

ABSTRACT

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“Analysis of the Crime of Identity Falsification in Cases of Marriage Cancellation of Same-Sex Couples Judging from Marriage Law and Compilation Of Islamic Law”

In its development, in society there is a phenomenon of same-sex association. Thus this is very different from marriage as regulated in Law No. 1 of 1974. This study aims to determine the legal consequences of same-sex marriage and the reality of same-sex marriage that occurs in Indonesia. With the theory of marriage that applies in Indonesia, it is the main basis for researchers in analyzing the legal events that occur. The research method used is a qualitative descriptive research method with a statutory approach and a case study approach. The results of the study stated that based on the provisions of the Marriage Law, the marriage was null and void because during the wedding procession, the bride and groom were proven to have committed an administrative violation, namely falsifying their identities as men who were actually women. The two brides are threatened with being charged with Article 263 of the Criminal Code concerning document falsification which carries a penalty of six years in prison and based on the results of a Positive Legal Review and religious provisions, same-sex marriage is not allowed in Indonesia because it is not in accordance with the Marriage Law Number 1 of 1974 and is very contrary with religious provisions.

Years : 1974-2021

Keywords: Marriage, Annulment of Marriage, Same-Sex Marriage