

LESBIAN, GAY, BISEXUAL, TRANSGENDER IS REVIEWED FROM RELIGIOUS AND HUMAN RIGHTS ASPECTS IN INDONESIA

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Abstract:

Globalization brings changes in the pattern of life of people in a country at this time. Lesbian, Gay, Bisexual, Transgender is one of the impacts on the current Globalization Era. The purpose of this study is to find out the views of religious teachings that exist in Indonesia as well as how the Human Rights Review prevails in Indonesia about LGBT. This research uses normative jurisis method. From the analysis, it is known that there are religious teachings in Indonesia that oppose LGBT, but there are also those that are not violations in their religion. Based on the findings of the study results LGBT seen from the religious side can be seen in the teachings of Islam, Christianity, and Hinduism, as religions adopted by the people of Indonesia, strongly opposed to the existence of LGBT behavior. This can be seen in the teachings and books of their respective religions. In Islam, we can see the explanation in QS. Al'Araf: 80-84, in Christian teachings this can be seen in Romans 1: 26-27, while in the teachings of Hinduism, there are in Manawa Dharmasastra, Astamodyaya or chapter eight about the perpetrators sexual deviation. In contrast to the teachings of Buddhists, who regulate the birth of rebirths that have an effect on their sexual lives, marriage is not a sacred thing but is also not something that is not seen as sacred.

1. Introduction:

The ideology of a nation is the foundation of the country to stand strong. It will not be a great nation if it does not have a strong ideology embedded in the nation's society. Likewise with the State of Indonesia. As we have seen, Indonesia is a country that holds an ideology based on Pancasila in which it always upholds the values of social life based on the religion and customs prevailing in Indonesia. Today, the influence of globalization

is very strong on religious norms and social norms in Indonesian society. Like community relations, relations between bilateral and multilateral cooperation between nations that are taking place very rapidly make the flow of globalization have a major impact on the pattern of community life, changes in the cultural values of a nation, ways of thinking of a group of people, science and systems adopted by a country.¹The impact of globalization has made the problem of political, economic, cultural and defense security globally growing. The influence of globalization is characterized by the development of technology and science. This is indeed a good thing, but the people of Indonesia do not seem to be mature enough to undergo this current of globalization. Because of this change, there are still many people who follow modern life without first assessing whether or not it is appropriate with the Indonesian norms. The phenomenon of globalization is not a new thing in Indonesia. Evidenced by the development of the times, Indonesian society is also increasingly free in association. For example, since the United States legalized Lesbian, Gay, Bisexual, Transgender (LGBT), Indonesian people also began to look for loopholes so that the government acknowledged and even made laws about LGBT in Indonesia even though we know that LGBT is not in accordance with the ideology of the Pancasila and the prevailing norms in Indonesia.

LGBT is an abnormal sexual orientation that is not in line with the religious teachings adopted by the community and the prevailing norms in Indonesia. In general LGBT actors have almost the same thing that is they are both related to same-sex to achieve physical and psychological pleasure.

The 1980s was the beginning of the term "third gender" which can be interpreted as not a heterosexual group.²In the 1950-1960 era the term third gender began to be replaced with the term "homosexual" which meant negative connotations so that it was replaced with the term "homophile".³ In the 1970s, the term "gay" began to re-replace the term "homophile".⁴After the existence of these terms, around 1988, The United States began using LGBT acronyms for same-sex enthusiasts.⁵LGBT features emerged in around 2012, approximately 10 countries, namely the Netherlands, Spain, Sweden, Iceland, Portugal, Belgium, Argentina, South Africa, and Canada, in 2012 legalized same-sex marriage. Unlike Indonesian state, up to now LGBT groups are still struggling to legalize same-sex marriage. For Indonesia, this is something that is contrary to the norms in Indonesia, so it is difficult to realize it. For the first time and become history in Indonesia, it was revealed that lesbian couples were married at a cafe in Jakarta on July 6, 1981, namely Jossie and Bonnie. In addition to the two of them, Wim and Philip were the first Gay couples to legalize their relationship to marriage in Yogyakarta.⁶Indonesia is a country based on a law that still adheres to religious aspects in accordance with the first principle in Pancasila "Believe in one and only God." As we know, the religions which are recognized by the state are Islam, Christian and Catholic, Hindu, and Buddha. Article in the 1945 Constitution recognizes that human rights are highly upheld in social life as well as in religion. Every human being is allowed to choose and believe what religion he will follow. Then what about the times in which LGBT issues that are very intersecting with human rights are viewed from the religious side? Will Indonesia follow foreign countries which finally legalize same-sex marriage?

2. Literature Review:

Lesbian, Gay, Bisexual, and Transgender have their own meanings. Lesbians are two women who like each other both physically, sexually and spiritually. Gay is a man who likes and loves men too, Gay is a term that refers to homosexual behavior. Bisexual is someone who has a sexual emotional relationship to two sexes,

¹ Solly Lubis. 2011. About Politics and Law. Jakarta. PT. Sofmedia. hlm.219

²E. Wayne Ross. 2006. [The Social Studies Curriculum: Purposes, Problems, and Possibilities](#). SUNY Press. ISBN0791469093. Diakses hariJum'at Tanggal 30 November 2018, Pukul 19.00

³Henry Minton. 2002. Departing from Deviance. United States. University of Chicago Press.

⁴Ibid.

⁵Research. 1988. Policy And Practice: Annual Meeting. American Educational Research Association Verlag AERA.

⁶Miskari. 2016. Wacana Melegalkan LGBT di Indonesia (Studi Analisis Lgbt Dalam Perspektif Ham Dan Pancasila). Pontianak. Jurnal Studi Gender dan Anak RAHEEMA. P-ISSN:2502-812x E-ISSN: 2502-8111. <https://doi.org/10.24260/raheema.v3i1.559> page. 44-54

meaning that the person likes men and women. While transgender is a change in a person's gender identity by changing the sex created by God. Transgender is a group of groups including Lesbian, Gay and Bisexual.⁷ Mahfud MD defines human rights as rights that have existed and are inherent in every human being as God's creatures from birth. Human rights are natural or natural which are direct gifts from God, not from humans or the state, which must be protected by the state.⁸ Even though every human being is guaranteed human rights by the state, it must still be in accordance with the moral status of each person based on the theory of virtue ethics approach. Virtue ethics theory is a theory based on the second principle of Pancasila, namely good human behavior can be generated from within the person based on the knowledge they have. According to this theory, LGBT is an uncivilized act that is not in accordance with Pancasila because LGBT actors can be classified as humans who do not have etiquette and control the soul that is usually present in humans.

3. Research Methods and Data:

The method used in this study is normative juridical. Normative juridical is a method carried out based on legal literature and religious literature relating to this research, the concepts and principles of law and legislation that apply in Indonesia.

4. Discussion:

In the introductory chapter, it has been discussed that there are at least 10 countries that legalize same-sex marriage. This was triggered because it was considered a trend from liberal countries that talked about Human Rights by giving recognition and place to LGBT people. This recognition is considered a lifestyle of modern society. They assume that heterosexuals are conservative and cannot apply to everyone. LGBT actors are starting to emerge by giving defenses and theologies so that the existence of their social goals is fulfilled.⁹

After further investigation, it turns out that LGBT actors are not only problematic in sexual orientation but also in sexual behavior. The emergence of LGBT cases has made religious leaders in Indonesia take part in preventing this problem because they agree that LGBT is a test from God towards its people and must be avoided so as not to channel sexual desires as pleasantly and not in accordance with religious teachings¹⁰ The five religions in Indonesia agree to prohibit such deviant behavior. The following will be discussed about the paradigms of various religions for LGBT cases.

5. LGBT Based on Islamic Teachings:

The term homosexual in Islamic criminal law is *liwāt*, is a great sin. Homosexuality is contrary to the teachings of the prophet Muhammad SAW and his moral norms as human beings.¹¹ In Islamic criminal law, LGBT offenders are heavily punished as death sentences. It is in accordance with the Hadith of Prophet Muhammad, "Allah created human beings according to his nature of living creatures and arranged about the tendency of his sexual orientation based on his partner, and developed offspring between husband and wife through marriage." Besides that, God has also spoken in the QS. Annisa: 1, "O mankind, be careful of your Lord who has created you from one self, and from him God created his wife; and out of both of them God has developed many descendants of men and women. And keep your duty to Allah, which is by Him) His name ye ask one another, and (guard) the bond of peace. Verily, Allah is ever watching over you". LGBT is an

⁷G.Saleh dan M. Arif. 2016. LGBT dalam Fenomenologi Sosial. Pekanbaru. Prosisiding LPPM Universitas Abdurrab. Hlm.108-116.

⁸Muladi. 2009. Human Rights: Nature, Concepts and Implications in the Law and Society Perspective. Bandung. RefikaUtama. Hlm.75

⁹Rustam Dahar Apollo Harahap Kurniadi.20. LGBT di Indonesia : Perspektif Hukum Islam, HAM, Psikologi dan Pendekatan Masalah. Semarang. Al-Ahkam. Hlm.70.

¹⁰G.Saleh dan M. Arif. 2018. Fenomenologi Sosial LGBT Dalam Paradigma Agama. Prosisiding LPPM Universitas Abdurrab. Pekanbaru. Hlm. 88-98.

¹¹MasjufukZuhdi. 1991. Masā'ilFihiyyah. Jakarta. CV Haji Masagung. hlm. 41.

unusual sexuality practice and can not be understood by normal human reason because there is still a common and normal sexuality that can be accepted by men in general. Therefore, religion sees and perceives this homosexual act as a disgusting act, and considers the harms of human nature.¹² Islamic religion has the concept that a Muslim who has been able to be born and inexperienced to be able to synchronize marriage, as listed in the QS. Ar-Ruum: 2, "And among the signs of His power is He created for you a partner of life from your own self so that you may find peace of heart and make love among you, indeed, such are signs for those who think" From the verse it can be interpreted that Islam has a concept of worship category in the achievement of a halal and sacred sexual life to anticipate the occurrence of deviant sexual behaviors.¹³ Sexuality disorder in homosexual form first occurred in the people of the Prophet Luth AS as described in QS verse. Al-Araf: 80-84, namely:

80. Why do you work fahīsyah (the dross), that no one who preceded you to do it in the universe
- Verily, you have come to men to release your lust to them, not to women, but you are a people who transgress
 - There is no answer of his people except to say: "Drive them (Luth and his followers) out of your house, surely they are the ones who purify themselves
 - So We saved him and his family except his wife (wife of Luth) including those who were left behind (destroyed)
 - And We sent down to them a hail of stones; then pay attention to the end of those who sin
- The verse above clearly states that the act of homosexuality (sodomy) is a great iniquity (fahīshah).¹⁴

Whereas, bisexual is sexual attraction to men and women. This term describes human life forms that have same-sex sexual tendencies and to other types at the same time, or can be referred to as panseksualitas.¹⁵ Bisexuals are also classified as abnormalities in biological terms because the basic concepts of sex are relations between different sexes as in surat al-Najmu verse 45 namely: "And that He created the two partners, male and female"

In the letter Al najmu explained that the halal and holy couple consists of a man and a woman. That is, there is no loophole for a husband and wife comprising of one another. Letter al-Nurayat 30-31 has the meaning as follows:

31. "Say to the believing men: "Let them hold their gaze, and keep their private parts, which are purer for them: verily Allah is Aware of what they do"
30. Say to the believing women: "Let them hold their gaze, and keep their genitals"

The verse above means that every human being, be it women or men, must take care of each other's views and nurture their genitals, meaning that they must be able to hold their sexual appetite against the opposite sex, especially with same-sex.

Heuken stated that Transgender or Transsexual is someone with a perfect gender, tends to present themselves to other opposite sexes. For example, a man who changes his sex and appearance into a woman.¹⁶ Transgender is a significant part of the important issue about sexual relations in Indonesia, especially Muslims.

Transgender is the most extreme form of LGBT, as they transform themselves into their opposite. Whereas in Islam, human creation is an absolute right of ALLAH SWT. As stated in Letter Al-Insan verses 2 and 3, namely:

¹²SayyidSabiq. 1983. Fiqh al-Sunnah. Juz II. Libanon. Dār al-Fikr. page 361

¹³RahmatSudirman. 1999. KonstruksiSeksualitas Islam DalamWacanaSosial; PeralihanTafsirSeksualitas. cet. ke-1. Yogyakarta. Media Pressindo. hlm. 57.

¹⁴AbīJafar Muhammad bin Jarīr al-Tabarī. Tafsīr al-TabarīJāmiu al-Bayān an Ta'wīlayyi al-Qur'ān. JuzX Libanon. Litthobāahwa al-Nashriwa al-Tauzī'uwa al-I'lān. page. 305.

¹⁵Burhnai MS. 2000. KamusIlmiahPopuler. Jombang. Lintas Media. hlm. 65.

¹⁶Koeswinarno. 2004. HidupSebagaiWaria. Yogyakarta. PT LKiSPelangiAksara. hlm. 54.

2. Verily, We have created mankind from a mixed drop of semen which We will test him (with commands and prohibitions), therefore We make him hear and see.
3. Indeed We have guided him on a straight path; Some are grateful and some are infidels.

6. LGBT Based on Christian Teachings:

One part of the Bible that is often discussed when discussing homosexual sin is found in I Corinthians 6: 9-10. In the text Paul gives a list of "sins that cause a person not to share in God's Kingdom to people in the city of Corinth".¹⁷ The Indonesian Bible Institute (IBI) translates the two words into transvestites and pursuers. According to IBI, sissy comes from the word *malakoi* in Greek. The word *Malakoi* was not translated by the New International Version in 2011 or the English Standard Version while the NET Bible translated this word into passive homosexual partners. Louw and Nida say this word means —the passive male partner in homosexual intercourse.¹⁸ While the word *Pemburit* or *arsenokoitai* consists of two words namely *arsenic* which means male and *koite* which means bed or eufeminism of sexual intercourse intercourse.¹⁹ Experts argue whether the words *malakoi* and *arsenokoitai* refer to pedophile / pederasty relationships (sex between men and boys), or the relationship between male prostitutes and their customers, or homosexual relations (same-sex behavior).²⁰

Romans 1: 26-27 states Paul's concept of homosexual relations in general. In the verse Paul alludes to the sexual relations of lesbians (wives with wives) and homosexuals (men to men). In these verses Paul condemns same-sex relations not only limited to pedophilia / pederast.²¹ These two words were put by Paul side by side to address the prohibition on sodomy which is usually carried out by homosexuals. This section of the Bible (I Corinthians 6: 9-10) has a relationship with Leviticus 18:22 and 20:13.²² God forbade the Israelites to have sexual relations with same-sex people. Even though 1 Corinthians 6: 9-10 only speaks of homosexual practices carried out by men but this also applies to lesbians, as Paul revealed in Romans 1: 26-27.

7. LGBT Based on Hindu Teachings:

Hinduism is one of the religions held by the people in Indonesia. Hindus believe that *sruti* is a revelation from God based on the meaning of interpretation which is used by Hindus to realize *sruti* where Hindu is adhered to by the people in accordance with their times. *Tatwa / Philosophy, Ethics / Morality and Law, Ceremony / Ritual* is the basic foundation for Hindus known as the Tri-Framework of Hinduism. This Tri Framework is a reference for Hindus in carrying out religious life. Today, LGBT is an issue that is rife throughout the world. In Hinduism Homosexuality is never considered a crime. In fact, the *Ayyappa Deva* was born from *Hari-Hara* (*Vishnu & Shiva*). So this is not mentioned as a crime in the *Smriti Sacred Literature*. Everyone has male & female elements. According to their dominance, tendencies will emerge and can change. No one has to face discrimination because of their sexual preferences. Stamped criminals because this does not make sense. *Moksartham jagadhita yes ca iti dharma* is the purpose of life for Hindus to prosper in this world and in the hereafter. *Moksa* or *mukti* means the achievement of spiritual happiness in the hereafter, namely with the freedom of the soul of faith or the guarantor of *gusti*. *Jagadita* or *Bhukti* is prosperity and happiness for every

¹⁷AliSalim. 2016. SIAPAKAH YANG DIMAKSUD DENGAN BANCI DAN ORANG PEMBURIT DALAM I KORINTUS 6:9-10?. *JournalTheologiAletheia*. Vol. 18 No.11. Malang. hlm. 75 <http://sttaaletheia.ac.id/wp-content/uploads/2016/10/Jurnal-Vol-18-No-11-September-2016.pdf>

¹⁸Johannes P. Louw and Eugene Albert Nida. 1996. *Greek-English Lexicon of the New Testament: Based on Semantic Domain*. New York. United Bible Societies. pg. 771–772.

¹⁹Barclay M. Newman Jr. 2014. dalam buku *Kamus Yunani-Indonesia Untuk Perjanjian Baru*. Jakarta. BPK Gunung Mulia. hlm. 94.

²⁰Mark Achtemeier. 2014. *The Bible's Yes to Same-Sex Marriage: An Evangelical's Change of Heart* Louisville: Westminster John Knox Press. Kindle book. page 1565 of 2165.

²¹Ben Witherington. 1995. *Conflict & Community in Corinth* Grand Rapids. Michigan: Wm. B. Eerdmans Publishing Co. page. 166.

²²Andreas Hauw. 2016. Teks, Konteks, dan Hermenutika Imamat 18:22 dan 20:13 dalam *Jurnal Teologi Aletheia* Vol. 17 No. 9. September 2015.

human being that influences the life of society and the state. In Hinduism, the implementation of swadharma in chess dharma must be diligent and full of responsibility as a duty of personal and public dharma. Manawa Dharmasastra, Astamodyaya or chapter eight as Hindu scriptures governing the perpetrators of sexual deviations, as evidenced by the punishment of perpetrators of sexual deviations, especially for lesbi perpetrators. In the holy book, it is mentioned about the punishment of lesbi perpetrators, ie they are not justified in tarnishing a girl, if so, they can be convicted or fined. Furthermore, in paragraph 469, the sanction if a lesbi desecrates a girl will be fined 200 pana and double the dowry. One of the duties of chess is to fulfill love and need each other. Marriage in Hinduism is an obligation in the sacred event to fulfill the instinctive needs of both men and women to love and need each other. In the teachings of Hinduism, there is no marriage between men or between women. This has happened to kamum nolual, but in Hindu teachings, this act is not a crime but a sin that must be borne by each individual. If there are Hindus who commit sexual deviations like this, then marriage cannot be given. As in the word of God in Manava dharmasastra IX. 96 "Prnja nartha striyah srstah samtarnartham ca manavah Tasmad sadahrano dharmah crutam patnya sahaditah" Meaning: To become a woman's mother was created, and to become a father, that man was created. If you see from the goal of Hindus to always make dharma, which is to be grateful for the state of birth, then the Hindus must know their duties and functions as human beings who are born male or female. So it can be ascertained also, LGBT is contrary to the dharma of Hindus, where LGBT tends to obey lust as a determinant of its existence in this world because Hinduism teaches more on self-control of each human being, especially the duties and functions of the five senses or karma.

8. LGBT Based on Buddhist Teachings:

In ancient India, LGBT problems, especially homosexuality, were known. In Vinaya, LGBT or homosexual acts are not specifically discussed, but only mentioned as one type of deviant sexual behavior. This homosexual behavior is contrary to the lives of monks or nuns.

In Buddhism, sexual desire of every human being is not something that can determine the person is a good or evil person. But a person's goodness or ugliness can be seen from the emotional nature that underlies it. Even so, the Buddhist teachings encourage the people not to fall prey to homosexual behavior.

In Buddhism, the process of rebirth is known as the interdependent reason.²³ In this process of rebirth, it relates to how humans deal with repetitive sufferings of life regardless of the puzzles of the first origin of life. In Hindu teachings, everything that happens to human life depends on the events that precede or condition it.

Gundaratna (Gundaratna, 1976: 62-72) states that there are a number of laws that fundamentally work in the process of rebirth, namely:

- 1) The law of impermanence or change
- 2) Law of invocation or dumadi (law of becoming)
- 3) Law of continuity or community
- 4) The law of karma or action and reaction
- 5) Law of attraction and affinity

Based on the abhidhamma, the moments of the mind and the workings of the mind, conscious and subconscious to death continue with rebirth.

Homosexuality is one form of behavior. Buddhism does not misinterpret that homosexuality is a form of violation in religion, but it will be an oddity in someone who influences the life of the social environment or the consequences of existing laws in that country. This is in accordance with the process of rebirth. Based on the law of continuity or continuity, a Hindu, after death, will live again to continue his life, but based on the

²³KrishnandaWijaya. 2006. Buddhist Dharma Discourse. Jakarta. The Development Dharma Foundation and the Indonesian Supreme Sanghaa.

applicable law of karma, it could be that someone is living a good life, then after being born again life will be better viewed from various sides.

This also affects his sexual life. A Hindu who is born again does not necessarily become his old self, it could be that his previous life was a man and was born again into a woman, then his subconscious mind is likely to recall his moment of thought. So that the person's sexual appetite cannot be controlled.

In Hindu teachings, the Sutra of 42 Parts, "wealth and lust for humans is difficult to release. Like honey in a sharp blade, but not good enough to satiate the stomach, if licked by a small child will hurt his tongue. " Those who are adults can get married, and the marriage bond is recognized as a legitimate member for the couple concerned to have sex. Marriage institutions are needed to guarantee the rights, obligations, and responsibilities of the husband and wife in question and ensure that their children get protection. But in Buddhism marriage is not seen as a sacred thing nor is it considered sacred.²⁴In Buddhism, homosexuality is not necessarily forbidden because Buddhism is based on human life and tolerance. In Buddhism there are no penalties or sanctions against LGBT perpetrators.

5. LGBT Seen From Human Rights Aspects:

In religious and state life, marriage is a sacred thing.²⁵Marriage is a relationship between 2 people of different sexes, legally in accordance with applicable religious law and state law. With the establishment of marital relations, it is expected to obtain legitimate offspring as a sustainable human regeneration process.²⁶ Another goal of establishing marriage is to fulfill the biological needs of husband and wife.

Marriage in the State of Indonesia is regulated in Act No. 1 of 1974 concerning Marriage, there are articles which are basically regulated in Article 6 and Article 12 concerning Procedures for the Implementation of marriage.²⁷ Article 27-Article 49 which regulates prevention, cancellation of marriage, until the relationship between parents and children²⁸ and Article 14 KHI concerning Pillars and Terms of Marriage.²⁹In these articles, there is really no one that provides a condition that the marriage must be carried out by a man and woman, but there is a condition for the existence of a prospective husband and future wife or two prospective brides and grooms. The above requirements can automatically be interpreted that men are prospective husbands and women are prospective wives, which means the two prospectives means a man and a woman. The understanding of the existence of both bride and groom or male and female parties makes it clear that the existence of human sex is not a socio-cultural construction, but is natural. Kodrati means that the human sex comes from God. In the case of LGBT it can be seen that the reality in life today is an abnormality of the modernization of the lives of human sexuality. This modernization is not giving goodness but instead erodes the moral, values, and morals of community life. They are LGBT people fighting for their fate in the name of freedom and human rights.

The Universal Declaration of Human Rights, formulated by the United Nations in 1948, states in Article 5 that "No one may be tortured or treated cruelly, obtained or treated with inhuman or degrading treatment." Article 9 is still from a source the same as "Everyone has the right to freedom of assembly and peaceful association" and "No one can be forced to enter a society."

²⁴K. Sri Dhammananda. 1990. A happy marriage. Translated by Edij. Karaniya. <https://www.accesstoinight.org/lib/authors/dhammananda/marriage.html>

²⁵Sudarsono, 1992, Pokok-pokok Hukum Islam, cet. ke-1, Rineka Cipta, Jakarta, hlm. 188.

²⁶Soemiyati. 1999. Hukum Perkawinan Islam dan Undang-undang Perkawinan (Undang-undang No. 1 Tahun 1974 tentang Perkawinan) cet. ke-4. Liberty. Yogyakarta. hlm. 12.

²⁷Moch Asnawi. 2000. Himpunan Peraturan dan Undang-undang Republik Indonesia tentang Perkawinan serta Peraturan Pelaksanaannya. Menara. Kudus. hlm. 28.

²⁸Subektid and Tjitrosudibio. 1996. Kitab Undang-Undang Hukum Perdata. cet. ke-28. Jakarta, Pradaya Paramita, hlm. 8-13.

²⁹Abdurrahman. 1992. Kompilasi Hukum Islam. cet. ke-1. Jakarta. Akademika Pressindo. hlm. 116-117.

The 1945 Constitution governs Human Rights. It can be seen in Article 28 E Paragraph (2), Amendment II which states that "Everyone has the right to freedom of belief, to express his thoughts and attitudes, in accordance with his conscience." If it is connected to positive rights of Indonesia, human rights can be differentiated into personal rights, property rights, political rights, equal rights in law and government, social and cultural rights that the right to choose education and to develop culture in Indonesia, and the fundamental rights to the treatment of judicial procedures namely detention, arrest, search, and justice and procedural rights.

Interpreting human rights regulated above is a human right about social life, religious life that must be in accordance with the rules of law, customs and religion prevailing in Indonesia. Based on Article 29 of the 1945 Constitution (2), namely:

"The state guarantees the independence of each resident to embrace his own religion and to worship according to his religion and his beliefs"

Based on the Article, it can be explained that everyone is free to embrace religion and worship according to his religion and beliefs without any element of coercion because every religion has a different way of worship. In this case LGBT is a sexual deviation which is not included in human rights as stipulated in Indonesian positive law. Although there are religious teachings that legalize LGBT but, in terms of marriage, the Marriage Law is still used. Besides that, the existence of marital principles in civil law, namely marriage is an agreement between male and female families. That is, human rights in force in Indonesia are not by freeing human rights by not seeing the prevailing norms in society. This is because LGBT is a problem that can destroy the future of human life without the values, principles of life, and sexuality in their nature.

6. Conclusion:

According to Islam, LGBT perpetrators are against the teachings of Islam and in their nature humans are created by God. Whereas in Christianity, Paul addresses the prohibition on sodomy which is usually carried out by homosexuals. In Hinduism, it is affirmed that the goal of Hindus to always make dharma, which is to be grateful for the state of birth, that humans are made up of men and women who have different duties and functions in the search for identity. Then it can be ascertained also that LGBT is contrary to the Dharma of Hindus. Unlike the three religions above, Buddhism is a religion that does not prohibit LGBT. In Buddhist teachings, it is known that there are rebirths in which the teachings of karma have prevailed, so there is no known condemnation of homosexuals because humans are seen only based on their humanity and tolerance for society. LGBT, if viewed from the aspect of human rights, human rights here is a human right about community life, religious life that must be in accordance with Indonesian people's life structure based on religious life not by freeing human rights by not seeing the prevailing norms in society. LGBT is a threat that can destroy the future of human life without the values, principles of life, and sexuality in its nature.

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