worshiping and praying to God. Of course,



spiritual reality efforts are made to get inner harmony. It is impossible to get if there are still different beliefs.

Third, interfaith marriages will always cause social conflict. This is because there are many facts in the field that show the breakdown of households in interfaith marriages. Nevertheless, many efforts have been made, one of which is through interfaith marriage counseling guidance. This is useful in order to maintaining household harmony, but the harmony that is maintained in general will not last long. Therefore, the effort of reason to change and abolish the requirements for the legality of religious marriages. Hence, the perpetrators of interfaith marriages in the end perform subjugation, marriages carried out abroad, then marriages with two different religious procedures. Based on all these things, humans are still God's creatures who will not be able to change the laws that God has determined in religion. It is because the truth of human intelligence will not run according to human wishes. In the end, whatever efforts and efforts are made, will not change the status of the prohibition on interfaith marriages.

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