

## ABSTRACT

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### **"LEGAL ANALYSIS OF SUPREME COURT CIRCULAR LETTER NUMBER 2 OF 2023 THAT RESTRICTS INTERFAITH MARRIAGE IN THE CONTEXT OF HUMAN RIGHTS"**

*Under the backdrop of Indonesia's rich religious diversity, the issue of interfaith marriage has emerged as a complex legal and social challenge. Indonesia, with a population exceeding 280 million people spread across 17,000 islands and six officially recognized religions, has seen a growing number of interfaith marriages. The Supreme Court of Indonesia issued Circular Letter No. 2 of 2023 (SEMA 2/2023), which prohibits courts from granting requests to register interfaith marriages. This directive has sparked debates regarding its compatibility with human rights principles, particularly those concerning the rights to freedom of religion and family life, as guaranteed by the 1945 Constitution and Human Rights Law No. 39 of 1999. This study examines whether SEMA 2/2023 violates these fundamental rights by addressing two central research questions: (i) how SEMA 2/2023 is implemented in interfaith marriage cases, and (ii) whether it infringes on individuals' rights to freely choose their religion and life partner.*

*This research employs a normative legal method, focusing on the analysis of positive law related to regulations on interfaith marriage in Indonesia. The data used in this study are secondary data, which include primary legal materials such as laws, the Constitution, and the Supreme Court Circular (SEMA), as well as secondary legal materials from scholarly literature. Data collection is conducted through a literature study, and the analysis utilizes a qualitative approach based on legal principles to address the research questions.*

*The study concludes that, while SEMA 2/2023 seeks to promote legal uniformity, it creates challenges in balancing religious norms with constitutional rights. The research suggests that a reevaluation of the legal frameworks is necessary to harmonize state laws with Indonesia's pluralistic society, ensuring the protection and promotion of fundamental human rights, especially the rights to freedom of religion and the right to marry a life partner of one's choice.*

*Keywords: Interfaith Marriage, Human Rights, Supreme Court Circular Letter, Freedom of Religion, Right to Family Life*

*Reference: 54 (1945-2024)*