

SAME-SEX MARRIAGE FROM THE PERSPECTIVE OF THEOLOGY AND MARRIAGE LAW

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Abstract

Same-sex marriage in Indonesia is still considered unacceptable by the wider community because it is considered contrary to national law, norms of decency, values of decency in social life, and religious teachings adopted by the majority of Indonesian people. In the view of Christian theology, the nature of marriage is not only a social institution, but also a picture of the sacred relationship between Christ and His church. God created human beings according to divine design as male and female, with the intention of forming a holy communion of life in the bond of marriage, as stated in Genesis 2:18 and 2:24. However, globalization and cultural change have sparked controversy over LGBT issues, including the legality and ethics of same-sex marriage, both in society and in the church. This study aims to examine the validity of same-sex marriage from the perspective of Indonesian positive law and provide a theological response based on the Christian faith. The research method used is a descriptive study with a literature approach, which examines legal sources and theological literature, including the Bible and recent academic references. The results show that same-sex marriage is declared invalid according to Article 1 of the Marriage Law and Article 1320 of the Civil Code. Theologically, the practice is viewed as a sin and an abomination before God as written in Leviticus 18:22 and 20:13. Therefore, same-sex marriage has no basis of legitimacy legally or from the perspective of Christian ethics.

Keywords: Same-sex Marriage; Legality of Marriage; Christian Theology

A. Introduction

Every human being needs other human beings in all aspects of their lives because humans are social creatures, which means that humans cannot live alone in living life. In its smallest form, living together begins with the existence of a family, which begins with a marriage. Marriage is a sacred act based on a provision of law, religion and customs.

The juridical basis for marriage in Indonesia is contained in Law Number 1 of 1974 on Marriage as well as Law Number 16 of 2019 on Amendments to Law Number 1 of 1974 on Marriage (hereinafter referred to as Marriage Law). Although there are clear rules related to a legal marriage, there are still issues about LGBT (Lesbian, Gay, Bisexual, and Transgender). This phenomenon is also growing in various countries that recognize that same-sex marriage

is legally recognized by several countries such as Thailand, the United States, the Netherlands and several other countries.¹

Same-sex marriage in Indonesia is still considered an unacceptable behavior by society because it is not in line with the law, decency, appropriateness in society and is not suitable from a religious point of view. Therefore, same-sex marriage triggers pro and con views in the general public and also among the Church, considering that there are several countries that have legalized same-sex marriage on the grounds of gender equality and human rights. Although Article 28 B paragraph (1) of the 1945 Constitution of the Republic of Indonesia states that every person has the right to form a family and continue offspring through legal marriage, and Article 28 J paragraph 1 of the 1945 Constitution provides space for everyone to respect the human rights of others in the orderly life of society, nation and state, but its implementation must still pay attention to legal norms, rules, laws and principles of decency that apply in society.

In addition to the legal aspect, same-sex marriage also raises controversy from a religious and cultural perspective. In the view of the Christian faith, it is believed that God created human beings with a specific purpose and design, including in sexual relationships between men and women. This belief is based on Genesis 2:18, where the Lord God said “It is not good that man should be alone. I will make a helper for him who is worthy of him”. In this view the relationship between man and woman is designed as a close and holy bond, as stated in Genesis 2:24, “therefore a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh”. The Christian faith, reflecting God's will to create a family based on the unity of man and woman, although humanity has fallen into sin, leading to imperfections and deviations from God's design, but Christians believe that God's design remains a guide in their lives.

The Church has not been able to address issues related to same-sex marriage, even though the Church is God's instrument to convey the truth of God's word in the world. In this case, the Church has an important role and great responsibility in lovingly conveying the truth of God's word (the Bible). The Church not only functions as an institution for the fellowship of believers, but also as a place to guide those who face struggles related to same-sex marriage or LGBT issues.

¹ Markus Julius Lumbantoruan and Siti Munawaro, “Dasar Pertimbangan Hukum Hakim Dalam Pembatalan Perkawinan Sejenis (Studi Putusan Perkara Nomor: 540/pdt.G/2020/PA.GM),” *Judiciary: Jurnal Hukum dan Keadilan* 13, no. 1 (2024): 72, <https://doi.org/10.55499/judiciary.v13i1.237>.

In connection with the foregoing, through this article, the author tries to answer the question of how the validity of same-sex marriage according to the Marriage Law and how the theological answer to same-sex marriage.

This research uses a descriptive literature study approach by analyzing data from books and journal articles related to the topic. The main sources used are the Bible, laws and regulations, books and journals related to the topic. In addition, it also uses secondary sources of material obtained from online articles and online media pages. The data collection steps taken by the author are reading printed sources, books and journals related to the research topic. Then this research will also look at the phenomena that occur today, namely related to same-sex marriage. The data obtained is then selected and analyzed according to the needs and objectives of the research. After going through this process, the author will describe the results of the research systematically and then conclude based on the findings obtained.

B. Discussion

B.1 Definition of Marriage

Before the enactment of the Marriage Law in 1974, marriage was regulated in the Civil Code (Kitab Undang-Undang Hukum Perdata or KUH Perdata) or *Burgerlijk Wetboek* (BW) especially for non-Muslims. Article 26 of the Civil Code views marriage only as a civil relationship, namely as an alliance or bond between a man and a woman that is recognized as legal by law. However, after the enactment of the Marriage Law on April 1, 1975, the juridical basis for marriage in Indonesia (for non-Muslims) is Law Number 1 of 1974 as amended by Law Number 16 of 2019. In accordance with the philosophical foundation of Pancasila and the 1945 Constitution, the Marriage Law must be able to realize the principles contained in Pancasila and the 1945 Constitution, but it must also be able to accommodate all the realities that live in society. Based on Article 1 of the Marriage Law, it is said that marriage is a physical and mental bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on the Almighty God.

Some definitions of marriage according to the law, according to Lili Rasjidi, the word *nikah* contains two meanings, namely in the actual sense (*haqiqat*) and the figurative sense (*majaaz*). In the real sense, the word *nikah* means gathering, while in the figurative sense it means *aqad* or entering into a marriage agreement.² According to Subekti, marriage is a legal

² Lili Rasjidi, *Hukum Perkawinan dan Perceraian di Malaysia dan Indonesia* (Bandung: Alumni, 1982).

relationship between a man and a woman for a long time.³ According to Soediman Kartohadiprodjo, marriage is a relationship between a woman and a man that is eternal.⁴ According to Wirjono Prodjodikoro, marriage is a life together of a man and a woman, who fulfill the conditions included in the regulations of the Marriage Law.⁵ According to Sayuti Thalib, marriage is a sacred covenant to form a family between a man and a woman.⁶

Marriage is valid if it is carried out according to the laws of each religion and belief; and must be recorded according to the applicable laws and regulations (Article 2 of the Marriage Law). In principle, in a marriage a man can only have one wife. A woman may only have one husband (Article 3 of the Marriage Law). The court, however, may grant permission to a husband to have more than one wife if desired by the parties concerned. The court only grants permission to a husband who will have more than one wife if: the wife cannot fulfill her obligations as a wife; the wife is physically disabled or has an incurable disease; or The wife is unable to bear offspring (Article 4 of the Marriage Law).

To apply to the court, the husband must fulfill the following conditions: the consent of the wife/wives; there is certainty that the husband is able to guarantee the necessities of life for the wives and their children; and there is a guarantee that the husband will be fair to the wives and their children (Article 5 of the Marriage Law).

So Indonesia only recognizes marriage between a man and a woman. Marriage does not only see marriage as a civil bond, but also pays attention to other elements such as biological, sociological and religious elements which must fulfill four things, namely: the existence of a male and female bond; the existence of a physical and mental bond; the purpose of forming a happy and eternal household; based on the Almighty God.

In contrast to the definition of marriage from a theological perspective, it is a picture of Christ's relationship with the church, so in marriage there should be no divorce but mutual love as Christ sacrificed himself and was willing to die for human salvation. Therefore, marriage should be a picture of the relationship between believers and Christ as said in Ephesians 5:21-33.⁷ According to David Iman Sutikno, marriage is a relationship between two people of different sexes (man and woman) who agree to become one to live together in a household,⁸

³ Subekti, *Pokok-Pokok Hukum Perdata* (Jakarta: Intermasa, 1970).

⁴ Soediman Kartohadiprodjo, *Pengantar Tata Hukum di Indonesia* (Jakarta: Ghalia Indonesia, 1984).

⁵ Wirjono Prodjodikoro, *Hukum Perkawinan di Indonesia*, (Jakarta: Sumur Bandung, 1960).

⁶ Sayuti Thalib, *Hukum Kekeluargaan Indonesia* (Jakarta: Universitas Indonesia Press, 1982).

⁷ Pardomuan Marbun, "Implementasi Peranan Suami Istri Berdasarkan Efesus 5:21-33 di Kalangan Jemaat," *LOGIA: Jurnal Teologi Pentakosta* 1, no. 2 (June 2020): 66, <https://doi.org/10.37731/log.v1i2.31>.

⁸ David Iman Sutikno, *Pintu Membangun Rumah Tangga Harmonis* (Yogyakarta: Andi Offset, 2011).

while according to Sutjipto Subeno, marriage is the first institution established and desired by the Lord God himself.⁹ According to Robert P. Borrong, marriage is a rule that has been established by God. In the rules and regulations of marriage, God has granted a special bond of a wife and a husband to be sailed together as a happy place for their lives.¹⁰

Theologically, Christian marriage is for the continuation of offspring, which is not possible in a same-sex marriage. God has designed with the commandment to be fruitful, multiply and fill the earth. The commandment to be fruitful and fill the earth cannot be obtained from same-sex marriage. God's design through His command is to multiply and be fruitful, to enter this world. Same-sex marriage is not a marriage designed by God because it is a sin.

A theological perspective is an activity to examine certain matters from the truth of God's word or the Bible, in the case of same-sex marriage viewed from the angle of biblical truth. Marriage from a theological perspective views marriage with a perspective or approach that understands something based on religious beliefs and teachings, namely seeing everything from the point of view of God or divinity with the Bible, Scripture or religious tradition as a reference. The understanding of marriage is obtained through God's revelation and interpretation of religious teachings. The theological perspective is not only limited to theoretical study but also how religious teachings are applied in everyday life, both in individual and social contexts. Marriage in a theological perspective is not only understood as a social bond or legal contract between two individuals, but also as a divine calling that has spiritual and sacramental meaning.

In the Christian tradition, marriage is a sacred union in which God himself is the binding and witness of the vows made by husband and wife. Marriage has its roots in creation, where humans are created as *Imago Dei* or the image of God. As relational beings, human beings are called to live in communion, and marriage is a tangible form of that communion. Through this sacred bond, the relationship between man and woman becomes a means of restoration from the ravages of sin, as well as a reflection of the unity between Christ and His church.¹¹

Marriage in Catholic theology is considered as one of the sacraments that binds two persons in a bond of love that cannot be separated by humans. This sacrament contains elements of divine grace that strengthen couples to live in fidelity, openness to offspring, and

⁹ Sutjipto Subeno, *Indahnya Pernikahan Kristen* (Surabaya: Momentum, 2017).

¹⁰ Robert P. Borrong, *Etika Seksual Kontemporer* (Bandung: Ink Media, 2006).

¹¹ Daniel N. Tanusaputra, "Teologi Pernikahan dan Keluarga," *Veritas* 6, no. 1 (April 2005): 73–101, <https://doi.org/10.36421/veritas.v6i1.144>.

unconditional love.¹² The theological understanding of marriage is also reflected in the implementation of premarital catechization, where prospective couples are equipped spiritually and theologically in order to be able to live a household life with a strong foundation of faith. This formation is the foundation for understanding that marriage is not just living together, but a call to sanctify each other.¹³

From a Biblical perspective, marriage reflects the relationship between God and His people. This foundation is clearly seen in Genesis 1:27-28: “God created man in his own image, in the image of God he created him; male and female he created them. And God blessed them, and God said to them: “Be fruitful and multiply; fill the earth and subdue it; have dominion over the fish of the sea and over the birds of the air and over every creeping thing that creeps on the earth.””

The foregoing states that human beings are created in the image of God as male and female, and are given the mandate to live in pairs and procreate. It is further stated in Matthew 19: 5-6 “And He said: “For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh. Therefore they are no longer two, but one. Therefore what God has joined together, let no man put asunder.””

Here Jesus emphasizes that "what God has joined together, let no man put asunder", indicating that marriage is a holy covenant before God.¹⁴ Marriage is understood as a sacrament in the church tradition, although it is not explicitly mentioned in the Bible as a sacrament like baptism and communion. The Christian church since the early centuries has recognized that marriage has a sacred and liturgical element. The sacrament of marriage is considered to form an "*ontological union*" of essential unity between two persons in a bond of love and commitment blessed by God.¹⁵

Marital love has not escaped theological attention. Song of Songs 8:1-14 affirms that marital love is a strong and unshakable seal of love, reflecting God's faithfulness to His people.

¹² Teresia Noiman Derung, Santa Hani Marsela, and Kristina Natalia Keling, “Katekese Tentang Kesetiaan Perkawinan Menurut Hosea 1:2–9; 3:1–5 Bagi Suami Istri,” *In Theos: Jurnal Pendidikan dan Teologi* 1, no. 6 (2021): 195–199, <https://doi.org/10.56393/intheos.v1i6.549>.

¹³ Kristanto and Johana R. Tangirerung, “Katekisasi Perkawinan: Tinjauan Teologis-Praktis,” *KINAA: Jurnal Teologi* 7, no. 1 (2022): 52–62, <https://doi.org/10.0302/kinaa.v8i1.1987>.

¹⁴ Teologia Reformed Blog, “Makna Perkawinan dalam Perspektif Teologis,” accessed July 5, 2025, <https://teologiareformed.blogspot.com/2024/11/makna-perkawinan-dalam-perspektif.html>.

¹⁵ Djun Tjhong Pan, “Latar Belakang Historis dan Teologis Sakramen Pernikahan di Dalam Gereja,” *Voice Teologi* 1, no. 2 (2021), <https://ojs.sttbk.ac.id/index.php/teologi/article/view/25>.

This love is not just *eros* or romantic love, but love that contains elements of sacrifice, commitment, and eternity.¹⁶

Michelle Tjokrosaputro adds in her *Covenant Theology* approach that marriage is not an oppressive hierarchical relationship, but a covenant of equal love. The principle of "submission" in marriage is not a form of male domination over women, but rather a call to submit to each other in love, as an example of Christ's love for His church.¹⁷

Marriage is not simply seen as a social institution or a legal contract between two individuals, but rather a sacred calling to life, a calling that comes from God Himself. This sacredness lies in the fact that marriage involves the presence of God as the main party in the bond. Marriage is not just to fulfill human emotional or biological needs, but becomes a real life where love, faith, and hope are practiced and nurtured continuously.

Love in marriage is not only understood as emotional or romantic love, but as a form of *agape* love, a love that is self-sacrificing, faithful, and sincere like God's love for humans. Faith in marriage is reflected in the commitment and belief that God is present and at work in shaping the relationship between husband and wife, especially when facing challenges or conflicts, while hope arises from the belief that through marriage, couples will continue to grow together in holiness, leading to a greater purpose in life, glorifying God through the family formed.

Marriage in Christian theology is not only a relationship between two human beings, but also a divine communion, a place where God dwells and works in shaping the character, faith, and life vocation of the couple concerned. Marriage from a theological perspective views that marriage is not only a union between the two sexes of men and women based on human needs and desires alone but is broader than that, which views marriage as a gift of God that must be carried out, with a holy covenant between a man and a woman to live together in a commitment of loyalty and love for a long time and cannot be divorced by humans for any reason so that it reflects God's love.

B.2 Purpose of Marriage

The purpose of marriage from a legal perspective is to form a happy and lasting family (Article 1 of the Marriage Law). Husband and wife need to help and complement each other, each can develop their personality to help and achieve spiritual and material welfare. It is said

¹⁶ Jefrie Walean and Rudi Walean, "Relasi Pernikahan Kristen dalam Refleksi Teologis Kidung Agung 8:1–14," *Diegesis* 4, no. 2 (2022): 76–87, <https://doi.org/10.53547/diegesis.v4i2.140>.

¹⁷ Michelle Tjokrosaputro, "A Christian Marriage: A Covenant of Grace Viewpoint," *Jurnal Jaffray* 22, no. 2 (2024): 214–243, <http://dx.doi.org/10.25278/jj.v22i2.971>.

that the purpose of marriage is to form a happy and lasting family, so in this case the Marriage Law adheres to the principle of making divorce difficult. To make divorce possible, there must be certain reasons and it must be done in front of a court session. The rights and position of the wife are equal to the rights and position of the husband, both in domestic life and in society, so that everything in the family can be discussed and decided together by the husband and wife.

The purpose of marriage from a theological perspective, God created man and woman, as a form of God's creation with one of His purposes is to continue the offspring as stated in Genesis 1:27-28, "so God created man in His image, in the image of God He created him; male and female He created them, God blessed them, then God said to them: Be fruitful and multiply; fill the earth and subdue it; have dominion over the fish of the sea, and over the birds of the air, and over every creeping thing that creeps on the earth". God created the sexes and sexual functions in men and women, for the purpose that God designed them as partners to procreate and multiply in the context of marriage.

In Ephesians 5:22-33, husbands are commanded to love their wives, the love that husbands should give to their wives. Husbands are to love their wives as Christ loved the church (verse 25). Husbands must love their wives as they love their own bodies. The husband should leave his parents and unite with his wife. The principle and basis of a husband's love is as he loves his own body, because whoever loves his wife loves himself. The husband's love for his wife is love for himself, loving his body by feeding and caring for it (verse 29).

Loving one's wife as one's own body cannot be separated from Genesis 2:24 which Paul also explains in Ephesians 5:31. Therefore a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh. This refers to the statement that in marriage, husband and wife are "one". So in Ephesians 5:28, likewise, husbands are to love their wives as their own bodies. He who loves his wife loves himself. In this case, the husband and wife are considered as one person. Likewise, the husband's obligation to love his wife as his own body reflects Christ's example, where His love for the church can be seen as love for His own body.

B.3 Same-Sex Marriage

In Indonesia, same-sex marriage has not been legalized because it contradicts Law Number 1 of 1974 as well as Law Number 16 of 2019 (Marriage Law), which states that a valid marriage is between a man and a woman by nature, as mentioned in Article 1 of the Marriage Law. The legal relationship between a man and a woman must fulfill the conditions of marriage,

and the marriage must continue (eternal). This reflects a long-term commitment to life together as a married couple.

Countries that have recognized and provided legal protection for same-sex couples as well as heterosexual couples include Thailand, the United States, and many other countries. Thailand as a country has a high tolerance for the LGBT community and those who have decided on same-sex marriage and the state does not impose legal sanctions against homosexuality.¹⁸ In Thailand there is legal recognition for all people and they are entitled to legal protection and everyone will enjoy the same rights.¹⁹ Thailand strictly prohibits discrimination on the basis of sex, that discrimination is unfair treatment of differences in language, race, sex, age, religion, physical condition, personal status, disability, economic and other unjustified.²⁰ Thai law has recognized and legalized same-sex marriage (Civil Partnership Bill).

The United States legalized same-sex marriage through the United States Supreme Court in 2015 and this was supported again by the President of the United States in 2019 Joe Biden by signing a law to protect same-sex and interracial marriage at the federal level.²¹

Theologically, marriage is an institution created by God from the beginning. He created man and woman to be one and complement each other. The general purpose of marriage is one of continuing offspring, which is not possible in a same-sex marriage. Even the Bible in both the Old and New Testaments categorizes homosexual behavior as an act of sin and an abomination before God. Leviticus 18:22 reads: "You shall not sleep with a man as with a woman; it is an abomination", and Leviticus 20:13 states that: "If a man has sexual relations with a man as one does with a woman, both of them have done what is detestable. They are to be put to death; their blood will be on their own heads".

Sexual intercourse or intercourse that is permitted and holy before God is heterosexual between a man and a woman who are bound in marriage. Outside of a legal marriage, sexual intercourse is a sin even if it is done by heterosexuals. So it is clear that same-sex marriage is not a marriage designed by God because it is a sin.

¹⁸ Difa Fibra Aisyah and Muhammad Teguh Syuhada, "Perkawinan Sesama Jenis Perspektif Hukum Indonesia dan Hukum Thailand (The Same-Sex Marriage From Indonesian Law and Thailand Law)," *Jurnal Hukum Lex Generalis* 4, no. 6 (2023): 1–16, <https://doi.org/10.56370/jhlg.v4i6.787>.

¹⁹ *Ibid.*

²⁰ Rizky Aulia and Aziza Aziz Rahmaningsih, "Perbandingan Sistem Hukum Indonesia dengan Thailand Terkait dalam Perspektif Hukum Positif," *Siyasah Jurnal Hukum Tatanegara* 2, no. 1 (2022): 31–38, <https://doi.org/10.32332/siyasah.v2i1.5117>.

²¹ VOA Indonesia, "Biden Teken UU Perlindungan Pernikahan Sesama Jenis dan Antarras di Tingkat Federal," *VOA Indonesia*, accessed April 7, 2015, <https://www.voaindonesia.com/a/biden-teken-uu-perlindungan-pernikahan-sesama-jenis-dan-antarras-di-tingkat-federal/6874053.html>.

B.4 The Validity of Same-Sex Marriage from A Legal Perspective

Same-sex marriage in the perspective of applicable law in Indonesia is invalid because it violates the provisions of Article 1 of the Marriage Law, which stipulates that marriage is a physical and mental bond between a man and a woman. In this case, it must be interpreted that marriage can only occur between a man and a woman, male and female here are the sexes that occur naturally. If marriage is carried out by people of the same-sex, it will not fulfill the requirements set out in Article 1 of the Marriage Law. Marriage is an agreement between a man and a woman to live together in a happy and eternal household. For the validity of an agreement, it must meet the requirements stipulated in Article 1320 of the Civil Code, namely:

1. Agreement

Explains that there is a free agreement between a man and a woman to enter into a marriage according to the wishes of both parties. Both parties must agree and understand what is being promised without coercion.

2. Capacity

In the context of the capacity to perform marriage, the subjects of marriage are the parties involved in the marriage. Article 1329 of the Civil Code explains that every person is authorized to enter into an agreement, unless he is declared incapable of doing so. Article 1330 of the Civil Code explains which parties may not or are considered incapable of making agreements, namely as follows:

- a. Persons who are not yet adults.
- b. People who are placed under guardianship (such as disabled, insane, wasteful, have been declared bankrupt by the court, and so on).
- c. Parties who are considered capable or allowed to make agreements according to Article 1330 of the Civil Code are people who are adults or are over 21 years old and people who are not under guardianship. The Marriage Law stipulates that marriage is only permitted if the man and woman have reached the age of 19 (nineteen) years. If there is a deviation from the age provisions referred to above, the parents of the male party and/or the parents of the female party must request dispensation from the Court on very urgent grounds accompanied by sufficient supporting evidence.

3. Certain Matters

Marriage is an agreement between a man and a woman to bond physically and mentally between a man and a woman as husband and wife with the aim of forming a happy and lasting family (household) based on God Almighty (Article 1 of the Marriage Law). An agreement must contain what is promised by both parties, a promise to carry out marriage for a long period of time.

4. A lawful cause

An agreement must have good content and objectives, which do not violate the law and the law, which the parties involved want to achieve (forming a happy and eternal family), must not conflict with the law, decency, or conflict with the prevailing public order. This is in accordance with the provisions in Article 1337 of the Civil Code which explains that a cause is prohibited, if the cause is prohibited by law or if the cause is contrary to decency or public order. The Marriage Law requires that the validity of marriage is between a man and a woman.

B.5 Same-Sex Marriage in Theological Perspective

A theological perspective is an activity to examine certain things from the truth of God's word or the Bible, in the case of same-sex marriage seen from the angle of biblical truth. God created man and woman, as a form of God's creation with one of His purposes is to continue the descendants as stated in Genesis 1:27-28, so God created man in His image, in the image of God He created him; male and female He created them, God blessed them, and God said to them: Be fruitful and multiply; fill the earth and subdue it; have dominion over the fish of the sea, and over the birds of the air, and over every creeping thing that creeps on the earth. God created the sexes and sexual functions in men and women, for the God-designed purpose of procreating and multiplying in the context of marriage.

The Bible views same-sex marriage as an abomination: "You shall not lie with a man as one lies with a woman, for it is an abomination" (Leviticus 18:22). In this regard, God wants His creation to obey, that is, God has created mankind as male and female in His image (Genesis 1:27), and this is also reaffirmed by Jesus when speaking about marriage (Matthew 19:4-6) who said that God, who created mankind from the beginning, made them male and female, and the man shall leave his father and mother and be joined to his wife, and the two shall become one flesh. They are no longer two, but one; therefore what God has joined together, let no man put asunder.

It is clear that from a theological aspect, God does not want same-sex marriage because in the beginning God created two types of human beings, namely male and female, and then the man and woman have been united by God and cannot be divorced by humans. What God has united is continuous and lifelong, because it cannot be divorced by humans.

God also prohibited men from sleeping with men in Leviticus (Leviticus 18:22; 20:13). God set the norm for human behavior in the creation account in Genesis Chapter 2. God saw that it was not good for man to live alone, so God created a helper to match him. This helper was the woman, who was physically created to receive the man in a sexual relationship. Any sexual relationship other than that between a man and a woman in marriage is seen as sinful and a result of man's fall into sin.²² Marriage is also a holy and sacred ordinance ordained by God Himself, in which God grants a special fellowship between husband and wife to be lived together as a source for the happy life of husband and wife.²³ Human beings are united in marriage not to be the same, but to complement each other, support each other and make each other happy in their calling to realize their own person as the image of God.²⁴

Eve was formed by God to be a worthy helper for Adam. She would be called woman because she was taken from man. The author of Genesis explains that because the woman was taken from the man, the two are now reunited in marriage, each uniquely complementary.²⁵

The Bible also emphasizes that from the beginning God did not create two Adam and two Eve when he saw the need for a companion. He created male and female for the very purpose of procreation, the beauty of unity in diversity that would not have been possible if they were of the same sex.²⁶ Jesus reiterated that from the beginning God created mankind male and female. Therefore, a man will leave his father and mother and be united to his wife (Matthew 19:4-5). Paul also says in Ephesians 5:31 affirming the same thing that a man will leave his father and mother and be joined to his wife, so that the two become one flesh.

C. Conclusion

Based on the description that has been presented above, the author concludes that same-sex marriage according to the Marriage Law is invalid, because it violates the provisions

²² Frank Worthen, *Mematahkan Belenggu LGBT* (Malang: Gandum Mas, 2016).

²³ Yofsan Tolanda and Daniel Ronda, "Tinjauan Etika Kristen Terhadap Homoseksualitas," *Jurnal Jaffray* 9, no. 1 (April 2011), <https://ojs.sttjaffray.ac.id/index.php/JJV71/article/view/88>.

²⁴ Theresia Vita Prodeita, "Pemahaman Dan Pandangan Tentang Sakramen Perkawinan Oleh Pasangan Suami-Istri Katolik," *Jurnal Teologi Universitas Sanata Dharma* 8, no. 1 (2019): 85–106, <https://ejournal.usd.ac.id/index.php/jt/article/download/1831/pdf>.

²⁵ Michael L. Brown, *Bisakah Anda Gay Dan Kristen?* (Jakarta: Nafiri Gabriel, 2015).

²⁶ Sutjipto Subeno, *Indahnya Pernikahan Kristen* (Surabaya: Momentum, 2017).

of Article 1 of the Marriage Law which requires the validity of a marriage if it is between a man and a woman. Same-sex marriage must be declared null and void, because it violates Article 1320 of the Civil Code because it is contrary to law (violating the *halal causa*). Same-sex marriage from a theological perspective, is not justified and is a sin before God because from the beginning God created a man and a woman. God has created human beings as male and female in His image (Genesis 1:27), and this is also reaffirmed by Jesus when talking about marriage (Matthew 19:4-6) which says that God who created human beings from the beginning, made them male and female, where a man will leave his father and mother and unite with his wife, so that the two become one flesh. God created man and woman as a form of God's creation with one of His purposes being the continuation of offspring as stated in Genesis 1:27-28, so God created man in His image, in the image of God He created him; male and female He created them, God blessed them, and God said to them: Be fruitful and multiply; fill the earth and subdue it; have dominion over the fish of the sea and over the birds of the air and over every creeping thing that creeps on the earth.

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