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## Lavender Marriage and the Failure of Maqasid al-Usrah: Sexual Orientation Deception and the Violation of Wives' Rights

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### Abstract

The phenomenon of lavender marriage gives rise to significant legal ambiguity. A lavender marriage is a marriage used to conceal one's sexual orientation from an unsuspecting spouse. Although such marriages formally satisfy the legal and religious requirements for marriage, they involve deception through the concealment of the husband's sexual orientation. This study examines the extent to which lavender marriages fulfil the objectives of marriage within the *Maqasid al-Usrah* framework, focusing on their impact on the wives' rights, the validity of the practice, and the relevance of Maqasid al-Usrah in addressing these issues. This study employs a descriptive-qualitative method using a netnographic approach, through the analysis of podcasts as digital cultural artefacts representing the experiences of victims of 'lavender marriages'. The data sources consist of podcasts from the YouTube channels of Deddy Corbuzier, Denny Sumargo, and Richard Lee, selected for their direct involvement of the interviewees and relevance to the research focus. The findings reveal that lavender marriages fail to fulfil the core objectives of *Maqasid al-Usrah* because they undermine honesty within marital relationships and fail to provide tranquillity and mutual trust between spouses. The practice also weakens family functions by obstructing reproductive rights, diminishing moral responsibility, and reducing marriage to an instrument of social concealment. As a solution, this study recommends amending Indonesia's Marriage Law to explicitly recognise the fraudulent concealment of sexual orientation as a valid ground for annulment or divorce. It further encourages judges to adopt a justice-oriented approach that prioritises substantive fairness for wives who were deceived regarding their spouse's sexual orientation.

**Keywords:** *Wives' Rights, Lavender Marriage, Maqasid al-Usrah, Sexual Orientation Fraud.*

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## 1. INTRODUCTION

The purpose of marriage is intended to ensure the continuation of the family line,<sup>1</sup> protect people from the preservation of religious and moral integrity as higher objectives of Islamic law,<sup>2</sup> and strengthen the bond of love and affection between husband and wife.<sup>3</sup> However, in the context of contemporary society, the practice of marriage increasingly reveals a complexity that often does not align with the ideal values of marriage that society has long held.<sup>4</sup> This gap between idealism and reality has ultimately given rise to various new phenomena within marriage,<sup>5</sup> including interfaith marriage, unregistered marriage (nikah sirri), child marriage, and, more recently, lavender marriage. Lavender marriage is a marital union between a man and a woman, where at least one partner is homosexual or bisexual,<sup>6</sup> entered into primarily based on social or cultural motives, rather than on the authentic foundations of the marital institution.<sup>7</sup> This phenomenon generally arises as a response to various pressures, whether stemming from the social environment,<sup>8</sup> pressure from family members,<sup>9</sup> or an individual's need to maintain their social image and status by concealing their true identity.<sup>10</sup> Lavender marriage clearly reflects the gap between the ideal norms of marriage and the social realities faced by individuals in their daily lives.

The practice of lavender marriage is not merely a speculative issue, but has been publicly discussed through several reported cases that reflect serious social and psychological problems. Problematic patterns within this practice have even been openly

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<sup>1</sup> Reo Zaputra, "Tujuan dan Hikmah Nikah Menurut Perspektif Al-Qur'an," *Jurnal Ilmiah Falsafah: Jurnal Kajian Filsafat, Teologi Dan Humaniora* 9, no. 1 (July 13, 2023): 42–49, <https://doi.org/10.37567/JIF.V9I1.2148>.

<sup>2</sup> Megat Mukhriz Megat Danuwa et al., "Assessing the Legality of Heterosexual Marriage Among LGBT Individuals: An Analysis from the Perspective of Maqasid Al-Shariah," *International Journal of Research and Innovation in Social Science* IX, no. VII (2025): 1797–1809, <https://doi.org/10.47772/IJRISS.2025.907000147>.

<sup>3</sup> Nur Hana Maruan et al., "Addressing Unregistered Marriages in Malaysia: A Maqasid Al-Shariah Approach to Legal Challenges and Women's Protection," *International Journal of Research and Innovation in Social Science* IX, no. VI (2025): 6104–13, <https://doi.org/10.47772/IJRISS.2025.906000468>.

<sup>4</sup> Yunike Rahma Hermanto, "Perkawinan Beda Agama Menurut Hukum Positif, Hukum Islam Dan Hak Asasi Manusia Di Indonesia," *Journal of Law, Society, and Islamic Civilization* 12 (2024): 34–48, <https://doi.org/10.20961/jolsic.v12i1.851>.

<sup>5</sup> Nurfazila, "Kontroversi Pernikahan Beda Agama Di Indonesia," *Sakena: Jurnal Hukum Keluarga* 9, no. 2 (2024): 56–64, <https://journals.fasya.uinib.org/index.php/sakena/article/view/648>.

<sup>6</sup> Stefany Wragg, *Early English Queens, 650–850: Speculum Reginae* (London: Routledge, 2022), <https://doi.org/https://doi.org/10.4324/9780429320644>.

<sup>7</sup> Sumedha Sahoo, "Lavender Marriages and the Conundrum of Marriage Laws in India," *Journal of Legal Research and Juridical Sciences* 4, no. 2 (2023), [www.jlrjs.com](http://www.jlrjs.com); Mikelle Street, "Lavender Marriage: From Old Hollywood to TikTok, Everything You Need to Know | Them," [them.us](https://www.them.us/story/lavender-marriage-old-hollywood-history-explained), 2025, <https://www.them.us/story/lavender-marriage-old-hollywood-history-explained>.

<sup>8</sup> Nur Suci Alawiyah, Imam Yazid, and Iwan Iwan, "Lavender Marriage in the Perspective of Islamic Law: A Case Analysis in Nangka Village, Binjai Utara District," *Al-'Adl* 18, no. 2 (August 27, 2025), <https://doi.org/10.21274/Ahkam.2016.4.2.305-326>.

<sup>9</sup> Tika Dewi et al., "Analysis of the Lavender Marriage Phenomenon and Its Challenges To Family Law in Indonesia," *International Journal of Cultural and Social Science* 6, no. 1 (2025): 155–65, <https://pcijournal.org/index.php/ijcss/article/view/1012%0Ahttps://pcijournal.org/index.php/ijcss/article/download/1012/518>.

<sup>10</sup> Dina Wulandari and Silvia Ajeng Prameswari, "Menelisik Nilai Murni Dalam Praktik Perkawinan Lavender Ditinjau Dari Hukum Islam Di Indonesia," *Syntax Literate: Jurnal Ilmiah Indonesia* 6, no. 7 (2021), <https://www.scribd.com/embeds/681219242/content>.

revealed through various popular podcasts that have captured the public's attention. In Deddy Corbuzier's podcast, for example, a wife recounted that her husband was having relationships with several men, including a close friend who had even acted as a witness at their wedding.<sup>11</sup> A similar case also emerged in Denny Sumargo's podcast, where the husband was found to have deliberately sent indecent photos to other men without showing any remorse or intention to change.<sup>12</sup> Furthermore, Richard Lee's podcast revealed the case of a wife who, during the first six months of her marriage, never had sexual relations with her husband, until she eventually discovered that he was involved with some underage boys.<sup>13</sup> This series of reported narratives that the lavender marriage goes far beyond mere infidelity in a marital relationship. This phenomenon is a serious issue involving betrayal, the shattering of trust, and profound psychological consequences for the wife.

Although a lavender marriage may be considered formally valid under Indonesian positive law, this practice gives rise to a range of ethical, legal, and psychological issues that are highly detrimental.<sup>14</sup> Ethically, this practice is problematic because it involves the concealment of sexual orientation and the falsification of the motives for marriage,<sup>15</sup> which directly violates the principles of honesty, responsibility, and respect for the dignity of wives.<sup>16</sup> From an Islamic perspective, such actions resemble the practice of *tadlis*, a concept in Islamic jurisprudence referring to the deliberate concealment of material information that one party ought to disclose to the other, the legal effect of which entitles the aggrieved party to rescind the contract (*khiyār al-tadlis*).<sup>17</sup> By analogy (*qiyas*), just as classical fiqh requires prospective spouses to disclose conditions that substantially affect the marital relationship, the concealment of one's sexual orientation in a lavender marriage can similarly be classified as *tadlis*, as it withholds information material to the other party's informed consent.<sup>18</sup> This not only contradicts the Islamic value of honesty but also has the potential to cause injustice and the loss of domestic blessings.<sup>19</sup> This

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<sup>11</sup> Deddy Corbuzier, *Suaminya Selingkuh Sama Cowo.. Dan Cowo Nya.. Adalah.....!?!? Meylisa Zaara- Deddy Corbuzier Podcast*, 2023, <https://doi.org/https://www.youtube.com/watch?v=nHTxTGBrFXM>.

<sup>12</sup> Denny Sumargo, *Suamiku Ngirim Pap "Itunya" Ke Laki-Laki Lain !! Udah Ketahuan Tapi Ga Berubah !! (Curhat Bang)*, 2024, <https://www.youtube.com/watch?v=B4ySXz5COIQ>.

<sup>13</sup> Richard Lee, *Nikah 6 Bulan Masih Perawan?! Suaminya Penyuka Sesama Jenis!?*, 2024, <https://www.youtube.com/watch?v=Z2z9UHHo6Vc>.

<sup>14</sup> Arif Sugitanata et al., "Analisis Masalah Terhadap Penolakan Akad Pernikahan Pasangan LGBT Dalam Konstruksi Hukum Keluarga Islam," *Al-Muqaronah: Jurnal Perbandingan Mazhab Dan Hukum* 2, no. 1 (2023): 1–11, <https://doi.org/https://doi.org/10.59259/am.v2i1.87>.

<sup>15</sup> Dewi et al., "Analysis of the Lavender Marriage Phenomenon and Its Challenges To Family Law in Indonesia."

<sup>16</sup> Carmen Gabriela Lişman and Andrei Corneliu Holman, "Principled Faithfulness: A Measure of Moral Reasons for Fidelity and Its Associations with the Tendency to Engage in Extramarital Relationships, Moral Emotions and Emotion Regulation," *Social Sciences* 14, no. 2 (2025): 81, <https://doi.org/https://doi.org/10.3390/socsci14020081>; Ami Rokach and Sybil H Chan, "Love and Infidelity: Causes and Consequences," *International Journal of Environmental Research and Public Health* 20, no. 5 (2023), <https://doi.org/10.3390/ijerph20053904>.

<sup>17</sup> Parviz Bagheri and Kamal Halili Hassan, "The Application of the Khiyar Al-Tadlis (Option of Deceit) Principle in Online Contracts and E-Consumer Rights," *Mediterranean Journal of Social Sciences* 6, no. 4 (July 1, 2015): 155–62, <https://doi.org/10.5901/MJSS.2015.V6N4P155>.

<sup>18</sup> Danuwa et al., "Assessing the Legality of Heterosexual Marriage Among LGBT Individuals: An Analysis from the Perspective of Maqasid Al-Shariah."

<sup>19</sup> Dwi Anisa Handayani and Yusup Hidayat, "Pemberian Mahar Palsu Dalam Perkawinan Perspektif Hukum Islam Indonesia," *UNES Law Review* 7, no. 3 (2025): 980–88, <https://doi.org/https://doi.org/10.31933/unesrev.v7i3.2402>.

action simultaneously undermines intention as a fundamental element of the marriage contract, as intention reflects the true purpose of marriage.<sup>20</sup> From a psychological perspective, a marriage built on lies has the potential to trigger emotional betrayal,<sup>21</sup> leading to depression in the wronged partner, whilst eroding the couple's trust.<sup>22</sup> A marriage not built on honesty not only creates serious psychological vulnerability but also undermines the trust that should be the cornerstone of family life.

Although scholarly attention to lavender marriage remains limited, recent studies have begun to examine this phenomenon from legal, sociological, and Islamic perspectives, indicating its emergence as a subject of academic inquiry. Existing studies on lavender marriage in Indonesia have approached the topic through three distinct methodological orientations, each yielding important but partial insights. From a fieldwork perspective, Habibie & Turnip examined lavender marriage through the lens of Islamic family law by interviewing religious scholars in Medan. Their findings reveal a scholarly disagreement: some scholars reject lavender marriage on the grounds of deception, while others uphold its formal validity on the basis that the concealment involved is a private matter between spouses and does not affect the legal pillars of the contract.<sup>23</sup> This divergence is significant, yet the study does not resolve which position is stronger on jurisprudential grounds, nor does it engage with the specific doctrine of *tadlis* as a legal category.

A normative-Islamic approach is taken by Muktamiroh & Isroqunnajah, who analyse lavender marriage through the *Maqasid al-Syari'ah* framework using a literature review. They conclude that although a lavender marriage formally satisfies the pillars and conditions of marriage, it contravenes the five fundamental objectives of Islamic law, the preservation of religion, life, intellect, lineage, and honour, and is therefore unjustifiable under Islamic legal ethics.<sup>24</sup> However, this study focuses on the macro-level *maqasid* framework without examining the more specific question of whether concealment of sexual orientation constitutes *tadlis* as an independent legal ground.

From a positive law standpoint, Putri et al. adopt a normative-qualitative approach to assess the adequacy of Indonesian law in protecting victims of lavender marriage. They recommend a broader interpretation of Article 4(2)(d) of the TPKS Act to encompass lavender marriage as a form of psychological sexual violence.<sup>25</sup> While this contribution is significant for victim protection, the study operates within the domain of positive law and does not address the Islamic legal framework.

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<sup>20</sup> Malik Adharsyah, Muhammad Sidqi, and Muhammad Aulia Rizki, "Pernikahan dalam Perspektif Hukum Islam," *Jurnal Syariah Dan Ekonomi Islam* 2, no. 1 (June 18, 2024): 44–53, doi:10.71025/2XRMBV96.

<sup>21</sup> Rokach and Chan, "Love and Infidelity: Causes and Consequences."

<sup>22</sup> Lyndsey Kunzler Gerring, "A Grounded Theory Analysis of Honesty and Deception in Intimate Relationships," 2024, <https://scholarsarchive.byu.edu/etd>.

<sup>23</sup> Azrai Agnil Habibie and Ibnu Radwan Siddik Turnip, "Lavender Marriage Perspektif Ulama Kota Medan Dan Implikasinya Dalam Hukum Keluarga Islam Di Indonesia," *Jurnal Darussalam: Jurnal Pendidikan, Komunikasi Dan Pemikiran Hukum Islam* 17, no. 1 (September 30, 2025): 186–206, <https://doi.org/10.30739/DARUSSALAM.V17I1.4280>.

<sup>24</sup> Muktamiroh & Isroqunnajah (2026)

<sup>25</sup> Mufatihattuttabah Rorom Ika Putri, Umi Sumbulah, and Ahmad Izzuddin, "Lavender Marriage Sebagai Kekerasan Seksual Psikis dalam Hukum Indonesia: Reinterpretasi Pasal 4 UU TPKS Melalui Perspektif Hukum Progresif," *USRAH: Jurnal Hukum Keluarga Islam* 7, no. 2 (April 2, 2026): 17–34, <https://doi.org/10.46773/1B9NQA87>.

Various previous studies have examined the concept of lavender marriage from a range of legal perspectives, including Islamic family law, *Maqasid al-Syari'ah*, and positive law. Limited scholarly attention has been specifically directed toward analysing this phenomenon through the lens of *Maqasid al-Usrah*. This study, therefore, seeks to contribute to filling that gap. *Maqasid al-Usrah* is a conceptual development within the broader framework of *Maqasid al-Syari'ah*, specifically directed toward the institution of the family. This concept was elaborated by Jamaluddin Athiyah, who expanded the classical five objectives of Islamic law into 24 distinct objectives organised around four domains: the individual, the family, society, and humanity.<sup>26</sup> Within the family domain, *Maqasid al-Usrah* specifically highlights the objectives of *shari'ah* as they apply to domestic life, emphasising the preservation of welfare, harmony, and the sustainability of marital relationships. The connection between this framework and the phenomenon of lavender marriage is evident in its emphasis on the protection of each spouse's rights, the fulfilment of emotional and moral needs, and the upholding of honesty as the foundation of a healthy family.<sup>27</sup> This study, therefore, employs *Maqasid al-Usrah* as its primary analytical framework, given its relevance in examining essential indicators of a legitimate marriage such as *sakinah* (tranquillity), justice, and the protection of all family members.

Based on this framework, this study aims to address three main research questions: 1) How does lavender marriage manifest in practice, and to what extent does it affect the fulfilment of each spouse's rights and obligations? 2) How does the Maqāsid al-Usrah framework evaluate the ethical and Islamic legal legitimacy of lavender marriage as a marital practice? 3) To what extent is the Maqāsid al-Usrah framework relevant as an analytical tool for addressing the legal and moral issues arising from the phenomenon of lavender marriage in Indonesia?. Through these three areas of discussion, this study is expected to provide a comprehensive understanding of the validity and complexity of the rights of couples in a lavender marriage, to realise the true purpose of marriage.

This study employs a qualitative descriptive method using a netnographic approach as developed by Kozinets, who defines netnography as a qualitative, interpretive research methodology that utilises interactions, communications, and cultural artefacts available in digital environments to understand social meanings emerging within a particular community or phenomenon.<sup>28</sup> In this study, YouTube podcasts are positioned as digital cultural artefacts that contain individual narratives and experiences regarding the practice of lavender marriage. The netnographic approach was chosen because it enables the researcher to access experiences, perceptions, and meaning constructions conveyed publicly through digital media without directly intervening with the subjects.

The data sources are podcast episodes from the YouTube channels of Deddy Corbuzier, Denny Sumargo, and Richard Lee, selected based on the following inclusion criteria: (a) the episode features direct personal testimony from a lavender marriage

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<sup>26</sup> Moch Cholid Wardi, Abd A'la, and Sri Nurhayati, "Contextualisation of Al-Maqasid Al-Kulliyat According To the Objectives of the Individual, Family, Society and Humanity: An Analysis on Jamaluddin 'Athiyah'S Perspectives," *Malaysian Journal of Syariah and Law* 11, no. 1 (2023): 109–21, <https://doi.org/10.33102/mjssl.vol11no1.389>.

<sup>27</sup> Busriyanti et al., "Marriage Law Reform in Indonesia A Maqasid Al-Usrah Perspective on Legal Adaptation," *Al-Istinbath: Jurnal Hukum Islam* 10, no. 2 (September 8, 2025): 631–49, <https://doi.org/10.29240/JHI.V10I2.12739>; Ahmad Musadad et al., "Reorienting Jamāluddīn 'Athiyah's Maqāsid Al-Usrah in the Regulation of Polygamy in the Indonesian Compilation of Islamic Law," *Sakina: Journal of Family Studies* 9, no. 4 (December 8, 2025): 429–47, <https://doi.org/10.18860/JFS.V9I4.19984>.

<sup>28</sup> Robert V. Kozinets, *Netnography: Doing Ethnographic Research Online* (SAGE Publications, 2010), <https://books.google.com/books/about/Netnography.html?hl=id&id=QNDaeutR9v4C>.

victim; (b) the content is substantively relevant to the research focus; and (c) the content is publicly accessible. These three channels were selected because they are among the most widely viewed Indonesian podcast platforms that have specifically documented lavender marriage cases.

The data collection was conducted through systematic passive observation of the selected episodes over a period of 2022-2024, involving repeated viewing and transcription of the selected podcast episodes. The analytical focus was directed toward victims' experiences, the forms of harm sustained, and the legal protection needs arising from the practice of lavender marriage, examined through the lens of the *Maqasid al-Usrah* framework. Data validity was ensured through triangulation between the audio-visual primary data, the theoretical framework drawn from 'Athiyah's *Nahwa Tafīl Maqāṣid al-Sharī'ah*, and secondary literature on lavender marriage and *Maqasid al-Usrah*.

It must be acknowledged that the cases analysed constitute a limited, purposively selected sample of publicly accessible digital content and are not intended to be representative of all lavender marriage experiences in Indonesia. Accordingly, the analytical focus of this study is directed toward understanding how victims construct and communicate their experiences within the Indonesian digital public sphere, rather than making overarching sociological claims about the phenomenon as a whole. In terms of research ethics, all data were sourced exclusively from publicly accessible YouTube content in which the individuals concerned voluntarily disclosed their experiences in a public-facing digital space, with no private communications or undisclosed personal information accessed; nevertheless, the analysis is directed toward the discursive and thematic dimensions of the narratives rather than toward the personal identification or evaluation of the individuals involved.

The data gathering process relied on passive digital observation, whereby the researcher systematically listened to and transcribed victim testimonies without intervening in the content or its production. The researcher's role was limited to that of a non-participatory observer, ensuring that the data reflect the informants' authentic expressions as they appear in the public digital sphere. Observations were focused on three analytical dimensions: the victims' lived experiences of lavender marriage, the specific forms of harm sustained, and the legal protection needs articulated through their testimonies.

The data collected was analysed through a series of stages, including data reduction, data presentation, and conclusion. The data reduction process was carried out to select, classify, and organise the raw data obtained from observations of the YouTube channel and the literature review, making it simpler and more focused. Subsequently, the data were presented in the form of a narrative description that systematically integrated the results of document analysis and observational findings. The final stage of this procedure was the drawing of conclusions, which served to formulate the final results and address the core issues of the research that had been conducted.

## **2. DISCUSSION**

### ***2.1. Empirical Findings on the Lavender Marriage Phenomenon***

#### **Typologies and Motives of Lavender Marriages**

The phenomenon of lavender marriages in Indonesia has emerged as a defensive response to social constructs that mandate heterosexual marriage as the standard of

morality and an unavoidable life obligation.<sup>29</sup> This pressure compels queer individuals to conceal their identity through marital unions as a coping strategy to avoid stigmatisation and preserve family reputation.<sup>30</sup> One of the primary motives identified in various podcast cases is the use of the institution of marriage as a shield to conceal homosexual or bisexual sexual orientation.<sup>31</sup> These marriages are planned from the outset as an administrative formality to preserve the image of the extended family,<sup>32</sup> avoid the stigma of remaining single in middle age,<sup>33</sup> and meet the expectations of a conservative workplace.<sup>34</sup> Furthermore, this type of marriage is often one-sided, where the husband consciously conceals his sexual identity from his prospective wife to attain the status of a married man.<sup>35</sup> However, there are also patterns where such deviations only become more pronounced or come to light after several years of marriage.<sup>36</sup> This indicates that a lavender marriage is contracted without the partner's knowledge or informed consent, constituting what Islamic jurisprudence recognises as both *tadlis* (deliberate concealment of material information) and *gharar* (misrepresentation that distorts the other party's understanding of the akad), both of which violate the principle of mutual consent as an indispensable condition of a valid marital union. Consequently, this practice reduces the institution of marriage to a mere instrument for protecting the perpetrator's privacy, fundamentally contradicting the objectives of the marital akad in Islamic law.

### Relationship Dynamics and Levels of Honesty Between Partners

The internal dynamics of a 'lavender marriage' by lavender marriage victims in the observed podcast testimonies reveal patterns of concealment and avoidance that may be characterised as manipulative communication and systemic dishonesty within the marital relationship.<sup>37</sup> These include reported strategies such as maintaining a long-distance arrangement under the pretext of work commitments and, in one account, allegedly administering sleeping pills to prevent physical contact or intimate relations.<sup>38</sup> In other cases, in his daily life, the husband often leads a double life by using digital platforms such as Facebook and MiChat to interact with the gay or transgender

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<sup>29</sup> Junfeng Zhu et al., "Sustaining Heteronormativity in Marriage: How Chinese Newspapers Frame Heterosexual Marriage Undertaken by Chinese Queer People," *Journal of Homosexuality* 72, no. 3 (February 23, 2025): 501–19, <https://doi.org/10.1080/00918369.2024.2322623>; Xuan Ning and Sijia Guo, "Understanding Chinese Gay Men's and Lesbians' Experiences of Coping with the Pressure to Marry from the Lens of Suzhi Discourse," *International Journal of Environmental Research and Public Health* 2022, Vol. 19, Page 796 19, no. 2 (January 12, 2022): 796, <https://doi.org/10.3390/IJERPH19020796>.

<sup>30</sup> Jacklin Stefany Manafe, Jeni Matelda Ataupah, and Hildigardis M I Nahak, "Menelaah Lavender Marriage: Pengaruh Sosial Dan Konstruksi Identitas Dalam Konteks Heteronormatif," *Jurnal Ilmu-Ilmu Sosial PLURALIS* 3, no. 1 (2024): 414–25.

<sup>31</sup> Corbuzier, *Suaminya Selingkuh Sama Cowo.. Dan Cowo Nya.. Adalah.....!?!? Meylisa Zaara-Deddy Corbuzier Podcast*.

<sup>32</sup> Manafe, Ataupah, and Nahak, "Menelaah Lavender Marriage: Pengaruh Sosial Dan Konstruksi Identitas Dalam Konteks Heteronormatif."

<sup>33</sup> Lee, *Nikah 6 Bulan Masih Perawan?! Suaminya Penyuka Sesama Jenis!?*

<sup>34</sup> Sumargo, *Suamiku Ngirim Pap "Itunya" Ke Laki-Laki Lain!! Udah Ketahuan Tapi Ga Berubah!! (Curhat Bang)*.

<sup>35</sup> Lee, *Nikah 6 Bulan Masih Perawan?! Suaminya Penyuka Sesama Jenis!?*

<sup>36</sup> Sumargo, *Suamiku Ngirim Pap "Itunya" Ke Laki-Laki Lain!! Udah Ketahuan Tapi Ga Berubah!! (Curhat Bang)*.

<sup>37</sup> Sylvia Kurnia Ritonga, "Dialektika Fiqih Kontemporer Terhadap Ketetapan Hukum Lavender Marriage," *Jurnal EL-QANUNIY: Jurnal Ilmu-Ilmu Kesyariahan Dan Pranata Sosial* 10, no. 2 (2025): 332–46, <https://doi.org/10.24952/el-qanuniy.v10i2.14213>.

<sup>38</sup> Lee, *NIKAH 6 BULAN MASIH PERAWAN?! SUAMINYA PENYUKA SESAMA JENIS!?*

community,<sup>39</sup> even involving his own wedding witnesses as part of this clandestine circle of relationships.<sup>40</sup> The level of honesty in this relationship is at its lowest point due to the husband's denial and rationalisation. When evidence of infidelity with men or transgender women is discovered, the husband tends to normalise the situation by arguing that such activities, such as sending photos of genitalia without showing the face, do not constitute a breach of marital norms or constitute actual infidelity.<sup>41</sup> This lack of openness creates a thick barrier between husband and wife, where communication is purely functional and domestic, lacking the emotional honesty that forms the cornerstone of a family.

### **Psychological and Relational Impacts on Couples**

The psychological impact experienced by the wife as the victim of sexual orientation deception is immense and destructive. The findings indicate a pattern of psychological distress,<sup>42</sup> ranging from deep trauma to a profound loss of self-worth resulting from prolonged exposure to identity-based deception within the marital relationship.<sup>43</sup> Wives experience an identity crisis and a loss of self-esteem upon realising they have been living a massive lie. This emotional burden becomes even heavier when the wife must face the reality that her husband has greater emotional and physical closeness with another man or a specific community than with her. Relationally, the quality of the marital relationship in this phenomenon undergoes total degradation. Intimate relations, if they occur at all, are extremely rare, mechanical, and devoid of affection,<sup>44</sup> and sometimes even conducted in complete darkness to conceal the husband's physical aversion to his wife.<sup>45</sup> In other cases, the wife remaining a virgin six months into the marriage serves as concrete evidence of the husband's deliberate neglect of her emotional rights.<sup>46</sup> The tension that continues to build up as a result of this emotional void often erupts into open conflict, which in certain cases leads to physical violence (domestic violence) when the husband feels cornered by his wife's suspicions.<sup>47</sup> This series of facts confirms that a lavender marriage constitutes a form of disregard for fundamental rights that undermines the very essence and dignity of humanity within marriage.

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<sup>39</sup> Sumargo, *Suamiku Ngirim Pap "Itunya" Ke Laki-Laki Lain!! Udah Ketahuan Tapi Ga Berubah!! (Curhat Bang)*.

<sup>40</sup> Corbuzier, *Suaminya Selingkuh Sama Cowo.. Dan Cowo Nya.. Adalah.....!?!? Meylisa Zaara-Deddy Corbuzier Podcast*.

<sup>41</sup> Sumargo, *Suamiku Ngirim Pap "Itunya" Ke Laki-Laki Lain!! Udah Ketahuan Tapi Ga Berubah!! (Curhat Bang)*.

<sup>42</sup> Lee, *Nikah 6 Bulan Masih Perawan?! Suaminya Penyuka Sesama Jenis!?*

<sup>43</sup> Corbuzier, *Suaminya Selingkuh Sama Cowo.. Dan Cowo Nya.. Adalah.....!?!? Meylisa Zaara-Deddy Corbuzier Podcast*; Almaz Mamaru, Kinde Getachew, and Yasmin Mohammed, "Prevalence of Physical, Verbal and Nonverbal Sexual Harassments and Their Association with Psychological Distress among Jimma University Female Students: A Cross-Sectional Study," *Ethiopian Journal of Health Sciences* 25, no. 1 (January 1, 2015): 29, <https://doi.org/10.4314/EJHS.V25I1.5>; Crystal M. Crystal and Barbara Steffens, Ph.D, "Betrayal Trauma Anger: Clinical Implications for Therapeutic Treatment Based on the Sexually Betrayed Partner's Experience Related to Anger after Intimate Betrayal," *Journal of Sex & Marital Therapy* 50, no. 4 (2024): 456–67, <https://doi.org/10.1080/0092623X.2024.2306940>.

<sup>44</sup> Sumargo, *Suamiku Ngirim Pap "Itunya" Ke Laki-Laki Lain!! Udah Ketahuan Tapi Ga Berubah!! (Curhat Bang)*.

<sup>45</sup> Corbuzier, *Suaminya Selingkuh Sama Cowo.. Dan Cowo Nya.. Adalah.....!?!? Meylisa Zaara-Deddy Corbuzier Podcast*.

<sup>46</sup> Lee, *Nikah 6 Bulan Masih Perawan?! Suaminya Penyuka Sesama Jenis!?*

<sup>47</sup> Sumargo, *Suamiku Ngirim Pap "Itunya" Ke Laki-Laki Lain!! Udah Ketahuan Tapi Ga Berubah!! (Curhat Bang)*.

## Social Impact and Legal Status

Externally, victims of lavender marriages are caught between their partner's betrayal and social pressure from the community. Wives are often the target of negative speculation or victim-blaming by their husbands' circle of friends or extended family, who attempt to cover up the perpetrator's shame.<sup>48</sup> This social pressure means it takes victims a very long time to find the courage to speak out in public or seek justice.<sup>49</sup> On the other hand, the division within the extended family, between those defending the perpetrator and those supporting the victim, creates social isolation for the wife, which ultimately exacerbates her psychological condition.<sup>50</sup> Legal obstacles pose a major challenge in resolving these cases in court. Given that sexual orientation is difficult to prove materially and is often legally denied by the husband,<sup>51</sup> the victim is forced to file for divorce on general grounds, such as domestic violence or persistent disputes, even though the root of the problem is deception regarding sexual orientation,<sup>52</sup> as well as pursuing legal action in the form of annulment of the marriage.<sup>53</sup> This situation indicates a gap in the effectiveness of the law in Indonesia, which has allowed the phenomenon of lavender marriages to fall outside the scope of regulation, thereby failing to comprehensively fulfil the constitutional rights of the victims.

## The Implementation of Family Functions in Practice

The implementation of family functions within the practice of lavender marriage demonstrates a systematic failure to fulfil the fundamental purposes of the marital institution.<sup>54</sup> This is evidenced by its inability to realise the core indicators of *Maqasid al-Usrah*, particularly the preservation of *sakinah* (tranquillity),<sup>55</sup> as the household instead becomes a place where manipulation and injustice occur.<sup>56</sup> In long-term cases where children are involved, the systemic impact extends to unhealthy parenting patterns and the neglect of children's rights to grow up in an honest family environment.<sup>57</sup> Furthermore, this failure of function reaches its most critical point when deviations involving sexual offences against vulnerable groups, such as children and underage adolescents, are discovered.<sup>58</sup> In certain cases documented through podcast testimonies, victims reported being exposed to sexual demands that fell outside the boundaries of the marital relationship, including invitations to engage in sexual activities with third parties.<sup>59</sup> It must be emphasised that these accounts represent isolated self-reported testimonies from a limited number of cases and cannot be generalised as characteristic of lavender marriages broadly. However, they do suggest that in some instances this practice

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<sup>48</sup> Lee, *Nikah 6 Bulan Masih Perawan?! Suaminya Penyuka Sesama Jenis!?*

<sup>49</sup> Corbuzier, *Suaminya Selingkuh Sama Cowo.. Dan Cowo Nya.. Adalah.....!?! Meylisa Zaara-Deddy Corbuzier Podcast.*

<sup>50</sup> Sumargo, *Suamiku Ngirim Pap "Itunya" Ke Laki-Laki Lain !! Udah Ketahuan Tapi Ga Berubah !! (Curhat Bang).*

<sup>51</sup> Sumargo.

<sup>52</sup> Corbuzier, *Suaminya Selingkuh Sama Cowo.. Dan Cowo Nya.. Adalah.....!?! Meylisa Zaara-Deddy Corbuzier Podcast.*

<sup>53</sup> Lee, *Nikah 6 Bulan Masih Perawan?! Suaminya Penyuka Sesama Jenis!?*

<sup>54</sup> Ritonga, "Dialektika Fiqih Kontemporer Terhadap Ketetapan Hukum Lavender Marriage."

<sup>55</sup> Habibie and Turnip, "Lavender Marriage Perspektif Ulama Kota Medan Dan Implikasinya Dalam Hukum Keluarga Islam Di Indonesia."

<sup>56</sup> Ritonga, "Dialektika Fiqih Kontemporer Terhadap Ketetapan Hukum Lavender Marriage."

<sup>57</sup> Sumargo, *Suamiku Ngirim Pap "Itunya" Ke Laki-Laki Lain !! Udah Ketahuan Tapi Ga Berubah !! (Curhat Bang).*

<sup>58</sup> Lee, *Nikah 6 Bulan Masih Perawan?! Suaminya Penyuka Sesama Jenis!?*

<sup>59</sup> Lee.

may expose victims to additional forms of harm that warrant serious attention from both legal and child protection frameworks. This underscores that this phenomenon is not merely a matter of domestic privacy but a real threat to the safety of family members and the social order that should be protected by family law.

## 2.2. *The Reality of Lavender Marriages and the Fulfillment of Spousal Rights*

The phenomenon of lavender marriages in Indonesia reveals a reality of marriage that is structurally problematic, particularly regarding the fulfilment of a wife's rights. Marriages that are formally registered as valid by state institutions are, in practice, often built upon a foundation of dishonesty and a deliberately concealed deviation in sexual orientation.<sup>60</sup> These conditions place wives in a position of absolute vulnerability because, from the outset, this bond (both physical and emotional) is not conducted on the principles of transparency, justice, and responsibility.<sup>61</sup> Based on empirical data from the testimonies of victims, the failure to fulfil emotional rights is the most dominant aspect and one that undermines the very essence of marriage. In some cases, minimal sexual relations of a mechanical nature,<sup>62</sup> refusal of intimate relations, consistent emotional distance, and the absence of psychological attachment<sup>63</sup> indicate that marriage is often merely used as a legal tool to conceal the perpetrator's sexual identity, which directly denies the wife's right to healthy biological and emotional needs.

Furthermore, the impact of this unequal relationship extends to violations of the right to protection and a sense of security. When a wife begins to question the odd behaviour of her husband, the response is often not honesty, but emotional manipulation, intimidation,<sup>64</sup> and even an escalation to physical violence (domestic violence).<sup>65</sup> This unequal power dynamic is exacerbated by the husband's mechanisms of denial and rationalisation, as he attempts to normalise deviant behaviour as a reasonable act or not an affair.<sup>66</sup> Consequently, the wife's right to be treated with kindness and affection (*mu'asyarah bi al-ma'ruf*) is entirely lost. This lack of empathy and emotional support from the husband creates ongoing psychological suffering, which fundamentally contradicts the true purpose of marriage as a space for peace of mind.

Psychologically, a lavender marriage creates a state of psychological shock.<sup>67</sup> and betrayal trauma, which has a destructive impact on the wife's mental health.<sup>68</sup> The husband's systemic dishonesty, coupled with emotional manipulation such as gaslighting, where the husband denies his deviant behaviour or instead blames the wife's

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<sup>60</sup> Alawiyah, Yazid, and Iwan, "Lavender Marriage in the Perspective of Islamic Law: A Case Analysis in Nangka Village, Binjai Utara District."

<sup>61</sup> Wulandari and Prameswari, "Menelisik Nilai Murni Dalam Praktik Perkawinan Lavender Ditinjau Dari Hukum Islam Di Indonesia."

<sup>62</sup> Corbuzier, *Suaminya Selingkuh Sama Cowo.. Dan Cowo Nya.. Adalah.....!?! Meylisa Zaara-Deddy Corbuzier Podcast.*

<sup>63</sup> Lee, *Nikah 6 Bulan Masih Perawan?! Suaminya Penyuka Sesama Jenis!?*

<sup>64</sup> Sumargo, *Suamiku Ngirim Pap "Itunya" Ke Laki-Laki Lain !! Udah Ketahuan Tapi Ga Berubah !! (Curhat Bang).*

<sup>65</sup> Corbuzier, *Suaminya Selingkuh Sama Cowo.. Dan Cowo Nya.. Adalah.....!?! Meylisa Zaara-Deddy Corbuzier Podcast.*

<sup>66</sup> Sumargo, *Suamiku Ngirim Pap "Itunya" Ke Laki-Laki Lain !! Udah Ketahuan Tapi Ga Berubah !! (Curhat Bang).*

<sup>67</sup> Corbuzier, *Suaminya Selingkuh Sama Cowo.. Dan Cowo Nya.. Adalah.....!?! Meylisa Zaara-Deddy Corbuzier Podcast.*

<sup>68</sup> Lee, *Nikah 6 Bulan Masih Perawan?! Suaminya Penyuka Sesama Jenis!?*

suspicious, triggers prolonged anxiety and depression.<sup>69</sup> The wife's mental state deteriorates further due to emotional disconnection, she remains in a physical bond yet experiences loneliness due to the absence of genuine psychological intimacy.<sup>70</sup> This demonstrates that the lavender marriage has failed to provide a safe space for the mental development of family members, and has instead transformed into a source of inner suffering that violates the wife's fundamental right to live in peace of mind.

In a broader sense, a lavender marriage highlights the weakness of legal and social protections for wives. Victims are often caught in a dilemma between bearing the burden of trauma in private or facing public stigma and condemnation if they dare to speak out.<sup>71</sup> The wife's legal position is also disadvantageous due to the difficulty of proving her husband's sexual orientation as the primary grounds for divorce,<sup>72</sup> or marriage annulment.<sup>73</sup> The limitations of this legal evidentiary system force wives to reconstruct their suffering into other legal grounds, such as persistent discord,<sup>74</sup> which ultimately often fails to restore the wife's rights fairly and comprehensively. Thus, a lavender marriage has serious consequences for the fulfilment of a wife's rights, whether emotional, psychological, social, or legal. These multi-layered impacts underscore that a lavender marriage is not merely a private matter, but a structural problem demanding serious attention from legal, religious, and women's rights perspectives.

### **2.3. An Examination of Maqasid al-Usrah Regarding the Validity of Lavender Marriages**

An analysis of the phenomenon of lavender marriages through the framework of Maqasid al-Usrah reveals a fundamental disconnect between the formalities of the marriage contract and the true purpose of marriage. The fulfilment of a wife's rights, which include the right to intimacy and to be treated with kindness,<sup>75</sup> the right to protection and guidance,<sup>76</sup> the right to love and affection,<sup>77</sup> and the right to dignity and justice,<sup>78</sup> constitutes a fundamental principle of Indonesian family law that is often systematically undermined in this practice. 'Atiyyah emphasises that the family is an

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<sup>69</sup> Sumargo, *Suamiku Ngirim Pap "Itunya" Ke Laki-Laki Lain!! Udah Ketahuan Tapi Ga Berubah!! (Curhat Bang)*.

<sup>70</sup> Lee, *Nikah 6 Bulan Masih Perawan?! Suaminya Penyuka Sesama Jenis!?*

<sup>71</sup> Sumargo, *Suamiku Ngirim Pap "Itunya" Ke Laki-Laki Lain!! Udah Ketahuan Tapi Ga Berubah!! (Curhat Bang)*.

<sup>72</sup> Corbuzier, *Suaminya Selingkuh Sama Cowo.. Dan Cowo Nya.. Adalah.....!?!? Meylisa Zaara-Deddy Corbuzier Podcast*.

<sup>73</sup> Lee, *Nikah 6 Bulan Masih Perawan?! Suaminya Penyuka Sesama Jenis!?*

<sup>74</sup> Sumargo, *Suamiku Ngirim Pap "Itunya" Ke Laki-Laki Lain!! Udah Ketahuan Tapi Ga Berubah!! (Curhat Bang)*.

<sup>75</sup> Ahmad Sulthon, "Studi Tentang Hak Dan Kewajiban Suami Dalam Perspektif Hadist Ahkam Dan Hukum Positif," *Jurnal Hukum Keluarga Islam El-Qisth* 6, no. 2 (2023): 1–9, <https://ejournal.uhuwiyah.ac.id/index.php/qisth/article/view/101/100>.

<sup>76</sup> Muhammad Daffa Hanif, Muhammad April, and Jumni Nelli, "Hak Dan Kewajiban Suami Istri Dalam Hukum Islam Di Indonesia," *Al-Iman: Jurnal Keislaman Dan Kemasyarakatan* 9, no. 2 (2025): 780–801, <https://ejournal.kopertais4.or.id/madura/index.php/aliman/article/view/8338>.

<sup>77</sup> Muhamad Zainul Abidin, "Pemenuhan Kebutuhan Suami Dan Istri Dalam Keluarga Rasulullah Prespektif Al-Quran Dan Hadist," *La Zhulma | Jurnal Ekonomi Dan Bisnis Islam* 6, no. 1 (2025): 94–107, <https://doi.org/10.70143/lazhulma.v6i1.502>.

<sup>78</sup> Sifa Mulya Nurani, "Relasi Hak Dan Kewajiban Suami Istri Dalam Perspektif Hukum Islam," *Al-Syakhsyiyah: Journal of Law & Family Studies* 3, no. 1 (2021): 98–116.

institution aimed at preserving honour (*hifz al-'ird* and tranquillity (*as-sakinah*).<sup>79</sup> Therefore, a marriage built from the outset upon the concealment of sexual orientation and dishonesty has, in fact, deviated from its original purpose. In this context, marriage is no longer oriented towards the welfare of family members, but merely serves as a protective instrument for the husband's unilateral interest in attaining social status.

In terms of managing relations between men and women (*tanzīm al-'alāqah bayn al-jinsayn*), Maqasid al-Usrah requires honest and responsible relationships as the primary foundation.<sup>80</sup> The prohibition against all forms of deviant behaviour in 'Atiyyah's theory aims to ensure the realisation of harmonious and dignified family relationships.<sup>81</sup> However, in a 'lavender marriage', a concealed sexual orientation, coupled with the practice of having relationships with someone other than one's wife outside the bonds of marriage, distorts the relationship that undermines the wife's dignity. The pattern of relationship that emerges does not reflect a balance of rights and obligations, but rather places the wife as the disadvantaged party within an unequal power dynamic. This disregard for the wife's dignity signifies a complete failure of the marriage to fulfil its function of managing the relationship fairly in accordance with the principle of *mu'asyarah bi al-ma'ruf*.

Furthermore, the indicators of a harmonious household (*tahqīq al-sakina wa al-mawaddah wa al-rahmah*) are a crucial point that is often overlooked. The concept of *sakinah* should not be interpreted as limited to the provision of material sustenance, but must encompass inner peace and genuine affection.<sup>82</sup> are a crucial point that is often overlooked. The concept of *sakinah* should not be interpreted as limited to the provision of material sustenance,<sup>83</sup> but must encompass inner peace and genuine affection.<sup>84</sup> The practice of the lavender marriage, characterised by a lack of emotional interaction and the absence of psychological attachment, undermines the foundation of a wife's happiness as a lawful spouse. This relational imbalance, in which the wife fulfils her obligations in full whilst the husband fails to show respect and fully fulfil the wife's rights, creates structural injustice. This failure to provide inner peace demonstrates that the marriage has lost its essence as a space capable of providing psychological protection for its members.

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<sup>79</sup> Aldi Wijaya Dalimunthe, "Maqasid Syariah Dalam Pandangan Jamaluddin Athiyah Muhammad," *Jurnal Al-Nadhair* 3, no. 01 (June 28, 2024): 23–36, <https://doi.org/10.61433/ALNADHAIR.V3I01.45>.

<sup>80</sup> Fatkul Chodir and Aspandi, "Praktik Dan Implikasi Perkawinan Bawah Tangan Terhadap Tujuan Keluarga Perspektif Maqasid Al-Usrah," *Indonesian Journal of Humanities and Social Sciences* 4, no. 3 (November 30, 2023): 639–54, <https://doi.org/10.33367/IJHASS.V4I3.4507>.

<sup>81</sup> Jamaluddin 'Athiyyah, *Nahwa Taf'īl Maqāshid Al-Syarī'ah* (Damaskus: Dar Al-Fikr, 2003).

<sup>82</sup> Affizatul Mua'malah, Mufidah Cholil, and Musataklima, "Perspektif Maqashid Al-Syari'ah Jamaluddin Al-'Athiyyah Terhadap Urgensi Restorative Justice Sebagai Alternatif Penyelesaian Kasus Kdrt," *Rewang Rencang : Jurnal Hukum Lex Generalis* 6, no. 2 (2025): 1–16.

<sup>83</sup> Galuh Widitya Qomaro, *Maqashid Al-'ushrah Jamaluddin Athiyah: Pemikiran Dan Terapannya Pada Ketahanan Keluarga* (Malang: Edulitera, 2025); Muhammadiyah Mubarak Shiyana and Seyed Mohamed Mohamed Mazahir, "The Concept of Love in Marriage: Integrating Sternberg's Theory with Quranic Teachings," *International Journal of Islamic Thought* 28 (2025): 121–33, <https://doi.org/10.24035/ijit.28.2025.339>.

<sup>84</sup> Muhammad Nanda Fanindy, "Formulasi Maqasid Syariah Perspektif Jamaluddin Athiyyah: Studi Kasus Perda Daerah Istimewa Yogyakarta (DIY) No. 7 Tahun 2018 Tentang Ketahanan Keluarga," *ISLAMITSCH FAMILIERECHT JOURNAL* 1, no. 01 (December 13, 2020): 23–45, <https://doi.org/10.32923/IFJ.V1I01.1489>.

This situation has direct implications for the failure to fulfil the function of preserving the lineage (*hifz al-nasl*). Islamic law establishes marriage as a legal bond for lawful reproduction.<sup>85</sup> However, according to the victim's account, a lavender marriage effectively negates this function. The husband's tendency to avoid sexual relations due to his sexual orientation, or to engage in mechanical intercourse devoid of warmth, hinders the achievement of the fundamental objective of *hifz al-nasl*. Although administratively this is a heterosexual marriage, the refusal to fulfil the wife's biological rights substantially violates the purpose of marriage in ensuring the continuity of the generations. Consequently, the lavender marriage loses its significance as an institution that guarantees the continuity of quality offspring within a healthy family environment.

The dimension of preserving religiosity (*hifz tadayyun fi al-usrah*) within the family, based on the *Maqasid al-Usrah* framework as formulated by Jamaluddin 'Athiyyah, places the primary responsibility on the head of the household towards his wife and children, particularly in fostering aspects of faith, ethics, and Islamic jurisprudence.<sup>86</sup> A lavender marriage indicates profound moral and spiritual decay. The husband, as head of the household, bears the primary responsibility for fostering faith and morality; however, deliberate deviant sexual behaviour undermines this exemplary role. The discrepancy between the husband's behaviour and the values of Islamic jurisprudence and morality has the potential to cause spiritual harm to all family members. This practice not only damages personal relationships but also weakens the pillar of religiosity, which is, in fact, one of the fundamental objectives in the formation of a family, according to *Maqasid al-Usrah*. The neglect of this responsibility for nurturing reflects a loss of spiritual integrity, which should serve as a compass in family life.

Lastly, regarding the foundational aspects of family formation (*tanzim al-jānib al-mu'assasī lī al-Usrah*), the *Maqasid al-Usrah* framework requires the principles of consultation, openness, and a pattern of relationships based on mutual respect amongst family members.<sup>87</sup> Furthermore, Islam also emphasises the importance of maintaining healthy relationships within the family, including efforts to prevent acts of oppression and various forms of violence, both physical and non-physical.<sup>88</sup> However, the reality of lavender marriages reveals a complete failure to uphold these fundamental principles, where the husband's unilateral dominance, concealing his sexual identity for the sake of public image, emerges as a tangible form of oppression. Rather than serving as a protective space for the vulnerable, the institution of marriage in this case has instead been transformed into an instrument of oppression characterised by physical violence, psychological pressure, and emotional manipulation once the perpetrator's secret is revealed. This situation underscores that the 'lavender marriage' is fundamentally at odds with the purpose of family formation in Islam, which demands justice and dignity, whilst simultaneously demonstrating the collapse of the marriage's function as an institution that should guarantee security and honour for all its members.

#### **2.4. The Relevance of the Maqasid al-Usrah Theory in Addressing the Issue of Lavender Marriage**

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<sup>85</sup> Galuh Widitya Qomaro, *Maqashid Al-'ushrah Jamaluddin Athiyah: Pemikiran Dan Terapannya Pada Ketahanan Keluarga*.

<sup>86</sup> Jamaluddin 'Athiyyah, *Nahwa Taf'īl Maqāsid Al-Syarī'ah*.

<sup>87</sup> 'Athiyyah, 2003

<sup>88</sup> Jamhuri and Dhiauddin Tanjung, "Pemikiran Jamaluddin Athiyah Dan Moderasi Fikih: Menyikapi Tantangan Keagamaan Di Era Modern Di Indonesia," *WATHAN: Jurnal Ilmu Sosial Dan Humaniora* 2, no. 1 (2025): 154–67, <https://doi.org/https://doi.org/10.71153/wathan.v2i1.231>.

The relevance of Jamaluddin 'Atiyyah's *Maqasid al-Usrah* theory in addressing the issue of lavender marriage lies in its ability to provide a normative framework that transcends formal legality to achieve substantive justice. The integration of 'Atiyyah's theory results in a victim-oriented model of legal protection. In the aspect of relationship management (*tanzīm al-'alāqah*), the law must accommodate the fact that a husband's concealment of his sexual orientation constitutes a grave breach of the principle of honesty.<sup>89</sup> Therefore, the state, through the judicial institutions, is obliged to guarantee the wife's right to annul the marriage or file for divorce on the grounds of dishonesty in the marriage in the form of a deviation in sexual orientation that violates her honour, without her being trapped in social stigma that marginalises the victim.

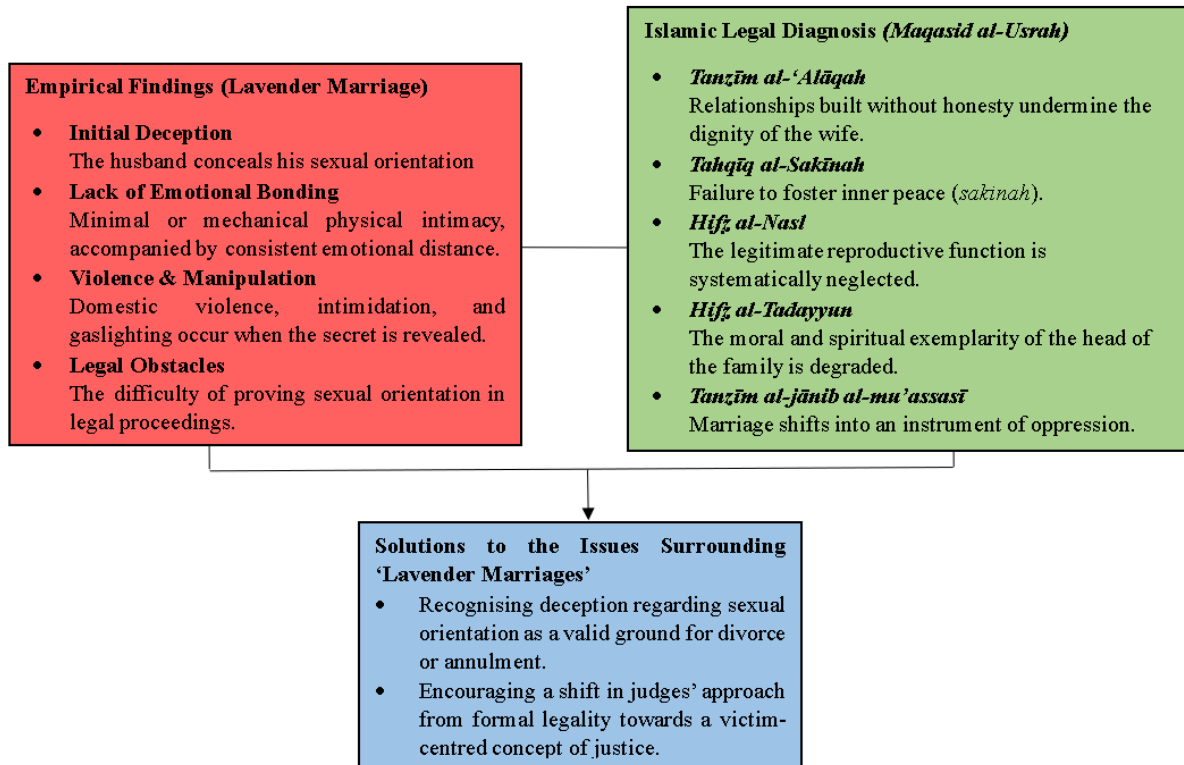
In relation to the aspects of harmony (*tahqīq al-sakina wa al-mawaddah wa al-rahmah*) and the protection of life (*hifz al-nafs*), this theory provides a basis for judges to consider the psychological trauma suffered by the wife in a lavender marriage as a strong legal ground for dissolving the marriage. Legal protection for the wife of a victim of a lavender marriage must include guarantees of psychological safety from trauma and anxiety disorders. Policy-makers are expected to be able to make legal breakthroughs by recognising that the imbalance in the emotional relationship and the disregard for the wife's reproductive rights constitute a failure to achieve the fundamental objectives of marriage. With this approach, a court ruling is not merely a termination of the marriage contract, but an effort to restore the human dignity of the victim, who has long been used as a tool to protect the perpetrator's social status.

Furthermore, the dimensions of upholding religious values and preventing injustice in 'Atiyyah's theory call for preventive and educational legal safeguards. Specifically, a legal framework that explicitly recognises concealment of sexual orientation as a ground for annulment and provides procedural protections for victims of identity-based deception in marriage. The government must be able to formulate such a framework capable of mitigating the structural vulnerability that gives rise to domestic violence and psychological harm in these cases, moving beyond a purely formal-procedural approach toward one grounded in substantive and victim-centred justice. By institutionalising the principles of honesty (*ṣidq*) and mutual consent (*tārādī*), the national legal system can provide protection that is not only normatively valid but also ethically and religiously meaningful. Through the internalisation of Maqāsid al-Usrah values, legal protection for wives who are victims of lavender marriage ensures that the institution of the family remains a space that is just, dignified, and consonant with the noble objectives of Islamic law.

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<sup>89</sup> Busriyanti et al., "Marriage Law Reform in Indonesia A Maqasid Al-Usrah Perspective on Legal Adaptation."

### Illustration 1. The Dysfunction of Maqasid al-Usrah in the Practice of Lavender Marriage



The figure illustrates the analytical framework employed in this study, mapping the relationship between empirical findings and Islamic legal diagnosis. The left panel identifies four key dysfunctions observed in lavender marriage cases: initial deception, lack of emotional bonding, violence and manipulation, and legal obstacles. The right panel presents the corresponding *Maqāsid al-Usrah* diagnosis, demonstrating how each empirical finding constitutes a violation of one or more family objectives, namely *Tanzīm al-'Alāqah* (relational order), *Tahqīq al-Sakīnah* (realisation of tranquillity), *Hifẓ al-Nasl* (preservation of lineage), *Hifẓ al-Tadayyun* (preservation of religiosity), and *Tanzīm al-jānib al-mu'assasī* (institutional integrity of marriage). The lower panel synthesises both dimensions into two proposed solutions: the recognition of sexual orientation concealment as a valid ground for annulment, and a shift toward victim-centred judicial reasoning.

### 3. CONCLUSION

The practice of lavender marriage in Indonesia creates a structurally problematic marital reality, in which the formal legality of the institution of marriage is actually used as a means of concealing the perpetrators' sexual orientation. The foundation of dishonesty underpinning this marriage places the wife in a position of absolute vulnerability, leading to the failure to fulfil emotional needs, the neglect of biological needs, and even the destructive (betrayal trauma) that harms mental health. These multi-layered impacts encompass not only psychological suffering resulting from emotional

manipulation (gaslighting),<sup>90</sup> but also infringe upon the right to protection and a sense of security when escalating conflicts lead to domestic violence.

This practice has proven to fail to meet the five key indicators of family well-being formulated by Atiyyah. This failure begins with the dimension of *tanzīm al-'alaqah bayn al-jinsayn*, where a fundamental distortion of the relationship occurs due to the relationship being built on a foundation lacking honesty regarding sexual orientation. This dishonesty has direct implications for the failure to achieve *tahqīq al-Sakīnah wa al-mawaddah wa al-rahmah* due to the absence of psychological attachment and sincere affection, which should form the very essence of family life. Furthermore, the aspect of *Hifz al-Nasl* is also neglected through the rejection or disregard of the reproductive function in a substantial manner, which denies the wife's biological rights. This damage extends to the dimension of *Hifz al-Tadayyun fī al-usrah* due to the collapse of spiritual integrity and the loss of the husband's exemplary role as head of the family in matters of morality. This entire chain of failures culminates in the collapse of the *tanzīm al-jānib al-mu'assasī lī al-Usrah* due to the loss of the principles of consultation and openness, which instead transforms the institution of marriage into an oppressive act of injustice. Thus, the lavender marriage has essentially lost its essence as a space of inner peace (*as-sakinah*) and the protection of honour (*hifz al-'ird*).

Therefore, the theory of *Maqasid al-Usrah* holds crucial relevance as a basis for strengthening victim-centred legal protection. Having established that the concealment of sexual orientation in lavender marriage constitutes *tadlis* and *gharar* under Islamic law, the state and judicial institutions must be able to move beyond formal-procedural justice towards substantive justice by recognising such deception as a valid ground for annulment or divorce. The legal protection offered must be responsive, encompassing guarantees of psychological security and the restoration of the wife's human dignity. This urgency serves as a mandate for policymakers to develop an adaptive, preventive, and educational legal framework to ensure that the family institution remains a safe space that is fair, honest, and dignified, in accordance with the noble ideals of Islamic law.

This study acknowledges several limitations. The primary data, derived from publicly accessible podcast testimonies, reflect victims' subjective experiences rather than legally verified facts, and the scope is limited to three Indonesian YouTube channels, which may not represent the full diversity of lavender marriage cases nationally. Additionally, audio-visual netnography does not capture legal documentation or formal victim testimonies, and the theoretical application of Maqasid al

-Usrah to lavender marriage remains exploratory, given the still-limited body of literature on this topic. Future research employing court records, in-depth interviews, or comparative Islamic law analysis would significantly enrich these findings.

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<sup>90</sup> A form of psychological abuse in which the perpetrator employs tactics of misdirection, denial, and contradiction to destabilise the victim's sense of reality. Evita March et al., "It's All in Your Head": Personality Traits and Gaslighting Tactics in Intimate Relationships," *Journal of Family Violence* 40, no. 2 (2025): 259–68, <https://doi.org/10.1007/s10896-023-00582-y>; Mayara de Oliveira Silva Machado et al., "Gaslighting in Intimate Relationships: A Scoping Review," *Ciencias Psicologicas* 19, no. 2 (2025): 1–15, <https://doi.org/10.22235/cp.v19i2.4477>.

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