

From Upstream to Downstream: Islam and the State Preventing LGBT

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ABSTRACT

The state has a constitution and Islam has a sharia that aims to regulate human life so that it runs well and does not violate the eastern norms and values adopted by Indonesian society. This article aims to examine the extent of the state's efforts through the Constitution and Islam through sharia to prevent someone from becoming LGBT. This research is a literature review with the type of normative research that uses the statute approach and phenomenological approach. Based on the analysis, the state and Islam have tried to prevent LGBT early on. The Constitution and Sharia regulate that the family is formed on a good and solid foundation in the face of LGBT issues. However, due to the lack of firmness of the Constitution, LGBT perpetrators still find loopholes to exist and change their appearance to better match the gender they want. At the end of the stage, to legalize the gender transition and be recognized by the state, they apply for a change of identity on the Indonesia Identity card through the Court. The constitution that regulates this change is also considered not firm, all returned to the judgment and decision of the judge to accept or reject their application.

Keywords: Islam, State, LGBT.

ABSTRAK

Negara memiliki Undang-Undang dan Islam memiliki syariat yang bertujuan mengatur hidup manusia agar berjalan dengan baik dan tidak melanggar norma dan nilai ketimuran yang dianut masyarakat Indonesia. Artikel ini bertujuan untuk mengkaji sejauh mana upaya negara melalui Undang-Undang dan Islam melalui syariat untuk mencegah seseorang menjadi LGBT. Penelitian ini merupakan kajian kepustakaan dengan jenis penelitian normatif yang menggunakan pendekatan perundang-undangan dan pendekatan fenomenologi. Berdasarkan hasil analisis, negara dan Islam telah berupaya mencegah LGBT sejak dini. Undang-Undang dan syariat mengatur agar keluarga terbentuk di atas pondasi yang baik dan kokoh dalam menghadapi isu LGBT. Namun karena ketidak tegas-an Undang-Undang, pelaku LGBT masih menemukan celah untuk eksis dan merubah penampilan agar lebih menyesuaikan dengan gender yang mereka inginkan. Di akhir tahapan, untuk melegalkan transisi gender dan diakui oleh negara, mereka mengajukan perubahan identitas diri pada KTP melalui Pengadilan. Undang-Undang yang mengatur perubahan ini juga dinilai tidak tegas, semua dikembalikan kepada pertimbangan dan keputusan hakim untuk menerima atau menolak permohonan mereka.

Kata Kunci: Islam, Negara, LGBT.

INTRODUCTION

The issue of LGBT (Lesbian, Gay, Bisexual, and Transgender) seems to be an ever-heated topic of discussion. Recently, Indonesia was abuzz with the news of a transgender individual going for Umrah (a pilgrimage to Mecca). This person has been extensively featured in various artist podcasts such as Kinogina's podcast (Kinogina 2023), Denny Sumargo's podcast (CURHAT BANG Denny Sumargo 2023), and Maia Estianti's show (MAIA ALELDUL TV 2023), sharing their life journey as a transgender individual, including their desire to return to being a man after Umrah. They also maintain a social media account to share their daily life. This individual is not alone; many members of the LGBT community, with diverse identities, use social media platforms like Facebook, Instagram, and YouTube to socialize and express their existence. The term LGBT has evolved into LGBTQQIP2SAA (Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Intersex, Allies, Asexual, and Pansexual) (Olsen 2023), a complex term that can be challenging to understand.

Initially, members of the LGBT community hid their identities, but as globalization moved towards the West, they began bravely exposing their uniqueness to integrate into and settle in Indonesia (Putri 2023:379). This was supported by the emergence of a group of hedonistic-minded individuals who believed that sex was not solely reserved for married couples or even different-gender couples. Instead, they viewed sex as comfort and an expression of love aligned with human desires, even if that comfort was found in same-gender relationships. Whether consciously or not, sex has become a psychological necessity that must be fulfilled, as it can influence an individual's mental well-being (Razak 2016:54).

Undeniably, information technology has been a major contributor to the development of the LGBT community in Indonesia. The proliferation of advertisements or promotions by LGBT individuals on various easily accessible social media platforms has been notable. Recruitment campaigns by LGBT groups have also entered social media, and members of the LGBT community are expanding their presence to schools, universities, and other public facilities. Unfortunately, according to data from several independent survey agencies, both domestic and international, the percentage of LGBT individuals in Indonesia has reached 3% of the total population (Saleh and Arif 2018:89).

Previous research on LGBT has been conducted, but it has not focused on examining early prevention strategies applied by Islam and legal regulations. For instance, research by Ilham Hudi et al. attempted to analyze various literature related to LGBT in Indonesia, concluding that LGBT goes against the values of Pancasila (the Indonesian state philosophy) and Indonesian cultures because it affects social rights and guarantees of security (Hudi et al. 2023:23300). Another study by Amalia Fakhra Suhandy et al. focused on the implementation of legality principles in LGBT cases from the perspective of Islamic law, concluding that Islamic law in Indonesia has a different perspective on LGBT cases. However, the majority strongly opposes same-sex relationships, even supporting efforts to criminalize any LGBT-related activities. There are a few individuals who support recognizing the rights of LGBT individuals and reject discriminatory attitudes towards them (Suhandy et al. 2023:14). Furthermore, research by Irvan Hasbiyulloh and Abdur Rahim titled "The Role of the State in Anticipating Transgender Issues from an Islamic Legal Perspective" concluded that LGBT is contradictory to Pancasila, especially the first and second principles, urging a reevaluation of laws to address LGBT cases (Hasbiyulloh and Rahim 2021:301).

As Indonesia, with its predominantly Islamic population, holds the largest Muslim population globally, it should pay more attention and seriousness to the increasingly prominent phenomenon of LGBT. Hence, this research focuses on examining the extent of the state's efforts through legislation and Islam's efforts through Sharia to anticipate individuals falling into LGBT activities.

METHODS

This research is a normative literature study as its focus is on legal materials such as the Qur'an, hadith, religious doctrines, laws, and other literature related to the topic of LGBT. In examining the efforts of Islam and the state in preventing LGBT, this research employs a legislative approach (statute approach) (Marzuki 2021:133), scrutinizing each law and regulation relevant to the legal issues at hand, specifically the issue of LGBT. This is followed by a phenomenological approach (phenomenological approach) (Mujib 2015:168), attempting to explore the phenomenon of the legality of LGBT activities that have occurred within society.

RESULTS AND DISCUSSION

Efforts of Islam and the State in Preventing the Occurrence of LGBT

1. Before the Birth of a Child

A child is one of the blessings bestowed by Allah SWT upon humanity. Innately, humans desire children to continue their existence in the world and fulfill their roles as servants of Allah and stewards on Earth. Even chosen individuals like the Prophets and Messengers married and hoped for descendants (QS Ar Ra'du:38). Safeguarding progeny from the very beginning of their creation is considered one of the Maqāṣid Syarī'ah (objectives of Islamic law). Therefore, it is found that the Quran pays close attention to the rights of children at every stage of their development, even before their creation in their mother's womb. The Quran regulates the rights of children to ensure they grow and develop in a good environment, in line with the purpose of their creation, far from deviation and error.

Indonesia, as a legal state, also regulates several rights of children even before the formation of a family. Here are some rights of children regulated in both Islam and the law before a child is born:

a. Having Good Parents

Good individuals should be aware that LGBT is a deviation and cannot be justified from any perspective. Family upbringing plays a crucial role in instilling this awareness. When someone is planning to proceed to the next stage of life through marriage, they must be well aware of the dangers of LGBT and strive as much as possible to protect their family from factors that contribute to LGBT.

In QS An-Nur:32, Allah commands His servants to marry someone who is righteous (salih) – one who possesses good character and religious beliefs. This is emphasized by the hadith of Prophet Muhammad, stating that women are usually married for four reasons: wealth, lineage, beauty, and religion. In the end, the Prophet instructs his followers to marry women for their religion (HR Bukhari No. 5090).

Meanwhile, the state through the Ministry of Religious Affairs, under the Directorate General of Islamic Guidance, issued Decision No. 373/2017 concerning Technical Guidance for Marriage Counseling for Prospective Couples. The purpose of this pre-marital training is a government initiative to create happy, healthy, and high-quality families. Prospective couples receive marriage

guidance on building a harmonious family, marriage dynamics, conflict management, child education, and more.

From this, it can be understood that Islam and the state pay great attention to the mental readiness of prospective couples before entering the institution of marriage. Both partners must understand their responsibilities within the family. One of these responsibilities is to educate children so that they grow up in accordance with the religion and the laws of the country. Parents who understand the dangers of LGBT will undoubtedly make every effort to keep their children away from the dangers of LGBT.

b. Physical and Mental Health During Pregnancy

Numerous studies suggest that LGBT is caused by various factors: environmental factors (Santona and Tognasso 2018:361), psychological and social factors (Azis 2017:9), biological, and genetic factors (Hu et al. 2019:2). Islam emphasizes preventing LGBT from environmental, psychological, and social aspects through adherence to Allah's commandments and avoidance of His prohibitions. Since husband-and-wife plan to have a child, Islam teaches prayers for the child to become someone protected from Satan. Imam Bukhari narrates a hadith from Prophet Muhammad regarding the supplication recited by a couple before engaging in marital relations:

بِسْمِ اللَّهِ اللَّهُمَّ جَنِّبْنَا الشَّيْطَانَ وَجَنِّبِ الشَّيْطَانَ مَا رَزَقْتَنَا

Then Prophet Muhammad SAW said: "If a child is granted, Satan cannot harm the child" (HR Bukhari, No. 141). This hadith teaches the initial steps to protect progeny from the evil temptations of Satan. Some scholars argue that this means Satan cannot harm the child's religion and intellect, while others believe it refers to Satan's inability to harm the child's physical being.

When a child is formed in the mother's womb, the Quran in Surah Ali 'Imran:35 tells the story of the wife of 'Imran vowing to dedicate her unborn child to the service of the Baitul Maqdis. This vow symbolizes the hope and prayer of the mother for her child to dedicate their life to worship Allah SWT and be protected from the evil influence of Satan. Based on this, it can be understood that Islam teaches its followers to pay attention to the mental health of the child to always obey the commands of Allah SWT under any circumstances. Parental prayers and hopes are part of the effort to safeguard the child's mental health. If, from an early age, a child shows signs of gender dysphoria (such as a boy enjoying activities typically associated with girls and vice versa) – whether due to biological or environmental factors – parents are obligated to educate them according to their gender. Parents consistently teach Islamic values to their children. Thus, as they grow into adolescence or adulthood, they are aware of what is permissible and prohibited in Islam regarding their unique condition.

If Islam emphasizes the importance of safeguarding a child's mental health from the womb, the state focuses more on the child's physical health. This is crucial to avoid biological and genetic factors that contribute to LGBT. The Republic of Indonesia Law Number 4 of 1979 on Child Welfare, in Chapter II Article 2 Paragraph 3, explains the child's rights to care and protection from the time they are in the womb to after birth. Additionally, through the issuance of the Family Card (Buku KIA) as a basic health record for both mother and child during pregnancy, the government ensures the child's nutritional needs are met,

promoting their growth in good health and normal conditions (Sihole 2020:330).

This approach helps prevent LGBT resulting from genetic abnormalities.

2. After the Child is Born

After birth, Islam and the state make various efforts to protect children from the negative influences of LGBT. These efforts include providing a clear identity, education that aligns with religious principles and state laws. If a child naturally exhibits LGBT symptoms – not influenced externally – Islam also provides guidelines that do not burden the child but remain consistent with Islamic law.

a. Providing a Clear Identity

After birth, the first thing a doctor does is ensure the child is born healthy, then determine their gender based on their genitalia. This decision becomes the reference for the child's gender in their birth certificate. The possession of a name and gender as a form of identity and citizenship status is a child's right guaranteed by the state in Law Number 23 of 2002 Concerning Child Protection Article 5. Possessing a birth certificate is crucial for a child to secure their rights to education, economy, health, and other entitlements (Setiawan 2017).

Islam, too, pays attention to the child's right to have a good name through the saying of Prophet Muhammad SAW: "Among the rights of a child over its parents is to give it a good name" (HR. Baihaqi No. 12896) (Al-Bayhaqy 2003:Juz 11, 133). A good name in Islam is one that does not imply worship to anyone other than Allah SWT, does not have a negative meaning, does not use names detested in Islam, and has a positive meaning. A person's name should also reflect their gender. This consideration becomes relevant when a judge approves a request for a name change for someone born with ambiguous genitalia. After undergoing examinations and corrective surgeries, the individual applies for a change in name and gender on their ID card to align with their current gender. When the judge approves the gender change, they view the name change as necessary for consistency in identity (Tsalis and Yulianingrum 2022:149).

b. Providing Good Education

Education, as an agent of social change, is the most crucial right for humans that should be pursued and fought for. The state and religion are responsible for preparing competent human resources capable of facing the challenges of the times through quality education (Alpian et al. 2019:66). A child's right to education and instruction is enshrined in Law Number 23 of 2002 Concerning Child Protection Article 9.

In fulfilling this mandate, the state has made significant efforts to accommodate the educational needs of children facing various challenges, such as abandoned children, those in conflict with the law, children with special needs, and socially vulnerable children. Changes in the curriculum have occurred several times as a manifestation of the government's commitment to improving national education quality. Various programs, such as Independent Learning, Independent Campus, Matching Fund, and Digitalization of Education, are designed to create competitive human resources globally and prepare the Golden Generation 2045. Technological developments not only serve as a means of distance learning but also contribute to disseminating information about available scholarships, making it easier for anyone to participate in the selection process.

Islam's role as the predominant religion in Indonesia in the field of education is undeniable. Seeking knowledge and possessing knowledge have

virtues that are not only realized in the world but also in the hereafter. Allah SWT says, "...Indeed, Allah will exalt those who have believed among you and those who were given knowledge, by degrees..." (QS. Al-Mujadila [58]: 11).

Prophet Muhammad SAW also said, "Whoever treads a path in search of knowledge, Allah will make easy for him a path to paradise" (HR. Muslim, No. 2699). However, the virtue of knowledge in the afterlife can only be obtained if the knowledge is used and intended for good and does not contradict the fundamentals of Islamic teachings.

What distinguishes knowledge in the view of Islam from other perspectives is the dimension of faith. A knowledgeable person is one who observes obedience to Allah SWT. If the worldly perspective evaluates a person's knowledge through their intellectual intelligence alone, Islam regards it from the perspective of spiritual intelligence. Even the person considered most God-fearing in the eyes of Allah SWT is the one with knowledge (QS. Fathir: 28). Hence, when a knowledgeable person justifies what is forbidden by the religion, it not only leads to disgrace in the world but also punishment in the afterlife.

The role of education in preventing LGBT is crucial. Educated individuals should recognize that LGBT cannot be justified from any perspective: education, religion, social, health, or human rights. The education sector bears a significant responsibility to instill moral values and virtues aligned with the philosophy of Indonesia's way of life and traditional values (Siska 2017:159). In addition to daily learning, socialization about the dangers and prohibitions of LGBT in Indonesia has been widely conducted in various educational institutions. This is a manifestation of the state's concern in preventing LGBT from an educational perspective.

Islam plays a role in preventing LGBT not only from an educational standpoint but also from a spiritual perspective, meaning that LGBT is forbidden and prohibited by Allah SWT. Specifically, the Quran depicts the prohibition of LGBT through the story of the Prophet Lut (Lot), which is mentioned in 8 different surahs. When a person distances themselves from LGBT behavior and believes in its prohibition, they are worshipping and obeying Allah's commandments and will be rewarded. Conversely, someone who justifies their LGBT behavior is committing disobedience to Allah SWT, and they will bear the consequences of sin.

c. Living in a Good Environment

As social beings, humans are born with limitations and inherently need others, living in groups. From this, environments are formed. The reciprocal relationship between humans and the environment results in mutual influence – humans influence the environment, and vice versa, the environment influences humans. A good person is shaped by a good environment as well. The state regulates many aspects in the law to ensure Indonesian citizens grow and develop physically and spiritually healthily in family, neighborhood, school, work, and other environments.

To create a good family environment, the state regulates many laws, including Law Number 52 of 2009 concerning Population Growth and Family Development, Law Number 23 of 2002 concerning Child Protection, and Law Number 1 of 1974 concerning Marriage. To ensure good social relations among neighbors, Article 671 of the Civil Code is one of the legal foundations that strengthen law enforcement in the field of neighborly rights and obligations

(Kesuma 2021). Laws regarding criminal and civil matters are essentially designed to guarantee that Indonesian citizens live safely, peacefully, and prosperously in their surrounding environment.

Similarly, in Islam, the knowledge of Islamic law or fiqh is not only compiled to maintain a good relationship between humans and God (hablun minallah) but also regulates good relationships between humans and their surrounding environment, among fellow humans, and even with animals and nature. One of the hadiths of Prophet Muhammad SAW explaining the influence of the family environment on someone's religion is: "No child is born except in a state of fitrah. It is his parents who make him a Jew, a Christian, or a Zoroastrian" (HR. Bukhari, No. 1359). In many verses in the Quran, Allah SWT mentions someone's disbelief in Him because they follow what their ancestors believed, even though they know that what Prophet Muhammad SAW conveyed, whether in the Quran or hadith, is true (QS Al Baqarah:170). Regarding the influence of the social environment, Prophet Muhammad SAW once narrated the story of the Children of Israel who killed 100 people and wanted to repent. He sought advice from a religious leader to inquire whether God would accept his repentance. The religious leader responded that God would accept his repentance but advised him to leave his current bad environment and go to the one designated because there, people worship Allah SWT (HR. Bukhari No. 3470).

From this, it is understood that the environment greatly influences a person's behavior and outlook on life. The state and religion regulate for individuals to grow in an environment that understands what is good and what is bad. The family's perspective and social environment significantly affect the formation of LGBT identities (Barutu et al. 2021:30). Numerous studies on LGBT indicate an LGBT emergency in Indonesia. The advancement of information technology plays a significant role in spreading LGBT (Khairani and I 2023:110). Countries that support same-sex marriages become a role model and aspiration for LGBT individuals. Rahil Mahardika is an example of an LGBT individual who chose to live in Germany because the environment there is more accepting of LGBT (Anon n.d.).

Phenomenon of Legalities of LGBT Activities in Indonesia

Although both the state and Islam have endeavored to prevent LGBT issues early on from biological and environmental perspectives, it cannot be denied that the development of LGBT behavior is growing rapidly. The ease of obtaining information about LGBT communities and medical procedures that can strengthen deviations in orientation is a major cause of the increasing number of LGBT individuals who seem to have gained legal recognition globally and in Indonesia. Several medical procedures can be undertaken, such as hormone therapy, facial surgery, breast surgery, genital surgery, and finally, changing identity details on official documents. The following explanations provide insights into each of these actions from both Islamic and state perspectives.

1. Hormone Therapy and Body Modification Surgery

The transgender journey toward comprehensive transition and state recognition involves several steps. It usually begins with hormone therapy, followed by facial surgery, breast surgery, and finally, gender reassignment surgery. The last step, as a form of state acknowledgment of their transition, involves applying for a change in gender and name on official documents. Gender reassignment surgery cannot be undertaken solely based on personal desire; it must go through extensive examinations, including psychological tests, hormonal tests, personality tests, and health tests. Before

deciding on a gender reassignment, the individual must live as a transgender person for a year or more for adjustment and to avoid later regrets (Agustin and Ahmad 2023:260).

From the Islamic perspective, the modification of God's creation from the outside is considered haram, and modifying it from within is even more strongly prohibited. Additionally, these medical procedures have health risks. The prohibition of altering God's creation can be derived from several Quranic verses, including QS Al-Baqarah:216, QS Ar-Rum:30, QS An-Nisa:19, and QS Ali Imran:36. It is narrated by Ibn Abbas RA that the Prophet Muhammad SAW cursed men who resemble women and women who resemble men (HR. Bukhari, No. 5885). According to Ibn Hajar and Imam Nawawi, it is forbidden for a man to resemble a woman in matters specifically done by women and vice versa, such as dressing, adorning, speaking softly, walking, etc. This prohibition applies to those who do it intentionally. However, if it occurs naturally, where a man is born and created by Allah SWT with feminine behavior, then he does not incur the curse of Allah and His Messenger.

Furthermore, if a transgender individual undergoes physical changes through facial surgery to align with the desired gender, followed by breast surgery for trans women and genital surgery, Islam clearly prohibits these actions. Ibn Mas'ud narrated a hadith that Allah SWT and His Messenger cursed those who alter His creation (HR. Bukhari, No. 2125). The Indonesian Ulema Council (MUI) also affirms the prohibition of gender reassignment through its fatwa No. 03/MUNAS-VIII/MUI/2010, issued during the 8th MUI Congress on July 25-28, 2010 M/13-16 Sya'ban 1431 H.

Specifically, the state has not yet regulated all medical procedures related to physical changes in transgender individuals, including hormone therapy. Hormone therapy is commonly chosen by transgender individuals due to its affordability and accessibility. The issue with hormone therapy arises when psychological and psychiatric diagnoses justify transgender individuals' mental differences from the general population. Instead of undergoing hormone therapy in line with their assigned gender, transgender individuals strengthen the hormones of their desired gender, contradicting their original gender. Therefore, professional health advice and the environment where transgender individuals live significantly influence whether they will continue gender transition or address gender dysphoria through medical means.

The state's stance on plastic surgery, in general, can be seen from Law Number 36 of 2009 concerning Health Article 69, which states:

- a. "Plastic surgery and reconstruction may only be performed by health professionals who have expertise and authorization for it."
- b. "Plastic surgery and reconstruction must not contradict prevailing norms in society and must not be intended to change identity."

Based on this law, it can be concluded that plastic surgery and genital modification are prohibited if they contradict morality, religion, societal norms, and aim to change a person's identity (except for cases of ambiguous genitalia or dual gender status).

2. Change of Name and Gender on National Identification Card (KTP)

While the physical change operation with the aim of altering identity is prohibited in Indonesia, many individuals undergo such procedures abroad, often in Thailand. After the operation, they then apply for a change in their identity on their national identification card (KTP) through the court as a form of state recognition of the changes they have made. According to Islam, the physical change operations they undergo do not automatically change their gender status. Someone born as a normal

male will still be judged as male in terms of aurat limits and when performing ritual worship, even if they undergo genital surgery to become a woman, and vice versa.

The state's laws governing gender changes are outlined in Article 56 of Law Number 23 of 2006 concerning Population Administration. However, the reasons and limitations that allow someone to request a gender change on their ID are not detailed. Article 56 states, "Recording of other important events is carried out by the civil registration official at the request of the respective resident after there is a final and legally binding court decision."

Then, in Presidential Regulation No. 25 of 2008 concerning Requirements and Procedures for Population Registration and Civil Registration, Article 97 paragraph (1) and (2) state that the term "other important events" includes gender changes. This law only regulates the administration of population records and does not explain the reasons that can be used to request a gender change. The varying reasons given by applicants become considerations for judges to accept or reject gender change requests.

Requests for gender identity changes due to ambiguous genitalia or being born with dual gender status have been widely accepted and ratified by the courts. Examples include the request of Fadli Kurniawan to become Fadia Istiqomah in the decision of the District Court of Banyumas Number 64/Pdt.P/2021/PN Bms and the request of Ani Kasanah to become Anang Sutomo in the decision of the District Court of Kediri Number 177/Pdt.P/2021/PN Gpr. This is acceptable because, fundamentally, the applicants are not changing their gender but rather fixing it. However, requests to change gender that are not due to ambiguous genitalia but are caused by sexual orientation disorders are sometimes accepted and sometimes rejected by judges. Among the judges' decisions that accept such requests are those made in the cases of Rima Sulistiawati, Decision Number 9/Pdt.P/2021/PN Wat, and Avika Warisman, Decision Number 1188/Pdt.P/2018/PN Sby, in Surabaya. Sometimes, judges reject such requests, as seen in the cases of Sally Novi Marcelina, Decision Number 77/Pdt.P/2014/PN Kln, and Inayatul Maula, Decision Number 100/Pdt.P/2019/PN Cbn in Cirebon.

CONCLUSION

Through laws, the state has endeavored to realize families and their members who are physically and spiritually healthy. Similarly, Islam, through its Sharia, has established rules aimed at creating a community that lives in accordance with the divine laws. These rules regulate from the inception of an individual's new life in forming a family to prepare oneself to become a responsible parent within the family. Both the state and Islam have established rules to ensure that humans receive the right to education and a good livelihood, as well as proper education and family life. Ideally, these efforts should prevent individuals from being exposed to LGBT behaviors. However, it cannot be denied that the issue of LGBT seems to be gaining prominence in Indonesia. The lack of firmness in the law's response to LGBT has provided a loophole for them to exist. The administration of hormone therapy and body modification surgery for transgender individuals, the prevalence of LGBT content easily accessible on the internet, and the change of identity on transgender individuals' ID cards are issues not yet regulated by the law. Thus, it is hoped that the government becomes more aware of the dangers of LGBT and promptly establishes laws that explicitly prohibit their existence from top to bottom.

REFERENCES

- Agustin, Tyrana Vina, and Muh Jufri Ahmad. 2023. "LEGALITAS OPERASI PERGANTIAN GENDER DI INDONESIA." *Seminar Nasional dan Call For Paper 2023 dengan tema "Penguatan Kapasitas Sumber Daya Manusia Menuju Indonesia Emas 2045"* PSGESI LPPM UWP 10(1):260–65. doi: 10.38156/gesi.v10i1.283.
- Al-Bayhaqy, Ahmad bin Husain. 2003. *As-Sunan al-Kubrâ*. Vol. 6. Beirut: Dâr al-Kutub al-'Ilmiyyah.
- Alpian, Yayan, Sri Wulan Anggraeni, Unika Wiharti, and Nizmah Maratos Soleha. 2019. "PENTINGNYA PENDIDIKAN BAGI MANUSIA." *JURNAL BUANA PENGABDIAN* 1(1):66–72. doi: 10.36805/jurnalbuanapengabdian.v1i1.581.
- Anon. n.d. "Alasan Ragil Mahardika Pilih Tinggal Di Jerman Bareng Suami Gay." Retrieved December 28, 2023 (<https://www.insertlive.com/hot-gossip/20220508130621-7-276454/alasan-ragil-mahardika-pilih-tinggal-di-jerman-bareng-suami-gay>).
- Azis, Safrudin. 2017. *Pendidikan Seks Perspektif Terapi Sufistik Bagi LGBT*. Kendal: Ernest.
- Barutu, Parsaoran, Alvyn Cesarianto Hendriks, Stimson Hutagalung, and Rolyana Ferinia. 2021. "Analisis Pengaruh Pendidikan Keluarga Dan Lingkungan Sosial Terbentuknya Identitas LGBT." *SOPHIA: Jurnal Teologi Dan Pendidikan Kristen* 2(2):30–46. doi: 10.34307/sophia.v2i2.48.
- CURHAT BANG Denny Sumargo, dir. 2023. *ANAK DISABILITAS, MENINGGAL DALAM KANDUNGAN DAN JADI TRANSGENDER, TANDA AKHIR ZAMAN ??*
- Hasbiyulloh, Irvan, and Abdur Rahim. 2021. "Peranan Negara Mengantisipasi Transgender Dalam Perspektif Hukum Islam." *Mizan: Journal of Islamic Law* 5(2):291–302. doi: 10.32507/mizan.v5i2.1027.
- Hu, Bowen, Ning Shen, James J. Li, Hyunseung Kang, Jinkuk Hong, Jason Fletcher, Jan Greenberg, Marsha R. Mailick, and Qiongshi Lu. 2019. "Genome-Wide Association Study Reveals Sex-Specific Genetic Architecture of Facial Attractiveness." *PLoS Genetics* 15(4):e1007973. doi: 10.1371/journal.pgen.1007973.
- Hudi, Ilham, Hadi Purwanto, Matang Matang, Puja Diyanti, and Trimaiyuza Maulina Syafutri. 2023. "Analisis Literatur Terhadap Lesbian, Gay, Biseksual, Dan Transgender (LGBT) Di Indonesia." *Jurnal Pendidikan Tambusai* 7(3):23295–301. doi: 10.31004/jptam.v7i3.10295.
- Kesuma, Amanda Ramadhan. 2021. "Perlindungan hukum terhadap tetangga yang ditutup akses masuk keluar rumah dihubungkan dengan pasal 671 kitab undang-undang hukum perdatav: Studi kasus di jalan Camat Gabun, Gang Adem Ayam, Jakarta Selatan." other, UIN Sunan Gunung Djati Bandung.
- Khairani, N., and Roidah I. 2023. "Kekuatan Media Sosial Untuk Meningkatkan Eksistensi LGBT." *Journal of Feminism and Gender Studies* 3:107–20.
- KinosGina, dir. 2023. *SPEECHLESS!! PULANG UMROH, JEJE INGIN KEMBALI KEJATI DIRINYA!! #Princessjessica #TransgenderUmroh*.
- MAIA ALELDUL TV, dir. 2023. *JESSICA TRANSGENDER CANTIK ..PERJUANGAN MAMA MENERIMA & TERUS MENDOAKAN UTK MENJADI LELAKI*.
- Marzuki, Peter Mahmud. 2021. *Penelitian Hukum*. Jakarta: Prenada Media Group.
- Mujib, Abdul. 2015. "PENDEKATAN FENOMENOLOGI DALAM STUDI ISLAM." *Al-Tadzkiyyah: Jurnal Pendidikan Islam* 6(2):167–83. doi: 10.24042/atjpi.v6i2.1485.
- Olsen, Billie. 2023. "What Does LGBTQIP2SAA Mean?" *LGBTQ and ALL*. Retrieved December 27, 2023 (<https://www.lgbtqandall.com/what-does-lgbtqip2saa-mean/>).

- Putri, Izza Amalia. 2023. "Kedudukan Lesbian, Gay, Biseksual, Dan Transgender (LGBT) Di Indonesia Ditinjau Dari Perspektif Hak Asasi Manusia." *Madani: Jurnal Ilmiah Multidisiplin* 1(8). doi: 10.5281/zenodo.8394815.
- Razak, Suhaemi. 2016. *LGBT Dalam Perspekti Agama*. Madura: Al-Ibrah.
- Saleh, Gunawan, and Muhammad Arif. 2018. "FENOMENOLOGI SOSIAL LGBT DALAM PARADIGMA AGAMA." *Jurnal Riset Komunikasi* 1(1):88–98. doi: 10.24329/jurkom.v1i1.16.
- Santona, Alessandra, and Giacomo Tognasso. 2018. "Attitudes Toward Homosexuality in Adolescence: An Italian Study." *Journal of Homosexuality* 65(3):361–78. doi: 10.1080/00918369.2017.1320165.
- Setiawan, Hari Harjanto. 2017. "AKTE KELAHIRAN SEBAGAI HAK IDENTITAS DIRI KEWARGANEGARAAN ANAK." *Sosio Informa : Kajian Permasalahan Sosial dan Usaha Kesejahteraan Sosial* 3(1). doi: 10.33007/inf.v3i1.520.
- Sihole, Aprianti. 2020. "Hubungan Pengetahuan Ibu Tentang Buku KIA Dengan Kunjungan K4." *Jurnal Kesehatan* 11(3):329–35.
- Siska, Yulia. 2017. "IMPLEMENTASI PEDAGOGIK HUMANISTIK DALAM PEMBELAJARAN MORAL DAN BUDI BEKERTI DI SEKOLAH DASAR SEBAGAI PENANGKAL FENOMENA LGBT (LESBIAN, GAY, BISEKSUAL, DAN TRANSGENDER)." *Terampil: Jurnal Pendidikan dan Pembelajaran Dasar* 3(1):159–78. doi: 10.24042/terampil.v3i1.1335.
- Suhandy, Amalia Fakhra, Ana Siti Nurjannah, Aulia Nisa Alghaida, Enrica Nurliz, and Deden Najmudin. 2023. "PERSPEKTIF HUKUM ISLAM DAN PENERAPAN ASAS LEGALITAS DALAM KASUS LGBT." *Tashdiq: Jurnal Kajian Agama Dan Dakwah* 2(1):11–20. doi: 10.4236/tashdiq.v2i1.1504.
- Tsalis, Khodijah Nur, Bayu Prasetyo, and Eka Imbia Agus Diartika. 2023. "TERAPI HORMON BAGI TRANSGENDER DALAM PERSPEKTIF HUKUM ISLAM: Universitas Muhammadiyah Kalimantan Timur Dan Institut Teknologi Bisnis Dan Kesehatan Muhammadiyah Tulungagung." *YUSTISI* 10(2):170–81. doi: 10.32832/yustisi.v10i2.14541.
- Tsalis, Khodijah Nur, and Aullia Vivi Yulianingrum. 2022. "ANALISIS PERTIMBANGAN AGAMA DALAM HUKUM PERGANTIAN KELAMIN: (STUDI PUTUSAN MA No 177/Pdt.P/2021/PN Gpr Dan No. 64/Pdt.P/2021/PN Bms)." *Tafaqquh: Jurnal Penelitian Dan Kajian Keislaman* 10(1):149–74. doi: 10.52431/tafaqquh.v10i1.1072.