

Pros and Cons of Bogor City Regional Regulation Number 10 of 2021 on Prevention and Countermeasures of Sexual Deviant Behavior in Bogor City

Annisa Turobi'ah¹ and Susi Dian Rahayu²

¹Faculty of Social and Political Sciences, Universitas Islam '45 Bekasi, Bekasi, Indonesia
annisaturobiah@gmail.com

²Faculty of Social and Political Sciences, Universitas Islam '45 Bekasi, Bekasi, Indonesia
susidianrahayu@gmail.com

ABSTRACT

Bogor City is one of the regions in Indonesia that has a high number of HIV AIDS cases in Indonesia. Until 2021, there were 111 cases of HIV AIDS, one of which was caused by sexual deviance. In Bogor City, from 2018-2021 there were 790 cases of sexual deviance. To prevent the practice of sexual deviance from becoming more widespread, the Bogor City Government together with the Bogor City DPRD drafted Regional Regulation No. 10 of 2021 concerning Prevention and Countermeasures of Sexual Deviance in Bogor City (P4S). However, the regulation has drawn pros and cons among the public. The cons considers that this regulation contains elements of human rights violations that exacerbate violence and discrimination against Lesbian, Gay, Bisexual and Transgender groups in Bogor City. Meanwhile, the pro community considers this regulation as an effort to prevent sexual deviations from the Bogor city government. This research uses ROCCIPI theory by Ann Seidman, Robbert B. Seidman and Nalin Abeyserkere by using 7 categories which include Rule, Opportunity, Capacity, Communication, Interest, Process and Ideology. The results of this study are in the preparation of this regulation, most of the mass organizations that reject the regulation are mass organizations outside the city of Bogor, most of which are mass organizations on a national to international scale. While the majority of the people of Bogor city support the P4S regulation, during the process of drafting the regulation there was no rejection from the people of Bogor city.

Keywords: Regional Regulation, Pros-Cons, Sexual Deviant

INTRODUCTION

The problem currently occurred by the Bogor City regional government is the rise of sexual deviance, sexual deviant behavior among the community is one of the many problems currently take place, known as gay, lesbian, bisexual and transgender (LGBT).

Lesbian, gay, bisexual and transgender (LGBT) is a phenomenon that is spreading in the modern era. By definition, lesbian is basically used as a term for

women who are attracted to other women both physically and sexually. Gay or homosexuality is an attraction between men and other men. Bisexual is when someone experiences romantic or sexual attraction to both genders, namely men and women. and transgender is a term for people whose gender identity differs from cultural expectations based on the sex assigned to them at birth.

Sexual deviant behavior can be influenced by the environment, because a person's behavior can be good or bad regardless of environmental and social influences. Apart from that, the environment can also be a source of deviant behavior due to the inability to follow cultural standards.

With the rise of LGBT cases circulating. It was recorded that in 2018 there were around 96 people, in 2019 there were around 142 people, in 2020 there were around 81 people, in 2021 there were around 50 people, then in 2022 there were around 421 people who behaved in LGBT sexual deviance. This LGBT development was followed by the increasing number of organizations related to the LGBT community. The movement to force recognition of their existence is also increasing alongside with campaign that being held intensively.

One of the issues caused by the rise of sexual deviation in the city of Bogor is the increase in HIV AIDS patient. HIV is a virus that attacks human immune system and weakens the body's ability to fight infection and disease. Meanwhile, AIDS is the final stage of HIV virus infection. The number of HIV AIDS cases in Bogor City shows that in 2018 there were 42 cases of HIV AIDS, in 2019 there were 21 cases of HIV AIDS, in 2020 there were 18 cases of HIV AIDS, in 2021 there were 14 cases and in 2022 there were 16 cases of HIV AIDS.

This sexual deviant behavior has disturbed and caused harm to many people because they consider their security and order to be threatened. The emergence of LGBT groups could cause rift in a nation and will affect in the loss of descendants as the nation's successors.

With the increase number of sexual deviations and the negative impact of sexual deviations prompted the Bogor City DPRD to draft a regional regulation on the prevention and deviation of sexual behavior at the end of 2021. The Bogor City DPRD has stipulated Bogor City Regional Regulation Number 10 of 2021 concerning the Prevention and Management of Sexual Deviant Behavior (P4S).

This effort is made to guarantee the right of every citizen in the country to have a healthy social life and provide protection for every citizen from the consequences of the emergence of social diseases which can threaten the continuity of complete social systems and institutions in the community and government within Bogor City. Knowing that many sexual deviant behaviors are a form of social disease that can damage the values and norms of life adopted by society and threaten the social

institution of the family to fulfill its goals of reproduction and inheritance of noble values.

The stipulation of this regional regulation is a form of legal basis that underlies efforts to prevent and deal with various forms of sexual deviant behavior that can affect social life and as a way to change mental attitudes that can damage social life, so as to create an orderly, orderly, moral society. ethical and moral.

However, during the drafting process on regional regulation, there were pros and cons among the community. This regional regulation has received support among institutions and the community in Bogor City whose uphold religious norms and traditions, moreover, they are also worried that it will affect the development of teenagers who are still in the stage of searching for their identity, so that it can lead them into a lifestyle that is considered to violate norms.

One institution that is pro against this regional regulation is the MUI (Indonesian Ulema Council). MUI stated that it supports regional regulations regarding the prevention and control of sexual deviant behavior. Apart from that, Prof. Dr. KH Didin Hafidhuddin, while the cultural perspective also conflicts with eastern norms. According to him, the human rights perspective actually protects the safety of Bogor City residents from infectious diseases.

This regional regulation also addresses the contradictions that occur in communities and institutions outside the city of Bogor. According to the community and counter-institutions such as us, the civil society coalition for gender and sexual diversity rights (kami berani) which consists of Arus Pelangi, ASEAN Sogje Caucus, Indonesian Legal Aid Foundation (YLBHI), Community Legal Aid Institute (LBH), PKBI, SGRC Indonesia, journalists union for diversity (SEJUK), Sanggar Swara and human rights working group (HRWG) and with 140 other civil society organizations declare their rejection of Bogor City Regional Regulation Number 10 of 2021 concerning the Prevention and Control of Sexual Deviant Behavior, they consider that this regional regulation contains elements of human rights violations that exacerbate violence and discrimination against lesbian, gay, bisexual and transgender groups in the city of Bogor. The reason is, in chapter iii, article 6, it is stated that the groups and behavior referred to are homosexuals, lesbians, bisexuals and transgender.

This regional regulation is considered to be contrary to the guidelines for the classification and diagnosis of mental disorders (PPDGJ) of the Ministry of Health of the Republic of Indonesia. In PPDGJ point f66, it is stated that sexual orientation itself should not be considered a disorder. Articles 9, 12, 15 and 18 state that one of the prevention and treatment methods used is rehabilitation. This is considered to have the potential to increase conversion therapy activities/corrective efforts, this effort is a form of torture. Not only that, article 8 also states that preventing sexual deviant behavior is a joint responsibility between the city government and the community. This is considered dangerous because it can impact the involvement not only of local

government officials but also of the community. This has the potential to increase cases of violence against sexual and gender minority groups. Article 8 paragraph 2 states that city regional governments are obliged to form cross-sectoral institutions to prevent and control sexual deviant behavior. This is considered increasingly dangerous because it has the potential to increase arbitrary arrests and persecution of sexual and gender minority groups. Article 15 states that one of the steps used for prevention is through education and dissemination of information. This action will have the potential to increase misinformation about sexual orientation and gender identity which has the potential to increase hatred and rejection.

Community of Kami Berani considers this regional regulation as a form of violation of the human rights for citizens which has the potential to destroy dignity, honor and a sense of security. According to Kami Berani, this regulation has the courage to have a direct impact on the targeted group, namely the impact of psychological violence and closed access to health, the impact of violence with the nuances of conversion therapy/corrective efforts, the impact of physical violence (arbitrary arrests), the impact of misinformation (miss-information) related to sexual and gender minorities and has an impact on the loss of economic resources.

From this information, the researcher formulated the problem statement as follows: 1. What are the factors that cause the pros and cons in the preparation of regional regulation number 10 years concerning the prevention and control of sexual deviant behavior. 2. What is the strategy of the Bogor City DPRD and the Bogor City government in dealing with these pros and cons, so that the regional regulation can still be passed?

METHOD

The type of research used is descriptive qualitative research with a case study approach, where the researcher examines a case intensively, in depth and in detail. Case study data can be obtained from all parties concerned and collected from various sources. In this case, the researcher tries to describe the factors that cause the pros and cons of Bogor City regional regulation number 10 of 2021 concerning the prevention and management of sexual deviant behavior (P4S) and the strategies of the DPRD and the Bogor City government in overcoming the pros and cons of this regional regulation.

RESULTS & DISCUSSION

Local Regulation

The basic idea behind regulations is to create order for society in general. Therefore, an understanding of legal principles will determine the quality of the legal draft in the final policy.

Article 1 point 1 of law number 12 of 2011 states that the formation of statutory regulations is the creation of statutory regulations which include the stages of planning, drafting, discussing, ratifying or determining and promulgating. Meanwhile, what is meant by the formation of regional legal products is the creation of regional laws and regulations which include the stages of planning, drafting, discussing, ratifying or determining, promulgating and disseminating.

Article 1 point 2 of law number 12 of 2011 determines that what is meant by statutory regulations are written regulations containing generally binding legal norms and are formed or stipulated by state institutions or authorized officials through procedures stipulated in statutory regulations.

After Law Number 12 of 2011 concerning the formation of statutory regulations was passed and promulgated, policy makers needed to understand many new provisions during the process of forming statutory regulations. It is very important to have a deep understanding of the processes, methods and techniques for forming legal regulations if you want to produce quality, aspirational and responsive legal products.

Regency/City regional regulations (*Perda*) are statutory regulations established by the district/city DPRD with the joint approval of the regent/mayor. In accordance with law number 12 of 2011 concerning the formation of statutory regulations, there are several stages in the formation of statutory regulations, namely:

- a. Planning
- b. Drafting
- c. Discussion
- d. Validitaion
- e. Determination And Promulgation

Planning is the process of making steps that must be taken to achieve goals based on mutual agreement. The planning stage in the formation of Regional Regulations (*Perda*) is a very important first step in the process of drafting legal regulations at the regional level. In this stage, parties who wish to propose or draft a Regional Regulation carry out thorough preparation and planning before the Regional Regulation is proposed and discussed. This planning stage helps ensure that the proposed Regional Regulation has a strong basis and is relevant, and supports

improvements and ease of implementation in the future. These steps also help identify problems and opportunities that need to be considered in the process of drafting regional regulations. After the planning stage of preparation is completed in the order of priority as stated in the *prolegda* which is approved by the DPRD in a plenary meeting, the draft regional regulation text is prepared in accordance with the methods and techniques for drafting statutory regulations as compiled in law number 12 of 2011.

After the planning stage is complete, the next step is to enter the drafting stage. The drafting stage in the formation of Regional Regulations is the stage where the draft Regional Regulation is actually prepared carefully and in detail. This stage includes the technical process in designing the text of the Regional Regulation which will become the legal basis at the regional level. At the preparation stage, the special committee will prepare the text of the draft Regional Regulation that will be proposed. This text will include all articles and provisions that regulate the issues or problems that the Regional Regulation seeks to address. Apart from the text of the Regional Regulation, the special committee must also include legal explanations and considerations. This explanation can explain the purpose of the Regional Regulation, the background of the issue being regulated, as well as the legal reasons underlying each article and provision in the Regional Regulation.

After the drafting stage is complete, the next step is to enter the discussion stage. The discussion stage in the formation of Regional Regulations is the stage where draft Regional Regulations are discussed and debated in legislative forums, such as the Regional People's Representative Council (DPRD) or local legislative institutions. This is the time when community representatives discuss and determine whether the draft regional regulation will be passed into regional law. The discussion stage is a key stage in the formation of a Regional Regulation, where DPRD members have an important role in examining, formulating and deciding the fate of the draft Regional Regulation. The discussions and debates that take place during this stage ensure that the resulting Regional Regulations represent the diverse views and interests of communities at the regional level.

After the discussion stage is complete, the next step is to ratify. The ratification stage in the formation of Regional Regulations (Perda) is the stage where the draft Regional Regulation is ratified into regional law. The ratification process is an important step in the regional legislative process. After the draft Regional Regulation passes the discussion stage in the Regional People's Representative Council (DPRD) or local legislative body, the first step in the ratification stage is a plenary meeting. A plenary meeting is a meeting of all DPRD members, which aims to discuss and decide the fate of the draft Regional Regulation. In the plenary session, the draft regional regulation will be debated. DPRD members can propose amendments or changes to the draft Regional Regulation if necessary. After all the debates settled, DPRD

members will vote to determine whether the draft regional regulation will be ratified or not. Typically, a majority of votes in favor is required for passage. In this stage, regional regulations that have gone through the planning, drafting and discussion stages will gain legal legitimacy and be declared valid as regional law. This ratification also requires local governments to implement and enforce the Regional Regulation in accordance with existing provisions.

If all stages have been passed, then the final stage of drafting regional regulations is stipulation and promulgation. The stipulation and promulgation stage is the final part of the process of forming Regional Regulations in Indonesia. At this stage, regional regulations that have been passed in the Regional People's Representative Council (DPRD) or local legislative institutions will be declared valid and announced to be implemented as regional laws. After the draft Regional Regulation is ratified by the DPRD, the first step is the signing of the Regional Head by the regional head (governor for the provincial level, or regent/mayor for the district/city level). Signing by the regional head is an important step because it shows approval and support from the regional government for the regional regulations that have been passed. Regional regulations that have been signed by regional heads must be officially announced, usually in the form of circulars, decrees, or announcements in the mass media or official regional government websites. This announcement aims to inform the public and related parties that the Regional Regulation has been officially ratified and will come into effect.

The Bogor City DPRD has a role in forming laws, in this case the Bogor City DPRD has a simple reason for this statement. First, the DPRD has the most and broadest access to information to obtain the information needed for the policy-making process. Second, DPRD has the most extensive knowledge about why this regional regulation was made. Lastly, DPRD brings in the experts needed in the process of drafting regional regulations.

Therefore, community control is needed to balance the role of the DPRD. Because community control only functions as a supervisor, without making a deeper contribution at every stage of the formation of regional regulations, the role of the DPRD which is so central cannot be balanced proportionally. Therefore, the DPRD invites representatives of community institutions, experts and related departments to participate in the process of drafting regional regulations.

It is very important for the community to be involved in the process of drafting regional regulations to avoid conflicts of interest during their implementation. Regional governments that involve the community in formulating public policies, including regional regulations, are able to take into consideration the desires of the community rather than violating their needs. Local governments could encourage citizen participation in two ways: passive or active.

Process of Drafting Bogor City Regional Regulation Number 10 Of 2021 Concerning the Prevention And Control Of Sexual Deviant Behavior

In the process of drafting regional regulation number 10 of 2021 concerning the prevention and control of sexual deviant behavior, the Bogor City DPRD prepared an academic text. Efforts to create high quality regulations so that they do not conflict with each other are the basic principles of preparing academic texts as a replacement for law no. 10 of 2004, the existence of academic texts is a new part of the process of drafting regional regulations. The existence of academic texts is studied from 3 main perspectives, namely, philosophy, sociology and juridical.

Academic texts have urgency in the process of forming regional regulations because, among other things, they provide real media for public participation in the process of forming regional regulations, provide explanations of the reasons, facts and background of things that encourage the formulation of a problem or issues so that it becomes very important and urge it to be regulated in regional regulations, and provide an explanation of the philosophical, social and political aspects of the problem.

After making the academic text, the Bogor City DPRD then drafted the regional regulation which went through a harmonization process with other laws in the regional regulation formation body (*bapemperda*). In this case, it is related to other regulations, namely the law on health, on child protection, and on implementing family resilience building. Because directly the emergence of this deviant behavior will disrupt family harmony and resilience. This is an umbrella for the discussion of the draft regional regulations which underlying the legal basis.

At the drafting stage, the special committee, with the facilitation of the DPRD, conducted an RDP (hearing meeting), where the Bogor City DPRD invited the community, institutions, experts and related agencies in Bogor City to submit a draft regional regulation on the prevention of sexual deviant behavior which was an initiative DPRD regarding the wishes of the community. The RDP aims to present the P4S draft regional regulation and ask for opinions from representatives of community institutions in Bogor City.

At the planning stage, the DPRD regulates the mechanism for preparing a program for the formation of regional regulations (*propemperda*), at this stage the DPRD creates an academic text and a draft regional regulation on the initiative of the DPRD which includes the background and objectives of the preparation, the targets to be addressed as well as the scope and direction of the regulations. After planning, the results of drafting the draft regional regulation are agreed to become *prolegda* and determined in the DPRD plenary meeting.

At the discussion stage, after the special committee was formed with the facilitation of the DPRD holding a hearing (RDP), this was the DPRD's response to the wishes of the community. At this stage, the DPRD asked for responses from the

relevant factions in the preparation process, related departments and community institutions in Bogor City for input.

After carrying out the RDP at the stage of determining the draft regional regulation which has been jointly approved by the DPRD and the regional government, the chairman of the DPRD conveys it to the Mayor to make it a regional regulation. The Bogor City P4S regional regulation also mandates the mayor to follow up with the trustees, among the contents of the trustees is to regulate the formation of the P4S regional committee.

In the final stage, namely the promulgation stage, the government is responsible for disseminating the P4S regional regulations which have been stipulated in the State Gazette of the Republic of Indonesia and the state gazette so that the public can know and understand the aims and objectives of the P4S regional regulations.

The results of the analysis were carried out using the ROCCIPI theory which includes 7 categories, namely: Rule, Opportunity, Capacity, Communication, Interest, Process, and Ideology.

1. Rule

Bogor City Regional Regulation No. 10 of 2021 concerning Prevention and Management of Sexually Deviant Behavior was made by the Bogor City DPRD which is an initiative of the Bogor City DPRD to respond to the anxiety experienced by the people of Bogor City due to the outbreak of LGBT cases occurring in Bogor City. As stated by Sri Kusnaeni, deputy chairman of the P4S regional special committee.

Bogor City Regional Regulation No. 10 of 2021 concerning Prevention and Management of Sexual Deviant Behavior is a regulation that aims to regulate and prevent behavior that is considered sexual deviation within the Bogor City area.

The P4S regional regulation was created in connection with the public order regional regulation and the health regulation, the aim of which is to maintain public order and public health by regulating and preventing behavior that is considered sexual deviation which has a negative impact on health and public order. This presentation was delivered by Sri Kusnaeni as deputy chairman of the P4S regional special committee.

2. Opportunity

The DPRD has the authority to make regional regulations, this authority is part of the legislative function of the DPRD in Indonesia. opportunity in making regional regulations refers to the opportunities and moments provided by the legislative process at the regional level for the DPRD and interested parties to influence and participate in the formulation, discussion and ratification of regional regulations.

There are increasing cases of transmission of sexual deviations reported by community figures. Apart from reports from the public, the DPRD received an

audience from the Bogor caring community forum which presented various data and facts about sexual deviations in the city of Bogor.

On this occasion, the Bogor City DPRD has the opportunity to make a regulation to deal with cases of sexual deviance in the city of Bogor, namely Bogor City Regional Regulation No. 10 of 2021 concerning the Prevention and Management of Sexual Deviant Behavior.

In the process of drafting regional regulations, the DPRD involves experts to contribute to the process of drafting regional regulations. In this case, the experts invited included a psychologist and a skin and venereal disease doctor who is a field practitioner.

The involvement of these experts provides a deeper understanding of the issue of sexual deviation and its impact on society. They can provide information based on their scientific knowledge and practical experience, which can be used in drafting regional regulations that are effective and appropriate to real situations in society. This approach allows regulations that are more informed and based on the reality of everyday community conditions.

3. Capacity

Bogor City DPRD feels that it has the ability to create a P4S regional regulation, a regional regulation that has been discussed in the special committee (special committee) has the support of most members of the faction and related agencies. There was no resistance from members of the special committee, and obstacles mainly came from outside communities who were not residents of Bogor City. Even though there was room for input from the public, the regional regulation was still passed.

The DPRD's ability to make P4S regional regulations also received support from religious leaders in the city of Bogor, one of which was the MUI. Mas'ah Kholillah as chairman of the women and family commission emphasized that behavior considered LGBT (Lesbian, Gay, Bisexual and Transgender) is seen as strictly prohibited and not recommended in the context of the Islamic religion. This statement refers to the story of the Sodomites in the story of the prophet Lut, where this behavior was condemned and linked to the punishment sent down by Allah.

4. Communication

In making a policy, communication is a very important key element. Good communication between the various parties involved in policy making can help them understand relevant issues better. This includes a deep understanding of the problem the policy is intended to address, the possible impacts of the policy, and the various points of view that need to be taken into account.

By communicating and dialogue with various parties, the policy making process can be more transparent. This can increase the legitimacy of policies in the eyes of the public and minimize the potential for controversy. Through open communication, the risk of errors or unintended impacts of policies can be minimized. The parties involved can provide input and suggestions to improve and optimize policies.

In drafting the P4S regional regulation, the DPRD assumes that in the Hearing Meeting (RDP) process, the parties involved, including council members, have provided opportunities for community representatives who are both pro and con regarding certain issues. Parties who have relevant connections or networks are given the opportunity to attend and provide their views.

5. Interest

Making regional regulations has a number of important interests. Regional regulations allow local governments to respond to problems specific to their area. This allows them to address local problems in a way that is more effective and appropriate to local conditions. Regional regulations also provide the legal basis for enforcing rules and sanctions at the local level. This is important to maintain public order and security.

In this case, the Bogor City DPRD made regional regulation no. 10 of 2021 concerning the prevention and control of sexual deviant behavior. The importance of drafting this regional regulation, according to Sri Kusnaeni as deputy chairman of the P4S regional special committee, is to present a family-friendly Bogor City community, this is in accordance with the vision. Bogor city. With a broad meaning, this includes protecting children from deviant behavior, maintaining family harmony, ensuring health, preventing deviant education, overcoming social problems, and much more. This vision is an effort to create a comprehensive city that responds to the various needs and interests of society, so that Bogor City can become a healthy, prosperous and intelligent place.

One of the aims of this Regional Regulation is to protect children from various forms of potential negative impacts, including exposure to sexually deviant behavior. Apart from that, aspects of health, education and social welfare are an integral part of this comprehensive vision. Creating a healthy and prosperous city requires policies and actions that support all aspects of community life.

6. Process

The process of drafting regional regulations goes through a series of stages in formulating, reviewing and ratifying applicable regulations. The process of drafting regional regulations according to law number 12 of 2011, these stages include the preparation, planning, designing and discussion of the draft in the DPRD. The first is planning, planning is the process of making steps that must be taken to achieve goals

based on mutual agreement. Second, namely drafting, drafting is the process of sorting data and ideas carried out by legislative institutions in a good and orderly manner. The third is discussion, discussion is the process of analyzing data that has been prepared in the previous stage to determine the urgency and feasibility of a policy that will later be implemented or returned for review. Fourth, namely ratification, if the material of the bill is complete and suitable to be implemented into law, then there has been material ratification by the legislative body. And finally, namely the stipulation and promulgation. At this stage, the bill that has been passed is disseminated and placed in the State Gazette of the Republic of Indonesia so that there is harmonization of regulations and legal legitimacy before the public.

In the process of drafting the P4S regional regulation, there was no significant turmoil or differences of opinion in the process of discussing and approving the regional regulation. All factions and related departments involved in the process of drafting the regional regulation have agreed to the P4S regional regulation without any objection. This reflects the high level of agreement regarding the P4S regional regulation among stakeholders and local governments.

In the process of drafting regional regulations, the Bogor city government and related departments have their respective roles and authorities. In efforts to prevent and overcome sexual deviant behavior. This authority includes education carried out by the Education department, protection carried out by the women's empowerment and child protection department, content filtering carried out by the communications and informatics department and other roles related to responsibility for the implementation of the P4S regional regulation.

7. Ideology

The ideology of drafting Regional Regulations (Perda) P4S (Prevention and Management of Sexual Deviant Behavior) is related to local government efforts to regulate and prevent behavior that is considered sexual deviation. The main aim of the P4S Regional Regulation is to prevent and control sexual deviant behavior. This includes efforts to prevent the spread of behavior that is considered deviant and to provide countermeasures if such behavior occurs. This ideology aims to protect society from potential risks and negative impacts that can arise due to sexual deviant behavior. This includes efforts to protect people's rights, including the right to health and public order. The P4S Regional Regulation also reflects the ideology of awareness and education. The local government is trying to increase public awareness about the dangers of sexual deviant behavior and provide education to prevent it.

Pros And Cons of Drafting Bogor City Regional Regulation No. 10 Of 2021 Concerning the Prevention and Control of Sexual Deviant Behavior

However, the drafting of the P4S regional regulation has reaped pros and cons among the community during the drafting process. The pro community considers this regional regulation to deal with the development of LGBT issues and various actions that are considered sexual behavior that are not in accordance with religious values. This response is considered less relevant according to the people who oppose the P4S regional regulation, they think that the formation of a regional regulation must be based on strong and relevant reasons. The lack of concrete information and evidence that supports the problems that are intended to be addressed in the Regional Regulation can raise doubts about the urgency of establishing the Regional Regulation.

Apart from that, pro parties also think that because sexual deviations are occurring in the city of Bogor moreover regulations are needed to overcome the problem of sexual deviations that are spreading in the city of Bogor. According to him, regulations must also focus on providing protection to victims and providing adequate sanctions to perpetrators, while reflecting democratic values and human rights. The balance between policies that have a deterrent effect and human rights principles is an important factor in drafting regulations. However, according to people who oppose the P4S regional regulation, they think that the P4S regional regulation made by the DPRD is considered to violate human rights (HAM) because it hampers individual freedom, security, freedom of assembly and access to housing. The impact of this regional regulation is felt in various aspects of life, including economically.

Those who support the P4S regional regulation emphasize that behavior considered LGBT (Lesbian, Gay, Bisexual and Transgender) is seen as strictly prohibited and not recommended in the context of the Islamic religion. This statement refers to the story of the Sodomites in the story of the prophet Lut, where this behavior was condemned and linked to the punishment sent down by Allah. However, this is opposed by people who oppose the P4S regional regulation, saying that the government and society have different views or understandings about LGBT, the knowledge and opinions of experts, such as a professional sexologist or psychologist, can be a determining factor. Even though the views of the public and experts may be the same, support from experts can provide additional weight and be more accepted by the government or related institutions.

People who are against the P4S regional regulation also regret the attitude of the DPRD and regional government during the process of drafting the P4S regional regulation, because the people who are against it think that the process of drafting the P4S regional regulation is less transparent and does not allow full participation from all parties involved. This could give the impression that there is a lack of openness and constructive dialogue in the process of making regional regulations. Apart from that,

irrelevant discussions such as BPJS for minority groups can also divert attention from issues that should be discussed in the formation of regional regulations.

The opposing community also took issue with the budget used to implement the P4S regional regulation. According to him, this rejection was based on concerns that the funds allocated for implementing this regional regulation could be misused or used for personal interests. It would be better if these funds were allocated to more useful purposes such as education and health.

Those who are pro consider that the mechanism for the process of drafting the P4S regional regulation has been carried out well and in accordance with procedures. Apart from that, the roles and functions of each stage of drafting the P4S Regional Regulation are also clear. The content of the P4S Regional Regulation itself regulates LGBT issues, although there are various views and opinions about its approach, which can reflect the complexity of issues related to human rights and minority rights.

However, people who oppose the P4S regional regulation criticize the duties and functions stated in the P4S regional regulation. One of them is *ruqyah*, which is used as a form of treatment associated with religion which is used as an effort to return LGBT individuals to the "right path" but the use of *ruqyah* can cause controversy because some individuals may feel resistant or traumatized by this practice. Nariesta Revienna added that the sanctions in this regional regulation do not only apply to LGBT individuals, but can also be applied to families, workplaces or schools where there are sexual minorities. These sanctions include dismissal and social sanctions such as excommunication.

According to those who are pro for the P4S regional regulation, they say that regional regulations are a legal umbrella created by regional governments to regulate various aspects of life. The aim of making P4S regional regulations is to create rules and regulations that can minimize negative impacts in society. The existence of sanctions in regional regulations can create a deterrent effect and prevent behavior that is considered deviant. However, this opinion received opposition from sexual minority groups because the existence of the P4S regional regulation was a violation of human rights. The P4S Regional Regulation is considered to reduce individual freedom, does not create a sense of security, limits freedom to gather, and even affects the economic aspects of society. The impact of this regional regulation permeates all aspects of life and is detrimental to many people. With this statement, sexual minority groups asked the regional government to revise the P4S regional regulations that had been passed.

Sexual minority groups object to the P4S regional regulation because the regulation states that an identity is considered part of deviance. Sexual minority groups want a revision of points that are considered problematic in the P4S regional regulation. It is important to ensure that the revision of the Regional Regulation does not conflict with higher laws, including laws and human rights. This may include

efforts to ensure that the regulations in the Regional Regulations do not overlap with existing laws.

Bogor City Government Strategy in Facing the Pros and Cons of Bogor City Regional Regulation No. 10 Of 2021 Concerning Prevention and Management of Sexually Deviant Behavior

In making regional regulations, the government carries out according to existing procedures based on 5 stages, namely the first planning stage, which is the initial stage which involves planning the preparation of regional regulations. This includes identifying the problem, objectives and steps to be taken. The second stage is the drafting stage, this stage is the drafting of the regional regulation text which involves members of the DPRD and regional government. third is the discussion stage, the stage where the Regional Regulation text is discussed in depth in DPRD meetings. This includes conveying views and proposals from DPRD members and various stakeholders. The fourth stage of determination, after the discussion stage, the Regional Regulation is decided and ratified in the DPRD plenary meeting. This is the final step before the Regional Regulation is promulgated. And finally, after being ratified by the DPRD, the Regional Regulation is promulgated so that it has legal force and applies in the relevant area.

However, it cannot be denied that there are pros and cons to the P4S regional regulation. To deal with the pressure that exists on the community regarding the pros and cons of the P4S regional regulation, in this case it is based on the stages that have been passed, starting from preparing an academic text, public testing with the community to getting approval to be adopted as a regional regulation by the Mayor. The Regional Government is re-evaluating the P4S regional regulation because there are several sexual minorities who object to the existence of the P4S regional regulation.

If there are sexual minorities or members of the public who object to the P4S regional regulation, this can be conveyed in accordance with the existing mechanism schedule or through judicial review or judicial review through the supreme court regarding any material product that is in conflict with the existing regulations above. Because the P4S regional regulation is a joint decision between the regional government and the DPRD, any changes or repeals must go through the available mechanisms.

CONCLUSION

Based on the results of research conducted in the city of Bogor using interview and documentation data collection techniques, it can be concluded that Bogor City Regional Regulation No. 10 of 2021 concerning the Prevention and Management of

Sexual Deviant Behavior is an idea or initiative to overcome the issue of sexual deviant behavior at the regional level. The initiative came from the Bogor City DPRD to address the complaints of the people of Bogor City. This is because the people of Bogor city are worried about the news that Bogor is a paradise for LGBT actors.

On that occasion the DPRD formed a special committee responsible for drafting regional regulations related to the P4S issue. The special committee will hold a hearing (RDP) with the community and related departments who will have the opportunity to voice their opinions regarding the issue of the P4S regional regulation.

The drafting of regional regulations begins with the preparation of an academic text that is based on research and a deep understanding of the issues discussed in the regional regulations. This process includes a public testing stage with the community to provide input regarding the regional regulations. However, at this stage the Bogor City DPRD does not involve sexual minority groups which are the object of the P4S regional regulation.

In making a policy, communication is a very important key element. Good communication between the various parties involved in policy making can help them understand relevant issues better. This includes a deep understanding of the problem the policy is intended to address, the possible impacts of the policy, and the various points of view that need to be taken into account.

There is no communication between the regional government and minority groups, this has resulted in missed information regarding the P4S regional regulations. The regional government believes that this regional regulation focuses on preventing and dealing with sexual deviant behavior, not on criminalizing certain groups, including LGBT. However, minority groups think that this regional regulation is a form of human rights violation because there is no freedom, it creates fear among sexual minority groups and this regional regulation has an impact on all aspects. In situations like this, education and effective communication are key. Authorities need to clearly explain the purpose and scope of *Perda* to the public to avoid misunderstandings and develop a better understanding of the policy's impact and objectives.

The lack of transparency, responsiveness and involvement of the parties who are the subject of the Regional Regulation related to the process of drafting Regional Regulations makes this Regional Regulation reap pros and cons. Because transparency in the legislative process is key. The parties involved must have access to information about legislative developments and possible changes. This creates a stronger foundation for understanding and effective participation.

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