



Interpreting Marital Property and Inheritance Rights in Mixed Marriages: A Normative-Transcendental Approach

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Abstract: Intermarriages between Indonesian citizens and foreign nationals are becoming increasingly prevalent in Indonesia's tourist regions, along with the rise of global social and cultural connections. Despite the legal recognition and protection of mixed marriages by Law Number 1 of 1974 regarding Marriage and Law Number 12 of 2006 concerning Citizenship, their execution presents numerous legal challenges, particularly concerning citizenship status, shared property ownership, and inheritance rights. This research employs a normative legal methodology, utilizing literature review as the primary technique, and analyzes Supreme Court Decision No: XXX/Pdt.G/2020/PA.Bdg as a case study. The investigation examined pertinent legal norms, jurisprudence, and relevant legal doctrines by employing a transcendental legal method to comprehend the moral and spiritual principles underpinning these legal frameworks. The study's findings indicate that the national legal system has not adequately addressed the complexities of mixed marriages characterized by divergent legal systems and cultural origins. Restrictions on land ownership by foreign nationals present issues in mixed marriage situations about joint property. Similarly, the disparities in inheritance law systems across civil law, customary law, Islamic law, and foreign frameworks impede equitable arrangements. The transcendental legal approach provides a more inclusive and equitable perspective by grounding legal interpretation in spiritual values. This study advocates for regulatory revisions and the enhancement of international legal frameworks to achieve adaptive and compassionate legal protection that aligns with substantive justice in mixed marriages.

Keywords: Mixed Marriage, Joint Property, Inheritance Rights, Transcendental Law, Normative Juridical.

1. Introduction

Indonesia is recognized as one of the world's most popular tourist destinations, offering a unique combination of cultural richness, natural beauty, and the renowned hospitality of its local communities. Each year, millions of international tourists visit various regions across the country to explore its cultural heritage and scenic landscapes. The intensity of interactions between foreign visitors and local residents frequently fosters deeper social relationships, which at times evolve into romantic partnerships and eventually marriage (Bennett, 2020; Yuli, 2024). In this context, mixed marriages between Indonesian citizens and foreign nationals have become a common phenomenon, particularly in prominent tourist areas such as Bali, Yogyakarta, and Lombok.

Indonesia's cultural diversity serves as a major attraction for foreign tourists, who are often drawn not only to local traditions but also to build closer relationships with Indonesian communities. Mixed marriages are frequently seen as a form of cross-cultural acculturation that enriches the familial life of the couples involved (Kalek, 2024; Kurniawan et al., 2017; Sirait & Salam, 2020). Many such couples experience new

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dimensions in managing cultural, linguistic, and social norm differences, which ultimately enhance their domestic life. On the other hand, economic factors also play a significant role in driving the occurrence of mixed marriages. Local residents in tourism regions are generally involved in tourism-related sectors such as entrepreneurship, tour guiding, or hospitality services. These circumstances provide ample opportunities for interaction and relationships with foreigners (Saner et al., 2019). For some individuals, mixed marriages are seen as a way to improve their standard of living, expand business networks, or gain access to a more prosperous lifestyle. Nonetheless, intercultural relationships are not without challenges, particularly in navigating differing worldviews, communication styles, and familial expectations.

Although mixed marriages are legally recognized and protected in Indonesia, their practical implementation remains complex. The principal legal framework governing such marriages is found in Law No. 1 of 1974 on Marriage and Law No. 12 of 2006 on Citizenship (Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan, 1974). Key challenges include administrative and legal hurdles, particularly concerning citizenship status, property ownership rights, and inheritance arrangements. A crucial issue lies in the restriction under Law No. 5 of 1960 on Basic Agrarian Principles, which prohibits foreign nationals from owning land or property in Indonesia. This regulation poses significant complications for mixed couples attempting to build joint economic lives, especially when real estate ownership is involved.

Inheritance matters also present substantial legal complexity in mixed marriages. Indonesia recognizes three systems of inheritance law: civil law (KUHPerdara), Islamic inheritance law, and customary law. These differing legal regimes can lead to disputes over inheritance mechanisms, particularly when the parties involved come from distinct religious, cultural, or national backgrounds. For instance, Islamic inheritance law follows specific and rigid principles, whereas civil law tends to be more flexible and religion-neutral.

The complexity is further exacerbated when children born from mixed marriages face dual nationality dilemmas and the corresponding implications on their legal rights. According to Indonesian citizenship law, children of mixed marriages may hold dual nationality until the age of 18, after which they must choose one (A. S. Dewi & Syafitri, 2022; N. K. Dewi et al., 2022). This decision may affect their rights to inheritance, asset ownership, and legal protections especially if they opt for foreign citizenship (Assyafira et al., 2024).

In Islamic jurisprudence, asset ownership during marriage does not automatically equate to joint property. The Qur'an (Surah An-Nisa, verse 32) emphasizes that individuals retain ownership over their earnings, and this is echoed in Hadith, which asserts the sanctity of individual property. Nonetheless, contemporary scholars and modern court practices in several Muslim-majority countries have increasingly recognized the equitable division of joint property when there is demonstrable contribution from both spouses (Asman et al., 2023). This reflects the principles of justice and public interest (*maslahah*) within the framework of *maqāṣid al-sharī'ah*.

To seek more comprehensive and humane legal solutions, the transcendental legal approach may be employed to view the issue from a deeper perspective. Transcendental

law integrates positive law with universal moral, ethical, and spiritual values (Nugroho, 2016; Wardiono, 2019). From this perspective, law is not merely a rigid set of rules, but a vehicle for attaining true justice—both in worldly and spiritual terms. This approach emphasizes human dignity, compassion, and fairness as the foundations of legal interpretation and implementation.

In the case of mixed marriages, transcendental law views marriage not only as a legal contract but as a sacred covenant that embodies moral and spiritual responsibilities. Thus, in regulating shared property and inheritance rights, this approach offers a more just and context-sensitive solution. It also bridges the differences in legal systems between spouses by promoting universal justice and mutual interests (Bakarbesy & Handajani, 2012; Naratama & Dewi, 2023).

Transcendental legal thought has the advantage of accommodating diverse backgrounds among mixed marriage partners. By conceptualizing law as a reflection of higher moral values beyond formal legal boundaries, this approach allows for greater flexibility in navigating the dualities of legal systems, which often lead to confusion or rights disparities (Richmond, 2009; Romadhon & Bahori, 2023; Wardle, 2010). This is particularly relevant in real-world cases, such as post-divorce division of property, where conflicts frequently arise administratively and emotionally.

The transcendental approach is theoretically justified in its examination of joint property and inheritance issues, as it aligns legal norms with universal spiritual and ethical values, thereby enabling a more equitable and humane interpretation of the law. In the context of mixed marriages, where conflicting legal systems such as civil, Islamic, and customary frequently result in legal uncertainty, this approach underscores justice beyond formal legality by acknowledging marriage as a sacred covenant rather than merely a contract. It fosters legal interpretations that are founded on compassion, dignity, and equity, thereby reconciling the disparity between the restrictive nature of positive law and the inclusive nature of spiritual values.

One illustrative example is the Supreme Court Decision No: XXX/Pdt.G/2020/PA.Bdg, which deals with the division of marital property following a divorce in a mixed marriage. The dispute focused on the division of rental income from a jointly managed villa and the lease rights over the land where the villa stood. The plaintiff argued that the profits and assets had not been fairly divided and requested a proportional share. The court ultimately granted most of the plaintiff's demands, opting for an equal division, which reflects an effort to balance the application of positive law with substantive justice.

As a study on civil law, there are several previous studies related to the current study; The first study was conducted by Fitri & Elviani (2021), which discussed the importance of prenuptial agreements in the context of mixed marriages in Indonesia. The study analyzes property ownership protection in Indonesia, focusing on restrictions for Foreign Nationals. Results show prenuptial agreements regulate mixed-marriage couples' property rights, preventing future conflicts, but lack spiritual and ethical considerations and comprehensive examination of inheritance rights. The second study by Salsabilla et al. (2024) specifically examines the aspect of land ownership in mixed marriages, by highlighting the prohibition on land ownership by WNA in accordance

with the provisions of the Basic Agrarian Law of 1960. The normative legal approach used focuses on the analysis of formal rules related to land as part of joint property. This study highlights the legal dilemma that arises when mixed couples want to buy property or live permanently in Indonesia, but legal limitations prevent foreign couples from having land rights. Unfortunately, this study is limited to agrarian issues and does not cover inheritance regulations or the moral value approach in the application of the law. Meanwhile, the third study by Lestari (2023) study explores inheritance law pluralism in Indonesia, examining differences between customary, Islamic, and civil systems and challenges in application, particularly in plural families. It does not explicitly link it to mixed marriages or universal ethics.

Based on the three previous studies, the scientific novelty in this study lies in the integration of normative and transcendental legal approaches, which has not been widely carried out in similar studies. The normative legal approach is used to examine the formal provisions governing joint property and inheritance rights in mixed marriages, while the transcendental approach serves to explore the ethical, spiritual, and humanitarian values inherent in the legal practice. In addition, the focus of this study covers two main issues at once—namely joint property and inheritance rights—which are analyzed simultaneously, different from previous studies that only focused on one aspect. This inclusive and multidimensional approach is expected to provide new contributions to the development of family law in Indonesia, especially in the context of a multicultural and transnational society.

Based on this background, the present study aims to analyze in depth the legal implications of mixed marriages concerning the regulation of joint property and inheritance rights through a transcendental legal perspective. The primary objective is to propose a more inclusive and equitable legal resolution model aligned with universal human values. By examining the socio-legal dynamics in a real-world case, this research aspires to contribute to the development of Indonesia's legal system, making it more responsive and adaptable to multicultural and global realities. This study focuses on the Indonesian legal framework governing mixed marriages from the perspective of transcendental law, particularly analyzing the legal implications on the rights and obligations of parties, with specific emphasis on inheritance and joint property ownership.

2. Materials and Methods

This study employs a normative juridical approach, which is centered on the examination of prevailing legal norms. This approach is utilized to analyze the legal framework governing mixed marriages within the Indonesian legal system, through an in-depth review of statutory regulations, legal doctrines, and relevant court decisions (Johnny Ibrahim, 2005; Sidik, 2023). The primary objective of this study is to understand how legal norms concerning joint property and inheritance rights in mixed marriages are interpreted, applied, and linked to the principles of transcendental law. The main object of analysis in this research is the Supreme Court Decision No: XXX/Pdt.G/2020/PA.Bdg, which serves as a case study to illustrate the practical application of legal norms. Additionally, the study draws on secondary legal sources,

including legal literature, academic journals, expert opinions, and jurisprudence that support the normative analysis. Data were collected through library research, which involved examining Law No. 1 of 1974 on Marriage, Law No. 12 of 2006 on Citizenship, the Indonesian Civil Code (KUHPerdata), as well as various other legal instruments related to property ownership and inheritance law. Legal doctrines and the views of legal scholars were also incorporated to strengthen the analytical framework. The method of analysis employed is descriptive normative analysis, which involves describing and interpreting the applicable positive legal provisions and how these norms are implemented in practice. Furthermore, a transcendental legal approach is adopted as a complementary perspective to evaluate the ethical and spiritual dimensions of legal regulation, particularly in the context of substantive justice and universal human values. The study of legal practices involves a dual-method analysis of normative and transcendental approaches. The normative approach interprets statutory norms, while the transcendental approach explores moral-spiritual dimensions. This approach, supported by legal scholarship and ethical theorists, enriches normative legal analysis with broader humanitarian insights, enhancing its credibility when applied to real-life cases.

3. Results and Discussion

3.1 The Concept of Mixed Marriage in Indonesia and Other Countries

Mixed marriage defined as a marital union between individuals of different nationalities, cultures, or religions has increasingly become a global phenomenon driven by globalization (Robinson, 2007; Rodríguez-García, 2006). In Indonesia, mixed marriage is regulated by Law No. 1 of 1974 on Marriage, which was later amended by Law No. 16 of 2019. This legislation states that a marriage is legally valid when conducted according to religious norms and registered with the civil authority. In practice, however, mixed marriages pose substantial legal and administrative complexities due to the plurality of religious legal systems in Indonesia. For instance, an Indonesian citizen marrying a foreign national must often navigate bureaucratic hurdles, such as securing a letter of no impediment from the foreign partner's country or obtaining recognition of the marriage abroad (Amin et al., 2019). In international law, the concept of mixed marriage varies across jurisdictions. In countries like the United States and Australia, legal frameworks tend to be more flexible, especially regarding interfaith marriages. These countries generally permit interreligious unions without statutory restrictions, although individual states may impose procedural differences (Scolnicov, 2010). Conversely, in countries with strong religious legal traditions, such as Saudi Arabia, non-Muslim spouses must convert to Islam prior to marriage with a Saudi national, demonstrating a more restrictive legal stance (Stahnke & Blitt, 2004)

Beyond legal frameworks, mixed marriages face challenges stemming from cultural, religious, and social differences. Research indicates that mixed couples often struggle with cultural adaptation, familial acceptance, and differing societal norms (Adaki & Wajim, 2024). In Indonesia, although societal acceptance of mixed marriage has improved, certain conservative communities continue to resist such unions due to adherence to customary and religious values (Breger & Hill, 2021; Renalds, 2011)

With the rising number of mixed marriages globally, many nations have revised their family law systems to be more inclusive. In several European countries such as France and Germany, administrative documentation is the primary requirement for marrying a foreigner, with no religious restrictions imposed (Block & Bonjour, 2013; Wahib, 2022). This reflects a shift in how mixed marriages are perceived—from restrictive and complicated arrangements to more open and flexible partnerships.

3.2 The Concept of Joint Property in Mixed Marriage

In the context of mixed marriage, the concept of joint property presents unique challenges due to the intersection of different legal systems governing each spouse's nationality. In Indonesia, joint property is primarily regulated by Law No. 1 of 1974 on Marriage, particularly Article 35, which states that assets acquired during the marriage shall be considered joint property unless otherwise stipulated such as assets obtained through inheritance or as gifts, which remain the individual property of each spouse (Mujiburohman et al., 2023; Sidabutar et al., 2024)

These provisions become significantly more complex in mixed marriages, particularly due to issues involving foreign nationals' rights over asset ownership. A major challenge is the restriction on foreign nationals (WNA) from owning land or property in Indonesia. According to the Basic Agrarian Law (UUPA) of 1960, only Indonesian citizens (WNI) can hold ownership titles to land (Simanjuntak, 2017, 2020). This legal barrier creates complications when a mixed couple intends to purchase real estate in Indonesia, as the foreign spouse cannot legally co-own land with their Indonesian partner. As a result, the Indonesian spouse must be registered as the sole legal owner, while the foreign spouse may only possess usage rights, which lack the same legal protections.

To address these issues, prenuptial agreements (*perjanjian pranikah*) have become a practical legal solution. Such agreements allow couples to clearly delineate property rights, financial obligations, and asset management both during the marriage and in the event of divorce. In Indonesia, prenuptial agreements are recognized under civil law and are particularly critical in mixed marriages to ensure compliance with agrarian restrictions (Khaq et al., 2024; Pratama et al., 2024). These agreements may also serve as a mechanism for foreign spouses to avoid future legal conflicts regarding property ownership.

Furthermore, legal systems in the foreign spouse's country may differ in their definition of and approach to marital property. In several countries, such as some U.S. states and parts of Europe, the principle of community property applies, meaning that all property acquired during the marriage is automatically considered jointly owned (Boscarolli, 2015; McCormack, 2007; Vaughn, 1967). Conversely, countries like the United Kingdom and Australia adhere to the principle of separation of property, whereby each spouse retains ownership of their respective assets unless otherwise agreed upon. These differences necessitate careful legal planning, especially in divorce or separation scenarios, and underline the importance of mutual understanding and legal consultation across jurisdictions. Ultimately, understanding joint property in mixed marriages requires familiarity with domestic and foreign regulations. Therefore, consulting legal

experts or notaries proficient in international family law is essential for protecting marital assets and ensuring legal clarity (Morley, 2023; Viarengo & Villata, 2020). In addition, the Basic Agrarian Law in Indonesia restricts foreign nationals from owning land outright, creating a structural disparity in property control and decision-making authority between husband and wife. This leads to an imbalance in inheritance entitlement and decision-making authority, and in cases of divorce or death, foreign spouses may be excluded from legal claims over joint assets, further undermining the principle of equality in marriage and exposing them to legal vulnerability and economic injustice.

3.3 *Inheritance Rights in Mixed Marriage*

Inheritance rights in mixed marriage arrangements are notably complex due to discrepancies between legal systems, cultural norms, and citizenship statuses. In Indonesia, inheritance law is pluralistic, consisting of customary law (hukum adat), Islamic law (hukum Islam), and civil law (KUH Perdata), each applicable to different communities and religious groups (Sutanto, 2019). When a mixed marriage involves a foreign spouse, legal complications arise concerning jurisdiction and the application of national inheritance laws. Foreign nationals may face restrictions on inheriting land or immovable property in Indonesia. According to the Basic Agrarian Law (UUPA) of 1960, foreign individuals are prohibited from owning land outright in Indonesia. If a foreign spouse inherits land from an Indonesian spouse, the property must be relinquished or transferred within a set period; failure to do so may result in the land reverting to state ownership (Lukito, 2008). This limitation aims to maintain national sovereignty over land ownership and creates a significant obstacle in mixed marriages where land inheritance is involved.

Additionally, foreign legal systems may differ in how they treat inheritance. For example, community property states in the U.S. grant an automatic 50% ownership of jointly acquired assets to surviving spouses (Levitan & Willoughby, 2021; Milun et al., 2022). In contrast, jurisdictions like the U.K. or Germany operate under the separation of property principle, whereby individual ownership is preserved unless a will or agreement dictates otherwise (Hensley, 2021). These differences can cause complications in cross-border inheritance disputes.

To mitigate such risks, couples in mixed marriages often prepare **wills** or inheritance agreements that outline asset distribution. These documents serve as legally binding instructions, providing clarity and reducing the potential for future disputes. However, their effectiveness depends on whether they are recognized by the jurisdiction in which the assets are located or where the will is to be executed (Olujobi, 2021).

Under Islamic inheritance law, which is strictly applied to Muslim couples in Indonesia, there are fixed shares for heirs as prescribed by Sharia. A non-Muslim spouse may not be eligible to inherit under Islamic law unless arrangements such as **hibah** (gift transfer) or prenuptial agreements are made (Arifin et al., 2023). This situation necessitates tailored legal strategies to ensure fair distribution while respecting religious doctrines. Overall, inheritance in mixed marriages requires anticipatory legal arrangements,

cross-cultural sensitivity, and a comprehensive understanding of multi-jurisdictional legal systems.

3.4 Choice of Law in Mixed Marriage Disputes

The concept of **choice of law** plays a crucial role in resolving legal disputes in mixed marriages, particularly when the parties come from different legal systems. Academic literature emphasizes that determining which law applies in the event of a dispute or divorce depends on several factors, including nationality, residence, and the location where the marriage was contracted (Banerji & Deshpande, 2021)

Many countries allow spouses to select the governing law of their marital relationship through prenuptial or postnuptial agreements, particularly in matters concerning asset division, child custody, and spousal support (Indrayanti et al., 2024). In legal practice, this means couples can opt for the application of a specific national law, especially one that aligns with their cultural or religious values. In family law, the principles of *lex domicilii* (the law of the domicile) and *lex loci celebrationis* (the law of the place of marriage) often guide the applicable legal framework (Nasir, 2022). *Lex domicilii* is frequently deemed more appropriate since it reflects the couple's living conditions and social context. However, in some jurisdictions, *lex loci celebrationis* still governs the legality and interpretation of the marital contract, especially if the marriage occurred in a different country from where the couple currently resides. In cases involving countries with restrictive family laws such as those enforcing religious doctrines choice of law can serve as a means of legal protection, particularly for women. For instance, choosing the law of a secular state may ensure greater fairness in matters of custody and financial rights post-divorce (Nuryadi, 2022)

Nonetheless, challenges remain in the implementation of choice of law in countries like Indonesia. Although prenuptial agreements specifying the applicable law are legally permissible, their enforcement—especially regarding recognition of foreign court judgments faces procedural hurdles (bin Abdullah, 2024). Indonesian private international law offers limited mechanisms for acknowledging foreign judgments, creating obstacles for mixed-nationality couples seeking cross-border legal enforcement. Therefore, while the choice of law mechanism offers flexibility and autonomy, its practical application must be aligned with national procedural laws and international legal cooperation frameworks. Effective dispute resolution in mixed marriages requires responsive, inclusive legal systems that accommodate the realities of globalized family structures.

4. CONCLUSION

Mixed marriages in Indonesia, particularly in tourist areas like Bali, Yogyakarta, and Lombok, are a result of globalization's growing cross-cultural exchanges. These unions bring about cultural enrichment and social integration but also pose complex legal challenges, particularly regarding marital property ownership and inheritance rights. Indonesian law recognizes mixed marriages but faces unresolved issues, such as restrictions on foreign land ownership, complications from dual nationality of offspring, and legal inconsistencies across civil, Islamic, and customary inheritance systems. Law No. 5 of

1960 (UUPA) prohibits foreign nationals from owning land in Indonesia, affecting asset planning and inheritance rights. International legal systems like the United States, Australia, and France have adopted more inclusive approaches to interfaith and international marriages, but Indonesian law lacks comprehensive mechanisms to address these transnational legal complexities. Sociocultural tensions, religious expectations, familial resistance, and societal norms also influence mixed marriages. Legal reform is urgently needed, particularly in joint property and inheritance, to promote fairness, inclusivity, and cultural sensitivity. The transcendental legal approach offers a promising path forward by harmonizing conflicting legal systems and grounding legal reasoning in universal moral values.

References

- Adaki, A. Y., & Wajim, J. (2024). Cultural Adaptation and Marriage Dissolution. *Vejoh-Veritas Journal of Humanities*, 5(1).
- Amin, S., Berenschot, W., Chaplin, C., Fauzanafi, M. Z., Hanani, R., Hearman, V., Jakimow, T., Febriany, V., van Klinken, G., & van der Muur, W. (2019). *Citizenship in Indonesia: Perjuangan atas Hak, Identitas, dan Partisipasi*. Yayasan Pustaka Obor Indonesia.
- Arifin, R., Riyanto, S., & Putra, A. K. (2023). Collaborative efforts in ASEAN for global asset recovery frameworks to combat corruption in the digital era. *Legality: Jurnal Ilmiah Hukum*, 31(2), 329–343.
- Asman, A., Sholihah, H., Zuhrah, Z., Abas, M., Hadi, A. I., Aziz, A., Muharman, D., Hidayatullah, H., Muchtar, M. I., & Qurtubi, A. N. (2023). *Pengantar Hukum Perkawinan Islam Indonesia*. PT. Sonpedia Publishing Indonesia.
- Assyafira, G. N., Suwono, S. H. N., Wardana, C. V. C., & Cholis, A. S. (2024). Pembagian Dividen Tunai terkait Harta Perkawinan jika Terjadi Perceraian. *Notaire*, 7(3).
- Bakarbessy, L., & Handajani, S. (2012). Kewarganegaraan ganda anak dalam perkawinan campuran dan implikasinya dalam hukum perdata internasional. *Perspektif*, 17(1), 1–9.
- Banerji, M., & Deshpande, A. S. (2021). Does 'Love' make a difference? Marriage choice and post-marriage decision-making power in India. *Asian Population Studies*, 17(2), 201–220.
- Bennett, L. R. (2020). Modernity, desire and courtship: the evolution of premarital relationships in Mataram, Eastern Indonesia. In *Coming of age in South and Southeast Asia* (pp. 96–112). Routledge.
- bin Abdullah, M. A. (2024). Analyzing the dynamics between Sharia law and civil law in governing divorce proceedings among Muslims in Malaysia and comparing legal outcomes. *Law and Economy*, 3(4), 29–38.
- Block, L., & Bonjour, S. (2013). Fortress Europe or Europe of rights? The Europeanisation of family migration policies in France, Germany and the Netherlands. *European Journal of Migration and Law*, 15(2), 203–224.
- Boscarolli, S. (2015). Characterization of Separate Property within the Community Property Systems of the United States and Italy: An Ideal Approach. *Gonz. J. Int'l L.*, 19, 31.
- Breger, R., & Hill, R. (2021). Introducing mixed marriages. In *Cross-cultural marriage* (pp. 1–32). Routledge.
- Dewi, A. S., & Syafitri, I. (2022). Analisis perkawinan campuran dan akibat hukumnya. *Juripol (Jurnal Institusi Politeknik Ganesha Medan)*, 5(1), 179–191.
- Dewi, N. K., Dewi, A. A. S. L., & Suryani, L. P. (2022). Pendaftaran Kewarganegaraan Anak Hasil Perkawinan Campuran. *Jurnal Interpretasi Hukum*, 3(2), 275–281.
- Fitri, W., & Elviani, E. (2021). Prenuptial Agreement Terhadap Perkawinan Campuran: Suatu Kajian Perspektif Hukum Di Indonesia. *Jurnal Komunikasi Hukum (JKH)*, 7(2), 924–942.
- Hensley, D. C. (2021). Property law and the intestacy entitlement. *Alb. L. Rev.*, 85, 557.
- Indrayanti, K. W., Saraswati, A. A. A. N., & Putra, E. N. (2024). Questioning human rights, looking for justice: Analyzing the impact of supreme court circular letter on interfaith marriages in Indonesia. *Journal of Indonesian Legal Studies*, 9(1), 385–416.
- Johnny Ibrahim. (2005). *Teori dan Metode Penelitian Hukum Normatif*. Bayumedia Publishing.

- Kalek, S. (2024). Challenges and Issues in Mixed Marriage Between the Indonesian and Non-Indonesian Diaspora. *SMART: Journal of Sharia, Traditon, and Modernity*, 4(2), 90–106.
- Khaq, M. A. W., Za'far, Y. A., Aisyah, Y. N., Pratiwi, F. M., & Alfanny, M. F. I. (2024). Implikasi Hukum Perjanjian Pra Nikah dalam Penyelesaian Konflik Rumah Tangga. *As-Sakinah: Jurnal Hukum Keluarga Islam*, 2(2), 87–101.
- Kurniawan, A. J., Wulandari, E., Manurung, M. E., & Manurung, N. E. (2017). Aculturation in Mixed Marriage Family (A Case Study In The Inter-Cultural Communication In Javanese And Tionghoa In Medan). *International Journal of Scientific & Technology Research*, 6(7), 21–25.
- Lestari, S. I. (2023). PERKEMBANGAN ANEKA WARNA HUKUM (RECHTBEDELING) DI INDONESIA: PLURALISME HUKUM WARIS DI INDONESIA. *Syntax Idea*, 5(12).
- Levitan, S. A., & Willoughby, K. R. (2021). Realizing the Full Value of Hard to Value Assets. *J. Am. Acad. Matrimonial Law.*, 34, 133.
- Lukito, R. (2008). *Hukum sakral dan kukum sekuler: Studi tentang konflik dan resolusi dalam sistem hukum Indonesia*. Pustaka Alvabet.
- McCormack, J. L. (2007). Title to Property, Title to Marriage: The Social Foundation of Adverse Possession and Common Law Marriage. *Val. UL Rev.*, 42, 461.
- Milun, K., Walsh, T., & Pitner, M. (2022). Bringing New Light to One of the Oldest Forms of Property Ownership: An Innovative Solution for Benefitting Underserved Communities Using the Solar Commons Community Trust Model. *Vt. L. Rev.*, 47, 384.
- Morley, J. D. (2023). Strategic Planning for International Divorces. *J. Am. Acad. Matrimonial Law.*, 36, 417.
- Mujiburohman, D. A., Salim, M. N., Junarto, R., & Sutaryono, S. (2023). Mixed marriage in Indonesia: joint property and foreign land ownership restrictions. *The Lawyer Quarterly*, 13(4).
- Naratama, T., & Dewi, A. T. (2023). Perceraian Pada Perkawinan Campuran Di Indonesia Dalam Perspektif Hukum Perdata Internasional. *Warta Dharmawangsa*, 17(3), 1283–1294.
- Nasir, M. A. (2022). Negotiating Muslim Interfaith Marriage in Indonesia: Integration and Conflict in Islamic Law. *Mazahib*, 21(2), 155–186.
- Nugroho, S. S. (2016). Pengembangan Epistemologi Ilmu Hukum Berbasis Transendental. *Perspektif*, 21(2), 97–104.
- Nuryadi, N. (2022). Post-Divorce Child Custody Problems Based on Court Decisions. *Ratio Legis Journal*, 2(1), 546–555.
- Olujobi, O. J. (2021). Recouping proceeds of corruption: is there any need to reverse extant trends by enacting civil forfeiture legal regime in Nigeria? *Journal of Money Laundering Control*, 24(4), 806–833.
- Pratama, M. A., Zega, M. S., Muhdiya, I., Butar, H. F. B., & Maylafaiza, H. (2024). Perjanjian Pranikah dalam Perspektif Hukum Perdata di Indonesia. *As-Syirkah: Islamic Economic & Financial Journal*, 3(3), 1556–1565.
- Renalds, T. G. (2011). *Communication in intercultural marriages: Managing cultural differences and conflict for marital satisfaction*.
- Richmond, H. (2009). *Missiological understandings arising from Muslim-Christian marriages in Indonesia and Australia*.
- Robinson, K. (2007). Marriage migration, gender transformations, and family values in the 'global ecumene.' *Gender, Place & Culture*, 14(4), 483–497.
- Rodríguez-García, D. (2006). Mixed marriages and transnational families in the intercultural context: A case study of African-Spanish couples in Catalonia. *Journal of Ethnic and Migration Studies*, 32(3), 403–433.
- Romadhon, A. D., & Bahori, A. (2023). Inter-religious marriage in Indonesia: Pros and cons in the administrative and constitutional law. *Indonesian State Law Review (ISLRev)*, 6(2), 133–176.
- Salsabilla, T. T., Taruno Muryanto, Y., & Kusumawati, E. D. (2024). The Legal Position Of Marriage Agreements Regarding Land Rights In Mixed Marriages In Indonesia. *International Journal of Educational Research & Social Sciences*, 5(6), 1049–1060. <https://doi.org/https://doi.org/10.51601/ijersc.v5i6.901>
- Saner, R., Yiu, L., & Filadoro, M. (2019). Tourism development in least developed countries: Challenges and opportunities. *Sustainable Tourism: Breakthroughs in Research and Practice*, 94–120.
- Scolnicov, A. (2010). *The right to religious freedom in international law: between group rights and individual rights*. Routledge.
- Sidabutar, O., Amalia, L., & Abas, M. (2024). the Effects of Mixed Marriage Laws on the Division of Property Under the Marriage Law and International Civil Principles. *Awang Long Law Review*, 6(2), 490–497.

- Sidik, P. (2023). Pendekatan Normatif Sebagai Metodologi Penelitian Hukum Islam. *As-Syar'i: Jurnal Bimbingan & Konseling Keluarga*, 5(3), 1010–1022.
- Simanjuntak, E. (2017). Esensi sengketa administrasi pertanahan di peradilan tata usaha negara. *BHUMI: Jurnal Agraria Dan Pertanahan*, 3(2), 171–188.
- Simanjuntak, E. (2020). The Rise and the Fall of the Jurisdiction of Indonesia's Administrative Courts: Impediments and Prospects. *Indon. L. Rev.*, 10, 159. <https://doi.org/https://doi.org/10.15742/ilrev.v10n2.611>
- Sirait, A. D., & Salam, N. E. (2020). Family Communication in Mixed Marriage Couples Between Indonesia-Australia. *International Journal of Media and Communication Research*, 1(2), 24–33.
- Stahnke, T., & Blitt, R. C. (2004). The religion-state relationship and the right to freedom of religion or belief: A comparative textual analysis of the constitutions of predominantly Muslim countries. *Geo. j. Int'l L.*, 36, 947.
- Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan, Pub. L. No. 45 (1974).
- Vaughn, M. J. (1967). The Policy of Community Property and Inter-Spousal Transactions. *Baylor L. Rev.*, 19, 20.
- Viarengo, I., & Villata, F. C. (2020). *Planning the Future of Cross Border Families: A Path Through Coordination*. Bloomsbury Publishing.
- Wahib, A. B. (2022). Marriage Registration and Solemnization among Migrant Muslims in Germany: Harmonizing Islamic and State Law and the Existence of Origin Country Law. *Al-Ahwal: Jurnal Hukum Keluarga Islam*, 15(2), 275–294.
- Wardiono, K. (2019). Prophetic: An Epistemological Offer for Legal Studies. *Journal of Transcendental Law*, 1(1), 17–41.
- Wardle, L. D. (2010). Marriage and Religious Liberty: Comparative Law Problems and Conflict of Laws Solutions. *JL & Fam. Stud.*, 12, 315.
- Yuli, S. B. C. (2024). Understanding the dynamics of tourist experience through a qualitative lens: A case study approach in Indonesia. *Global Review of Tourism and Social Sciences*, 1(1), 30–40.