

CHAPTER I

INTRODUCTION

This undergraduate thesis analyzes the influence of LGBT (Lesbian, Gay, Bisexual, and Transgender) movement towards Indonesia government. The LGBT movement has become a global phenomenon including in Indonesia. The growing number of LGBT actors is increasing every year. This undergraduate thesis attempts to elaborate on how the effort of LGBT movement in influencing Indonesia government.

A. Background

In this era of globalization, LGBT issues have attracted the attention of society in the world. However, like other issues, the pros and cons will show the emergence of the LGBT movement. LGBT is an acronym for lesbian, gay, bisexual, and transgender. A lesbian is a condition where a woman has feeling/interest with another woman. Gay is a situation/condition where a man has feeling/interest with another man. Bisexual is a situation where a man or a woman has interest with the same sex and different sex at the same time (Arivia, dkk, 2015:2-3). Transgender is a term used for someone who has a gender identity or expression of the gender that is usually associated with him/her when he/she was born. Transgender tends to the circumstances in which a person identifies a gender different from the gender of his/her birth. Transgender is divided into two parts. The first is a male transgender in which a person was born as a female but she identifies herself and lives as a man. The second is a female transgender in which a person was born as a male but he identifies himself and lives as a woman. (Arivia, dkk, 2015:13)

The first time LGBT movement appeared in the world in the 1900s. It was considered as a deviant behavior. LGBT revolution was known by "third gender" in the 1860s but it had not been received by many people. The first term which was widely used was the term "homosexual". However, since it contained a negative connotation, it was replaced by "homofil"

in the era of the 1950s and 1960s, and also gay in the 1970s. It made the terms "gay and lesbian" more common to the public. In 1988, the term of LGBT was already used in America, evolving and widely used in the 1990s. This term was considered more positive and generally considered to represent an unspecified community (Sipayo, 2016).

LGBT has a rainbow flag as its symbol. The color of the rainbow was created by a San Francisco artist named Gilbert Baker in 1978. According to Baker (Itah, 2015), rainbow colors are a suitable color because LGBT is made up of all colors, all genders, and all races.

LGBT in Indonesia has been around since the 1960s. Some people mentioned LGBT has been around since the decade of the 1920s, but some people mentioned this LGBT phenomenon already existed around the decade of the 60s.

Figure 1. Rainbow Flag



Then, LGBT movement developed in the decade of 80's, 90's, and it has been spread until now. In 2003 LGBT phenomena are considered as homosexuality criminal, along with living together outside marriage, but the existence is failed to legalize. There has been no draft law for LGBT. LGBT movement still reaps the pros and contras, but so far Indonesia still has not prohibited or criminalized this activity. As we can see in National Law on Marriage number 1 of 1974 article 1

(Hukum Online, 2016) states that marriage is an inner bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on God. It means Indonesia can not legalize same-sex marriage because the mentioned in the National Law on Marriage can be done only between a man and a woman. But so far, Indonesian criminal law does not consider LGBT as a criminal or deviant act as long as it does not violate Indonesian law rules, such as law of governing child protection, morality, pornography, prostitution, and crime of rape.

An exception happens in Aceh and Palembang. Aceh is not allowing the existence of LGBT because Aceh as a city that passes Sharia law has regional law number 6 the year 2014 in where chapters 63 and 64, gays and lesbians are threatened with 100 lashes or fines of at most 1000 gram of pure gold or maximum jail for 100 months (Muslim, 2016). Also, in Palembang, there is a provincial level regulation No. 2 of 2004 states that homosexual and lesbian including prostitution and can be threatened with a maximum imprisonment of 6 months or a fine of five million rupiahs.

Many people agree that LGBT behavior should be incorporated into human rights, for a reason that LGBT cannot be chosen or avoided. According to them, there should be no more discrimination against LGBT people and they should be given a chance to live comfortably in society. LGBT groups are considered different due to unusual sexual orientation. They are also human beings who want to be accepted in the community, also comfortable and desirable life. However, there are some people who are contra with the issue that legalize LGBT movement in Indonesia. LGBT is not a part of human rights because human rights are the rights which are granted by God who created us in pairs with the opposite sex. We can not claim something as a human right if we violated the rights of others because a person's human rights can not be in touch with other human rights. So, in this thesis, I will elaborate about the influence of LGBT movement in Indonesia whether LGBT

movement will be allowed in Indonesia towards the law that exists in Indonesia.

B. Research Question

Based on the background elaborated previously, the question raised by the researcher is: *What are the effort of LGBT movement in influencing Indonesia government (2003-2017)?*

C. Theoretical Framework

1. Social Movement

A social movement is a social activity in the form of informal group movements, a large number individual or an individual that specifically focuses on a social or political issue by implementing, rejecting or campaigning a social change. According to Rajendra Singh, social movement is something that expresses the collective efforts to demand equality and social justice and mobilizes members of society to try to voice a complaint against the enemy whether it is a state, institution or other parts of society (Singh, 2010).

According to Robert Miesel there are several characteristics of social movements, such as social movements understood in relation to organization and organizational behavior, social movements use rational means in achieving their goals and ideals, the main activity of the social movement is to mobilize various constituencies in various ways to acquire needed resources, organizational forms and resource-raising strategies from a social movement with institutionalized forms of action, and the phenomenon of collective or demonstration behavior is closely related to the social movement because it is an element of the strategy used in a movement (Miesel, 2004).

The social movement has three aspects. The first is society. An independent organization should have a purpose in order to make changes and must be oriented towards society. A non-goal-oriented struggle will be useless because no one will feel the results and who can give a response to the organization's performance. The second is the government. Because the

government is considered as the ruler of the state, it is obligatory for us to cooperate with the ruler so that we can provide our social control function. Therefore, the established policy can be in line with our goal. The third is private institutions. This aspect becomes central and certainly fatal if the economy collapses and causes the public to suffer.

The social movement has its main function or the manifestation of social movements. As these social movements grow, secondary functions arise social movements contribute to the formation of public opinion by providing social and political issues of discussion and through the incorporation of a number of movement ideas into dominant public opinion, and providing training of leaders who will become part of the political elite and may increase its position to become an important statesman. Actors of the social movement are disgruntled or disillusioned people, such as those who are marginalized in the life of marginalized groups in the community, to depressed minorities. So, it can be concluded that the social movement involves well-organization and well-organized individuals to make a change that touches the moral, social, political, and economic dimensions (Hasibuan, 2008).

Theoretically, there is a theory of social movement outside the theory of movement based on Marxist ideology. Some theories in social movements are as follows:

a) Classical / Old Class Movement Theory

In this perspective, it is assumed that social movements are born out of support from those who are isolated in society. This classical social movement is a reflection of the class struggle around the production process, and therefore social movements are always pioneered and centered on the workers. The paradigm in this movement is Marxist Theory, so it always involves in the ideological discourse shouting 'anti-capitalism', 'class revolution' and 'class struggle'. Orientation also always dwell on the overthrow of the government which was replaced by the dictatorship of the proletariat. But in the current context, this classical social movement theory

has rarely been encountered on the ground and has almost disappeared from its spirit of movement and has been replaced by the new social movement theory.

b) New Social Movement Theory

The new social movement theory is emerging as a criticism of previous old theories. The new social movement is a more issue-oriented movement and is not interested in the idea of revolution. Moreover, the appearance of the new social movement is more plural, ranging from anti-racist, anti-nuclear, feminist, civil liberties and so on. The new social movement assumes that in the era of liberal capitalism today resistance comes not only from the labor movement but also from those who are not directly involved in the production system such as students, urbanites, and middle class because the system of capitalism has harmed the people outside the production system. There are several new things from the social movement, such as the changing media between civil society and the state and the changing of the contemporary society's order and representation.

Jean Cohen states that the New Social Movement confines in four senses (Cohen 1985: 669), there are:

- a. the actors of new social movements do not struggle for the return of inaccessible utopian communities of the past
- b. actors fight for autonomy, plurality
- c. the actors make conscious effort to learn from past experiences, to relativize their values through reasoning,
- d. the actors take into account the formal state of the state and the market economy.

Thus, the purpose of the new social movement is to reorganize the relations of the state, society, and economy and to create a public space in which there is a democratic discourse of autonomy and individual freedom.

As we know, the phenomenon of the existence of LGBT movement in Indonesia first appeared in a conference "Being

LGBT in Asia: A Participatory Review and Analysis of the Legal and Social Environment for Lesbian, Gay, Bisexual and Transgender (LGBT) Persons and Civil Society" held on 13-14 June 2013 in Bali which is one of the conferences aimed at enhancing LGBT participation in the social and constitutional environment of the country and also to study LGBT experiences from the perspective of development and human rights. The conference was attended by various LGBT communities nationwide Indonesia with a total of 71 participants from 49 national LGBT organizations (MLIFE, 2017).

2. Mass Media

Mass media is one of the tools used to communicate every day, anytime, and anywhere between one person and another. Everyone will always need the mass media to get information about the events around them; by mass media people also will get the information easily needed at any given moment. On the other hand, they can share events happening around them to others so that one person with another can exchange information about the event even if they are in a different area.

According to Roman Kuhar (2003: 46), there are five basic frameworks that are made by the media in representing homosexual, including stereotyping, medicalization, sexualization, secrecy, and naturalization. The first is stereotyping. The concept of stereotypes was introduced by Walter Lippman. According to Lippman stereotypes are very simplistic, ironic, resistant to change and most are not based on direct experience. Media representation of homosexuals can not be separated from a historical background in which gender was only seen from sex differences. The production of homosexual stereotypes in the mass media is strongly grounded in the cognitive framework of gender social schemes that favor biological permanent human gender differences, ie, if not male then female, if not feminine means masculine (Handoko, 2009: 19). The second is medicalization. Kuhar (2003: 57) states that media image of homosexuality will not be separated from the touch of medical experts and psychiatry. The third is

sexualization. In this case, media is trying to explain that the actual sexual behavior of homosexuals is something wrong by raising a question: what kind of sexual relationships can be done between two people of the same sex. In this phase, a media attempts to compare sexual behavior between homosexuals and heterosexuals. The fourth is secrecy. This concept can be defined as the nature of confidentiality. In this case, the definition of secrecy is to keep the secret of the object. That is, the homosexual group. The fifth is normalization. This stage is a media effort to describe homosexual groups as a normal life phenomenon in the context of existing social life.

In Indonesian people's life, LGBT cannot be accepted by the general public because LGBT people are regarded as people who have diseased. LGBT controversial phenomenon can be spreaded to others because there is a role of mass media in the image of the LGBT. Mass media can also form a particular image of an event or a group and the image will be understood as a general truth in society. Mass media describes the LGBT as a perverted people. Information submission done by the media against LGBT intentionally or unintentionally has discriminated LGBT so that people who watch or get information about LGBT from the media make LGBT increasingly cornered and LGBT lose its right to express themselves through media or not (Duan, 2014).

3. Issue

The emerge of issues in an organization can not be predicted before. Therefore the organization is asked to always standby in facing of issues that allow the occurrence of crisis. The emerge of the original issue was caused by the inconsistency of meaning. The notion of an issue is a question of debatable facts, values, or policies. So, the issue leads to a problem in an organization, institution, group, which requires the handling or referring to the existence of a seed problem which then led to the debate (Purwanto, 2013).

Issues are debated disputes, facts, evaluations, or policies that are important to the parties concerned. In other words, a surface issue is a condition where if it were left unchecked, there

will be a significant effect on the function or performance of that organization or on the organization's future targets.

Generally, according to Gaunt and Ollenburger (1995), issues can be divided into two types based on the source of the issue:

- a. Internal issues, ie issues coming from the internal organization.
- b. External issues, which include events or facts that develop outside the organization that directly or indirectly affect the activities of the organization.

In Harrison's (2008) writings, two aspect of issues can be defined. The first is the impact aspect which divided into two issues, there are defensive and offensive issues. Defensive issues are issues that tend to pose a threat to the organization. Offensive issues are issues that can be used to enhance a company's reputation (Kriyantono, 2012). Second, the broad aspect of the issue is divided into four issues, namely universal issues, advocacy issues, selective issues, and practical issues. Universal issues are issues that affect many people directly, publicly, and potentially personal, more imminent. The issue of advocacy is an issue that does not affect as many people as on universal issues, and this issue arises because of the spread of certain groups that claim to represent the public interest. This issue is potential. A selective issue is an issue that only affects a particular group. It may be an issue that arises with the interests of the people, but only certain parties are affected by the issue and pay more attention to this content. Practical issues are issues that only involve or develop among the experts. (Afdhal, 2008).

Crabel & Vibbert, and Gaunt & Ollenburger say that an issue often turns into a crisis through several stages (Kriyantono, 2012) :

- a. Origin Stage (Potential Stage)

At this stage, a person or group expresses their attention to issues and members' opinion. This is an important stage that determines whether issues can be managed properly or not. Public relations must be

proactive to monitor the environment. According to Regester and Larkin, at this stage, issues have not been a concern of experts and the public at large, although some experts have started to realize it. The trends must be identified from the beginning.

b. Mediation and Amplification Stages (immiment stage / emerging)

At this stage, the issue develops because that issue has public support, in which there are other groups supporting each other and paying attention to those issues. This stage is also called the "emerging" stage. Mediation means that people or groups who share the same views exchanged ideas to make the issue begin to expand (amplification). At this stage, pressures have begun to be felt by organizations to accept the issue.

c. Organization Stage (current stage and critical stage)

It is called organizational stage, because at this stage the public has begun to organize themselves and form networks. According to Hainsworth, this stage can be regarded as a crisis stage. Each side seeks to influence policy makers to become increasingly involved, as a more impartial mediator / problem solver for a particular group.

d. Resolution stage (dormant stage)

At this stage basically, the organization can handle the issue well, so the issue is assumed to have ended until someone reawakens with new thoughts or issues or new issues that appear to have been linked to previous issues or at warnings when first issues begin.

D. Hypothesis

Based on the thesis written by the writer above, hypothesis can be taken about *the effort of LGBT movement in influencing Indonesia government* is as follows:

1. Using mass media (books, movies, television) and also education to influence society in order to be more accepted in Indonesia.
2. Creating a community and issue to influence the government in order that the government in Indonesia recognize the existence of LGBT movement.

E. Purpose and Scope of Research

The purpose of this research is to know how the movement of LGBT that exists in Indonesia and about the influence of LGBT movement towards Indonesia.

1. This undergraduate thesis topic can give knowledge towards the LGBT movement and the effort of LGBT movement and their influence on Indonesia government.
2. This undergraduate thesis topic can more understand about LGBT in every aspect, especially in law aspect.

The scope of this undergraduate thesis is for the effort of LGBT movement in influencing Indonesia government starting from 2003 until 2017.

F. Research Method

The research method used in this study is a qualitative descriptive method. Research using descriptive method is a study that does not seek or explain the relationship, does not test the hypothesis or make predictions. According to Iskandar (2008: 186), the importance of qualitative research is to explain the data in the form of oral and written. Researchers can understand more deeply about the phenomena or events of social settings associated with the focus of the problems studied.

The basic principle of qualitative research approach is research that starts from the problem of why, how, what, where, and when about a phenomenon or social phenomena that occur in the field. Good qualitative research also provides systematic and context-based descriptive attention, since this approach provides space for researchers to learn about a system and the relationship of all activities in the system that can be seen totally and not partially (Iskandar, 2008: 188- 189). In order for this research to be conducted in more depth, this research focused on the understanding of how LGBT movements and the influence of LGBT movement on Indonesia. Iskandar (2008: 192) said that the data is descriptive during the conduct of qualitative research is the time of data collection. In general, a researcher can find research data in the form of words as well as in the form of images.

G. Systematic of Research

This paper will be divided into five chapters. In each chapter, the researcher is trying to explain the phenomenon related to the movement of LGBT in Indonesia.

In Chapter I, the researcher elaborates on the background of this topic, references, research question, theoretical framework, the scope, and purpose of the research, research method, and systematic of research.

In Chapter II, the researcher elaborates on the phenomena LGBT in the world that includes LGBT movement, the history of LGBT in the world, the actors of LGBT in the world, the countries which support to LGBT movement, the history of LGBT in Indonesia, and the actors of LGBT in Indonesia.

In Chapter III, the researcher elaborates on the pros and contras LGBT in Indonesia which includes the reason why government or society pro with LGBT, the actors which are in pros with LGBT, the reason why government or society contra with LGBT, the actors which are in contra with LGBT.

In Chapter IV, the researcher elaborates on the LGBT movement in their effort to influence Indonesia government policies which includes the way LGBT movement creating

communities and using mass media to influence people in Indonesia (government and society).

In Chapter V, the researcher elaborates on the conclusion which includes conclusion of this topic and the recommendation or suggestion to the government toward LGBT movement.