



# Transgender Regulations and Social Implications in Indonesia: An Analysis from Legal, Pancasila, and Islamic Perspectives

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## Abstract

The transgender phenomenon in Indonesia is a complex issue because it involves legal, social, and religious aspects. As a country based on Pancasila and the 1945 Constitution, Indonesia recognizes human rights, but on the other hand, religious norms, especially Islam, reject gender reassignment. This study aims to analyze the regulations and social implications of transgenderism in Indonesia: an analysis from the perspectives of law, Pancasila, and Islam. This article was written using qualitative methods with content analysis, and the data sources were taken from various theories published in books and research results published in national and international journals. All data were analyzed using Miles and Huberman's interactive thematic technique. The results of the researcher's analysis found that legal regulations in Indonesia do not explicitly regulate transgender issues, although there are legal mechanisms for gender reassignment through court decisions. From the perspective of Pancasila, there is tension between the first principle (Belief in One God) which refers to religious values and the second principle (Just and Civilized Humanity) which demands respect for. Islam itself rejects gender reassignment except in certain medical conditions, as confirmed in a fatwa issued by the Indonesian Ulema Council (MUI). Given these differing perspectives, the study recommends a balanced and inclusive policy approach that takes into account legal, social, and religious aspects so as not to cause divisions in society.

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## INTRODUCTION

Indonesia, as a country based on the rule of law and founded on Pancasila and the 1945 Constitution, places human rights as a fundamental principle in the life of the nation (Aswandi & Roisah, 2019; Triwahyuningsih, 2018). This principle reflects the state's commitment to upholding the values of justice, equality, and freedom for every citizen. The government has a responsibility to ensure that every individual obtains their rights fairly, including legal, social, and political aspects (Supriyanto, 2016). Article 28 Paragraph (1) of the 1945 Constitution affirms that every individual has the right to live and maintain their existence. This provision affirms that the right to life is a fundamental right that cannot be diminished under

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any circumstances (Karwur, 2024; Wijaya et al., 2024). This recognition is reinforced by various national legal instruments, including Law No. 39 of 1999 on Human Rights, which explicitly regulates the protection of individual rights in various sectors of life.

A strong legal framework aims to ensure that no citizen experiences discrimination or unfair treatment. The state has an obligation to uphold the rule of law in order to create a harmonious and just society (Ifannia et al., 2024). The application of this principle must be a top priority in the formulation of public policy, ensuring respect for and protection of the fundamental rights of every individual (Indah et al., 2024).

The phenomenon of transgenderism in society has sparked various debates, particularly in relation to religious values and Pancasila. This issue is of major concern because it relates to gender identity, human rights, and prevailing social norms. Various groups have different views, both those who support it on the basis of individual rights and those who reject it on moral and religious grounds.

The religious perspective, particularly Islam, asserts that gender reassignment is contrary to Sharia law. Various sources of Islamic law refer to the concept of *fitrah*, which asserts that humans are created in a form predetermined by God. Therefore, actions that alter biological structure are considered incompatible with the principles taught in Islam. It is narrated from Ibn Abbas RA:

أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَعَنَ الْمُخَنَّثِينَ مِنَ الرِّجَالِ وَالْمُتَرَجِّلَاتِ مِنَ النِّسَاءِ

Meaning: “Indeed, the Prophet SAW cursed the men who are *mukhannits* and the women who are *mutarajjilat*” (HR Al-Bukhari and Abu Dawud).

The hadith stating that the Prophet Muhammad SAW cursed *takhannus* (the behavior of women towards men) and *tarajjul* (the behavior of men towards women) clearly affirms that these acts are haram. Haram in Islam covers everything that is prohibited and considered deviant from the provisions of sharia. This prohibition not only covers physical aspects, but also the social and moral impacts that can damage the order of society.

*Takhannus* and *tarajjul* behavior are considered a form of deviation from the nature or nature that has been determined by Allah SWT. Each individual is created with a gender that is in accordance with His will, and any attempt to change it is considered an act that is not in accordance with *sunnatullah* (Maharani et al., 2023). This nature encompasses biological, psychological, and social aspects that complement each other in human life. The prohibition aims to maintain the harmony and balance of nature that has been ordained by God (Salsabila et al., 2023).

In addition, the prohibition against *takhannus* and *tarajjul* behavior has profound wisdom in maintaining morality and the sanctity of religious teachings. Actions that contradict natural law can cause confusion about one's identity and relationships with other people (Karim et al., 2022). Islam teaches the important roles of each gender in society, with men and women having different but complementary responsibilities. These prohibitions not only serve to uphold religious norms, but also to protect a healthy and orderly social structure (Hikmah et al., 2019).

Pancasila, as the foundation of the Indonesian state, emphasizes the importance of Belief in One God in its first principle, which is the basis for national and state life. This principle reflects the state's commitment to building a civilized, just, and prosperous society based on morality and religious values (Mutiah, 2023).

Pancasila serves as a guideline for every aspect of life, whether social, political, or economic.

As the state ideology, Pancasila contains fundamental values that play an important role in shaping public policy in various fields. These values not only cover religious aspects, but also moral and ethical aspects that form the basis of interaction between citizens. The first principle emphasizes that all policies adopted by the state must be based on the religious values embraced by society, thereby creating harmony between state law and religious teachings.

The first principle of Pancasila provides clear direction that state policy-making must take into account the balance between social needs and religious morality. This creates a framework that maintains the harmony and diversity of Indonesian society, where every policy implemented not only meets the demands of rationality but must also be in line with the spiritual principles believed by the people (Supryadi et al., 2023).

The second principle of Pancasila, Just and Civilized Humanity, demands respect for moral values that have become part of the national identity (Khasyana et al., 2023). These human values promote the principles of justice, respect for the dignity of every individual, and protection of basic human rights. Pancasila teaches the importance of mutual respect and treating fellow human beings with respect and justice, regardless of differences (Pradipta et al., 2024).

The debate on transgender issues in a legal and social context must take into account the humanitarian principles contained in the second principle (Moagi et al., 2021). This issue is related to the rights of individuals to receive fair and equal treatment before the law, as well as the recognition of gender identity diversity. However, every policy or view taken must be in line with prevailing social norms and respect the humanitarian values that form the basis of national and state life in Indonesia (Asril et al., 2023).

The principle of Fair and Civilized Humanity reminds us that every legal and social decision must not conflict with human rights and individual dignity (Sulubara et al., 2024). In this case, it is important to ensure that social views on transgender people do not ignore the basic values of Pancasila, which demand fair, civilized, and respectful treatment of diversity (Hsb, 2021). The debate process must uphold human values and provide space for the recognition and protection of the rights of every individual (Ma'ruf & Rahmat, 2023).

Academic studies on transgender issues from the perspective of Pancasila and religion show that gender reassignment practices are not in line with the noble values of the nation. Islam, as the majority religion in Indonesia, rejects these practices based on clear arguments. Therefore, regulations on transgender issues must take into account the moral foundations that have become part of society in order to avoid conflicts between positive law and social norms.

Regulations in Indonesia regarding transgender individuals remain controversial, especially in terms of legal identity recognition. Although some transgender individuals have access to health services, such as HIV/AIDS treatment, this does not mean that sex reassignment practices are acceptable in a legal and social context (Fontanari et al., 2019). Instead, state policies must adhere to moral principles that are in line with religious values and Pancasila so as not to create social imbalances that could disrupt the order of society.

The issue of transgenderism is also related to the third principle, Indonesian Unity. Differences in views on transgender issues must be addressed wisely so as

not to cause division. However, this does not mean that religious and moral values can be ignored for the sake of certain groups. Education and socialization regarding the importance of maintaining social norms and religious teachings in daily life are important factors in building a society that remains steadfast in its national values (Manik et al., 2016).

This study aims to analyze how law, Pancasila, and religion play a role in shaping policies related to transgender issues. An in-depth analysis of the regulations in force in Indonesia and a review of religious perspectives are expected to provide insight into how the state should respond to this phenomenon. This research is expected to create a more comprehensive understanding of the importance of maintaining public morality and religious values in society.

## METHODS

This study is qualitative in nature, using a literature review approach to examine the phenomenon of transgenderism in Indonesia from the perspective of Pancasila and human rights (Busral et al., 2025; Engkizar et al., 2023, 2025; Kassymova et al., 2025; Sari, 2024). Literature review was chosen as the main method because the purpose of this study was to collect, analyze, and synthesize various theories, views, and previous research results relevant to transgender issues, human rights, and Pancasila principles (Adlini et al., 2022; Aryasutha et al., 2025; Engkizar et al., 2024; Putri et al., 2025). This study aims to provide a comprehensive overview of how Pancasila values are applied in the context of the rights of transgender individuals in Indonesia and the challenges they face in society (Sugiono, 2019).

The data collection process was carried out by searching for various primary and secondary sources relevant to the research topic. Primary sources include legal documents, such as the 1945 Constitution, regulations related to human rights, and state policies. In addition, a review of relevant fatwas or religious views will also be conducted to examine the religious perspective on transgender people. Secondary sources include scientific journals, books, articles, and research reports that discuss transgender issues, human rights, and the application of Pancasila in state policy. These sources were obtained from scientific databases such as Google Scholar and university libraries that have access to the latest and most reliable literature.

After data collection, the literature analysis process is carried out using a thematic approach. Researchers will identify the main themes that emerge from the existing literature, such as religious views on transgender issues, the social implications of state policies, and the relationship between Pancasila values and human rights in the context of transgender issues. This analysis aims to provide an in-depth understanding of the perspectives that exist among the public, academics, and policy makers. The results of this analysis will be presented narratively by linking various relevant views, theories, and studies.

As a final step, to ensure the validity and credibility of the literature review, researchers will conduct source triangulation, which is comparing findings from various sources to obtain a more objective and comprehensive perspective. This will enrich the analysis and conclusions of the relevant findings in this study, which is expected to contribute to the understanding of how Pancasila can be used as a foundation for protecting the rights of transgender individuals in Indonesia.

## RESULT AND DISCUSSION

Indonesia's diversity as the third most populous country in the world with abundant cultural wealth often poses various challenges in creating social harmony (Miski, 2020). One issue that is now attracting increasing attention is the existence of transgender individuals, which often raises debates about the compatibility of their gender identity with social norms, religious values, and the basic principles of the Indonesian state, Pancasila. As the foundation of the state, Pancasila contains noble values that serve as a reference in every policy and regulation that is implemented (Pratiwi, 2019; Putri & Arifin, 2019). However, the existence of transgender people is often considered contrary to these values, especially in relation to the first principle of Pancasila, namely "Belief in One God."

The issue of transgender people in Indonesia is becoming increasingly complex as public awareness of human rights grows, whereby every individual has the right to identify themselves according to their gender identity and beliefs. In the context of religion, particularly Islam, which is the majority religion in Indonesia, views on transgender people tend to emphasize the conformity between biological sex and existing social roles (Jalla & Hidayana, 2023; Lai, 2018; Taslim et al., 2022). Conversely, within the framework of human rights, there is a demand to recognize the freedom of individuals to determine their gender identity. This difference in views creates tension between normative religious values and more universal individual rights. This study will examine in depth the dynamics between transgender rights and religious values that are developing in Indonesian society, focusing on how social, legal, and religious norms interact in creating policies that can balance the two.

### **The Compatibility of Transgender Identity with the Principles of Pancasila and Religion**

Pancasila, as the foundation of the Indonesian state, contains fundamental values that serve as guidelines for national and state life. The first principle, Belief in One God, affirms that Indonesia is not a religious state, but a state based on religious values. This principle emphasizes that Indonesian society must respect religious and belief diversity. However, in the context of transgenderism, there is debate regarding the compatibility of gender identity with Pancasila values, particularly from a religious and social morality perspective.

The Indonesian people recognize the existence of God Almighty as the moral foundation of life. Faith and devotion to God are the principles that underlie individual and community life. Transgender issues are often debated in the context of religion, especially in Islam, which explicitly prohibits gender reassignment based on Sharia law. Research by Khalid et al., (2020) shows that many countries with Muslim majorities still adhere to religious views on gender and sexuality.

Certain Islamic laws prohibit behavior that is considered contrary to human nature. The concept of gender in Islam has become part of the universal values established through revelation in the Quran and Hadith. Islam places men and women in equal positions in terms of rights and obligations in this world and in the hereafter. This equality is based on a person's piety to Allah SWT, not on gender, ethnicity, or ancestry. One of the verses that affirms this principle is found in QS. Al-Hujurat (49): 13, which reads:

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاهُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ

Meaning: *O mankind, indeed We have created you from a male and a female and made you into*

*nations and tribes that you may know one another. Indeed, the most noble of you in the sight of Allah is the most righteous. Indeed, Allah is All-Knowing and All-Aware (QS. Al-Hujurat: 13)*

This verse emphasizes that a person's nobility is not based on gender, but on their piety towards Allah. This principle forms the basis that Islam does not discriminate between men and women in obtaining a noble position in His sight.

In Islam, the term transgender has equivalents such as “*al-mukhannits*” (men who behave like women) and “*al-mutarajjilat*” (women who behave like men). Scholars divide mukhannits into two categories. First, natural *mukhannits*, which are men who, since birth, have had a tendency to move and speak like women without intention. Second, artificial *mukhannits (takalluf)*, which are people who deliberately change their behavior, dress, or even their identity to resemble the opposite sex (Hidayati, 2019).

In classical fiqh, it is explained that changing one's gender identity does not change one's status in the eyes of Islamic law. The book Hasyyatussyarwani states that a person who physically changes their body to resemble the opposite sex cannot change their basic legal status. For example, if a man undergoes transgender surgery to become a woman, then from an Islamic law perspective, he is still considered a man.

In addition, many scholars emphasize that the act of changing one's gender is contrary to the principle of *fitrah* (nature) established by Allah SWT. Islam teaches that humans must accept their nature as male or female as determined at birth. In several hadiths, the Prophet Muhammad SAW also condemned behavior that imitates the opposite sex, as it is considered to violate nature and create instability in the social order.

The Majelis Ulama Indonesia (MUI) in its Second National Conference in 1980 issued a fatwa stating that changing one's gender through sex reassignment surgery is haram because it contradicts the nature established by Allah. However, surgery performed to correct or improve ambiguous genitalia is permitted. In fiqh principles, the principle of *Mashalih Mursalah* is applied in this case, with reference to the principle of *Adb-Dhararu Yuzal* (harm must be removed), as explained by Imam Asy-Syathibi. This principle affirms that actions aimed at eliminating harm are part of the public interest encouraged in Islamic law (Misbahuddin et al., 2023).

Thus, Islam recognizes certain biological conditions that require medical intervention, but does not justify gender reassignment based solely on personal desire. The Majelis Ulama Indonesia (MUI) fatwa provides clear restrictions on sex reassignment surgery, allowing improvements to conditions that have medical reasons but prohibiting gender reassignment that is contrary to human nature. This is in line with Islamic principles that place human nature as an aspect that must be preserved and dichromatic (Rahmawati et al., 2024).

Based on the above explanation, when linked to the first principle of Pancasila, namely “Belief in One God,” transgender people can be considered contrary to the values contained in that principle. The first principle emphasizes that the Indonesian people acknowledge the existence of God Almighty and that every citizen must practice their beliefs in accordance with their religious teachings. In the context of Islam, as emphasized in the Majelis Ulama Indonesia (MUI) fatwa and classical fiqh perspective, changing one's gender without medical reasons is considered a violation of the nature established by God (Hasbiyulloh & Rahim, 2021). Therefore, whether transgenderism violates the first principle depends on

the perspective used. If we refer to the Islamic perspective and the MUI fatwa, then transgenderism contradicts the value of divinity, which requires humans to live according to their nature (Latif, 2018).

A difficult problem related to the second principle of Pancasila, “Just and Civilized Humanity,” is how to balance respect for moral values and human rights. On the one hand, this principle emphasizes the importance of fair and equal treatment of all individuals. However, on the other hand, there are concerns about the social impact of transgender behavior, particularly in relation to the increased prevalence of HIV and AIDS cases in the LGBT community (Baral et al., 2013; Tanadi & Basrowi, 2023; Winardy & Septiana, 2023). These concerns are often the reason why some people feel uneasy about the existence of this group. Nevertheless, a humanitarian approach must be in line with the social and religious norms that apply in Indonesia. The state is responsible for creating a balance between the protection of individual rights and the moral values embraced by the majority of society. Several studies highlight that social inclusiveness can be achieved without having to disregard existing cultural and religious norms.

Transgender people in a social context often face challenges in gaining recognition and equal rights. Different countries have different policies in accommodating transgender rights. For example, in some Western countries, transgender individuals are given complete freedom to express their gender identity (Rumata, 2020). However, in countries with conservative values, debates related to transgender issues remain sensitive (Srg & Usiono, 2024).

Pancasila, as the foundation of the state, provides guidelines for social life, including in dealing with social issues such as transgenderism. The first principle emphasizes the importance of belief in God, which is the basis for Indonesian society in assessing various social phenomena. The second principle emphasizes justice and humanity, which must be applied in every policy and social interaction. In Indonesia, there is still ambiguity in the regulations governing transgender issues. There are no rules that explicitly state that being transgender violates the values of the first principle of Pancasila. Pancasila, as the foundation of the state, places belief in God Almighty as a fundamental principle that is the basis of national and state life. However, the interpretation of this principle in the context of transgender issues is still subjective and lacks clarity in the legal sphere.

On the one hand, Indonesia is not a religious state, but a state based on religious values. This means that the applicable laws do not always have to strictly follow the provisions of a particular religion, but must take into account the diversity that exists in society. Therefore, even though the MUI fatwa states that transgenderism is contrary to human nature according to Islam, there are no national legal regulations that explicitly prohibit such actions.

The human rights guaranteed by the 1945 Constitution provide protection for individual freedoms, including gender identity. This creates a dilemma between the religious values embraced by the majority of society and the universally recognized principles of human rights. As a result, the debate on transgender issues in the context of Pancasila continues, with various perspectives emerging from religious, legal, and social perspectives.

Therefore, the lack of clarity in regulations regarding transgender issues in relation to the first principle of Pancasila indicates ambiguity in state policy. As a country that recognizes the One Almighty God, Indonesia faces challenges in balancing religious values with human rights principles and the diversity of its

society.

### Clarity of Transgender Regulations in Indonesia

In Indonesia, to date there are no regulations that specifically and clearly regulate the legal status of transgender people. This has caused confusion in the judicial system, as judges need clear guidelines for deciding transgender cases. Without a definite legal basis, decisions can vary and be inconsistent, potentially leading to injustice. Such as several cases of religious abuse committed by a transgender person named Sahrul Zega alias Isa Zega.



**Fig 1. Photo of Isa Zega during Umrah**

The case involving transgender Instagram celebrity Isa Zega, who was reported to the police after performing the Umrah pilgrimage while wearing a hijab, has sparked debate in society. The report, based on Article 156 of the Criminal Code on blasphemy and Article 45 of the Electronic Information and Transactions Law, shows how Indonesian law regulates issues related to religious sentiment and gender identity. This case reflects the challenges in balancing religious freedom, individual identity, and prevailing social norms.

From a legal perspective, Article 156 of the Criminal Code is often used in cases involving alleged blasphemy, while Article 45 of the Electronic Information and Transactions Law relates to the dissemination of information that is considered to violate social norms or cause public unrest. However, the application of these two articles often faces challenges in determining the line between personal expression and actions that can be categorized as blasphemy. In the context of Isa Zega, a debate arose as to whether wearing a hijab during the umrah by a transgender person was a violation of religious norms or simply an individual expression of their beliefs.

From a social perspective, public reactions to this case show differing views on gender identity and religious expression. Some people consider Isa Zega's actions a violation of religious teachings, while others see it as an individual's right to worship. This controversy indicates that gender identity in Indonesia is still a sensitive issue, especially in the context of religion, which has norms that strictly regulate gender roles.

This case illustrates the complexity of the relationship between law, social norms, and gender identity in Indonesia. The debate over whether Isa Zega's actions can be categorized as blasphemy or as an individual's right to worship highlights the importance of a more inclusive approach in responding to similar issues.

A person's identity is greatly influenced by the gender recorded at birth. This gender is not only part of one's personal identity, but is also very important in population administration records, such as birth certificates, identity cards, and

other official documents. A change of gender in these documents will affect a person's acceptance in society and the recognition of their rights. Several important events, such as birth, death, marriage, or divorce, are often directly related to recorded gender. In the case of Isa

The case of Isa Zega, who has been reported for alleged blasphemy, is still under investigation, and it is not yet certain whether he will be detained or not. One important aspect of this case is his officially recorded gender status. Although he is known as a transgender person, his identity card shows that he is female. This has legal implications in the investigation process, including the possibility of detention if he is found guilty.

The gender status recorded in official documents plays a crucial role in determining the legal treatment of individuals. The Population Administration Law allows for changes in gender identity after going through certain legal procedures, including court decisions. If Isa Zega has legally obtained female status in her population documents, then she is legally recognized as a woman in various legal aspects, including in ongoing legal proceedings.

The recorded gender identity can affect several procedural aspects, such as the place of detention and the legal treatment received. A person who is legally recognized as a woman in state documents will be treated in accordance with the regulations that apply to individuals of the female gender. However, the main issue of concern is not only related to her gender status, but also the alleged violation of Article 156 of the Criminal Code concerning blasphemy and Article 45 of the Electronic Information and Transactions Law (Pambudi & Yitawati, 2022).

The detention of suspects or reported persons depends on several factors, such as the level of criminal threat, the potential for destroying evidence, and the possibility of fleeing. If law enforcement officials assess that the case does not meet the requirements for detention, then Isa Zega can undergo legal proceedings without being detained. However, if there is sufficient evidence that the actions committed fulfill the elements of the alleged crime, then detention may be an option considered by investigators. This case not only concerns law and religion, but also raises broader issues related to the legal status of transgender people in Indonesia. The difference between social gender identity and legal identity is often a point of conflict, especially in cases involving religious and social norms (Braun & Clarke, 2023; Dinata et al., 2025).

Viewed from different regions such as Aceh, which has regional autonomy in the form of special autonomy. This special autonomy is based on Law No. 18 of 2001. The implementation of Sharia law in Aceh has been the subject of widespread discussion, particularly in relation to gender rights. Qanun Aceh No. 6 of 2014 on *Jinayat* Law regulates various aspects of Sharia law that apply specifically in the province of Aceh. This regulation classifies sodomy as "*limatl*" and sexual relations between women as "*musabaqah*." Although nationally these activities are not categorized as criminal acts, Sharia law in Aceh imposes severe penalties on those who engage in same-sex relations (Azkha et al., 2020). The prescribed punishment includes 100 lashes or imprisonment for up to eight years, indicating a stricter application of the law compared to other regions in Indonesia (Armanda et al., 2020).

Although there is no explicit article criminalizing transgender people in the Qanun, there have been several cases of persecution against transgender people in Aceh (Noor, 2022). One example is a case that occurred in 2018, when 12

transgender salon workers in North Aceh were arrested on the orders of the North Aceh Police Chief. The transgender individuals were detained for rehabilitation aimed at returning them to behavior consistent with male gender identity, such as haircuts and covering up (Azharuddin, 2021).

Under Indonesian law, in order to change one's gender in official documents, a transgender person must go through several processes. Based on Law Number 24 of 2013 concerning Population Administration, a change of gender can only be made after a decision by a District Court that has permanent legal force. Under Law No. 23 of 2006, it is explained that a change of gender is part of “other important events” that must be recorded by civil registration officials after a court decision. To obtain a court ruling, an individual must submit an application along with the necessary evidence. After the court issues a decision, the applicant can change their gender identity on official documents, in accordance with the ruling that has been received. This process provides legal certainty, so that identity changes can be made within a specified time frame. This regulation, together with Presidential Regulation No. 25 of 2008, emphasizes that gender changes can be recorded after obtaining a court ruling, thus providing a clear legal basis for transgender people to change their identity in the state administration system (Fauziah et al., 2020).

Regulations governing the legal status of transgender people in Indonesia still face challenges in terms of clarity and consistency of implementation. On the one hand, legal procedures for gender identity change have been regulated in legislation, providing a basis for transgender individuals to obtain official recognition. However, on the other hand, the absence of regulations that specifically regulate the rights of transgender people in various aspects of social and legal life causes uncertainty in practice.

This dynamic becomes even more complex when linked to prevailing social norms and religious values in society. Cases involving transgender individuals often spark debates about the boundaries between individual freedom and the norms embraced by society. Differences in regulations at the national and regional levels, as seen in the application of Sharia law in Aceh, further illustrate that legal, social, and cultural aspects interact in shaping the reality faced by transgender groups.

## CONCLUSION

The legal uncertainty surrounding transgender individuals in Indonesia creates significant ambiguity in law enforcement, particularly in sensitive cases such as blasphemy, due to the lack of comprehensive guidelines despite the existence of regulations for gender reassignment in civil registration through the courts. This situation has a broad impact on the civil rights of transgender individuals, hindering full recognition and triggering discrimination in various sectors due to their unclear gender identity in official documents. While some parties associate this with a violation of Pancasila values, there are no explicit state regulations stating this, leaving room for subjective interpretation. Therefore, more detailed and explicit legal regulations are needed through in-depth studies involving various stakeholders to ensure fairness, certainty, and consistency in the application of the law and to protect the rights of every citizen.

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## DECLARATIONS

### Author contribution

**Puja Dikusuma Mardiana:** data curation, writing-original draft preparation, conceptualization, methodology, **Mudhiyatul Huda:** visualization, editing, analysis.

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