

The LGBT Phenomenon from a Social and Legal Perspective in Indonesia

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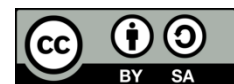
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ABSTRACT

The LGBT (Lesbian, Gay, Bisexual, and Transgender) phenomenon in Indonesia has become a complex social and legal issue amidst globalization and technological advancements. This study aims to analyze the definition, causes, social impacts, and legal perspectives on this phenomenon within the context of Indonesian moral and cultural values. The method used is descriptive qualitative with a sociological and normative juridical approach through literature review and social theory. The results of the study indicate that promiscuity and LGBT emerged due to the influence of global culture, digital media, and weak character education. Socially, this phenomenon has led to a shift in moral values, an increase in deviant behavior, and the emergence of stigma and social conflict. Although the LGBT community is increasingly present in public spaces and social media, Indonesian society generally still rejects its existence because it is considered contrary to religious and cultural norms. In terms of law, LGBT behavior and promiscuity are not explicitly regulated in the law, but acts that violate morality can be prosecuted through Articles 281 and 292 of the Criminal Code, as well as Law No. 44 of 2008 concerning Pornography. The government is expected to strengthen regulations and moral education that balance individual rights and social order. Thus, the phenomenon of promiscuity and LGBT reflects the nation's moral challenges that require a balanced legal, social, and educational approach to align with the values of Pancasila and Indonesia's cultural identity.

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1. Introduction

Rapid social change due to globalization, the development of information technology, and cultural openness have had a significant impact on the behavioral patterns of Indonesian society, especially among the younger generation. One of the most prominent impacts is the increasing phenomenon of promiscuity and LGBT (Lesbian, Gay, Bisexual, and

Transgender) which is no longer hidden, but is increasingly visible in public spaces and social media. This phenomenon creates a serious social dilemma because it conflicts with the moral, religious, and cultural values that are the foundation of Indonesian society. According to data from the United Nations Agency for Sexual and Reproductive Health (UNFPA), LGBT cases in Indonesia increased by 20% compared to the previous year in 2024 (Bunga, 2005).

This research is important because the increase in deviant behavior in adolescent relationships indicates a crisis of values and weakening social control. According to data from the United Nations Agency for Sexual and Reproductive Health (UNFPA), LGBT cases in Indonesia increased by 20% compared to the previous year. The increase in LGBT cases in Indonesia in 2024 shows a complex interaction between social, cultural, and political factors. The courage of LGBT individuals to voice their identity is becoming more visible, along with increasing public awareness of human rights. Social media also plays a major role in the dissemination of information about LGBT. This is a sign that changes in sexual behavior and modern lifestyles cannot be ignored in the context of the nation's social development, (Bunga, 2005).

Theoretically, this phenomenon can be explained through the theory of reflexive modernity which states that modern society increasingly emphasizes freedom of identity and personal autonomy as a form of self-expression. However, on the other hand, the theory of structural functionalism explains that deviant behavior such as free sex and LGBT can disrupt social balance (social equilibrium) because it conflicts with shared norms and values that support social order. These two theories provide a basis for analysis that shifts in moral values are a logical consequence of modernization, but still require social control so as not to cause disintegration of values in society, (Talcott, 1951).

From a legal perspective, LGBT issues and promiscuity have also sparked debate regarding human rights and the limits of public morality. Indonesia, as a state based on the rule of law based on Pancasila and the 1945 Constitution, upholds individual freedom, but this freedom is limited by moral norms and religious values. To date, the Criminal Code (KUHP) has not explicitly regulated same-sex sexual orientation, but articles on indecent acts and morality remain the basis for law enforcement. Furthermore, Law Number 44 of 2008 concerning Pornography prohibits the dissemination or depiction of deviant sexual activity in public spaces (Meilanny, 2020). This situation demonstrates a gap between social development and moralistic legal protection.

Given these conditions, this study was conducted to provide a comprehensive social and legal analysis of the phenomenon of promiscuity and LGBT in Indonesia. This study is not only important for understanding its causes and impacts, but also for assessing the extent to which legal regulations, the role of social institutions, and societal responses can maintain a balance between individual freedom and the nation's moral values. This research is expected to provide academic and practical contributions to the formulation of socio-legal policies that align with the cultural character and ideology of Pancasila.

2. Problem Formulation

The problem formulation in this research focuses on how the LGBT phenomenon develops in Indonesian society and its implications for the prevailing social and legal order.

3. Research Method

This section describes the research methods used in the author's study. These methods include the problem-solving approach, data collection techniques, data types, and data presentation methods.

The research method used in this journal is a descriptive qualitative method with a library research approach (Moleong, 2019). This approach is used to analyze the phenomenon of promiscuity and LGBT through the exploration of relevant theories, data, and regulations. The data used is secondary data, obtained from various sources such as books, scientific journals, research reports, official news, and laws and regulations related to social and legal issues.

The data collection technique used was literature analysis, which involved reviewing various scientific and legal sources supporting the discussion. The collected data was then analyzed qualitatively, interpreting the meaning, causal relationships, and social and legal impacts of the phenomena studied. The results of the analysis were presented descriptively and analytically, presenting interconnected facts, theories, and perspectives to provide a comprehensive understanding of promiscuity and LGBT issues from a social and legal perspective in Indonesia.

4. Result and Discussion

Understanding LGBT (Lesbian, Gay, Bisexual, and Transgender)

LGBT (Lesbian, Gay, Bisexual, and Transgender) is a term used to describe the diversity of sexual orientations and gender identities in society. Theoretically, LGBT is understood through sociology, psychology, and gender studies. Lesbian and gay refer to individuals who have a sexual orientation toward the same sex, while bisexual describes emotional and sexual attraction to more than one gender. Transgender is a term for individuals whose gender identity does not align with their assigned sex at birth.

In the theory of social identity and reflexive modernity (Giddens), the existence of LGBT groups is seen as part of the development of identity expression in modern societies that are more open to diversity.

However, in the Indonesian context, the LGBT phenomenon is often confronted with complex social, cultural, and religious dynamics. Indonesian society's views, grounded in religious values and traditional social norms, make LGBT issues a sensitive public debate. Nevertheless, scientific studies emphasize that understanding LGBT requires an objective, rational, and research-based approach to generate healthy academic discourse that adheres to societal values.

Factors Causing LGBT in Indonesia

Based on literature analysis and social data, there are several main factors that have caused the increase in this phenomenon, including:

a. The Influence of Media and Cultural Globalization.

Widespread internet access, social media content, films, and global influencers have led to more open representations of sexual orientation and gender. According to social construction theory, sexual identities can be formed and maintained through symbols, narratives, and media representations.

In Indonesia, widespread and unlimited internet access makes it easy for teenagers to be exposed to pornographic content, a promiscuous lifestyle, and online communities that promote non-normative sexual behavior. Data from the Ministry of Communication and Information Technology (Kominfo) in 2023 showed that 62% of teenagers in Indonesia access social media for more than 5 hours per day, with high levels of exposure to sensitive content (Kominfo, 2023).

This encourages some individuals to seek identity references through the media, thus influencing their perspective on sexual orientation.

b. Social and Social Environment Factors.

The social environment plays a crucial role in the formation of sexual identity, particularly in adolescence and early adulthood. Social learning theory suggests that human behavior is shaped through observation and social interaction. In the Indonesian context, the presence of LGBT communities in major cities like Jakarta, Bandung, and Bali provides a social space for individuals to explore their identities. Furthermore, exposure to peers or the boarding/social environment also reinforces previously suppressed LGBT expressions.

c. Psychological Factors and Personal Development

Childhood experiences, emotional bonds with parents, or certain traumatic experiences can influence the formation of self-identity. Developmental psychology theory explains that unstable developmental stages, such as lack of parental attention, harsh parenting, or disharmonious family relationships, can be associated with the search for a distinct identity.

Several field studies in Indonesia found that some LGBT respondents experienced complex emotional experiences during adolescence, such as bullying or lack of family acceptance, which triggered the formation of a different identity.

Social and Moral Impact of LGBT in Indonesia

The LGBT phenomenon in Indonesia has complex social and moral impacts due to its clash with strong cultural, religious, and societal norms. Socially, the reality on the ground shows that LGBT individuals often face ostracism, stigma, and discrimination, especially within conservative families and communities. Over the past three years, the LGBTIQ community has faced significant challenges. At least 373 LGBTIQ individuals experienced violence and discrimination between 2021 and 2023 (Khoirunnisa, 2025).

This is because religious views and traditional norms are still very dominant in many parts of Indonesia, the existence of LGBT often gives rise to moral debate in public spaces (Karisa Putri, 2025). This can lead to polarization in society, resistance to the idea of human rights, and regulatory or discriminatory efforts against LGBT groups. This is because the majority of the Indonesian population holds religious values that place same-sex relationships as something that is not in accordance with traditional norms.

As a result, conflicts of opinion frequently arise in public spaces, from social media to neighborhoods. The moral impact is also evident in public concerns about changes in family values, gender roles, and social relationship patterns that are perceived as deviating from established norms.

According to data from the SMRC National Survey (Surnas), 57.7 percent of the public believe that LGBT people are rejected and are against religion. Meanwhile, only 41.1 percent have the opposite opinion (BBC New Indonesia, 2025).

However, field data also shows that some urban communities are becoming more tolerant due to increased understanding of human rights and social diversity (Mudrikah, 2025). These overall impacts demonstrate that LGBT issues in Indonesia are not simply a matter of sexual identity, but are closely related to the dynamics of morality, religion, culture, and changing social structures.

Existence and Community Reaction to LGBT

The existence of LGBT in Indonesia has become increasingly visible in the past decade, primarily due to the influence of globalization, social media, and liberal cultural trends that emphasize individual freedom. Digital platforms such as TikTok, Instagram, and X (Twitter) have become spaces for expression for the LGBT community and free lifestyles that were previously considered taboo. Data from We Are Social shows that more than 70% of Indonesia's population is active on social media, and this online interaction is accelerating the normalization of behaviors previously considered deviant within Indonesian social norms (We Are Social, 2024).

However, public acceptance of this phenomenon remains highly variable. A small minority of young urbanites are beginning to show more tolerance toward LGBT people on the basis of human rights, while the majority of Indonesians continue to reject it, considering it contrary to religious values, customs, and Eastern culture. A survey by the Indonesian Survey Institute (LSI) found that approximately 86% of respondents rejected same-sex relationships, considering them inconsistent with social and religious norms (Katadata Insight Center, 2024).

Public reaction to promiscuity and LGBT issues has emerged in two forms: social and legal. Social reactions include rejection, stigma, and moral and religious campaigns, particularly from Islamic missionary institutions, community organizations, and religious leaders. Meanwhile, advocacy groups have emerged demanding legal protection and freedom of identity. This situation demonstrates social polarization reflecting the struggle between traditional and modern values brought about by globalization.

In the perspective of social conflict theory, this phenomenon is a form of clash between dominant groups that maintain traditional moral values with minority groups that fight for identity recognition, (Lewis A. Coser, 1956). The strong public reaction to the LGBT phenomenon and promiscuity ultimately becomes a reflection of the nation's moral dynamics, where Indonesia seeks to balance the principle of individual freedom and social norms rooted in Pancasila and religious values.

Legal Review of the LGBT Phenomenon

In the legal context in Indonesia, the LGBT phenomenon remains a complex issue because it has not been explicitly regulated in law, but has broad moral and social implications. Normatively, the legal basis relating to sexual behavior outside of marriage is found in the Criminal Code (KUHP) Article 284, which regulates adultery. Although it does not directly mention the term "free or deviant association", this article is used to ensnare sexual behavior carried out outside of marriage. In addition, Article 281 of the Criminal Code regulates immoral acts in public, which can be used to prosecute actions deemed to violate moral norms, 9 Government of the Republic of Indonesia, 2023).

Meanwhile, in the LGBT context, there are no regulations that directly legalize or prohibit sexual orientation, but the practice of same-sex relations is often associated with violations of social norms and morals. The Draft Criminal Code (2023) has expanded the provisions of Article 412 paragraph (1) which criminalizes sexual relations outside of marriage, including same-sex relations. From an Islamic legal perspective, homosexual acts are included in the category of hudud crimes (liwath) and are considered to violate established sharia, (Indonesian Library Sheet, 2015).

From the positive and moral legal aspects, Indonesia strives to balance the enforcement of moral norms and respect for human rights (HAM) as guaranteed by Article 28E and Article 28G of the 1945 Constitution. However, the implementation of human rights values in Indonesia must remain aligned with the values of Pancasila, the Divine, and national culture. Progressive legal theory emphasizes that law is not only text-oriented, but also moral and humanitarian values, so that the approach to the LGBT phenomenon and promiscuity should prioritize education, moral development, and social protection rather than just criminal sanctions, (Satjipto, 2010).

Social Overview of LGBT

Socially, the phenomenon of promiscuity and LGBT reflects changing values and an identity crisis in the modern era. Globalization and advances in information technology have significantly influenced shifting social norms, particularly among adolescents and young adults. Promiscuity is now viewed not only as a form of personal freedom but also as a symbol of freedom of expression. However, in a society that still upholds religious values like Indonesia, this has given rise to value conflicts and a moral crisis.

According to Anomie theory, deviant behavior arises when social norms lose their power to regulate individuals due to rapid social change (Émile, 2014). The LGBT phenomenon and promiscuity can be understood as a form of modern anomie, where society experiences value

confusion between local culture and global influences. Based on the 2024 Katadata Insight Center Survey, as many as 74% of Generation Z in major Indonesian cities admitted to having friends or knowing someone who is open about their LGBT identity, indicating that social acceptance of this issue is increasing, although it is not yet fully accepted morally.

The social impact of this phenomenon is the emergence of societal polarization, with some supporting freedom of identity, while others demand the enforcement of religious and customary norms. In the long term, this can lead to social disintegration if not balanced with an educational approach and inclusive social policies. The government and educational institutions have a crucial role in strengthening character, moral, and religious education, so that the younger generation can filter global influences without losing their national identity and moral values.

Analysis of the Role of the Family and Educational Environment in Preventing and Handling the LGBT Phenomenon

The family is the primary environment that shapes the development of a child's identity, character, and emotional stability. Parenting styles, the quality of family relationships, and the intensity of communication between parents and children significantly influence the formation of self-concept, including gender identity and sexual orientation. A harmonious, supportive family that provides a strong moral education can be a primary barrier in helping children cope with psychological pressures, social interactions, and external influences. Conversely, dysfunctional families for example, those full of conflict, with minimal communication, or lacking emotional attention tend to make children more vulnerable to seeking validation and identity from the external environment, which in some cases can trigger identity confusion.

Educational environments, particularly schools and universities, also play a strategic role in shaping students' personalities and social behavior. Schools serve not only as a place to transfer knowledge but also as an arena for the formation of morals, character, and social control. Through guidance and counseling, character education, and positive extracurricular activities, schools can provide a space for students to understand themselves, manage their emotions, and interact healthily with their peers. Teachers and school counselors play a crucial role in providing psychological support, especially for students experiencing identity issues, social pressure, or bullying related to self-expression.

Furthermore, educational settings can play a role in providing digital literacy regarding the negative impacts of age- or culturally inappropriate content, which often triggers identity confusion in adolescents. Through religious education, Civics Education (PPKn), and character-building programs, students can be provided with a balanced understanding of moral values, behavioral boundaries, and social norms prevailing in Indonesian society. Therefore, synergy between families and schools is crucial for preventing deviant behavior and providing early and appropriate treatment, thus ensuring optimal mental and social development in adolescents.

Study of Government Policy and Management Models Based on Socio-Cultural Approaches in Indonesia

The Indonesian government's current policy regarding the LGBT phenomenon remains based on the principles of social protection, maintaining public order, and upholding the nation's moral and cultural values. Although there are no specific regulations directly governing LGBT activities, several laws and regulations, such as the Child Protection Law, the Pornography Law, the Criminal Code, and various regional regulations, have imposed restrictions on actions deemed to violate moral norms, disrupt public order, or contain elements of sexual exploitation. In recent years, the government has also strengthened policies emphasizing the prevention of deviant behavior by involving relevant ministries, such as the Ministry of Social Affairs, the Ministry of Education, and the Ministry of Religious Affairs, through outreach programs, moral education, and youth development.

However, formal regulations alone are not enough. Therefore, a socio-cultural approach is crucial in addressing the LGBT phenomenon in Indonesia. Given that Indonesia is a predominantly religious society and adheres to Eastern values, religious figures, traditional leaders, and local leaders play a significant role in shaping public opinion and maintaining social harmony. Through sermons, religious activities, and community-based moral education, these figures help foster an understanding of family values, boundaries for sexual behavior, and ethical social interactions consistent with Indonesian culture. This socio-cultural approach is crucial to ensure that addressing the LGBT phenomenon does not lead to social conflict, polarization, or excessive stigma, which could undermine community integration.

Community-based treatment models can also include activities such as reproductive health education, youth mentoring, strengthening family institutions, and digital literacy campaigns to prevent exposure to negative content that can influence adolescent behavior. Collaboration between local governments, schools, community organizations, and religious institutions needs to be strengthened to produce more effective preventative measures. Furthermore, improving school- and community-based counseling services is crucial to provide appropriate psychological support for adolescents experiencing identity confusion or social pressure.

Thus, government policy and socio-cultural approaches are inseparable in addressing the LGBT phenomenon in Indonesia. Both must work hand in hand: the government provides the legal basis and general policies, while society, through norms, culture, and local figures, carries out the functions of social oversight, moral education, and character development. This synergy is key to maintaining social stability and developing a younger generation with a strong moral understanding, self-control, and a life orientation consistent with Indonesian cultural values.

5. Conclusion

The LGBT phenomenon in Indonesia is a complex social problem, born from the combined influence of globalization, advances in information technology, and shifts in societal moral

values. The emergence of this phenomenon is closely linked to weak social control, an identity crisis among the younger generation, and increased exposure to a liberal culture that emphasizes individual freedom. Theoretically, this phenomenon can be explained through the theory of social disorganization and anomie, which suggests that rapid social change can weaken the function of norms and values in regulating societal behavior.

Socially, LGBT is evident in the rise in cases of premarital pregnancies, sexually transmitted infections, and shifts in societal norms of decency and religiosity. Data from the Indonesian Ministry of Health (2025) and the National Population and Family Planning Board (BKKBN) show a significant increase in HIV cases and adolescent fertility, reflecting a moral crisis at the societal level. Nevertheless, differing attitudes within society have emerged: some demonstrate tolerance on the basis of human rights, while the majority continue to reject it on the basis of religious values and Eastern culture.

From a legal perspective, Indonesia strives to balance protecting public morals with respect for human rights. The Criminal Code (KUHP) and the Draft Criminal Code (RKUHP) regulate immoral behavior and extramarital sex as an effort to maintain social norms. However, law enforcement regarding the LGBT phenomenon remains interpretive and dependent on social context, as there are no specific regulations explicitly addressing it. This demands a more progressive legal approach, oriented toward humanitarian values and moral education.

Meanwhile, from a social perspective, this phenomenon demonstrates a shift in value orientation within a society that is increasingly open to issues of identity and freedom. However, if not balanced by strengthening character and religious education, this shift can lead to social disintegration and value conflict. Therefore, the best solution to the phenomenon of promiscuity and LGBT in Indonesia lies not solely through legal approaches, but also through moral development, Pancasila-based education, and strengthening social and family resilience as the primary bulwarks of national morality.

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