

Indonesian Feminist *Journal*

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Cover shows a detail of "Wounded Body" by Dewi Candraningrum (water color on paper, 2015)

Indonesian Feminist Journal (IFJ) is an annual interdisciplinary publication in the English language that aims to circulate **original ideas in gender studies**. IFJ invites critical reflection on the theory and practice of feminism in the social, political, and economic context of Indonesian society. We are committed to exploring gender in its multiple forms and interrelationships. The journal encourages practical, theoretically sound, and (when relevant) empirically rigorous manuscripts that address real-world implications of the gender gap in Indonesian contexts. Topics related to feminism can include (but are not limited to): sexuality, queer and LGBT questions, trafficking, ecology, public policy, sustainability and environment, human and labour rights/ issues, governance, accountability and transparency, globalisation, as well as ethics, and specific issues related to gender study, such as diversity, poverty, and education.

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The Remaking of Tradition: Sex, Lies & Politics

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The Remaking of Tradition: Sex, Lies & Politics

Traces of cultural practices, tradition, custom and informal laws are still ubiquitous in the modern Indonesian society. The dangers of some traditional practices, such as forced marriage, virginity tests, female genital mutilation or circumcision, and others, are even practiced in cities claimed to be more modern. In November 2014, Indonesia was taken aback by the Police Department requiring virginity tests for female police recruits. Globally, female circumcision is still pervasive in many parts of the world. This and other similar cultural practices constitute a significant number of death causes in girls of Africa, and Central and South Asia. Almost all religions in the world are not yet free from the traces of practices that endanger the lives of children, women and sexual minorities. To combat these harmful customs, UN Human Rights Committee has stated that, given the morals grow out of many social, philosophical and religious traditions, the freedom from cultural values, traditions and customs protecting morals must be based on principles that protect universality of human rights and are not derived from a single tradition (ICCPR, November 13, 2012).

To the contrary of the UN conclusions, religious and cultural rights are generally expressed as collective and communal, and then, at some point, these rights become unfriendly and uncaring to women and other vulnerable groups. Primacy of individual rights is suspected as something smelling “western” and not compatible with the conditions in Indonesia. At the same time, Indonesia adopts a system of laws and democracy upholding human rights and the CEDAW (Convention on the Elimination of Discrimination against Women). The resulting tension between individual rights and communal rights does not only impact

the gender dimension, but also extends to the dimension of race/ethnicity, and social, economic and political stratification. Within the framework of religion, women are demanded and obliged to be loyal to the belief and cultural system that might be harmful to them, and may even violate their human and legal rights. But, fidelity of women in this discursive field has been evaluated from different perspectives. In his study, Bronwyn Winter (“Religion, Culture and Women’s Rights: Some General Political and Theoretical Considerations” in the *Women’s Studies International Forum*, Vol. 29, Issue 4, July-August 2006, pp. 381-393), captures exactly how human rights of women get distorted and suffer severe violation through religious practices and rituals. More specifically, he talks about early marriage, female genital mutilation, the imposition of certain clothing for women (eg. the veil for women in Aceh), the murder of women for family honor (honor killing), and other dangerous cultural practices.

In 2012, we witnessed one of the most dangerous Islamic interpretations, forbidding girls to attend school, exemplified in the shooting of Malala. Tafsir, legal regulations, and practices of religion and belief systems often violate human rights of girls. The Forum of Confidence, Trust & Promotion of the Rights of Women and UNHC-HR (United Nations High Commissioner for Human Rights) assert that the world must fight the practices of discrimination and intolerance in the name of religion and cults on the rise over the last decade. Included are the traditions and cultural systems that clearly violate human rights of women. Traditions, beliefs and values have changed throughout the ages and can no longer be interpreted as a single and universal practice, because all stand in their respective context. Application of human rights

in such practices is challenged because of these arguments of singularity and universality. In reality, practices are contextual and culturally-bound. This then leads to an effort to broaden the space for gendered interpretation of the human rights of women that may bring progress, such as the wider inclusion of women in education. Public movements like *Musawah*, equality, led by Muslims, have been successfully integrating Islamic teachings, universal human rights, and the values of equality and justice. The approach is very simple – claiming religion not to be an obstacle to women’s equality and freedom of human rights. In other words, what we witness today around the world and Indonesia is the presence of discursive efforts seeking to perpetuate traditions, contested by forces to remake these traditions in the spirit of universal human rights.

This third issue of IFJ presents a broad array of the work of several feminist thinkers interested in the impact of cultural traditions of Indonesia on the lives of women. Using a large variety of sources, the first several articles cover the wider social context of such cultural traditions, while the second part zooms in on the operation of government and its electoral systems. We show that challenges to remaking of traditions revolve around sex, lies and politics. Following official statements, biographies and films, Saskia Wieringa confronts political silence investigating manipulation of traditional concepts of gender and sexuality in the 1965 Indonesian genocide during incorporation of Suharto’s militarist regime. Immersing himself in a tale of a Hadrami migrant on a way from Yemen to Southeast Asia, Ismail Fajrie Alatas illustrates an example of a literary expression looking to curb femininity and masculinity reconfigurationssproutingfrommigration. Tracy Wright Webster, interviewing Yogyakarta women, investigates how competing consumerist culture and traditional Islamic values lead to “shameful” situations handled in the form of early marriages. Gadis Arivia and Abby Gina

criticize implementation of Arabic temporary marriages as a sex tourism mechanism in Cisarua and Jakarta undermining Indonesian traditions that facilitate gender fairness. Nurseli Debora Manurung discusses reciprocity effects between liturgical texts and the Toba Batak customary wedding on the social configuration of a woman as a good for sale between men. Kurniawati Hastuti Dewi identifies “structures of opportunities” for political engagement of women in the Indonesian electoral system. Sapariah Saturi points out oppression of women in conflicts between indigenous groups and the government in deforestation processes on Indonesian islands rich in biodiversity. Rocky Gerung criticizes the absence of “feminist ethics” in the campaign and insufficient “sharpness of discourse” in media coverage of the 2014 presidential elections hampering promise of change during this mandate. Finally, Dewi Candraningrum, in her conversation with prominent feminist leaders in Indonesia, exposes religious influences in limited representation of women behind parties competing in the 2014 elections. Harmful cultural practices clearly creep into literature, alienation of migrants, construction of histories, tourism, culture wars, social taboos, livelihoods, commodities, political opportunities, environmental sustainability, media, and electoral processes.

While there is much concern in Indonesia, there is also a reason for great hope – in the form of prominent male and female political leaders, balanced high quality scientific research, and brave creative expression. It is our intention for the International Feminist Journal to continue being such a positive force that helps remake patriarchal traditions. We hope that this illuminating collection of scientific articles will enrich your research, teaching and other projects related to gender, and finally, that it will inspire you to drive the forces of fairness and equality, both in Indonesia and the international community.

Dewi Candraningrum & Lea Šimek

“Gold and Silver, Branded Horses, and Well-Tilled Land”: Gender and Hadrami Migration

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Abstract

This essay examines the consequences of migration by looking at the relationship between migration and social transformation. In particular, it focuses on the construction of gender and how migration disrupted traditional gender relations among Hadramis from Hadramawt valley of Southern Yemen in Indonesia. It utilizes a fictional work criticizing migration as a point of departure in looking at the effects of migration on the traditional order. The text is important, as it is a critique of migration written from the perspective of the *Thariqah 'Alawiyyah* (the dominant Sufi order in Hadramaut), thereby, highlighting the disruption caused by migration to traditional structures. The essay is divided into four parts. The first deals with the background information concerning migration and the *Thariqah* in order to contextualize the text. The second part looks at how migration disrupts the notion of masculinity and femininity. The third part focuses on the concept of family and its reconfiguration due to migration. And the final concluding section places the Hadrami migration experience into a gendered theoretical framework to illustrate that gender is historically and culturally dependent.

Keywords: Gender, Hadrami, masculinity, femininity, migration.

Introduction

‘I want to go where there are hoards of gold and silver, branded horses and well-tilled land’, answered the young Hadrami when the people of the port questioned his destination. This, however, was only the beginning of the journey as the young Hadrami had just arrived on the coastal rim of his homeland and was yet to board the ship bound for India. As the Hadrami arrived in India, he was struck by the dazzling beauty of an Indian maiden, fair and enchanting, alluring yet elegant. He inquired as to her name - it was *Dunya*, a name that symbolizes the tangible reality of the world. To many, *Dunya* means the world, wealth, fame, glory as well as honour. It means ‘hoards of gold and silver,

branded horses and well-tilled land’.¹ But to the young Hadrami, *Dunya* meant the splendor of the world as manifested in the beauty of a stunning maiden. His journey began as a pursuit of the world and ended as a pursuit of a woman who demanded five priceless dowries: sense of shame, manliness, mind, ancestry and religion.

The journey of the young Hadrami migrant is

¹ This phrase originates from the Holy Qur'an, III: 14. The complete verse reads: ‘Fair in the eyes of men is the love of things they covet: women and sons; heaped-up hoards of gold and silver; horses branded (for blood and for excellence) and (wealth of) cattle and well-tilled land. Such are the possessions of this world's life; but in nearness to God is the best of the goals (to return to)’. See: *The Holy Qur'an*, translated by Abdullah Yusuf Ali (n.p.: Islamic Propagation Centre International, 1946), p. 125.

a fictional story entitled *Maqama Dham al-Dunya*, by a learned Hadrami scholar Ahmad bin Muhammad al-Mihdar (d. 1887).² This work was a critique of migration which was popular among Hadramis. Male Hadramis, from all walks of life migrated to various locations around the Indian Ocean. Places such as East Africa, West India, Burma and Malay-Indonesian archipelago became the *mahjar* (hostland) for Hadrami migrants.³ The Hadramis formed migrant ethnic minority groups in host countries, 'but [maintained] strong sentimental and material links with their countries of origin'.⁴ In addition, as translocal communities, Hadramis often held multiple identities linking them to both their place of origin and their place of residence.⁵

Migration not only affected Hadrami individuals who traveled outside of their homeland, but it also transformed the homeland. Modernity in Hadramaut has been claimed to be introduced by returning migrants who acted as proponents of Western-style capitalism due to their exposure to what Curtin described as 'fringe Westernization' in the Indian Ocean.⁶

A returning migrant had usually adapted to modernity, which was alien to the Hadramis at the turn of the 19th century. A Hadrami migrant fits the description of a homecomer, who similar to a visitor from abroad, 'becomes a menace to the identity of his group'.⁷

Transformation brought home by returning migrants posed a challenge to the traditional structures in Hadramaut. Particular emphasis should be placed on the *Thariqah 'Alawiyyah*, the prevalent sufi order in Hadramaut that has been responsible for the ordering of individual and community life. The doctrines of the *Thariqah* were the established moral codes and protocols of decency. Change brought about by migration, therefore, challenged the hegemony of the *Thariqah* as different sources of values gained currency.

This essay examines the relationship between migration and social transformation. In particular, it focuses on the construction of gender and how migration disrupted traditional gender relations among Hadramis. This is an area of research which has not been adequately studied to date. The work of al-Mihdar is used as a point of departure in looking at the effects of migration on the traditional order. The text is important, as it is a critique of migration written from the *Thariqah 'Alawiyyah* perspective, thereby, highlighting the disruption caused by migration to traditional structures. The essay is divided into four parts. The first deals with the background information concerning migration and the *Thariqah* in order to contextualize the text. The second part looks at how migration disrupts the notion of masculinity and femininity. The third part focuses on the issue of family and its changes due to migration. And the final concluding section places the Hadrami migration experience into a gendered theoretical framework to illustrate that gender is historically and culturally dependent.

2 I do not have access to the original work for it is not available in Australia. This essay is based on Engseng Ho's description of the text. See: Engseng Ho, "Hadramis Abroad in Hadramaut," in *Hadrami Traders, Scholars and Statesmen in the Indian Ocean, 1750s-1960s*, eds Ulrike Freitag & William G. Clarence-Smith (Leiden: Brill, 1997) pp. 131-46. I have appended Ho's reading of the text to this essay, see Appendix A.

3 For Hadrami migrants in India, see: Omar Khalidi, "The Hadrami Role in the Politics and Society of Colonial India, 1750s to 1950s," in *Hadrami Traders*, pp. 67-81; Stephen Dale, "The Hadhrami Diaspora in South-Western India: The Role of the Sayyids of the Malabar Coast," in *Hadrami Traders*, pp. 175-184. For the role of the Hadramis in East Africa, see: Francoise Le Guennec-Coppens, "Social and Cultural Integration: A Case Study of the East African Hadramis," *Africa: Journal of the International African Institute* 59, 2 (1989) pp. 185-95.

4 This is a definition of diaspora, proposed by G. Sheffer, see: Gabriel Sheffer, "A New Field of Study: Modern Diaspora in International Politics," in *Modern Diasporas in International Politics*, ed. G. Sheffer (London, Sydney: Croom Helm, 1986) p. 3.

5 On the characteristics of a marginal man, see: Robert E. Park, "Human Migration and the Marginal Man," *The American Journal of Sociology* 33, 6 (1928): pp. 881-93.

6 Philip D. Curtin, *Cross Cultural Trade in World History* (Cambridge: Cambridge University Press, 1984) p. 251. A significant body of literature has been written on the impact of Indian Ocean migration on Hadramaut, see for example: Linda Boxberger, *On the Edge of*

Empire: Hadramaut, Emigration and the Indian Ocean, 1880s-1930s (New York: State University of New York Press, 2002); Ulrike Freitag, *Indian Ocean Migrants and State Formation in Hadramaut: Reforming the Homeland* (Leiden, Brill, 2003).

7 Justin Stagl, *A History of Curiosity: The Theory of Travel 1550-1880* (Chur: Harwood Academic Publishers, 1995), p.11.

Migration & Thariqah 'Alawiyyah

The causes of Hadrami migration have been discussed by Ulrike Freitag. She identified the 'push factor' as the socio-economic condition of Hadramaut in the late 18th and 19th centuries - a condition full of internal conflict as well as strains on ecological systems susceptible to droughts and locusts.⁸ Freitag also argued that increased global economic opportunities became the 'pull factor' of migration.⁹ The growth of global capitalism brought new opportunities to frontiers including the Malay-Indonesian archipelago. The opening of the Suez Canal in 1869 played an important part in increasing mobility with more frequent availability of steam ships in the Indian Ocean.¹⁰ The result was the widening and deepening of the world economy, which paved the way for the agricultural boom that ended with the 1930s depression.¹¹ Many Hadramis were allured to participate in the mercantile project. For this reason, they migrated to locations along the Indian Ocean in order to partake in the expanding capitalist marketplace.

Migration involves relations of power.¹² That is, relationships between places are structured fundamentally by global capital, although there is room inside this framework for movement. The Hadramis went to places such as the Malay-Indonesian archipelago because of the substantial capital there. Hadrami migrants accumulated wealth in the *mahjar* and sent remittance back to the homeland. The impact of this was immense, as money began to flow into the economically

poor valley.¹³ This phenomenon was described by van der Meulen, who visited a Hadrami town, Hureidha in the 1930s saying, 'The bounties of Java gave Hureidha her chance, lifted her out of poverty and decay to the rank of a prosperous oasis'.¹⁴ It is clear, therefore, that the relationships enshrined in migration between Hadramaut and 'the world' was based on inequality. It located Hadramis as weak and poor while 'the world' was strong, rich and full of opportunities. This was portrayed by al-Mihdar as a relationship between a poor man and a rich woman, in which the former chased the latter.¹⁵

Thariqah Alawiyyah was founded in Hadramaut during the 13th century by *al-Faqih al-Muqaddam*.¹⁶ The principles of the *Thariqah* focus on following the *Qur'an*, the Prophetic traditions and the teachings of pious predecessors, while maintaining *zuhd* (ascetic and anti-materialistic lifestyle).¹⁷ The lexicographer Ali al-Jurjani defined *zuhd* as 'the hatred of the world and turning away from it' (*bughdz ad-dunya wa al-l'radz 'anha*) and 'the act of quitting the comfort of the world in order to acquire the comfort of the Hereafter' (*taraka rahati ad-dunya toliban lirahati al-akhirah*).¹⁸ One luminary of the *Thariqah*, Abdullah bin Alawi al-Haddad claimed the world as the home of diseases, problems and distress.¹⁹ The notion of *zuhd* has been a fundamental concept in the tenets of the *Thariqah*. It is from the *Thariqah's* notion of *zuhd* that we may appreciate its opposition to migration, which was seen as a capitalistic endeavour.

The concept of *zuhd* was also pivotal in the

8 Ulrike Freitag, *Indian Ocean Migrants*, p. 48.

9 Ibid. p. 48. See also: William G. Clarence-Smith, "Hadrami Entrepreneurs in the Malay World, c. 1750 to c. 1940," *Hadrami Traders*, pp. 297-314; William G. Clarence-Smith, "The Economic Role of the Arab Community in Maluku, 1816 to 1940," *Indonesia and the Malay World* 26 (1998): pp. 32-49.

10 Engseng Ho, "Hadramis Abroad", p. 139; Ulrike Freitag, "Hadramaut: a Religious Center for the Indian Ocean in the Late 19th and Early 20th Centuries?," *Studia Islamica*, (1999): p. 182. Also see: Appendix B.

11 Eric Hobsbawm, *The Age of Capital, 1848-1875* (London: Abacus, 2004): pp. 206-7.

12 Katy Gardner & Filippo Osella, "Migration, Modernity and Social Transformation in South Asia: An Introduction," in *Migration, Modernity and Social Transformation in South Asia*, eds Katy Gardner & Filippo Osella (New Delhi: Sage Publications, 2004), p. xlii.

13 Christian Lekon, "The Impact of Remittances on the Economy of Hadramaut, 1914-1967," *Hadrami Traders*, pp. 264-80.

14 D. van der Meulen, *Aden to Hadramaut: A Journey in South Arabia* (London: John Murray, 1947), p. 156.

15 See Appendix A.

16 Syed Hasan bin Muhammad al-Attas, *Umar bin Abdurahman: Kisah dan Sejarah Pengasas Ratib al-Attas*, Vol. I (Singapore: Masjid Ba'alawi, 2001), p. 66.

17 Alawi bin Tahir al-Haddad, *Uqud al-Almas* (Singapore: Kerjaya Mahdudah, 1991), p. 54.

18 Ali bin Muhammad al-Jurjani, *Kitab at-Ta'rifat* (Cairo: Dar al-Irshad, 1991), p. 130.

19 Abdullah bin 'Alawi al-Haddad, *Ad-Durr al-Mandzum li Dzawiy al-'Uqul wa al-Fuhum* (Beirut: Dar al-Hawi, A.H. 1312), p. 453.

construction of femininity and masculinity as idealized by the order. Women were expected to conform to the *aurat* (modesty), whether in dress, customs, habits, speech, actions as well as adornments. The femininity of a woman who did not abide by the rules of modesty would be questioned. In 1931, a scholar wrote to the Sultan advising some revisions of prohibited customs. He suggested that silk be allowed in dresses in limited yardage, although the *til* (Javanese style blouse with gold decorations) should be forbidden. In addition, silk pillows should not be permitted, while jewelry and implements for coffee and tea should be limited.²⁰ This suggestion highlights connections between women's ostentation and their sexuality. Modesty in terms of dress, behaviour and decorations and adornments, were pivotal factors in the construction of femininity.

Masculinity also hinged on the idea of *zuhd*. The word *rijal* simply means men in Arabic. Among the sufi in general and the followers of *Thariqah 'Alawiyyah* in particular, *rijal* has a different connotation, that of a man with a lofty spiritual station. The scholars in Hadramaut utilized the word *rijal* in this fashion.²¹ *Rijal* are 'real men', those who have turned themselves away from the material world and directed their face to God in order to attain spiritual enlightenment. To reach this level, one has to practice *zuhd*. This means that a truly masculine person, was one who abstained from worldly pleasure, and attained a lofty spiritual station. To quote the aforementioned Qur'anic verse used to describe *Dunya*, 'real men' are those who rather than chasing the world, believed that 'in nearness to God is the best of the goals (to return to)'.²² Migrants therefore, were not 'real men'.

Thariqah 'Alawiyyah acted as the juridical system of power that produced subjects they subsequently come to represent. According to Judith Butler, juridical notions of power regulate political life 'in purely negative terms... through

limitation, prohibition, regulation, control and even "protection" of individuals related to that political structure through the contingent and retractable operation of choice'.²³ The notions of femininity and masculinity were regulated by the doctrines of the order; to be feminine or masculine, one has to perform in accordance to the tenets of the *Thariqah*. Those who refuse to abide by the script were seen as non-masculine men and non-feminine women.

It is important at this point to historically locate the author and the readers of the text we are examining. Al-Mihdar was among the revered scholars of the *Thariqah*. His biography appears in the hagiographic collections of saints of the order, *Taj al-A'ras*.²⁴ Al-Mihdar was even described as *natiq 'asrih* (the spokesman of his time), which secured his position as a representative of the *Thariqah* in the discourse of migration.²⁵ Importantly, al-Mihdar's text was written and distributed in Hadramaut. The target audiences were the male and female Hadramis whose gender and sexuality was already regulated by the *Thariqah* as the juridical system of power. In their reading of the text, within which prevalent notions of masculinity and femininity were disrupted, the significance of the text emerged. After all, meanings are not simply inherent in texts, but are produced through the various and mediated mechanisms of reading.²⁶ The meanings that imply subversion of gender inherent in migration could only be understood by Hadramis who were aware of the 'idealized' version of gender as represented by the *Thariqah*.

Gender & Migration

Before discussing various aspects of gender and migration, it is important to note that

20 Linda Boxberger, *On the Edge of Empire*, p. 140.

21 See for instance in the collection of letters of Ali bin Muhammad al-Habsyi: Ali bin Muhammad bin Husein bin Abdullah al-Habsyi, *Majmu' Wasaya wa 'ijazat* (Singapore: Kerjaya Mahdudah, 1990).

22 The Holy Qur'an, p. 125.

23 Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (New York, Routledge, 1990), p. 2.

24 Ali bin Husein al-Attas, *Taj al-A'ras fi Manaqib al-Habib al-Qutbh Soleh bin Abdullah al-Attas* (Kudus: Percetakan Menara Kudus, 1979) vol. I, pp. 576-680. For discussions on this hagiographical collection, see: Kazuhiro Arai, *Arabs who Traversed the Indian Ocean: The History of the Al-Attas Family in Hadramawt and Southeast Asia c. 1600-c. 1960* (PhD. Thesis, University of Michigan, 2004) pp. 165-200.

25 Ali bin Husein al-Attas, *Taj al-A'ras*, vol. I, p. 680.

26 Reina Lewis, *Gendering Orientalism: Race, Femininity and Representation* (New York: Routledge, 1996), p. 25.

Hadrami migration was an exclusively male activity. This can be seen in the personification of a Hadrami migrant as a man in al-Mihdar's text. Women refused to leave their homeland and stayed behind with the children.²⁷ As a result, polygyny, a practice that was allowed, yet frowned upon in Hadramaut, became routine among migrants.²⁸ Because men left their homeland indefinitely, they married again in the *mahjar*. Migration became a process where acceptable polygamy was practiced.

Migration also became a site where Hadrami men, such as our hero, encountered non-Hadrami women. Most men married women outside Hadramaut, giving birth to hybridized children, who challenged the notion of lineage purity. These children were derogatorily called *muwalladin* in Hadramaut or *Arab peranakan* in Indonesia,²⁹ hence highlighting the fact that the hybrid, born out of the transgression of boundaries, 'figures as a form of danger, loss and degeneration'.³⁰ What is important to stress is that migration became a site of hybridization through intermarriages. Engseng Ho, for instance, characterized the waters of Malay-Indonesian archipelago as a site of creolization. In his eloquent words:

*As superior Buginese warriors from the East and spiritually potent Arab descendant of the prophet from the West entered Malay areas, their incorporation into the Malay family generated and expanding skein of kinship relations which stretched from the Hejaz to Sulawesi, and was densest in the Straits of Melaka.*³¹

Through inter-marriage due to migration, purity in lineage was challenged. For that reason,

27 L.W.C. Van den Berg, *Hadramaut dan Koloni Arab di Nusantara* (Jakarta: INIS, 1989), p. 63.

28 Ibid.

29 Engseng Ho, "Hadramis Abroad in Hadramaut," in *Hadrami Traders*, p. 131.

30 Nikos Papastergiadis, "Tracing Hybridity in Theory," in *Debating Cultural Hybridity: Multi-Cultural Identities and the Politics of Anti-Racism*, eds. Pnina Werbner & Tariq Modood (London: Zed Books, 1997), p. 259.

31 Engseng Ho, "Before Parochialization: Diasporic Arabs Cast in Creole Waters," in *Transcending Borders: Arabs, Politics, Trade and Islam in Southeast Asia*, eds Huub de Jonge & Nico Kaptein (Leiden: KITLV Press, 2002), p. 16.

ancestry became one of the dowries required to marry *dunya*.

Migration was also a process which questioned the prevalent notion of masculinity and femininity. As noted above, *Thariqah 'Alawiyyah* emphasized the notion of femininity with modesty. The Indian woman, encountered by our hero was described as immodest, she spat as she walked and was uncovered in the company of men. This illustration served to contrast between Hadrami women and women from outside.

Another important characteristic was her direct and challenging manner of speech. She was not ashamed to ask for dowries and she even instructed the Hadrami man to return home. As Susan Gal noted, speech is a very important gender signifier, which is relative to time and place.³² In Hadramaut, women speak in a modest and indirect way. Outside Hadramaut, women made demands of men. Al-Mihdar's Indian woman, therefore, served to illustrate the unfeminine women outside Hadramaut, who failed to perform their role as women. As for the man, his masculinity was automatically challenged as well, as the true form of masculinity lied in men's ability to reign over their families, and especially women. The case with our hero, was that he failed to project his masculinity because the woman's performance was also 'masculine'. This led to the failure of the man's control over the woman and hence, his masculinity was challenged by her 'unfeminine' behavior. That is why manliness became another dowry to marry *dunya*.

Another challenge to masculinity can be seen in the mobility of the woman. She traveled from India, to Singapore, Java, East Africa and Istanbul. This is very different to Hadrami women, who did not travel. In Hadramaut an unmarried girl who reached womanhood was confined to the house and only permitted to mix with family members. She was not even allowed to socialize with married women. The

32 Susan Gal, "Between Speech and Silence: The Problematics of Research on Language and Gender," in *Gender at the Crossroads of Knowledge: Feminist Anthropology in the Postmodern Era*, ed. Micaela di Leonardo (Berkeley: University of California Press, 1991), pp. 175-203.

restrictions to her movement are reflected in the name *bint al-bayt* (girl of the house).³³ The social invisibility of the women in Hadramaut, which constitute part of their womanhood, was contrasted with the mobile Indian woman. In this case, the man followed her around the world just to speak to her. He was no longer the possessor of 'hegemonic masculinity', that is, masculinity 'constructed in relation to women and to subordinated masculinities'.³⁴ The migrant was no longer able to extend his control over women, let alone over other men.

Al-Mihdar's work portrayed the outside world in binary opposition to the idealized Hadramaut. The binary logic is a constant in his work. The clean life at home, the corrupt life abroad, further gendered terms of personifying Hadramaut as male and the world as female. The Indian woman was different to Hadrami women in her performance of gender roles, as well as her race and economic status. The Indian woman was seen as unfeminine by Hadrami standards as seen in her carefree attitude, she was also a different race and had higher economic status than the man. This shows how the construction of gender, as Butler argued intersects with race, class and other variables.³⁵ The unfeminine characteristics of women outside Hadramaut, in turn, diminished the migrants' masculinity as masculinity is defined against femininity.

Family & Migration

The English traveler, Freya Stark who visited Hadramaut in the 1930s wrote, 'our slave, poor as a rat himself, has just brought in a woman with children to feed whose husband has vanished in Java: it is a story I hear every day'.³⁶ Women left alone to nurture their children were direct outcomes of migration. The fact that Hadrami women did not accompany their husbands to the *mahjar*, meant that they had to face the difficulties of maintaining the family by themselves. Some women received financial support from their

husbands, while some did not. In this way, migration altered the structure of the family in Hadramaut. A married woman with children had to perform the duties of both parents. As a father figure she had to teach fundamental religious knowledge to the children, while as a mother figure, she had to perform domestic duties. The story of the Hadrami scholar/poet, Ali al-Habsyi, whose father migrated to Mecca, illustrates the importance of his mother in his father's absence.³⁷ As a result of migration, the traditional roles of Hadrami women were altered, with women taking on both parenting roles. In addition, the *Thariqah* emphasized the duty of fathers to educate their children.³⁸ By failing to perform this important task, Hadrami migrants' masculinity also became questionable.

As noted before, most Hadrami migrants practiced polygyny and married into the local population in the *mahjar*. Van den Berg reported that households of Hadrami who married Indonesian women, were considerably 'Indonesianized'. The daughters of the migrants acted in the same manner as indigenous Indonesians. Hadrami customs and protocols were only adhered to superficially.³⁹ Strict Muslim dress code, which symbolized women's adherence to *aurat*, was no longer observed. A Hadrami scholar in East Java complained that his contemporaries were 'showing off' their daughters by allowing them to wear skirts above their knee.⁴⁰ This shows how the influence of traditional Hadrami culture faded within the family in the *mahjar*. The influence of the local mother, in Hadrami family in the *mahjar*, was stronger in the molding of the family. The father was no longer seen as the dominant parent who controlled the family in accordance to religion. Here, a Hadrami migrant traded both his sense of shame and religion, which were two dowries demanded by *Dunya*.

33 Linda Boxberger, *On the Edge of Empire*, p. 127.

34 R.W. Connell, *Gender & Power: Society, the Person and Sexual Politics* (Sydney: Allen & Unwin, 1987), p. 183.

35 Judith Butler, *Gender Trouble*, p. 3.

36 Freya Stark, *A Winter in Arabia* (London: John Murray, 1942), p. 119.

37 Novel Muhammad Alaydrus, *Sekilas Tentang Habib Ali bin Muhammad al-Habsyi*, Muallif Simtud Duror (Solo: Putera Riyadi, 2000), p. 24.

38 Umar bin Muhammad Maulakhela, *Jawahirul Anfas fi ma Yurdhi Rabban Nas* (manuscript), vol. I, pp. 422-3.

39 L.W.C. van den Berg, *Koloni Arab*, p. 122.

40 Abdulkadir bin Husein Assegaf, *Kunjungan Habib Alwi Solo kepada Habib Abubakar Gresik* (Solo: Putera Riyadi, 2001), p. 15.

Migration altered the traditional Hadrami familial structure. It expanded the nuclear family with a strong masculine father and gentle feminine mother, into an unregulated and dispersed notion of translocal family. Many cases illustrate how a person in Hadramaut, had a brother in India and a sister in Malaya, who could not communicate because of linguistic barriers. Simultaneously, the roles of fathers and mothers were renegotiated. Familial roles were no longer seen as exclusively linked to sex; a female could be a 'father', while a male could be a 'mother'. In this way, the traditional gender structure presented by the *Thariqah* was challenged. Migration provided the avenue for the re-structuring of familial gender performance.

Conclusion: Theorizing Gender & Hadrami Migration

The case of Hadrami migration and the dynamics of traditional values opposed to 'modern developments', shed light on the relationship between gender and social change. It is the purpose of the remainder of this essay to conclude this discussion by placing it into a theoretical framework. The case of Hadramaut shows how gender is culturally and historically specific, drawn by the 'juridical system of power' and performed by the constituted subjects. In contrast to the Cartesian subject/object dichotomy, however, the constituted subjects are imbued with agency to resist. The constituted subjects were not passive recipients of the discursive formations that defined their subjectivity. Rather, they also provided 'agonism' and 'permanent provocation', to use Foucault's term, to the knowledge/power structure that defined subjectivity.⁴¹

Migration, in the case of the Hadramis, became a process of transgression. Hadramis who migrated to the *mahjar* transcended the discursive formations that defined their gendered subjectivity. In the words of Jonathan Friedman, 'it is precisely in the metaphor of border-crossing that the notion of homogenous identity

is carried and reinforced, since it is a prerequisite of such transgression'.⁴² Migration became a site of transgression and contestation, a site where notions of masculinity and femininity were negotiated, while identity was subverted as a result of encounters with 'others'. Such encounters with different cultural-systems provided alternatives to traditional subjectivity. This resulted in the production of variant of subjectivities. Different notions of masculinity and femininity emerged as alternatives to the traditional, challenging the hegemony of the 'juridical system of power'. For that reason, through the eyes of traditionalists, such as al-Mihdar, migration became a site of degeneration.

The outcome of migration to gender relation is both historical and culturally specific. For the Hadrami traditionalists, migration became a process of losing masculinity as a man became embedded in global capitalism. In contrast, migrants in different societies and times, such as Kerala migrants to the Gulf, secured their masculinities and maturity due to their ability to accumulate wealth.⁴³ For this reason, Lacan's symbolic ordering of the Phallus as the signifier of sexuality is not adequate to explain the construction of gender in both Hadrami and Kerala cases.⁴⁴ Such explanations are ahistorical and assume artificial uniformity.

As the case of Hadrami migration shows, political processes determine the outcome of gender construction. Following Joan Scott, I define political as when 'different actors and different meanings are contending with one another for control'.⁴⁵ Gender construction in the case of Hadramaut involved relationships between men and women, religion and global capitalism, and Hadramaut and the Malay-Indonesian archipelago. It involved sexual

41 Susan J. Hekman, *Gender and Knowledge: Elements of a Postmodern Feminism* (Boston: Northeastern University Press, 1990), p. 73.

42 Jonathan Friedman, "Global Crises, the Struggle for Cultural Identity and Intellectual Porkbarrelling: Cosmopolitans Versus Locals, Ethnic and Nationals in an era of De-Hegemonization," in *Debating Cultural Hybridity*, p. 79.

43 Filippo Osella & Caroline Osella, "Migration, Money and Masculinity in Kerala (South India)," *Journal of the Royal Anthropological Institute* 6, 1 (2000): pp. 1-16.

44 Susan J. hekman, *Gender and Knowledge*, p. 85.

45 Joan Wallach Scott, *Gender and the Politics of History* (New York: Columbia University Press, 1988), p. 49.

differences as well as racial, ethnic and economic ones, as well as institutions such as families and religion. Gender, therefore, can only be determined specifically in the context of time and place. It is continually performed but at the same time ever changing and transforming. Certainly, in the case of Hadramaut and the ensuing migration, gender construction had been intimately linked to the notion of 'gold and silver, branded horses and well-tilled land'.

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Appendix :

Engseng Ho's description of *Maqama Dham al-Dunya*

The following is Engseng Ho's description of Ahmad bin Muhammad al-Mihdar's work, *Maqama Dham al-Dunya*, which forms the basis of this essay. It is taken from: Engseng Ho, "Hadramis Abroad in Hadramaut," in *Hadrami Traders, Scholars and Statesmen in the Indian Ocean, 1750s-1960s*, eds Ulrike Freitag & William G. Clarence-Smith (Leiden: Brill, 1997), pp. 135-6.

The *Maqama Dham al-Dunya*, by Ahmad b. Muhammad al-Mihdar (d. 1887), is a work of rhyming prose disparaging the world. The term *dunya* is equivalent to a number of things. It stands for the world outside Hadhramaut, and for the corrupt material world, opposed to the hereafter. It is a synonym for money, in Hadhrami parlance.

The worldly and base nature of the lands

to which Hadhramis migrated, the *mahjar*, is elaborated in the form of a journey by the author away from a homeland stricken by famine. He leaves home and family for the coast, and there, at the edge of Hadhramaut, asks for advice on where to go, where women and sons gather and there are hoards of gold and silver, branded horses and well tilled land. The expression is revealing, for in the Koran, these are the possessions of the world, the *dunya*, which men covet; from these it is better to return to God.

Our author, however, has just begun his journey. He continues and finds himself in Surat, India, a fertile and graceful land of rain and trees. One day in the moonlight he comes upon a shadowy figure, a woman wearing a shawl, carrying a stick, not shy, surrounded by companions and spitting as she goes along. He

is entranced and wants marriage, but her price is heavy. She wants five treasures: his sense of shame, manliness, mind, ancestry and religion. The symbolism is rather unsubtle; she is the *dunya* he has been searching for, over land and sea. She taunts him: "What are the likes of you doing here? Your land is sought by pilgrims, your ancestors the earliest, who cared not for the world nor its trappings. Why don't you follow them and go home?"

He is not to be shaken off so easily. He wants to be considered one of them. So he gives her his sense of shame, and they write it on a piece of paper. The next morning, after dawn prayers, he looks for her in vain. She has gone to Hyderabad, he is told. So he goes, walking among Banyans and other infidels, a place of drink and fornication, where Islam is weak. He is told by the ruler to be as one of them, if he wants to fill his pocket. Otherwise he has no business being there. He meets her again, and the crowd tells him to give her all the five treasures. He gives her the second, his manliness.

Again she disappears. He is told she has gone to Java, a sweet land without harshness. He goes to Singapore, a place famous for business; but she has just gone to Batavia, Semarang, Tegal, Cirebon and Surabaya. She leads him through the trading towns of north Java, well known to Hadhramis, places where they don't hold to the Friday congregation, and thought revolves around prices.

He finally caught up with her, and she still demands all five treasures. He remonstrates with her, but no one comes to his aid nor respects the rights of the stranger; their women's clothes are scandalous. These are people lost to religion and ancestry. He is in it too deep by now, however. Two treasures are with her, and he still has not the *dunya*. How can he face going home? He gives over his ancestry; never mind, this is preserved in the books at home. The plot is predictable. He follows her to Cairo and Istanbul, where he finally manages to wrench back his treasures before losing the most precious of them all, his religion.

Sexual Slander Revealed: The Story of Jamilah/Jemilah and The Act of Killing

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Abstract

Following the murder of six generals and one lieutenant in the night of October 1, 1965 by the G30S group, a military-organised psy war followed to incite rightwing militias to help murder probably one million people. At a global scale this genocide is one of the least known massacres after the Second World War. Nationally, it is still surrounded by silence, fear and stigma. A core element in this campaign of hate propaganda was the sexual slander against young women allegedly belonging to Gerwani. Though to most people the details are lost in the abyss of history, the association of the death of the generals with castrating and sexually promiscuous women that the girls were falsely accused of lingers on. In this article, I discuss first the account of Jemilah who was mistaken for Jamilah; her forged testimony proved most inflammatory. Then I analyse a modern-day echo of this story in the sexual and murderous nightmares of Anwar, the protagonist in Joshua Oppenheimer's film *The Act of Killing*.

Keywords: Jemilah, Gerwani, sexual slander, military.

Introduction

In the night of October 1, 1965 six generals and one lieutenant were abducted and killed, by a group that called itself G30S (Gerakan 30 September, 30 September Movement), composed of some army colonels and a few members of the Special Bureau of the PKI, Indonesian Communist Party). Nobody at the time could fathom the horrendous consequences this would have for millions of Indonesians, for the nation as a whole. The young Republic had dealt with worse crises. There had been inter-army clashes in the 1950s which had not resulted in wide public unrest.¹ Following the regional unrest in the 1950s some parties were banned and the

main insurgents were imprisoned. President Sukarno had always managed to keep the nation together. But this time hell would break loose.

The times were different, the economy was in a chaos, and the tensions between the army and the Communist Party (PKI) ran high. Nobody could foresee the genocide that would follow, Indonesians killing other Indonesians by the hundreds of thousands. Immediately after the action of the G30S group, which was stopped on the order of President Sukarno, immediately after he learnt the generals were killed, General Suharto jumped in the fray and accused the PKI of having organized the murders. He let it be known that the PKI had to be exterminated to 'save the nation'. In a highly successful propaganda campaign, the PKI was framed as atheist and hypersexual. That infuriated religious groups (both Muslim and Christian) so

¹ See for instance Harold Crouch (1988) *The army and politics in Indonesia*. (rev. ed) Ithaca, NY: Cornell University Press and Ulf Sundhaussen (1982) *The road to power: Indonesian military politics 1945-1967*. Oxford: Oxford University Press.

much that they helped the army slaughter their neighbours.

Sexual slander was a core element in this campaign. The young girls who had been present in the field where the generals were killed and buried in a disused well, in the neighbourhood of Crocodile Hole, were accused of having performed an erotic dance, and of having seduced, castrated and killed the generals who were not yet dead when they were brought to the field, as well as the lieutenant. They were also said to have gouged out their eyes.² Three generals had been killed right away. The field belonged to the Air Force and was used for the training of young leftwing volunteers for Sukarno's anti-Malaysia campaign. At that moment it was designated to primarily young female members of the PR; the training was held for the third time.³ Similar training camps were established all around the country by various other mass organizations. They were undergoing voluntary training for President Sukarno's anti-Malaysia campaign, as thousands of other volunteers had been doing.

Most present day scholars agree, though differing in details, that the affair was organized by a group of left-leaning army officers, fierce supporters of President Sukarno, with political backing from a few members of the PKI Politbureau.⁴ From this perspective, the first skirmish, the abduction and murder of the generals, was mainly based on inter-army rivalry and should not be seen as a coup, but a purge. It was never intended to topple the president – in fact the plotters stated they wanted to protect

the president. The actual coup is the mass murder of anything between 500.000 and three million leftist people culminating in the handing over of power to General Suharto in March 1966. President Sukarno could be pushed aside as his position was weakened by the eradication of a major group of supporters and constant allegations that he was involved in planning the first putsch.

To date it is not known who exactly can be held responsible for these absurd lies about depraved Communist women prostituting themselves and raping, castrating and mutilating the generals murdered by the G30S group in the night of October 1, 1965 but they were widely believed and incited the religious and other right wing militias to mass murder.⁵

One such highly inflammatory story was the alleged confession of Jamilah, a leader of the Jakarta branch of Gerwani. Actually, the name of this leader was Atikah, but when she heard of the mass arrests of leaders of organizations associated with the PKI, she managed to run away. She has never been captured and to this day nobody has heard from her. On her flight she allegedly changed her name to Jamilah. The military started searching for a Jamilah. They found Jemilah, not Jamilah. Early November four army-related newspapers published her 'confession'. The wording of these four stories is almost the same, which suggests that the statement was prepared beforehand and handed out to the press.

The story of Jemilah is corroborated by women who had been in the same prison, Bukit Duri, and who had known Jemilah. I interviewed Ibu Sujinah in the early 1980s. She has since passed away. Ibu Utati, whom I interviewed recently, also confirms the story. Jemilah herself has passed away. After her death her second husband, R. Juki Ardi, a writer who himself was imprisoned on Buru Island, wrote her story down. Ardi was a friend of Jemilah's first husband, Pak Haryanto, a leader of SOBSI, the PKI-associated trade union. Before Haryanto

2 See Saskia E. Wieringa (2002) *Sexual Politics in Indonesia*. Houndmills: Palgrave and MacMillan.

3 See also Josepha Sukartiningsih (2004) *Ketika perempuan menjadi TAPOL*. In John Roosa, Ayu Ratih & Hilmar Farid (eds) *Tahun yang tak pernah berakhir; memahami pengalaman korban* 65. Jakarta: ELSAM pp 87-113.

4 See John Roosa, (2006). *Pretext for mass murder; the September 30th movement & Suharto's coup d'état in Indonesia*. Madison: University of Wisconsin Press. For the role of the US see Brad Simpson (2008) *Economists with guns: authoritarian development and US – Indonesian relations 1960-1968*. Stanford University Press. Recently Coen Holzappel analysed the trials of Njono and Untung and concluded that the role of General Soeharto may have been much greater than supposed elsewhere: Coen Holzappel (2014) *Professional blindness and missing the mark*. <http://rozenbergquarterly.com/professional-blindness-and-missing-the-mark-the-thirtieth-september-movement-as-seen-by-the-perpetrators-between-registered-facts-and-authoritative-opinions>.

5 In my novel *Crocodile Hole* which deals with this episode in Indonesian history I propose a possible version of who was behind these lies. Saskia E. Wieringa (2015) *Crocodile Hole*. Jakarta: Jurnal Perempuan.

was murdered on Buru island he made his friend promise that in case Ardi would be released he would try to find Jemilah. They met and eventually married, had two children and managed to survive in great poverty.

Jemilah was not the only woman to be picked up by the military for having a name that resembled a Gerwani leader on the run. The women imprisoned with Jemilah know of two other such cases, both of them in Central Java. One of them committed suicide after being raped. The other one was finally released but she was crippled for life.⁶

Crocodile Hole

Apart from some 60 young volunteers of the KPI's Youth wing Pemuda Rakyat (PR), a few members of Gerwani were present at the training field where progressive young women were trained for the Confrontation campaign with Malaysia on which President Sukarno had embarked. These included Saina, Emy and Atikah. They ran away when they learnt the false stories that the army was circulating about the night the six abducted generals and one lieutenant were killed. In their place, two prostitutes were picked up who happened to have their workplace at the air base. They were also called Emy and Saina. They were illiterate and had never heard of Gerwani. The 'real' Emy fled the country, Saina was later captured, but their two prostitute substitutes were never released until 1978, when most women political prisoners were set free. Atikah/Jamilah managed to escape. But the military had to provide 'proof'. So in Jakarta both an Atikah and a Jemilah were picked up somewhere. All substitute Gerwani members were horribly tortured, and the two illiterate sex workers were made to thumbprint stories they never even read. Jemilah refused to sign any story, but a report of her activities was printed anyway. These 'stories' of 'Jamilah', 'Saina' and 'Emy' were highly inflammatory and helped frame Communist women and by extension all progressive people as barbaric, atheist and morally and sexually depraved.⁷

This dehumanisation campaign provided a justification for the genocide and other mass crimes against humanity that followed.

Even when Ibu Sujinah, one of the only four women ever tried in court (but not for anything related to what happened at Lubang Buaya) pointed this mistake out during her trial in 1976 no attempt was made to rectify these grave judicial errors.⁸ The military apparently never trusted the women to tell their own stories in court.

The autopsy (which took place in the army hospital and was signed by both Sukarno and Suharto) details the causes of death: gun shots, traumas possibly caused by blows from guns and the damage done to bodies which have been lying for a few days in a wet place in the tropics, a reason why the eyes were badly affected. The findings of the autopsy however were ignored and only after Anderson published them in 1987 did they re-appear in the public arena.⁹

The army propagated a very different account to the outside world. In this version the girls had seduced the generals in a lurid, naked dance (Fragrant Flower Dance), accompanied by singing the 'Communist' song *genjer-genjer*, after which they proceeded to castrate them and gouge out their eyes.¹⁰ In this way, progressive, politically active women, and by association the PKI, were linked with unspeakable sexual perversions.

So what did the army newspapers say about Jamilah? The four articles mentioned above carried almost the same story about the 'honest confession' of 'Jamilah, the 'Srikandi of Lobang Buaya'. This young woman (15 years), they reported, was three months pregnant when she was arrested, and both she and her husband were alleged to be members of PR in Tandjung Priok. According to these newspapers she was picked up by a PKI leader on September 29 for exercises in Cililitan: 'That day and the following day we exercised...and at about three o'clock in

6 R. Juki Ardi (2011) *Aku bukan Jamilah*. Jakarta: Kompas Gramedia. p 101.

7 See for the full stories Wieringa 2002.

8 See Wieringa 2002: 297-8.

9 Ben Anderson (1987). "How did the generals die?" *Indonesia* 43 (April) 109/34.

10 See for details of this media campaign Wieringa (2002) and Saskia E. Wieringa (2003). The Birth of the New Order State in Indonesia: Sexual Politics and Nationalism. *Journal of Women's History* Vol. 15 (1, Spring): 70 - 92.

the night of October 1st we were woken up...we were instructed to crush the *kabir* and *Nekolim*.¹¹ There were about 500 people collected there, 100 of whom were women. The members of Gerwani, including Jamilah, were issued small knives and razor blades...From afar we saw a short fat person entering: he was in his pyjamas.. His hands were tied with a red cloth and a red cloth was also tied over his eyes. Our leader Dan Ton ordered us to beat this person and then we started stabbing with those small knives at his genitals. The first, as we noticed, to beat and stab the genitals of that person was the chair of Gerwani in Tandjung Priok, called S and Mrs Sas. Then other friends followed...after that we ourselves joined in torturing that person. All 100 of us joined in this activity. Then he was dragged to the well by men in uniform...but he still wasn't dead. Then a uniformed man ordered Gerwani to continue. The Gerwani women continued as before, stabbing and slicing his genitals and his body until he was dead'.¹²

Jemilah's Own Story as Told by her Husband

A few years after the death of his wife, Jemilah's husband wrote down her story. At the age of 14, still in the second grade of junior high school in Pacitan, East Java, she was married off to a neighbour, Haryanto. It was early 1965, and Haryanto was an attractive party in the eyes of her parents, as he was a successful young man, a leader of the progressive trade union SOBSI in Jakarta. He was well-respected both in Jakarta where he lived, and in his natal village, where he had gone in search of a wife. Immediately after the marriage they left on the arduous journey to Jakarta. Jemilah had no idea about Jakarta, nor about the work of her husband. He often left her alone for long stretches of time. By September he came home even less often and clearly was becoming nervous. By late September she was three months pregnant. Her husband had been away again for the night of October 1st and when he came home he burned papers and told her he

would have to leave her for some time. Politically astute he apparently realised immediately he was in danger. Later, when mass arrests had already started, he came back and informed her that she herself better had return to her native village without explaining why. He left her some money for the trip. He brought her halfway to the bus station but then became very anxious and disappeared. She never saw her husband again. He was later arrested, imprisoned, and ultimately sent to the infamous slave labour camp on Buru island where he was murdered.

Jemilah had already taken a seat in the minibus on her way to the bus station when she was intercepted by soldiers. When they asked her name, she answered Jemilah. They had orders to look out for a woman called Jamilah and arrested her immediately, in spite of her protests that she was called Jemilah, not Jamilah. The soldiers (with red berets) stole her money and all her possessions. She was brought to the office of the Komando Operasi Tertinggi (KOTI), beaten till she was almost unconscious and ordered to sign a statement as Atika Jamilah, which she refused. Later she was brought to the Corps Polisi Militer. There again she was terribly beaten, undressed and humiliated. Several rape attempts were made, which she somehow fought off successfully, Ardi reported. She was tortured so badly that she had given up all hope to live and indeed had rather died. She almost went mad. Women imprisoned with her tried to support her. Ultimately she was sent to the women's prison Bukit Duri where she stayed for 14 years without ever being tried. This is remarkable and demonstrates that the military were afraid their fables would be exposed in court.

The case of Jemilah is one of several in which people were imprisoned because of a mistaken identity. Jemilah had no idea about politics. Her first husband did not feel it necessary to enlighten her about national politics and his role in that. She was so young and inexperienced. She had never even heard of the PKI, let alone Gerwani, yet during her interrogations she was often called 'lonte Gerwani', Gerwani whore.

Her interrogators tried to make her confess that she had joined the exercises at Lubang

11 Common terms at the time. Kabir stands for kapitalis birokrat, bureaucratic capitalists, Nekolim is a term Sukarno coined, neo-colonialism and imperialism.

12 Wieringa (2002: 306-7). The newspapers were: Angkatan Bersenjata November 5 1965; Duta Masyarakat November 6 1965; Sinar Harapan November 6 1965; Berita Yudha November 7 1965.

Buaya, and that she had received an award as a Gerwani heroine. They tried to force her to admit that she had participated in lurid dances while torturing the generals. Even when heavily beaten by soldiers she refused to sign any statement of the sort. Her interrogators groped her thighs and belly ('I bent over so that he couldn't grope my parts which I so value ... my prohibited parts... but I couldn't resist him, my strength was all gone'.¹³ She was tortured so badly that her baby was stillborn.

Rapes were common in prison, although the women resisted it as much as they could: 'All political prisoners got their turn. Mbak Endah was tortured in the worst way. She had to be brought to the hospital. She tried to defend her chastity against five soldiers who interrogated her. Her face was scratched open with bayonets when they tried to subjugate this young mother. Their anger was showered over her whole body'.¹⁴ Mbak Endah later committed suicide.

At one time Jemilah had decided that she would let herself be killed by her torturers. So they would carry the sin of killing her and she would not have to kill herself, which was strongly prohibited by religion. So she had resigned herself to dying when she was again brought to the 'abattoir, where five low class soldiers were awaiting me. I knew what that meant... "take off your clothes...so we can have a party together, my Srikandi..." A thin soldier approached her but she fought him off, refused to take off her underwear and at one stage managed to kick him in his crotch (successfully, it is torn - sobek) and bite the hand of another till it bled profusely. She was then beaten so heavily that she became again unconscious. She was saved by an officer coming in who told the soldiers to stop, as she was 'a special prisoner who was still needed'.¹⁵ Several bones were broken and her feet crushed and shattered; she bled profusely from many wounds, her hair was torn from her head, she couldn't see as her eyes were too swollen.

Apart from the heavy torture inflicted on her, including sexual torture, Jemilah was also forced to hold a rubber knife (arit). This was the

kind of knife the generals were said to be killed with. Her torturers told her: '...Gerwani dog... you can choose... I rape you or you follow our orders'.¹⁶ Jemilah had never seen this kind of knife. It resembled the kind of knife her father used for cutting the rice, but it was smaller. 'Take it. This is the tool you used to cut out the eyes of the generals in Lubang Buaya', the soldiers snarled.¹⁷ She had no idea what was expected of her, but picked up the knife and was brought outside under a rambutan tree, where she was photographed as 'proof' that she had participated in the events at Lubang Buaya.¹⁸

When Jemilah was finally discharged, she was only 28. She had lost her baby, her husband, all her possessions and was heavily traumatized. Only when she had been released she realized that the story that the military had made up about her and that she had refused to sign had gone viral. All over the archipelago people were told that Gerwani women had castrated the generals. Even until now there are many who believe that Gerwani women were depraved.

The Act of Killing¹⁹

Oppenheimer's 2012 documentary *The Act Of Killing* (TAOK) provides a rare insight into the psyches of some mass murderers involved in the Indonesian genocide of 1965-7. It also demonstrates that in far away Medan and separated in time by at least 40 years, the myth of the castrating Gerwani women, symbolized by Jamilah/Jemilah still lives.

A major part of the film consists of a film-within-a-film, with the main characters, such as self-confessed mass killer Congo Anwar, acting out a fictional, at times surreal story based on their experiences and Anwar's nightmares. This story centres around Arsan and Aminah; Arsan, a rightwing young man, is played by Anwar while Aminah, his communist girlfriend, is played by his potbellied assistant Herman, in grotesque drag. The script is written by journalist

¹³ Ardi 2011: 70-1.

¹⁴ Ardi 2011: 92.

¹⁵ Ardi 2011: 93-5.

¹⁶ Ardi 2011: 77

¹⁷ Ibid.

¹⁸ Ardi 2011: 78

¹⁹ See for a fuller account of my analysis of sexual politics in *The Act of Killing*: Saskia E. Wieringa (2014) *Persisting silence: Sexual Slander, ass Murder and The Act Of Killing*. In *Asian Journal of Women's Studies*. Vol. 20 no. 3 pp 50-77.

Ibrahim Sinik, presently the editor of the Medan Post. Sinik was responsible for a large number of death sentences back in the 1960s which would be executed by Anwar and his team of butchers. The scenes consist of fragments of the doomed love affair of both protagonists, framed in cheerful dance sequences and a grand finale, in which Anwar is pardoned by two of his victims and presented with a medal for having sent them to paradise. In between Anwar and Adi (another mass killer and still a successful gang leader in Jakarta) explain how they tortured and murdered, and where they dumped the bodies. Anwar is plagued by nightmares, while Adi informs us that he would do the same thing again, given the right justification for it.

Anwar relives and re-enacts the past he is still so proud of and which he wants future generations to remember. How does the man explain his actions to himself? In the long version of TAOK (director's cut) Anwar gives three justifications. The first one is economic and political. They were petty criminals in 1965, scalping cinema tickets; the PKI threatened their livelihood by banning the popular Hollywood films. They were also members of the rightwing youth group Pemuda Pancasila which engaged in violent clashes with the Communist Pemuda Rakyat (People's Youth). More widely, they were caught in a situation of great political turmoil and as members of the rightwing militia they joined the murdering of leftists that was going on (and that was impelled by the military in Medan, but that is not spelt out in the film). They and their co-butchers won this struggle and are thus living with impunity, backed up by the laws their leaders designed, as Adi bluntly explained to Joshua.

The two other justifications provided by Anwar are related to two major aspects of the propaganda campaign of the military: the 1983 film which blamed the PKI for the coup, and the smear campaign against Gerwani from mid-October 1965 onwards, with all its gory, perverse details. This film was compulsory showing for school children and was regularly aired. Whenever Anwar watched Arifin C. Noor's 1983 film on the 'treachery of the September 30th Movement' in which the military version

of the putsch that signalled the beginning of the genocide was given, he felt better, he explains. If this film relieves his conscience almost 20 years after the killing started, his motivation to start slaughtering his fellow citizens is revealed when he watches the scene in which he, just murdered as Arsan, lies beside his crony Herman, who is dressed as an evil, sexually depraved communist woman, Aminah, mouth smeared with the red juice of some berries. Aminah laughs loudly, madly, and eats a piece of raw liver, shouting it is Arsan's liver which she has just ripped out. Next she produces an oblong piece of stuffed cloth, approximately 20 cm in length, also dripping with berry juice and proceeds to stuff that into the mouth of Arsan, (who, though dead, is gagging) shouting 'this is your penis, eat it'.

Later, when Herman and Anwar, comfortably seated on Anwar's porch, watch this scene being screened, Anwar muses that this should be shown at the beginning of the film, so that people would understand why he murdered. Apparently he became inflamed when he was told of the stories of wildly singing and dancing women, seducing and then castrating the army's top brass, the nation's symbol of masculinity. With millions of other Indonesians he came to associate the PKI with depravity, as the evil to be ripped out of society. Strangely enough this last scene is edited out of the short version and only appears in the long version of TAOK. In the short version the audience is thus left with two justifications for the killings.

The brutal murderers Anwar and Adi and their cronies represent an aggressive form of masculinity, the type called *jago* (literally rooster).²⁰ Fearless, callous, swaggering, boastful, womanizing, this is the kind of masculinity that of old has been sported by the musclemen of power holders.

From this angle the sexual orgy invented by Suharto and his advisors epitomized in the hate-inspiring picture of the aggressive, sexually promiscuous women of Lubang Buaya can be read as a tactical move in a wider struggle, a clash of masculinities. The female counterpart of the gender order in which the

20 See Onghokham. 2003. *The thugs, the curtains thief and the sugar lord*. Jakarta: Metafor.

masculinity of *jago* thrives is a docile, sexually subservient woman – this figure belongs within the patriarchal, militarist New Order of Suharto. Gerwani belonged to the realm of the patriarchal pre-1965 Old Order of the PKI and Sukarno. At that time women's emancipation was ostensibly applauded, but the social struggle was seen as more important (Wieringa 2002; 2011).²¹ Sukarno had stimulated women to become political actors, fighters in the war for independence. The PKI had joined this course, which corresponded with socialist ideas of women's emancipation, although PKI chairman Aidit never paid much attention to women's issues. The progressive women's organisation Gerwani enthusiastically promoted such topics as women's education, political visibility and independence. They opposed violence against women and polygyny. In the post colonial Old Order conservative forces tried to restore what they saw as women's pre-independence role based on what was defined as women's *kodrat* (religiously ordained nature). Thus Gerwani in its insistence on women's public visibility and agency came to symbolize not only all that was un-Islamic, but by extension also as curtailing post colonial newfound masculine power, in other words as castrating. The PKI, though patriarchal in its relations with Gerwani, precisely by its support of Gerwani, in this view represented the kind of abjected masculinity that the army and rightwing Islamic groups despised (Wieringa 2003 and 2011).²²

In TAOK this struggle is acted out on various levels. Several dance sequences are shown, as part of the film-within-the-film on Arsan and Aminah. The association with the Dance of the Fragrant Flowers (which immediately sprang to my mind and to that of former Gerwani members who watched it with me) is imbricated by allusions to present day TV shows and by the Hollywood dreams of Oppenheimer's protagonists. TAOK is almost a genre in itself, blurring the lines of documentary (the killings, the making of the fictional film) feature film,

gangster movie, musical and *sinetron* (Indonesian TV series). The lines between myth, fantasy, boasting and truth-telling are obscured as well.

The sexual politics underlying the construction of the PKI as evil and barbaric are portrayed most clearly in the lurid scenes in which Anwar's pal, Herman Koto, is dressed up as an aging transvestite (modelled after popular transvestite TV actor and comedian Tessy, full name Kabul Basuki, typically portrayed with heavy makeup, thick protruding lips, glittering jewellery). His/her acting is associated with *srimulat*, a humorous, low-brow Javanese form of theatre (particularly popular in cities as Surabaya and Solo) which is transgressive of both class and gender.²³

Herman, who in TAOK is shown to be subservient to Anwar, in drag becomes even more his 'wife', exposing a same-sex intimacy which suggests another layer to the homosocial atmosphere of the film. Herman as 'spouse', murdering and castrating his boss and 'husband' Anwar, eating his liver, mouth dripping with blood, evokes the overthrow of the normative gender order, which Gerwani was accused of.

Herman adds gaudy revealing clothing to his character (though in his case his huge stomach and thick coarse legs don't suggest feminine attractiveness). He is cast playing the communist girl Aminah, swaying a sickle, as the communists were alleged to have used. The grotesque drag of Herman/Aminah sends another message as well. The multicoloured feathers and his revealing clothing suggest a vulgar kind of sexuality which is all the more repellent by the boorish masculinity of Herman. He is never convincing as a woman character; it rather seems as if his rudeness is exaggerated to demonstrate that Gerwani women were actually crude masculine characters. So instead of just a MTF (male-to-female) gender reversal we also watch an FTM (female-to-male) drag scene: evoking the alleged masculinity, or at least unfemininity of the castrating, murdering Gerwani members. Another association is that Herman/Aminah, madly shouting, portrays the

21 Wieringa 2002 and Saskia E. Wieringa, 2011. Sexual Slander and the 1965/6 Mass Killings in Indonesia; Political and Methodological Considerations. *Journal of Contemporary Asia* Volume 41, nr 4, 544-66.

22 Wieringa 2003 and 2001

23 See also Barbara Hatley, (2008) *Javanese Performances on an Indonesian Stage: Celebrating Culture, Embracing Change*. Honolulu: University of Hawaii.

PKI as out-of-control, and therefore as unmanly and feminine (and in a witchlike way capable of performing gory, outrageous acts of perversity).

These images are juxtaposed with scenes portraying actual sexual torture. If the Arsan/Aminah story is fantasy, the scene in which gangster Safit Pardede reminisces about his raping young socialist girls ('hell for you, but heaven for me') reminds one only too well of the actual horrors of the time (we did this 'back then, when we were the law... I fucked the shit out of everyone I met'). The cheers by his mates with which this revelation is greeted suggests their complicity in or at least approval of such crimes.

Straddling the divide between fact and fiction, TAOK exposes the echoes of the horrendous mythmaking that still haunts Indonesian society. We are provided with an insight into the justifications Anwar Congo gives for his becoming a mass killer. Material benefits played a role; his position as a leader of a death squad transformed him from a broke petty criminal to a feared militia member with coins in his pocket to indulge his tastes of alcohol, drugs (and sex?). Watching the 1983 film produced by the Suharto regime makes him feel better about his atrocious acts. But the slander against Gerwani, he admits, incited him to kill.

Oppenheimer's film provides a chilling portrait of present day Indonesian society, the banality or normalcy of which is based on the violence and sadism of the massacre, and particularly on the persistent silence surrounding it. The film is an eye-opener internationally; it has bagged many awards and is shown to have shocked audiences worldwide. However in Indonesia, where the lies of the military are still widely believed, the impact of the film is disappointing. It does not break the silence that still surrounds the 1965-67 genocide.

In that sense Oppenheimer's second film on 1965, *The Look of Silence*, is more effective.²⁴ It is watched much more widely. Though, both films still cannot be screened in the major movie theatres, as happened in so many countries. Brute censorship is mainly responsible. But

there is more. The Indonesian public still shies away from these very unpleasant truths.

Conclusion

A better understanding of the country's gruesome past cannot grow without realizing the full impact of the myth of the singing, dancing, castrating Gerwani members, as Anwar himself stressed. This myth is the core of the army's propaganda campaign which transformed an apparent inter-army clash (with heavy political meddling) into a gruesome genocide, targeting the PKI and leftwing people in general, sweeping away the Old Order of President Sukarno. The sexual moral panic created by the army shamed the nation into silence.

The genocide and other mass crimes against humanity committed after the actions of the G30S group are the major watershed in post colonial Indonesian history. The nationalist and socialist politics of President Sukarno which had forged the nation but had caused economic chaos were replaced by a militarist, brutal style of governing, based on capitalist values. Generations of people grew up in terror, fed on lies of sexual slander. Not only the political climate changed drastically, the cultural and intellectual scene became very impoverished – not only because many intellectuals, artists and teachers were murdered or imprisoned, but also because liberal, creative, free thinking was declared suspect. The Reformasi period after the fall of the dictator has not fundamentally challenged this. Still women who resist the masculinist ideology can be labelled 'new Gerwani'. A term that conjures up images of unspeakable perversity.

The campaign of sexual slander against Gerwani has not only affected those directly accused. They were imprisoned, raped, starved, tortured, murdered. When Jemilah was released her life was ruined. She died in abject poverty, the stigma of 'Gerwani whore' still upon her – and on her children. This happened to so many thousands of women who didn't even know where the Crocodile Hole was located but were nonetheless accused of having danced there. The campaign of sexual slander against them incited the genocide and other crimes against

²⁴ In this film the younger brother of one of the victims of the death squads confronts the murderers with their deeds.

humanity committed by the military and their henchmen in the form of the many militias that assisted in murdering their own neighbours. It has also changed the texture of society. As

Anwar demonstrates, these slanderous fables still work in the fantasies of the murderers. But wider than that, they are also engraved in the collective consciousness of Indonesian society.

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Culture, Sex and Religion:

A Review of Temporary Marriages in Cisarua and Jakarta

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Abstract

This research is about temporary marriage in the areas of Cisarua and Jakarta. The Islamic discourse in the Arabic culture views temporary marriage as positive to avoid promiscuity (zina). This research indicates that the practice of temporary marriage is manipulation of religion and degradation of Indonesian women. The dominance of Arabic culture in Cisarua influenced the subjectivity and sexuality of women in Indonesia. Respect for the identity of Indonesian women has faded because Indonesian cultural values are not upheld, overpowered by Arabic-patriarchal culture and the fact that poverty is still an issue. Temporary marriage is basically prostitution legalized under the pretext of religion. Temporary marriage and siri marriage cannot be distinguished because both exploit the female body.

Keywords: Culture, religion, sex, temporary marriage.

Introduction

In a 2006 trade symposium called 'Tourism Marketing Strategies in Middle East', Jusuf Kalla (then-Vice President of Indonesia) joked that: "The divorcees at Puncak is a problem unto itself. Therefore Arabic men looking to get acquainted with the divorcees at Puncak region will help fix the problem by raising a better future generation. If the women get modest homes even if the tourists later leave them, then it's okay. The children resulting from these relationships will have good genes. There will be more television actors and actresses from these pretty boys and girls." (Jakarta Post, 29th June 2006). Jusuf Kalla's quote quickly became a domestic and international sensation, drawing strong reactions from many different

women's rights activists. It seemed that Mr. Kalla had enlightened us with an easy solution to the poverty problem – by 'selling' Indonesian women to Middle Eastern men. Similarly in 1990, then-President of Iran, Hashimi Rafsanjani commented:

If we had a healthy society (i.e. truly Islamic) then the situation of all these widows (i.e. the women widowed in the Iran-Iraq war) would be very different. Then when they (widows) felt the sexual need, they could approach and invite him to marry them temporarily, izdivaj-I muvaqqat. This they could do without fear of being shamed or ostracized by others. (Adapted from Zani-i Ruz No,1294, 1990:55 by Haeri).

The difference between Rafsanjani and Kalla

was that his argument delved deeper into the need of a solution for the problem of natural sex drive. Even though he proposed for temporary marriages as a solution for young adults who fight a losing battle against natural sex drive, Rafsanjani added:

Nowadays, in our (modern) society, young people mature at the age of 15, and sexual needs are awakened in them... Our college students are constantly exposed to the opposite sex in the schools, universities, parks, buses, bazars and the work place. They are continuously stimulated (by proximity with each other), but have no recourse. Who says this is right? Presently, in our society for our youth to remain pure and honorable, and to respect the societal norms (of chastity and virginity) implies remaining unsatisfied until they are 25 or 30 years old. They will have to deprive themselves of their natural desires. Deprivation is harmful. Who says this (deprivation) is correct? Well, God didn't say that this need should not be satisfied. The Prophet didn't say so. The Quran doesn't say so. The whole world doesn't say so either. Besides, if one is deprived, then harmful psychological and physical consequences will follow. Science has proven this. To fight nature is wrong. (adapted from Zani-i Ruz No,1294, 1990:55 by Haeri).

The debate launched by Rafsanjani contained a cultural debate about living a modern life. On one hand, Islam holds a traditionalist view with regards to sex, placing high esteem on virginity, but on the other the tradition of temporary marriages or *nikah mu'tah* have long been accepted in Islam especially amongst Shi'ite Muslims. *Majelis Ulama Indonesia* (MUI or the Indonesian Ulema Council) forbid the practice of *nikah mu'tah* by releasing a *fatwa* in 1997 pronouncing the practice as *haram*. The logic adapted by MUI was an Al Qur'an verse; "And they who guard their private parts except from their wives or those their right hands possess, for indeed, they will not be blamed." This verse was interpreted by MUI to endorse sexual relations as an exclusive right between husband and wife. Meanwhile, women who are wed from *nikah mu'tah* are perceived as brides for temporary pleasure. However, MUI reversed its decision through a *fatwa* issued in 2006 to allow for *Siri* marriages - i.e. marriages performed in secret to curb likelihood of religiously forbidden

extramarital adultery, thus fostering household cohesion for casual observers.

In Indonesia, *nikah mu'tah* and *Siri* marriages can be found in Cisarua area in Bogor, West Java, and Jakarta. The question the authors asked in their research was whether the practices of *nikah mu'tah* and *Siri* marriages differ in reality. It had been found that both marriage practices in Cisarua and Jakarta were conducted as expressions of sexual desire under the guise of religious practice. The authors' research showed that the practice of religion-sanctioned sexual relations were in fact unjust prostitution against women. Who were then the main stakeholders in the prostitution activities found in Cisarua? Why were these practices exempt from public review unlike other prostitution activities? How big were the profit gained by the district government and local communities from these practices? This essay is aimed to expose the problem of sex, religion and politics about the female body.

Poverty and Child Brides

Mariah (not a real name) is a sexy 23 year-old woman, dressed in red and a bright red lipstick adorned with jewellery that altogether seemed mature beyond her age. She was articulate and well spoken, appearing intelligent even though she had only finished primary level education in a *pesantren*. She smoked *shisha* non-stop, her favourite pastime whilst waiting for Arabic men at a cafe in Cikini. It seemed every guest who visited the cafe knew her and Mariah greeted them back with a smile and fluent Arabic.

Behind the smile lies a harrowing personal story. Mariah was married off by her parents to an Arabic man when she was 13 years old and lived in Saudi Arabia for the next 6 years. She did not like living in Saudi Arabia because she had to accompany her husband as part of her daily routine and was rarely allowed to go out alone. Every aspect of her life was controlled including how she dressed herself. When she was 19, she told herself that 6 years living in Saudi Arabia was enough and decided to return home to Indonesia. After working various jobs, she chose to be a 'guide' for Middle Eastern tourists rather than earning Rp. 1,3 million (USD

130) per month working at a factory. She said, “Rp. 1,3 million for 9pm to 2am [approximately] 5 hours [of service]. *If long time* (sic) from 9pm to 6am, [I would get paid] approximately Rp. 2 million”, clearly a salary well beyond the earnings of a factory worker.

Mariah witnessed other underage children who were wed by their own parents. She recalled one of her own Middle Eastern guests had brought along with him a 15-year old wife.

I opened the door, greeted them and saw what was happening. He told me Amira is his new wife from Puncak. I said to him: Masya-Allah, how old is your wife? 15 he answered, he then added: I was the one who opened (sic) her [virginity]. I told him that it was haram. He said: there is nothing that was haram with Amira, I paid for everything therefore it wasn't haram. Well there you have it, [Amira's] parents sold her, in fact it was her own mother who delivered her. (Interview, 23rd January, 2015).

Mariah confided that Arabic men marrying an underage child is a common practice. She confidently cited that 90% of temporary marriages were carried out with child brides. Economic reasons were the biggest influencing factor as stifling poverty led hapless parents to deliver their daughters onto the laps of Arabic men, many of whom were over 40 years old. Sometimes the parents genuinely intended for their children to live a better life, especially so because when the husband-to-be happen to be Muslims. But it is not uncommon for women who were wed, either through *nikah mu'tah* or *Siri* marriage, to suffer from domestic violence.

Some men derive satisfaction after (sic) beating their wives, y'know. He would pay any amount and the woman would have no choice. They are usually hit or slapped. These women don't mind because they do it to put their own children through school (Interview, 23rd January, 2015).

Other commonly found forms of violence are sexual practices beyond the woman's physical limit, in some cases this woman would be engaged in sexual intercourse up to seven times in a night. For the man, there is no reason for the bride to refuse his requests because he had paid for the woman to engage in sexual intercourse with him.

Anita, a local woodwork storekeeper and a former foreign domestic worker, told the authors that Indonesian women can be bought at a cheap price and thus were taken for granted by Middle Eastern men. She was not tempted by the relatively large salary as a 'guide', preferring instead to work as a storekeeper earning Rp. 50,000 (US \$5) per day. There were still plenty of men who offered her a temporary marriage, some of these men she met on the street, otherwise they would visit her shop directly because they thought every Indonesian woman is willing to commit to a temporary marriage. “They think Indonesian women are easily bought,” said Anita with frustration. She regretted the widespread practice of temporary marriages in Cisarua region because she empathised with the children born from these marriages. Poverty was one of the primary reasons. Adi, who spent nine years working as a driver for Middle Eastern tourists, added:

These women usually come from Cirebon, Cianjur, Indramayu and Sukabumi. They are usually ex-foreign domestic workers and speak fluent Arabic. They enter a temporary marriage because of economic reasons. Usually they were domestic workers in Middle Eastern countries. They are poor but because they are fluent in Arabic, they can do it (interview 9th January, 2015).

The temptation of the income derived from temporary marriages attracts middle class, educated women, even though they are not as numerous as those of the lower socio-economic class (see interview from kapanlagi.com about Sarah, 5th December, 2012). Middle Eastern men who visit Cisarua for temporary marriage purposes come from lower-middle socio-economic class.

The men who go through a temporary marriage ceremony usually come from lower-middle socio-economic class in their home countries. They saved up money specifically intended to visit Indonesia. It usually takes them 2 years, working as teachers, policemen and even shepherds (Interview with Adi, 9th of January, 2015).

Manipulating Temporary and *Siri* Marriages

Some of the following interviewees have used the terms temporary marriages and *siri*

marriages interchangeably. They highlighted widespread vernacular adoption of the term temporary marriage began ten years ago in Cisarua. Recently, some Islamic scholars and the MUI have condemned the usage of the term as *haram* and suggested to use *siri* marriage instead. The difference between the two can be found in the underlying intention when marrying a woman. A temporary marriage is bound by a time limit (even though this was not explicitly specified during the marriage ceremony) whilst a *siri* marriage were seen as an open-ended process whereby the woman is intended to be taken as a wife indefinitely. The authors opined both terms are not different in practice because both ceremonies are carried out in secret. Witnesses for temporary and *siri* marriages are usually drivers in Puncak region. The authors have noted personal accounts from three drivers how a temporary and *siri* marriage can be manipulated. Sanusi (not his real name) described:

In fact almost all weddings with Middle Eastern men are big shams. This is how it's done: a girl may be offered to the visiting men. When the man decided to go ahead with the deal, he will call the driver and in turn the driver will contact the pimp who will then arranges for actors to come along as parents and siblings of the girl. There may also be other children acting as the girl's child. It's all one big show to make sure these men believe their story. So that the girls are seen they belong to a 'real' family (interview on 20th January, 2015).

Sanusi elaborated about how the dowry received by the woman was divided for those who helped with the act. The marriage ceremony itself costs Rp. 20,000,000 (USD 2,000) and the woman may receive her cut ranging from Rp. 2,000,000 (USD 200) to Rp. 3,000,000 (USD 300). The money is divided between the pimp, driver, villa security and marriage celebrant (for producing a fake marriage certificate). Sanusi told how there are even 'official' marriage certificates issued by the local Religious Affairs Office. The vows were not explicitly stated in the marriage certificate itself, but were made instead in person separate from the documents.

There may be clauses on the certificate where the women were forbidden from demanding any of

rights following the end of the marriage. Official certificates issued by the Religious Affairs officials can be found for as much as Rp. 50,000,000 (USD 5,000), meanwhile certificates issued elsewhere can be found for as little as Rp. 20,000,000 (USD 2,000) (interview 20th January, 2015).

Sanusi have been directly involved in arranging a temporary marriage. He collected brides-to-be from Ciawi. The pimp accompanied the group, acting as the 'mother' of the women. Sanusi earns Rp. 200,000 (USD 20) for one collection trip. All wedding ceremonies observed strict Islamic rites by pronouncing *ijab qabul* (marriage vows). Meanwhile, the wedding ceremonies were presided by the local *ustad* or the friend of the groom-to-be who would be known as *mutoa*, a Middle Eastern Islamic scholar.

The investigation conducted by the authors identified some of the *ustad* who have officiated wedding ceremonies between Indonesian women and Middle Eastern men. These *ustad* vehemently asserted that the wedding ceremonies they presided were *siri* marriages rather than temporary marriages. In a *siri* marriage, there is no time limit or a predetermined amount of time of which the marriage is valid, and the ceremony were conducted under strict Islamic prerequisites, i.e. a wedding between man and woman, the presence of guardians, two witnesses and *ijab qabul*. However, an *ustad* by the name of Haji Gogom discussed the realities:

There are 5 marriage prerequisites you see. It must be between a female bride and a male groom, guardians are present, along with two eyewitnesses and the fifth is ijab qabul. Now, it is true that the [siri marriage] ceremonies observed the prerequisites, but often we don't know if the guardians are legitimate and this is the issue here. On the other hand, anyone can be one of the eyewitnesses (Interview, 15th January, 2015).

Therefore, *siri* marriages can be manipulated. The scholars have launched into self-defence by proclaiming that they have wed Indonesian women to Middle Eastern men with good intentions, but they did not claim any responsibility in instances where actors were used to masquerade as the bride's parents. Haji

Gogom also likened visa marriages (a substitute for contract marriage) to that of *siri* marriages, which can be approved by the Saudi embassy:

The visa marriage can be a marriage that lasts for the duration of the [visitor's] visa. If their visiting time is only one week, then [the marriage] lasts for a week. If they are here for one month, then it goes for one month. Or it's possible that they are here for one month but they are satisfied after only 1 or 2 weeks. Well, there may be some association with siri marriage, because it can be endorsed by tasreh. Tasreh is an [official] document issued [by the embassy] to determine whether the men can marry Indonesian women, so that only the actual wedding process is defined as siri. Because the definition of siri is only limited to the process, which means everything is done in secret (Interview, 15th of January, 2015).

Siri marriage is a popular choice amongst *ustad*, and it is not uncommon for the *ustad* to marry in a *siri* wedding. They viewed these marriages as a valid religious marriage even though there is no official legal standing. One *ustad* by the name of Haji Assaf (not his real name) explained the meaning of a *siri* marriage:

Siri means the wedding is done in secret without the first wife's knowledge. Maybe the first wife did not permit her husband to marry again. Please divorce me first, she says. Siri marriage is allowed by the religion as long as the prerequisites and the principles are observed. There are guardians and eyewitnesses. And the husband is responsible, financially independent adult. Don't do it if he is still renting. His biggest responsibility is to look after the first wife and the children. As if he marries again when he [doesn't even have a house of his own]. He must at least be financially independent. (Interview, 15th January 2015).

Haji Assaf, a retiree from the Ministry of Religious Affairs, owns The Tsaqofah Islamiah Foundation, a madrasah school and Madrasah Ibtidaiyah (Islamic formal education level equivalent to primary school) in Taman Mini area. The schools are well established and have been certified. He has 16 children and is married to four wives (of which the eldest wife has passed away and the last wife is divorced), and even though he is above 70 years of age, there is still a possibility for him to marry again. Every one of his wives receives equal rights, he added:

My parents gave me permission. So my wife thought, well if the parents have given permission, she would also follow suit. The second reason, I own a house and a school. You can say everything is complete. (Interview, 15th January, 2015).

Haji Assaf mentioned it was important for all his wives to be civil servants so that they can be financially independent and not be dependent on him. Because of that, when choosing a wife, he would marry one of his students who is willing to teach in his madrasah and work as a civil servant. When the authors asked him about the rule forbidding polygamy amongst civil servants he mentioned that there were many polygamous men in the Ministry of Religious Affairs. His former colleagues would not stop him because he was a former civil servant in the Ministry and many of his friends have had a *siri* marriage themselves.

I don't want to get headaches, so every one of my wives is a teacher. If they ask for money, then I point out to them that they earn their own salaries. Therefore, I try [to provide for them]. In the Ministry, they're all my friends, you see. So I ask them to hire my wife [as a civil servant] and they do it. Everyone becomes a civil servant....no way someone would report me 'because if you do that to me, I'll report you first' (Interview, 15th January, 2015).

The authors met with other *ustad*, one of them was *ustad* Ahmad Muhidin from Cisarua, who have officiated *siri* marriages, of which he considered true to Islam. Ahmad himself has two wives and five children. He had wed Indonesian women with Middle Eastern as well as Indonesian men. Some of these marriages were celebrated for young adults (university students) as well as government officials. According to him, the reason for these marriages is to combat adultery (*zina*). He issued marriage certificates to explicitly describe the couple as wed husband and wife however these certificates were of informative nature rather than legal.

The *zina* reason is an oft-repeated argument used by the *ustad* as well as the Middle Eastern men who wanted to marry Indonesian women. Specific in the case of Middle Eastern men, some would bring their sons (in the early 20s) with them for a *siri* marriage - where both the

father and the son are wed to local women in a *siri* wedding process. There were even cases where the men would bring their newly-wed wives for honeymoon to Puncak, but once they arrived in Puncak the husband would meet with Indonesian women at a roadside stall and then enter a temporary marriage for a few hours.

These Middle Eastern men back in their countries, y'know, would say to their wives that I'll make you happy but when I am in Indonesia I am king because it's my money. You are a woman and you need to be quiet. Yesterday a man came and his new wife. Masya'Allah, she was so beautiful. Pity that the husband was a jerk. They went home at 6pm and called at 8pm wanting to smoke shisha. So I said ok, I'll pick him up. I brought him to the shisha cafe but he didn't want to. He wanted to go to Aljazira instead and en route did you know what he wanted? A temporary marriage. (Interview with Sanusi, 20th January, 2015).

Middle Eastern Influence

It can be said that Middle Eastern culture had taken its roots in Puncak. The cultural practice of temporary marriage has risen to prominence within ten years. Most of the local communities in Cisarua have enjoyed the benefit from the sex tourism by Middle Eastern men. Many of the local women have gained material wealth either through temporary marriage or *siri* marriage. They were able to fulfil personal basic living needs and earn enough to help their parents back home. The practice was not criticised because it was seen as congruent with Islamic principles. There were even women who offered a few hours worth of sexual services as a *lady debab* for 'married' men as long as both the man and the woman offering the service were not engaged in sexual intercourse prior to *siri* or temporary marriage ceremony.

The *ustad's* share had not been insignificant. Middle Eastern tourists have been generous in donations towards constructions of mosques and pesantren schools. These donations have been paid in cash directly for the *ustad*. Haji Gogom now works in construction having built numerous mosques, administered by the financial gains from Middle Eastern tourists. At the time of writing, there were already 40 mosques built in Banten and many more in

West Java. Haji Gogom also manages pesantren from kindergarten up to junior secondary. The foundation has a capacity to receive 120 boarding students and 140 non-boarding students, with plans to expand to build a vocation school next year. The Foundation, named Nurul Yakin Foundation, was established by his father and developed under Haji Gogom's leadership. Students were provided with free education, relying on the donations from Middle Eastern donors to cover the food, boarding and education costs.

Those enjoying the benefits were not limited to only the *ustad* community as the Cibeurem district government received a mosque from the Middle Eastern visitors. An example of *waqf* (voluntary charitable endowment from personal belonging), it was built on the premise of the government building. Every aspect of the construction was organised by individuals rather than the state and the only work left to complete the construction was to wait for the local government to issue the IMB (building permit). However, the local governments have been known to issue free permits for mosques under construction financed by endowment funds from Middle Eastern tourists. The following statement was taken from E. Suryadi, Head of Government Affairs from Bogor District government:

Mushola or mosque construction would not require any further permits other than the IMB which will be freely issued by the Bogor District government when the construction has finished (Interview, 20th January, 2015).

The Chief Executive of Cibeurem District government did not deny the fact that many of the locals were involved in celebrating temporary marriages. Businesses would not have been profitable without local support despite the reputed claim of sex workers being imported from neighbouring towns.

To be honest, we wanted to eradicate the practice but opposition came strongest from our own people, villa owners and the rental car owners for example, so we had to fight with our own people too... They usually say that they are prospering and this makes us feel uneasy. For example, an ojek (motorcycle taxi) will charge a

Middle Easterner Rp. 50,000 (USD 5) meanwhile the same driver will charge Rp. 5,000 (USD 0.50) for local passengers. This makes it more difficult for us (Interview, 20th January, 2015).

There were plenty accusations from the locals against women who deceived Middle Eastern tourists. Siti, a village security guard, personally witnessed how some of the women who had been wed fled from the allotted time. She pitied deceived villa guests. Adi who had been a driver for the tourists told the following story:

I was driving for a Middle Eastern tourist and he immediately requested for jawas (Arabic for marriage) when he arrived. This was the only instance I said yes to the request even though back then I did not have any experience in finding a suitable woman for such things. I found a link (sic) from one of my acquaintances and the man finally made a deal with the pimp for the marriage contract. When the man wanted to have sex, the woman refused saying she was on her period. The next day she asked for permission to buy clothes and was given permission by the man, however the woman did not return even though the man had paid Rp. 3,000,000 (USD 300). He permitted his wife to go because he believed they had been legitimately wed observing Islamic practices, little did he know that the guardians, witnesses and the ceremony were a big farce. The man was very angry and demanded I pay for his losses. From this incident I learned not to be associated with the temporary marriage business, if a visitor had already secured a temporary wife well that's his own business. I'm only doing my own responsibilities as a driver and guide (Interview 9th January, 2015).

Arabic culture has grown to dominate Cisarua region and there is a perception that Muslims as well as the Islamic religion equate to Arabic and Middle Eastern culture. Vast majority of Muslims live outside the Arabic region even though Islam itself was born in the Middle East and uses Arabic. For example, Indonesia is the country with the largest number of Muslims as well as Bangladesh with 100 million of its citizens classifying themselves as Muslims. The number of Muslims in West Africa equalled the whole Middle Eastern region (Nigeria alone has 50 million Muslims). Why then would the aforementioned countries adopt Arabic culture? In Cisarua, Indonesian women no longer

accentuate Indonesian culture by wearing *batik* or *kebaya*, which are Indonesian national costumes, preferring instead to wear *hijab* or even *abaya*. There is also a growing number of women who, when seen together with Middle Eastern tourists, would adorn a fully covered garment including their heads and eyes. All of the signs in the area of *warung Kaleng* used Arabic. Visitors in the area never used Indonesian to greet others, for example with "*selamat pagi*", preferring to use Arabic instead. Has Arabic culture defeated the national, Indonesian culture?

Subjectivity and Sexuality

Arabic culture had become deeply entrenched within the religious experience in Indonesia thus blurring the distinction between the realms of religion and culture. The legitimacy of The Constitution are seen to be inferior to Al-Qur'an passages and the legislated laws as well as the Marriage Act were less accepted than scholarly interpretation of Al-Qur'an. Similarly in the matters regarding women's sexuality, the influence of Arabic culture, rich in polygamy and temporary marriage practices, has become the mental framework encasing local communities' perception of women's sexuality. Women's body were seen as objects of desire to satisfy lust, 'protected' by Al-Qur'an passages and socialised through culture.

Juliet Mitchell (1985) argued that there is a relational relationship in a heterosexual couple based on social rather than merely for reproductive purposes alone. In other words, sexuality is publicly regulated through social customs and practices, which are defined by deciding who can and cannot marry, and controlling the female body. For example, Arabic men expressing their masculinity by controlling a female body (through a buying process) and to 'Arabicize' the female body through Arabic traditional garments. This point of view also includes the sexual identity positioned within other forms of identities such as ethnic, religious and etc. (Imam, 2000: 126). Foucault (1986: 233) underlined the importance of seeing how a subject was perpetually constituted to habits dictated by dominant behaviour, and how power operates and subjugates its constitution.

This meant that subjectivity and sexuality were formed through daily habits, division of labour, fashion, and relationship behaviour among other things (Imam, 2000: 126).

Subjectivity and sexuality of women in Cisarua have co-opted with Arabic culture. The history, culture and language of Indonesian women were no longer visible. Arabic men do not recognise the identity and existence of Indonesian women because the elegance of *sanggul*, scarf and *kebaya* are no longer public. Identity erasure also eroded the proud memory of being an Indonesian woman. This issue is different to tourism in Bali where the main objective is not in sex tourism but tourism that respects local culture. The richness of Balinese culture is complete with continuous maintenance of traditional costumes and language and thus honouring the body and sexuality of Balinese women out of awe and respect.

Conclusion

How does one restore the living pride of Indonesian women? The discourse of Indonesian women subjectivity should remain preserved even when it is extremely difficult to maintain

their identity and particularly their self-esteem after being trampled upon. It seemed that Indonesian women could not expect much from government figures who in fact approach the co-optation of Indonesian culture and women in a condescending manner. Therefore, to forego the *abaya* and highlight *kebaya* or other local dresses worn by Indonesian women, not Middle Eastern women, is the best way forward. *Kebaya* covers the entirety of Indonesian women's body and thoughts, boasting a proud history in the Indonesian women's movement. Do we not remember the inaugural Indonesian Women's Congress on the 22nd of December 1928? When women stood united against injustices. Our 'mothers' adorned in *kebaya* to signify their existence as well as the identity of a plural Indonesia and it was through *kebaya* that the language and nationalistic pride of being Indonesian was upheld, as well as Indonesian women's sexuality. Current social changes forces a drastic paradigm shift to adapt to other cultures, impacting how one dresses and thinks, which ultimately transforms the physical body. Restriction of the body shrinks the mind and buries the holistic existence of the person altogether.

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How Does One Purchase a Woman?

The Status of Christian Batak Women in Wedding Traditions

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Abstract

This paper presents the encounter between two wedding traditions and cultures that mutually reinforce the internalization of women's status, the liturgical marriage in the church and the customary Toba Batak wedding. Both traditions originate from different worlds but are similar in their way of stereotyping and subordinating women. The commonly used scripture in the liturgical marriage exemplifies the stereotyping of women as her submission to the husband as a form of submission to God. This patriarchal text is present in the similarly patriarchal Batak community that strongly upholds customs. One such custom is the usage of *sinamot* at customary Toba Batak weddings, in other words, a payment arranged for the wedding. Many people equate *sinamot* with the term *tuhor ni boru*, which literally means 'money to buy women.' Women should not experience the treatment of *dituhor* or the state of being purchased.

Keywords: liturgical marriage, customary Toba Batak wedding, *sinamot*, *tuhor ni boru*.

Introduction

In most cases, Toba Batak women will celebrate their wedding with both religious and customary ceremonies of their own accord, or they will be forced to do so. The two traditions are viewed as indivisible since the union is regarded as incomplete if only one of the two ceremonies is held. A wedding with only a liturgical marriage in the church is deemed as disrespectful of Batak customs, but when it is only held according to Toba Batak customs, the marriage is regarded as incomplete since it has not been sanctified before the church. Couples getting married fear that they will be deprived of social standing and recognition from either one or both, the church and ethnic community, if they do not undergo either of the ceremonial

traditions, thus worsening their situation.

In the church community, documents indicating that the marriage is valid will be issued for the wedding ceremony. This is a prerequisite for the couple to be admitted by the community as a married couple. After the christianity of the Toba Batak people, there are hardly any more customary weddings that are not preceded by the liturgical marriage. However, there are still many who only conduct the liturgical marriage, without following up with the customary ceremony due to financial constraints or because such an event became unfeasible under tight schedules. There may also be another reason; they simply do not wish to hold a customary wedding. In the ethnic community, a married couple that has held the

customary wedding will be recognized and have a clear standing. They will be accepted as part of the ethnic community and have the right to be treated as a couple with a married status in all customary rituals following their wedding until their funerals.

The wedding ceremony sequence in the Christian Toba Batak community starts with Holy Matrimony conducted at church by a pastor or other ministers. It is then followed by a customary ceremony performed by traditional leaders who are part of the community's esteemed assembly of male elders. The two ceremonies go hand in hand in instilling values and positioning women for the course of her married life. Women are already positioned as subordinates at the onset of marriage.

Women in the Liturgical Marriage Tradition

The liturgical marriage is the essence of a Christian wedding ceremony, and it is described in the scripture of wedding processions. Even though on a superficial level the texts for the liturgical marriage seems to be highly adherent and influences the couple's view about their wedded life to come. The texts serves as the reference and guideline on how the couple positions their partner and themselves in their married life. The texts are internalized in the thoughts and actions of the two persons as well as of the family, surroundings and general public. Women are stereotyped and discriminated in many ways.

There are several biblical texts that are most often referred to as the basis of a Christian marriage. Amongst them are the books of Genesis 2:18, Matthew 19:9 and Matthew 5:22-25 which were clearly written for the interest of men by men in the tradition of a patriarchal society. In Genesis 2:18, women are called helpers, which in Hebrew is '*azar*' (to help). In the Old Testament, the word appears 118 times, with 55 of which referring to the help provided by God, and by men for 68 times (comprising of kings, commanders or someone strong). The helper is depicted as someone who is strong (Frommel, 2011: 44). This depiction should have given the same impression that women are strong, active beings who are given the utmost priority, and

who play the role of decision-makers. However, there has been a shift in meaning. Generally, in the context of marriage as a form of worship, people will interpret the word 'helper' as a companion, assistant and servant within the hierarchical and subordinate relation of women to men, as well as of a wife to a husband. It is set that men are family leaders the wives should respect and submit to. Oftentimes, descriptions of the texts are not complemented by word definitions in the original Hebrew. The explanation on how the teaching should be disseminated within the framework of equality is also not provided.

Another text is the book of Matthew 19:9 that says, "I tell you that anyone who divorces his wife, except for sexual immorality, and marries another woman commits adultery." This text is also written by men for men in a patriarchal society in the Jewish culture and Greco-Roman law, where both were equally strong in their patriarchal practices. The text reveals the mind of Jewish men that positions divorce as an action that only the husband reserves the power and rightful privilege of (Schäfer & Ross, 2013: 145). Conversely, the text does not mention that the wife also has the right to opt for divorce. Modern commonly accepted practices are cases of men divorcing their wives after the husbands commit adultery, which is contradictive to the previously mentioned texts. Many divorce cases filed by women are caused by domestic violence in the home, and not because the wives commit adultery. The text has not been read, interpreted, and applied using historical and contextual approach to critical feminism. Thus, it is as if only men hold the right to divorce his wife due to her wrongdoing. However, one questions whether the wrongdoing occurs on the man's part, for example when the husband unrepentantly commits violence, the wife should be allowed to divorce him when a solution cannot be achieved. This is for the well-being of women in the whole world, because one should not blindly accept violence as fate. However, struggle for divorce is often thwarted by the interpretation of another text that says, "Therefore what God has joined together, let no one separate," (Matthew 19:6). Even though repeated acts of violence have made it no longer possible for the marriage to last, the

basis of this text and the couple's internalization of their position, forces the couple to defend the marriage's administrative status, whilst in reality the couple have long been separated.

Another example is from the Book of Ephesians 5:22-25 that says, "Wives, submit yourselves to your own husbands as you do to the Lord [...] Husbands, love your wives, just as Christ loved the church." There is a difference in the commandment given to the husband and wife. The command for the wife suggests that she submits to the power exercised over her while the command for the husband indicates that the power exercised over her is based on love. The historical context surrounding this text was the early movement of the Christian mission, and the text contained appeal and advice for Christians to not exhibit divergent behaviour towards the Greco-Roman patriarchal culture of the time. Relations in the household were traditionally governed in accordance with the culture that prevailed during that period. The marital relationship itself occurred within patriarchal boundaries, and the church attempted to theologically modify patriarchal social rules. Thus, structures of socio-cultural domination were strengthened and applied into Christian theology. The strategy that the early Christians used to defend themselves from Greco-Roman patriarchy has unintentionally turned into a patriarchal social ethos prevalent in the church, and its practice prevails. This ethos replaced the original early Christian vision of equality, which was the attraction factor for women and slaves to enter Christianity in the first place, and that vision was turned into a method to strengthen the hierarchy of relationships. (Fiorenza, 1995: 344-350).

Until today, the reading of the liturgical marriage is mostly literal, detached from its historical contexts and does not adopt critical feminism approach. This manner of reading and interpreting can thus strengthen the patriarchal domination-subordination relationship placed on women in the family, church, and community. Meanwhile, church documents have spoken about equality, equal rights and gender equality between men and women. Moreover, the relationship between a father and mother

is actually defined as a partnership, which was then made as the basis of *konfessi* or the Christian profession of faith. However, the basic documents of faith used in certain churches are still counterproductive in their ways of reading, interpreting, and applying the texts of liturgical marriage.

As a result of such readings, various forms of discrimination take place; from stereotyping, submission, domestication, double standards, to the many forms of violence against women. In every situation, women are demanded to submit to their husbands, but the opposite is not true where the husbands are not expected to submit to their wives. Submission applies only for the wives. The wives are made to internalize biblical texts without them having any critical-historical understanding of it. This is done by defining their submission to their husbands as a form of obedience to God, even if the husbands were to commit violence against them. A husband positions himself as the ruler, and so does his family and society by placing him in such position. Meanwhile, a wife positions herself, as well as is positioned by the family and society, to be a companion of the husband; a helper that is interpreted as the husband's servant. The wife internalises the idea that she is her husband's servant suited for submission and should be proud of her ability to endure the heavy burden of household matters. There is an assumption that the submission to her husband is tantamount to submission to God, and she is thus performing the will of God. Her ability in serving her husband is considered a form of serving God. All these conceptions were initiated by the texts of liturgical marriage.

Women in Toba Batak Customary Wedding

Sinamot is a familiar term in the practice of Toba Batak customary wedding. Despite its likeliness, it is different from dowry or *belis*. Dowry is not used for the cost of customary wedding. Meanwhile, *sinamot* is the wedding cost or payment of marriage which signifies that the obtaining of a wife will incur an expense, with the groom's family bearing the costs (Vergowen, 2004: 218). *Sinamot* is given by the groom's family to the bride's family.

Initially, *sinamot* is seen both as a way to honour the bride as well as her family that has brought and raised her. This is done because she will then experience *dipahuta* or being dispatched to the groom's village and become part of the groom's family. Although her relationship and communication to her own family will not be broken, the bride is no longer a member of her parents' clan of relatives and family. *Sinamot* becomes a sign of respect for the family and relatives of the bride for they have given their daughter to the groom's family and relatives. But then, *sinamot* is also called *tuhor ni boru*, which means "money to buy women", and it is then made into a tool to exercise power over women and subjugate them.

The word *sinamot* and *tuhor ni boru* are often used together. *Sinamot* is understood as property in the form of livestock or money that is handed by the groom's family while *tuhor ni boru* is the *sinamot* received by the bride's family. *Tuhor ni boru* is a compensation that the bride's relatives receive from the groom's relatives and is handed during the customary wedding ceremony (Vergowen, 2004: 218). When a Batak person is asked about the meaning of *sinamot*, generally he or she will answer that it is *tuhor ni boru*, that is to say, 'money to buy women.' There are also those who reject this notion, and others who bluntly state that *sinamot* is the same as *tuhor ni boru*. Batak people often use the word *sinamot* to euphemize *tuhor ni boru*. Hence, they actually consider that *sinamot* and *tuhor ni boru* refer to the same idea (Simanjuntak, 2002: 117). There are also people who use the term *boli* which is derived from the word *pangolihon* (to wed a son). *Boli* is an offering to the bride as payment for the marriage (Sihombing, 1986: 37-38). Considering the aforementioned terms, all of them are derived from men's patriarchal language and perspective. The word *tuhor* has been used from the time currency was recognized as a tool of exchange in the economic system of Batak community. After the Batak community started to widely use currency, payment of marriage comprised of livestock and a sum of money. Nowadays, *sinamot* is usually paid by cash.

The amount of *sinamot* handed over by the groom depends on the bride's level of

education and occupation. It also depends on the market exchange rate of rupiah and which side of the family organizes the customary wedding ceremony. If it is the bride's family that organizes the wedding, the amount of *sinamot* paid will be larger than if it is organized by the groom's family. During an event called *marhori hori dinding* (or whispers) held prior to the customary wedding, a bargaining of *sinamot* occurs between the groom and bride's relatives. Education and employment status of the bride are integral factors of the bargain, along with current exchange value of rupiah and the wedding costs.

Is it true that *sinamot* is the same as *tuhor ni boru* and that the cost of Toba Batak wedding is a form of payment to buy a bride? Regarding the person bearing the economic cost of the wedding, the fact is *sinamot* is different from *tuhor ni boru* or the money to buy women. Nowadays, there are practices where the bride actually bears a part or even most of the wedding costs, and some even bear the entire cost of the Toba Batak wedding. Some others are only in charge of the cost of wedding attire, venue, and decorative ornaments, which seem to only make up a small part of the wedding. However, the accumulated costs of these items are still expensive. In some cases, the bride even covers her own *sinamot*, which is then submitted by the groom's parents to her parents as if the *sinamot* came from the groom's side. Such practice is concealed from the public by the couple in order to preserve the dignity of the groom and his family as the side supposed to finance the customary wedding. The question then remains on the dignity of the bride. When a bride finances her own *tuhor*, it is clear that she should be freed from the condition of being bought or *dituhor*. She is not supposed to be under a certain power due to materialistic reasons. She has her own economic power. Moreover, the *sinamot* that is considered as marriage payment is used to finance the wedding. In an urban setting, *sinamot* will be used to cover for the venue, catering, *ulos* or traditional garments, carp dish as a symbolic offering, money in envelopes that will be distributed for the relatives, wedding attire, snacks, wedding souvenirs, and other costs. In

essence, the spending of *sinamot* throughout the wedding procession is done for everyone from both sides of the family. When the source from which *sinamot* comes from and how the fund is spent are taken into account, it is then apparent that *sinamot* is not *tuhor ni boru*. It is not a transaction paid to the bride's parents.

Unfortunately, *sinamot* often gets treated as *tuhor ni boru*, which is interpreted as the buying and selling of women. This is apparent in how the family and community view and treat women who were married in Toba Batak customary wedding and have completed the handover procession of *sinamot*, or what they often call *tuhor ni boru*. Women are no longer entitled to position themselves as a part of their own parents' family. She becomes the "property" of her husband's family and relatives. It is as if she has been "purchased" to be a proprietor and successor of the husband's family lineage. *Sinamot* no longer serves as a token of respect for the bride's family and relatives. It becomes a tool to exercise power over women, her offspring and the family name of her offspring. In reality, women are exchanged with *sinamot*; her parents and relatives hand her over to the husband's side of the family, and the male side hands *sinamot* in return to her parents.

The effects of *sinamot* and *tuhor ni boru* are inferiorization, labelling, definition of women, and the transfer of authority over her from the father to her husband and her husband's father. In this way, her life is controlled. Her production in the form of her work output, whether of money-making or not, is also controlled. Both her body and offspring as components of her reproduction are similarly controlled. In the community, a woman has a predefined role as a companion and line-backer of her husband as well as successor of the husband's lineage. There are husbands who demand submission of his wife on the grounds that she had been *dituhor* (purchased) with *sinamot*.

There is social, financial and political harm that *sinamot* poses to the bride and her parents. In regards to their social standing, parents are stereotyped as the "seller" of their daughter. They no longer have the right over her, and the bride is stereotyped as an "object of trade."

Hence, social control of women is in the hands of men. In terms of finances, women tend to bear the costs if the man refuses to organize the wedding party. From a patriarchal perspective, this burden is taken up to preserve the dignity of both the bride and groom, but it is actually more for the sake of the groom's dignity. This practice is carried out without any recognition and appreciation from the groom's family and the ethnic community of the effort put out by the bride's family. Meanwhile, there is a tendency caused by political pressures for the bride's family to succumb, 'willingly sacrifice,' 'willingly suffer losses,' and 'lose power' over the bride's self and role. Although, I opine that beneath her 'willingness' to sacrifice, there remains an effort on the part of the bride to maintain her dignity as a woman who honours customary procedures by adhering to them, but nonetheless within the logic of patriarchy, the marriage payment is seen as something that the male gives to the female.

Batak women has internalized the belief that if the groom does not pay her *sinamot* or *tuhor ni boru*, the act will strip her of all dignity. The value that she places on her own dignity depends on the amount of *sinamot* received. From a patriarchal perspective, the greater the amount, the higher the feminine dignity she considers herself of having. Irrespective of the other definition of *sinamot* as *tuhor ni boru*, *sinamot* has been used as a tool to exercise power over women in regards to her reproduction, production as well as her role in the community. *Sinamot* serves as a means of exchange and transfer of power over women from men to men, from the father to the husband and his relatives. Through *sinamot*, women are used as means to perpetuate male power or patriarchy.

Exercise of power over women through marriage continues in the practice of male domination over women, husband over wife, male relatives over females, domestication, discrimination, and demands on women stemming from their position as traded objects. This has given rise to various forms of violence against women. They are seen as property that should submit to the husbands as well as to the relatives of the husband. Women's reproduction is controlled through the demands of bearing

children, especially to have a son. The output of women's occupational productivity both outside and inside the home is gathered and considered as a production carried out for the larger circle of the husbands' family, whether the work is money-making or not. Women's role in the community is used to maintain the husband and his relatives' dignity.

Religion and Customs Mutually Reinforce the Internalization of Patriarchy

Batak women remain controlled by the two forces of religion and customs. The two pose differing points of interests, but alternately work hand in hand to subdue women and constrain them as passive beings. It is as if women are tossed around between religious and customary forms of patriarchy. Both reinforce the internalization of patriarchy, exercise of power and subjugation of women. Women and men, young and old, educated or not, clergy and laity, traditional leaders and members of the general public, will eventually view religion and customs as reasonable and true. Within the mind of a Christian Batak, there reside fear and guilt if one does not practice the two bases. However, it is also undeniable that there are people who for certain reasons dare to take a stand to not abide to the legal and community constraint of one or even both forces. In the context of the Batak people and their religion and customs, it is difficult to create an opportunity to change women's fate. The quest in finding texts that can do this is as difficult as finding a needle in the haystack of patriarchy. Not to mention that religious and traditional figures are the ones to determine whether such opportunity can arise or not, and all of them are led by men.

Religion and customs are very important in the life of Batak people. They do not want to be called irreligious or godless. In fact, they will take offence when they are called uncultured. The two institutions provide space for community living as well as protection for its members. Community becomes a place for sharing, helping and mutually building a spiritual living. The ethnic community is a place for members to be heard with their complaints and have their rights protected. Solidarity is built and nurtured

through religion and customs. Unfortunately, patriarchal texts of religious traditions and customary practices wield enormous influence in the Christian Batak community living. The kind of solidarity they live by is one where the two genders support the male gender, but the same does not apply for the female gender. There has not been a good will to establish solidarity for women's equality and justice.

Capitalist economic interest surrounds religion and customs, and it also reinforces the power that the two have over women. Products of capitalist economy have been a contributing factor to the extravagance of Toba Batak sacrament and customary wedding parties in the form of money, other products as well as the global lifestyle. In a similar sense, world market prices also play a role in the appraisal of women's value through the amount of *sinamot* or *tuhor ni boru* paid.

Even the worth of relationships and kinship is valued by money and payments. Women and the roles they play are being commoditized. At the onset of marriage planning, discussions will be made around the question deemed important about the amount of *sinamot* or *tuhor ni boru* to be paid. When a woman is finally married, she will be regarded as someone who is 'sold' even though she took part in the wedding organization. There are even many who actually take up the role as the main sponsor and assume a range of responsibilities from the wedding party financing to economic activities taking place in the family. But from a societal perspective, women are still stereotyped as the ones who experience '*dituhor*' or 'being purchased' for the sole reason of being a woman.

Women even have to multiply the effort they put out in order to retain their dignity, which men prescribe the standards for. This is done by acquiring education and jobs as well as taking part in the customary wedding and bearing the wedding costs. However, the dignity they have will eventually be claimed as the success of the husband and his relatives. The power exercised over women in her married life starts from the start of her marriage, and then further continues its practice in the family, religion, society and ethnic community. The fate of women is in the

power of patriarchal religion and customs, masculine power and economic power of capitalism.

Conclusion

In fact, current religious texts that are most commonly used as the basis of Christian and Toba Batak customary marriage practices severely constrain women. They both mutually reinforce and strengthen the internalization of patriarchy in the community. The texts of liturgical marriage have not been read, interpreted, and contextualized within historical-critical feminism. The practice of customary Toba Batak wedding has not honestly asserted the position that women take up in the wedding party organization as an equally active collaborators. It should not be that *sinamot* or any property for that matter becomes an object that defines equality.

As an asset used to finance the Toba Batak customary wedding party, *sinamot* is actually enjoyed together by both sides of the bride and groom's family and relatives. Then, why do many people interpret it as *tuhor ni boru*? Is it due to men's practice from early history to exercise power over women by being the party who pays the costs? Hence, if the bride was the one who finances a part or the whole cost of Toba Batak customary wedding party, does the term *tuhor ni bawa* or "money to buy men" apply? If *sinamot* is not paid by the groom's family, there will appear a lingering fear that they lose the right over the bride to turn her into a successor of the groom's lineage.

In the context of the Toba Batak wedding, *sinamot* is actually used for the interest of everyone attending the wedding. The groom hands over *sinamot* to the bride for wedding party purposes and it ought not to be used personally by the bride's parents. *Sinamot* is supposed to be treated as a shared asset used for the common good of the people to hold a celebration and express joy as well as gratitude, regardless of which side of the family paid the sum. *Sinamot* or material possession should not be a tool to exchange the power over the person receiving the money. It should be that *sinamot* is seen as a shared funding for the Toba Batak customary wedding.

Sinamot is used as a tool to exercise power over women's reproductive, productive and communal roles. But on the contrary, the roles that have been carried out by women is a proof that women cannot be deemed as *dituhor* or purchased, nor can they be seen as passive objects. In the series of roles that they play, women are subjects that actively determine how the marriage and household run in the family and society.

Moreover, women have human rights and their own independence. There is no valid reason to put a person under the control of others. Christianity believed that slavery or servitude to or by anyone should no longer prevail. Jesus Christ was against all forms of slavery or servitude and brought about liberation and independence. Everyone should live in equality in terms of their race (whether Jewish or Greek), their status of being a slave or free person as well as their sex (male or female), (cp. Book of Galatians 3:28). The two traditions may add more value in the construction of justice and gender equality when read and interpreted in a constructive manner. The liturgical marriage texts should be read using the historical and contextual approach to critical feminism. Similarly, customary Toba Batak wedding should mention *sinamot* as shared wedding costs. *Sinamot* should not be viewed as *tuhor ni boru*, and also should not be used as a tool to exercise power over women.

By positioning women and men as equal, women and the general public could break away from religious and customary patriarchy by changing the way religious texts and the principles that underlie customs are interpreted. Moreover, a woman can catapult her independence of the two forces by leaving religion and customs and live not within the two principles. However, in actuality, the two remain integral to human lives as mentioned before. Religion and customs provide the space to build community living as well as to foster solidarity and spirituality. This state is attained by continuous learning and effort to combat any forms of discrimination within the system as well as enforcing gender equality by defending humanity and the life of all beings.

Is there still hope for religion and customs to become a shared space of equality for people to seek and build community life, solidarity, and spirituality? Alternatively, should we leave religion and customs to uphold the justice and equality for women? In my opinion, any social community is virtuous when the spirit of fairness and gender equality exists within it. In relation to this topic, the pressing fundamental move that needs to be done is to approach the reading of biblical scripture texts and traditions

with honesty, openness and humility for the sake of gender justice and equality, and to have a contextual as well as historical critical feminist reading carried out by religious leaders and the community. In an ethnic community, religion highly influences the believers' effort to create a gender-fair community living. To that end, it is required that the state plays a role in encouraging the institution of religion to achieve gender fairness, for the effort could only be attained by such an institution.

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Profiles, Statuses and Performance of Female Local Leaders: Impact Study of Direct Local Elections

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Abstract

This paper shows that the role and position of Indonesian women in local governance improved gradually since the implementation of direct local elections in 2005. The direct local elections increased “structural opportunities” for women to be elected as local leaders. The number of women elected as local leaders rose significantly during 2005-2014 period. Female local leaders’ profiles are diverse in terms of their socio-political background, individual capital and political parties, which reflects the new typology of female local leaders. The presence of female local leaders do not necessarily mean that they always advocate women issues in their policies, as this ideal condition depends on many other influential factors. This paper initially indicates a possible declining trend of women participation in local governance as the Law No. 22/2014 adopts the election of a local government head via the Regional People’s Representative Council replacing the earlier mechanism of direct election. However, it suggests that the Government Regulation No. 1/2014 enacted at the end of Yudhoyono’s presidency, which annulling the Law No.22/2014, offers new optimism for women participation in local governance, since it returns direct election of a local government head.

Keywords: Women, governance, direct local elections, profile, position, performance.

Introduction

This paper is going to explore the topic of women’s roles in Indonesian local governance since the new era of regional autonomy since 1999 to the present day in 2014. Following the downfall of Suharto in 1998, democratization soon began in Indonesia and the local governance entered a whole new chapter. The laws and regulations regarding local governance, including the mechanism for electing local leaders, have been reformed from the practices of representative democracy (local leaders are elected in and by the Regional People’s Representative Council or *Dewan Perwakilan Rakyat Daerah* (DPRD)), to direct democracy, where people are directly involved in the elections choosing their local leaders. From this experience, there is one

interesting issue that deserves a closer look, but generally goes unnoticed: to what extent this reformed local governance, especially the mechanism for electing local leaders, has influenced the emergence of women as local political leaders? This is an important study considering that past studies of local governance generally dwell on the impacts of various changes in the laws and regulations regarding local governments on central-local government relations, structural-institutional consequences, community participation, including changes in the local governments’ performance. Although these topics are equally important, it is necessary to critically assess the impacts from a gender perspective. In general, women are often placed in marginal positions, have little involvement,

and even worse, their voice tends to be ignored in public decision making processes. Political decision and public policy making are in general male-dominated processes, and local governments are no exception to this.

This kind of criticism has encouraged a new paradigm in governance, demanding that women's interests, voice, aspirations, access and control should be accommodated in political decision and policy making processes. It has given rise to a "gender and governance" perspective which requires women's participation (equal to men) to ensure that women's rights to express their voice are accommodated; eventually molding governance to be more responsive to different needs and situations of women and men and contributing to gender equality.¹ Similar to past notions, the "gender-sensitive governance" perspective strives for gender equality and focuses on the fulfillment of women's rights in governance practices; stating that policies and laws and regulations should take into consideration the different needs, interests, priorities, responsibilities, and unequal socioeconomic conditions of women and men.²

Fully recognizing the major criticism of how important a gender perspective in local governance is, as described above, this paper aims to provide an analysis of how relevant and urgent the issue of women in Indonesian local governance is. This paper focuses on: *first*, analyzing the impacts of changes in local governance, especially the mechanism for electing local leaders, on the emergence of women as local leaders (district heads/mayors/governors) since the new era of regional autonomy in 1999 to the present day in 2014; *second*, analyzing the profiles and backgrounds of female local leaders; *third*, assessing their performance or policies during their term of office. The third point is related to the normative expectations attached to a woman as a political leader. This has previously been explored, for instance, by Joni Lovenduski's who

evaluated the roles of female British Members of Parliament in terms of the extent of their influence in generating more policies that adopt a female perspective,³ and Haleh Afshar who envisions the ideal portrait of female politicians in Syria and Iran as political actors/agents who fight for women's rights.⁴ Women have unique life experiences thanks to their biological roles of getting pregnant, giving birth, breastfeeding, and being naturally comfortable with children. As such, it is safe to assume that only women can best recognize and understand their needs and interests in fulfilling women's rights. As a result, female leaders are expected to have higher sensitivity to women and children issues, as well as to advocate pro women and children policies. Therefore, one part of this paper is going to assess how well the locally elected female political leaders take on this normative mandate.

This paper is divided into four parts. Following this introduction, the next part will describe the changes in Indonesia's decentralization policy throughout 1999-2014, analyzing its impacts on the emergence of female political leaders in local governments, while part three will analyze their policies when serving as political leaders in local governments, especially with regard to women and children issues. Part four is the concluding part, containing findings, conclusions, and projections about the future trend of female leadership in local governments and important agendas that need to be fought for.

Impacts of Direct Local Elections on the Women's Political Map

Throughout 1999-2014, there have been three changes in the laws and regulations regarding local governance under the umbrella policy of decentralization. In a chronological order, these are the Law No.22/1999 regarding Local Governments, replaced by Law No.32/2004 regarding Local Governments, and lastly by the Law No. 22/2014 regarding Governor, District

1 "Gender and Governance," *Gender and Development IN BRIEF Bridge Bulletin*, Issue 21, March 2009, without page.

2 Alyson Brody, "Gender and Governance: Overview Report," *BRIDGE Development – Gender*, April 2009, 2; http://www.bridge.ids.ac.uk/reports/Governance_OR_final.pdf (accessed on 18 Sept 2014)

3 Joni Lovenduski, "Gender Politics: A Breakthrough for Women," *Parliamentary Affairs* 50, no. 4 (1997): 708-09.

4 Haleh Afshar, "Introduction: Women and Empowerment-Some Illustrative Studies," in *Women and Empowerment: Illustrations from the Third World*, ed. Haleh Afshar (Macmillan Press: Great Britain, 1998).

Head and Mayor Elections. These laws and regulations will be discussed in detail below.

Firstly, a centralistic approach adopted in local governance in the era of the New Order (1966-1998) under the Law No. 5/1974 regarding Local Government Principles was replaced by Law No. 22/1999 regarding Local Governments. If Law No. 5/1974 states that district heads/mayors/governors must be nominated by the DPRD for the president's approval and validation, Law No. 22/1999 specifies that local leaders must be democratically elected by the DPRD, and the president should only validate and inaugurate them. The point is that these acts adopted representative democracy in local elections because the processes were carried out by and took place in the DPRD as the people's representative council.

So, what were their impacts on the emergence of female local leaders? Based on the author's research data, under Law No. 5/1974, which prevailed throughout the period of 1974-1998 when local leaders were nominated by the DPRD for the president's (Suharto) approval, there were only two women elected as senior level local leaders: Tutty Hayati Anwar as Majalengka District Head (1998-2003) and Molly Mulyahati Djubaedi as Sukabumi Mayor (1998-2003). This dismal number of women elected as local leaders in the New Order era could be the result of Suharto's policy of systematically de-politicizing the roles and positions of Indonesian women through a certain gender ideology. Suharto positioned himself as the 'father of development' who claimed that women should devote themselves as both mothers and wives in the development.⁵ Julia Suryakusuma called this ideology "*state ibuism*" which was built on a paternalistic ideology and positioned men as the core element of the state, while women were a secondary element who should limit themselves only to family affairs.⁶ Under the construction

of this gender ideology, the husbands were expected to have active political roles outside home (symbolized by the figure of Suharto), while the wives (symbolized by Tien Suharto) acted as their companions and supporters in creating 'stable' families as the basis for achieving political stability and developing a strong country.⁷

The New Order regime managed to marginalize women in practical political world by implementing the Family Welfare Movement or *Pembinaan Kesejahteraan Keluarga* (PKK) – a program focusing on promoting women's roles as mothers and wives since 1972, targeting women in villages,⁸ and controlling the loyalty of middle-class women in cities through the Dharma Women's Association or *Dharma Wanita*, which was established in 1999.⁹ Through the two programs, women were demanded to be loyal but kept apolitical as mothers or wives whose role was to support their husbands' career in fulfilling state duties. With this kind of political context which tends to marginalize women's roles in politics, it was extremely difficult for women to emerge as local political leaders. Not to mention that under Law No. 5/1974, President Suharto – whose gender ideology marginalized women's political roles – had the authority to appoint local leaders, while the DPRD could only nominate names to the president.

Meanwhile, after Law No. 22/1999 became effective, local elections became more democratic under the DPRD with less intervention from the president. As a result, more women were elected as local leaders. Four district heads were

5 Barbara Hatley, "Nation, "Tradition," and Constructions of the Feminine in Modern Indonesian Literature," in *Imagining Indonesia: Cultural Politics & Political Culture*, ed. Jim Schiller and Barbara Martin-Schiller, 98 (Ohio University, USA: the Centre for International Studies, 1997).

6 Julia I Suryakusuma, "The State and Sexuality in New Order Indonesia," in *Fantazizing the Feminine in Indonesia*, ed. Laurie J. Sears, 96 (Durham and London: Duke University Press, 1996).

7 Suharto and his wife, Tien, were both of a Javanese background, and according to some scientists, this influenced his New Order gender ideology, as discussed earlier. For further reading about the influence of Javanese culture on the New Order gender ideology, see "Women, Family and Household: Tensions in Culture and Practice," in *Women and Households in Indonesia: Cultural Notions and Social Practices*, ed. Juliette Koning, Marleen Noltén, Janet Rodenburg, Ratna Saptari, 19 (Great Britain: Curzon Press, 2000); Sylvia Tiwon, "Reconstructing Boundaries and Beyond," in *Women and Households in Indonesia: Cultural, Notions and Social Practices*, ed. Juliette Koning, Marleen Noltén, Janet Rodenburg, Ratna Saptari, 71-4 (Great Britain: Curzon Press, 2000).

8 Norma Sullivan, "Gender and Politics in Indonesia," in *Why Gender Matters in Southeast Asian Politics*, ed. Maila Stivens, 64 (Australia: Centre of Southeast Asian Studies Monash University Aristoc Press, 1991).

9 KOWANI (Kongres Wanita Indonesia), *Sejarah Setengah Abad Pergerakan Wanita Indonesia* (Jakarta: Balai Pustaka, 1978), 279.

appointed under Law No. 22/1999: Rustriningsih as Kebumen District Head (2000-2005), Haeny Relawati Rini Widyastuti as Tuban District Head (2001-2006), Rina Iriani as Karanganyar District Head (2003-2008), and Tutty Hayati Anwar as Majalengka District Head (2003-2008). More women being elected as local leaders through an election mechanism run by the DPRD with less intervention from the president showed that if the authority to appoint local leaders was not entirely dominated by a figure or an institution, the chances of female politicians running for the positions and being elected are higher.

Secondly, the number of new female local leaders increased significantly after the promulgation of Law UU No. 32/2004, which introduced direct local elections as the mechanism for selecting local leaders (in Indonesian, it is referred to as *Pemilihan Kepala Daerah langsung* or *Pilkada langsung*). With this mechanism, people exercised voting rights to directly elect their local leaders. Direct local elections were in effect starting from 2005. Based on the data the author acquired from the Ministry of Home Affairs, throughout 2005-2008, there were at least 466 local direct elections: 355 elections took place outside Java, and 111 inside Java (Central Java, East Java, Madura, West Java, Banten, Jakarta, and Yogyakarta).¹⁰ For this period and from these elections, 11 pairs or 9.91 percent of the local leaders elected in Java included women in their pairing (women as district heads/mayors/governors or deputy district heads/mayors/governors); meanwhile outside Java, there were 15 pairs or 4.22 percent.¹¹

In other words, the mechanism of direct local elections in districts/cities/provinces has tangibly afforded greater opportunities for women to run for and then be elected as local political leaders. Thus, it is not an overstatement if the author – borrowing the words of Pippa Norris, “*the structure of opportunities*”, when she talked about one of the core components of recruiting legislative

members¹² – is of the opinion that ‘the structure of opportunities’ for Indonesian women to be recruited and to actively participate in local politics significantly improved with the direct local election mechanism under the Law No. 32/2004. Through this mechanism, women had more room for political maneuvers, considering the elites/parties at the DPRD tended to be oligarchic,¹³ and dominated by men when it came to making strategic decisions for the DPRD and their internal political parties. One would say that direct local elections were ‘friendly’ to women, compared to elections by the DPRD.

In addition to women ‘friendly’ local elections, under Law No. 32/2004, the transformed policies of Reformation Era which strived for – borrowing the words of Maxine Molyneux – “*strategic gender interest*” (i.e. a series of efforts made to overcome women’s social backwardness by creating a more gender-equitable order and structure for men and women¹⁴) served as an important context for facilitating Indonesian women’s active participation in post-1998 politics. For example, the orientation of PKK shifted from Family Welfare Movement with a ‘wife as husband’s companion’ doctrine to Family Welfare Empowerment with a ‘man’s equal partner’ doctrine, under the administration of President Abdurrahman Wahid and State Minister of Women Empowerment Khofifah Indar Parawansa (1999-2001). The new doctrine implicitly encouraged women to be active

¹⁰ This classification is made based on raw data from the State Ministry of the Republic of Indonesia “*Daftar Kepala Daerah dan Wakil Kepala Daerah Yang Telah Diterbitkan Keputusannya Presiden Republik Indonesia Hasil Pemilihan Kepala Daerah Secara Langsung Tahun 2005, 2006, 2007, dan Tahun 2008*”.

¹¹ Ibid.

¹² Pippa Norris, “Introduction: Theories of Recruitment,” in *Passage to Power: Legislative Recruitment in Advanced Democracies*, ed. Pippa Norris, 11 (United Kingdom: Cambridge University Press, 1997).

¹³ According to a team of General Election researchers at LIPI, direct local elections are necessary to break the chain of oligarchy in parties which characterizes politics at the DPRD, where the interests of these parties or their elites manipulate public interests. For more information, read Tim Pemilu LIPI (Syamsuddin Haris, Sri Nuryanti, Lili Romli, Edison Muchlis, Tri Rainny Syafarani), *Analisa Proses dan Hasil Pemilihan Kepala Daerah Langsung 2005 di Indonesia*, ed. Sri Nuryanti (Jakarta: LIPI Press, 2006), 8. Also, read LIPI, *Partai dan Parlemen Lokal Era Transisi Demokrasi di Indonesia*, ed. Syamsuddin Haris (Jakarta: LIPI Press, 2007).

¹⁴ Maxine Molyneux, “Mobilization Without Emancipation? Women’s Interests, the State, and Revolution in Nicaragua,” *Feminist Studies* 11, no. 2 (Summer 1985):232-33; Caroline Moser, “Gender Planning in the Third World: Meeting Practical and Strategic Needs,” in *Gender and International Relations*, ed. Rebecca Grant and Kathleen Newland, 89-90 (Suffolk: Open University Press, 1991).

participants alongside men in many fields.¹⁵ This pro-woman support from the government for women's progress in politics became one essential factor in facilitating structural changes, creating women-friendly political atmosphere and discourse, including in local governments.

Thirdly, the direct local election mechanism implemented previously under the Law No. 32/2004 was reverted to local elections by the DPRD, as set out in Article 3, Paragraphs (1) and (2) of the Law No. 22/2014 regarding Governor, District Head, and Mayor Elections.

This option was taken as a result of a voting of DPR members at a plenary session on September 25, 2014. It was in so many ways, an anticlimax for a long and concerted effort to carry on with direct local elections, which had essentially placed the sovereignty at the hands of the people, as one of the pillars of democracy, since 1998. The drafting of this Law began in 2013 based on the government's initiative. The government's early version of this Draft Law was intended to reinforce the role and position of governors as the central government's representatives in local governments. As such, governors were to be elected by the DPRD.¹⁶ However, in April 2013 the government's stance drastically changed. In the April 2013 version, the government proposed local direct elections for provinces in order to confirm the positions of governors, while local elections for districts/cities were to be held by the DPRD to avoid

conflict and optimize public services¹⁷. In this scheme, the DPRD elected only local leaders for districts/cities/provinces, instead of the local leader-deputy pairs as in the past. In short, until June 2013, the government proposed direct governor elections and district head/mayor elections by the DPRD, as well as not in pairs for the Draft Act. A variety of options and the stance of each fraction in the DPRD regarding the government-proposed local election Draft Law are illustrated in Table 1, as follows:

Table 1. Map of DPR Fractions' Stance on Local Election Draft Law (Per 4 June 2013)

OPTIONS/ FRACTION'S STANCE	FRACTION
Direct governor elections District head/mayor elections by the DPRD	F-Partai Demokrat (not in pairs) F-Partai Persatuan Pembangunan (in pairs) Regional Representative Council or <i>Dewan Perwakilan Daerah</i> (DPD) (not in pairs)
Direct governor elections Direct district head/mayor elections	F- Partai Golkar F-PDIP F-Partai Keadilan Sejahtera F-Partai Amanat Nasional (not in pairs) F-GERINDRA F-HANURA
Governor elections by the DPRD Direct district head/mayor elections	F- Partai Kebangkitan Bangsa (in pairs)

Source: The table is drawn up by the author based on raw data from the "Table of Government and Fractions' Stance on Local Elections Draft Act" of June 4, 2013 from an anonymous source at the MoHA (Ministry of Home Affairs of the Republic of Indonesia). Source validity can be accounted for.

Based on the table, at the beginning, there were 6 DPR fractions – F-Partai Golkar, F-PDIP, F-PKS, F-PAN, F-GERINDRA, and F-HANURA – advocating direct local elections for governors/district heads/mayors. However, in later developments, these fractions had a significant change of stance on the Draft Act, especially nearing the September 25, 2014 plenary session. This was mainly a direct impact of the April 2014 legislative elections, which placed PDIP as the majority with 109 seats at DPR for 2014-2019, followed by Golkar 91 seats, GERINDRA 73 seats, Demokrat 61 seats, PAN 49 seats, PKB 47 seats,

¹⁵ Another example of this orientation shift can be seen from the change of orientation of Family Planning or *Keluarga Berencana* (KB). In the New Order era, women were the main target of this program in order to suppress the rate of population growth. Meanwhile, under President Abdurrahman Wahid's administration, the program also included men as its target. For more information about the shift of program's orientation to women in the New Order and Reformation Eras within the context of gender ideology, see Kurniawati Hastuti Dewi, "Demokratisasi dan Dekonstruksi Ideologi Gender Orde Baru," *Jurnal Penelitian Politik*, Vol.4, No. 1 (2007: 59-68)

¹⁶ "Pemerintah Siapkan 8 Instrumen untuk RUU Pemilu," Monday, 28 January 2013, <http://www.metrotvnews.com/metronews/read/2013/01/28/1/126637/-Pemerintah-Siapkan-8-Instrumen-untuk-RUU-Pemilu-Kada> (accessed on 26 February 2013).

¹⁷ "Rusuh Palopo, Mendagri Percepat Pembahasan RUU Pilkada," *Nasional*, 1 April 2013, <http://nasional.news.viva.co.id/news/read/401685-rusuh-palopo--mendagri-percepat-pembahasan-ruu-pilkada> (accessed on 3 April 2013)

PKS 40 seats, PPP 39 seats, NASDEM 35 seats, and HANURA 16 seats.¹⁸ This new configuration triggered coalitions among political parties for the July 2014 Presidential Elections, which put GERINDRA, Golkar, PKS, PAN, PPP, PBB, and Demokrat in the same basket under the Red-White Coalition or *Koalisi Merah Putih* with Prabowo-Hatta as their nomination for president and vice president. Meanwhile, PDIP, NasDEM, PKB, and HANURA stood behind Jokowi-Jusuf Kalla (JK) as their president-vice president candidate under the Great Indonesia Coalition or *Koalisi Indonesia Hebat*. Jokowi-JK won the July 2014 presidential elections and was designated as president and vice president elect under the Decision Letter of General Elections Commission or *Komisi Pemilihan Umum* (KPU) No. 536/Kpts/KPU/Tahun 2014 with 53.15 percent vote,¹⁹ while Prabowo-Hatta received 46.85 percent vote. PDIP's victory at DPR plus their presidential candidate's winning – with support from 3 other parties – forced the Red-White Coalition to think of a tactic to control and influence local governance.

In order to secure power in local governments, the most strategic measure available to this coalition was to propose local elections by the DPRD since they would have more room for political maneuvers at the DPRD to put their people in strategic positions in local governments. If per June 4, 2013, almost a year away from 2014 legislative and presidential elections, F-Partai Golkar, F-PDIP, F-PKS, F-PAN, F-GERINDRA, F-HANURA opted for direct governor/district head/mayor elections, as illustrated in Table 1, some of them changed their preference to local elections by the DPRD after joining the Red-White Coalition (GERINDRA, Golkar, PKS, PAN, PPP), nearing the September 25, 2014 plenary session. Meanwhile, the coalition behind Jokowi-JK, consisting of PDIP, PKB, HANURA, and

Demokrat (although at the end Demokrat walked-out of the session²⁰) opted for direct local elections. After a voting at the plenary session, 361 votes went for local elections by DPRD, and 226 votes for local direct local elections. As a result, DPR validated the mechanism of local elections by the DPRD, later adopted in the Law No. 22/2014 regarding Governor, District Head, and Mayor Elections.

Regardless of the political maneuvers made by both coalitions, based on the discussions among these politicians, the two options, whether local elections by the DPRD or direct local elections, were more of a politically calculated strategy to benefit their own group. Apparently, gender equity, which strived for equal access, participation, and control for both women and men in local political leadership, was not of a major concern. In other words, this mechanism validation signifies a huge step backward for Indonesian local governance, not only from the perspective of democracy but also, for the most part, from the perspective of women's opportunities for active participation in local political leadership. The previously wide-open "structure of opportunities" through direct local elections has now been sealed shut by the validation of the local elections by the DPRD.

Whereas, the author is of the opinion that direct local elections from 2005, not only saw more women being elected as local leaders, but also opened new horizons on the positive roles of religion (especially Islam since most of these women were Moslems), gender, and a network behind the emergence of female local political leaders post-Suharto.²¹ Furthermore, the author's research concludes that the emergence of female local leaders through direct local elections has built up expectations for greater possibility for Indonesian women to have a role and position in deciding the direction of democratization.²² Women's rights activists also supported direct local elections, so it is not surprising that a few days before the DPR plenary session, many

18 Achmad Zulfikar Fazli, "Ini Daftar Perolehan Kursi DPR RI Tiap Parpol," *Metro TV News*, 14 Mei 2014, <http://news.metrotvnews.com/read/2014/05/14/241830/ini-daftar-perolehan-kursi-dpr-ri-tiap-parpol> (accessed on 29 September 2014)

19 Decision Letter of KPU No. 536/Kpts/KPU/Tahun 2014 regarding the "Designation of President and Vice President Elects in 2014 President and Vice Presidential Elections," taken from http://www.kpu.go.id/koleksigambar/SK_KPU_536_2272014.pdf (accessed on 30 September 2014)

20 "Fraksi Demokrat Walk out," *Kompas*, 26 September 2014, page 1.

21 Kurniawati Hastuti Dewi, "The Emergence of Female Politicians in Local Politics in Post-Suharto Indonesia" (PhD Dissertation, Kyoto University, Japan, 2012), 295.

22 Ibid., 298.

women's groups under Indonesian Women's Coalition for Justice and Democracy held a demonstration against local elections by the DPRD at the Parliament Building in Senayan, Jakarta on Monday, September 22, 2014. According to the Indonesian Women's Coalition for Justice and Democracy, local elections by the DPRD prevent women from choosing local leaders they think represent women's interests, so they prefer direct local elections.²³

Therefore, validating the mechanism of local elections by the DPRD would have an adverse impact on women's participation and opportunities for local leadership. Fortunately, later development was rather positive. In response to the Law No. 22/2014, under which the mechanism reverted to local elections by the DPRD, President Susilo Bambang Yudhoyono issued a Government Regulation in Lieu of the Law No. 1/2014 regarding Governor, District Head, and Mayor Elections, stating that governors, district heads, and mayors are chosen through direct elections. With Government Regulation in Lieu of the Law No. 1/2014 entering into force, Law No. 22/2014 was declared invalid (following legal procedure, this

Government Regulation in Lieu of Law must be submitted to the DPR at their next session for either approval or rejection. However, until such time, this Government Regulation in Lieu of the Law applies). With this latest development, the author sees there is still hope for women's participation in local governance. The reason is this Government Regulation in Lieu of Law No. 1/2014 allows the "structure of opportunities", which was wide-open under Law No. 32/2004 for women in local leadership, to continue and hopefully improve in the future.

In relation to this latest development, the next part will discuss the profiles of female local leaders who were elected both by the DPRD under the Law No. 22/1999 and through direct local elections under the Law No. 32/2004 which saw a significant increase in the number of female local leaders.

Profile of Female Local Leaders

Explanation on the female local leaders will begin with the presentation and elaboration of data on the female local leaders elected through the local election system via the DPRD under the Law No. 22/1999, as presented in Table 2 below.

Table 2. Profiles of Elected Female Local Leaders via the DPRD during the Effective Period of the Law No. 22/1999

No	Name	Position	Supporting Party	Personal Data	Social Class/ Political Affiliation	Political History
1	Rustriningsih	Regent of Kebumen (2000-2005)	PDIP	<ul style="list-style-type: none"> - Educational background at first candidacy: Bachelor (S1) - Muslim - Daughter of a PDI prominent figure in Kebumen during the New Order - Started a newspaper agency during her youth, which later developed into a big business in Gombang, Kebumen 	<ul style="list-style-type: none"> - Middle class - nationalist 	<ul style="list-style-type: none"> - Vice-secretary of PDI Kebumen since 1993 - Elected as the Chair of regional branch council (DPC) PDI (Pro Megawati) Kebumen 1996 - Chair of General Election Committee in Kebumen 1999 - Elected as a member of People's Consultative Assembly (MPR) from PDIP at General Election 1999 - A candidate for Regent of Kebumen in regional elections 2000 (election via the DPRD), and elected as the Regent of Kebumen

²³ "Koalisi Perempuan Tolak Pilkada Lewat DPRD," *Detiknews*, Monday, 22 September 2014, <http://news.detik.com/readfoto/2014/09/22/193227/2697844/157/3/koalisi-perempuan-tolak-pilkada-lewat-dprd> (accessed on 3 October 2014)

2	Haeny Relawati Rini Widyastuti	Regent of Tuban (2001- 2006)	Golkar	<ul style="list-style-type: none"> - Educational background at candidacy: Master (S2) - Muslim - Active in organizations - Daughter of former influential bureaucrat in Tuban Regency - Wife of a prominent businessman in Tuban 	<ul style="list-style-type: none"> - Middle class - Bureaucrat family 	<ul style="list-style-type: none"> - Chair of <i>Himpunan Wanita Karya</i> Tuban - Vice-Chair of <i>DPD</i> II Golkar Tuban 1992 - Chair of <i>DPD</i> II Golkar Tuban 1999 - Chair of <i>DPRD</i> Tuban (1999-2000) - Elected as Regent of Tuban in regional elections 2001
3	Rina Iriani Sri Ratnaningsih	Regent of Karanganyar (2003-2008)	PDIP	<ul style="list-style-type: none"> - Education: Master (S2) - Muslim - An elementary school teacher in Karanganyar 1982 - Wife of a businessman - Gradually became a businesswoman in property business 	<ul style="list-style-type: none"> - Middle class 	<ul style="list-style-type: none"> - A candidate and elected as the Regent of Karanganyar for 2003-2008 period - Elected as the Regent of Karanganyar in regional elections 2003
4	Tutty Hayati Anwar	Regent of Majalengka (2003-2008)	Golkar	<ul style="list-style-type: none"> - Education: Master (S2) - Muslim - A younger sibling of Yogi S. Memet, former Governor of West Java (1985-1993), and former Indonesian Minister of Home Affairs (1993-1998) 	<ul style="list-style-type: none"> - Upper-middle class - Bureaucrat 	<ul style="list-style-type: none"> - Elected as Regent of Majalengka for the period of 1998-2003 when Law No. 5/1974 was still in effect - A candidate and elected as the Regent of Majalengka in 2003 when Law No. 22/1999 was still in effect (2003-2008)

Source: made by the author from various sources.

The Table 2 above shows that the number of women taking the post of local leaders through regional elections via the *DPRD* under the Law No. 22/1999 was relatively small, comprising only 4 people. However, they were politicians from the New Order era who already had prior experience in politics by being active in the political parties allowed to exist in the New Order era (Golkar, PDI, and PPP). This shows

that, although the regional election system via the *DPRD* in the early 2000's had undeniably positively impacted the emergence of female local leaders, it had not been able to fully facilitate the emergence of new women leaders with more varying backgrounds. A more positive change took place following the effectuation of the direct local election system since 2015 under the Law No. 32/2004, as presented in Table 3 below.

Table 3. Profiles of Elected Female Local Leaders through Direct Local Elections during the Effective Period of the Law No. 32/2004 (2005-2014)

No	Name	Position	Supporting Party	Personal Data	Social Class/ Political Affiliation	Political History
JAVA						
1	Rustriningsih	Regent of Kebumen (2005-2010)	PDIP	<ul style="list-style-type: none"> - Educational background at first candidacy: Bachelor (S1) - Muslim - Daughter of a PDI prominent figure in Kebumen during the New Order - Starting a newspaper agency during her youth, which later developed into a big business in Gombong 	<ul style="list-style-type: none"> - Middle class - Nationalist 	<ul style="list-style-type: none"> - Same as the previous Table. - Regent of Kebumen (2000-2005) - A candidate in direct local elections in Kebumen in 2005, elected as the first female regent in Kebumen, and in Indonesia, as the first woman to be elected through the direct local election system
2	Haeny Relawati Rini Widyastuti	Regent of Tuban (2006-2011)	Golkar	<ul style="list-style-type: none"> - Education: Master (S2) - Muslim - Daughter of former influential bureaucrat in Tuban Regency - Wife of a prominent businessman in Tuban 	<ul style="list-style-type: none"> - Middle class - Bureaucrat family 	<ul style="list-style-type: none"> - Chair of <i>Himpunan Wanita Karya</i> Tuban - Vice-Chair of <i>DPD II</i> Golkar Tuban 1992 - Chair of <i>DPD II</i> Golkar Tuban 1999 - Chair of <i>DPRD</i> Tuban (1999-2000) - Regent of Tuban (2001-2006) - Elected as Regent of Tuban in direct local elections 2006
3	Rina Iriani Sri Ratnaningsih	Regent of Karanganyar (2008-2013)	PDIP	<ul style="list-style-type: none"> - Education: Master (S2) - Muslim - An elementary school teacher in Karanganyar 1982 - Wife of a businessman - Gradually became a businesswomen in property business 	<ul style="list-style-type: none"> - Middle class 	<ul style="list-style-type: none"> - Regent of Karanganyar (2003-2008) - A candidate for Regent of Karanganyar in direct local elections 2008 and elected as Regent of Karanganyar (2008-2013)
4	Siti Qomariyah	Regent of Pekalongan (2006-2011)	PKB	<ul style="list-style-type: none"> - Education: Master (S2) - Muslim - A lecturer in Islamic University in Pekalongan - Daughter of an NU <i>kyai</i> (religious teacher) owning a small <i>pesantren</i> in Wonoyoso, Buaran, Pekalongan 	<ul style="list-style-type: none"> - Middle class - <i>Santri</i> (pesantren student) 	<ul style="list-style-type: none"> - Active within the NU muslims community in Pekalongan, and known as a modern and smart NU muslim woman - Scouted by PKB Pekalongan since regional elections 2001 - In regional elections 2001, she was nominated as Vice-Regent of Pekalongan by PKB Pekalongan with a regent candidate from PDIP - Siti was elected as Vice-Regent candidate of Pekalongan (2001-2005) through regional elections system via <i>DPRD</i> under Law No.22/1999 - Later on, Siti was nominated by PKB as a regent candidate in direct local elections 2006 and was elected as a regent

5	Ratna Ani Lestari	Regent of Banyuwangi (2005-2010)	Coalition of non-parliamentary parties (18 parties)	<ul style="list-style-type: none"> - Education: Master (S2) - Muslim - Family owns a business in Banyuwangi - Wife of a Regent of Jembrana, then a top-official within PDIP Jembrana 	<ul style="list-style-type: none"> - Middle class - Nationalist 	<ul style="list-style-type: none"> - A member of <i>DPRD</i> Jembrana from PDIP (2004-2009) - A candidate for Regent of Banyuwangi and was elected in direct local elections 2005 in Banyuwangi
6	Ratu Atut Chosiyah	Governor of Banten (2006-2011) (2011-2016)	Golkar, PDIP, PBB, PBR, PDS, PPI	<ul style="list-style-type: none"> - Education: Bachelor (S1) - Muslim - Daughter of Chasan Sohib, a prominent local figure in Banten who built a political dynasty in Banten - Wife of a businessman, who is also a prominent Golkar politician in Banten 	<ul style="list-style-type: none"> - Upper-middle class - Bureaucrat 	<ul style="list-style-type: none"> - A Golkar politician Banten - Elected as Vice-governor of Banten (2001-2006) - Standing in direct local elections 2006 in Banten and elected as the Governor of Banten for two terms.
7	Haryanti Sutrisno	Regent of Kediri (2010-2015)	PDIP, PPP, PKNU, Golkar, Hanura	<ul style="list-style-type: none"> - Education: Bachelor (S1) - Muslim - The first wife of Sutrisno, Regent of Kediri (2000-2005) (2005-2010) - Medical practitioner - Successful businesswoman 	<ul style="list-style-type: none"> - Upper-middle class - Nationalist 	<ul style="list-style-type: none"> - Her profession as a medical practitioner has helped her interact with the community making her well-liked - Active in women organizations - In direct local elections 2010, she competed against Hj. Nurlaila, the second wife of Sutrisno, and was elected as Regent of Kediri.
8	Sri Surya Widati	Regent of Bantul (2010-2015)	PDIP	<ul style="list-style-type: none"> - Education: High School - Muslim - Wife of Idham Samawi, Regent of Bantul (2000-2005) (2005-2010) 	<ul style="list-style-type: none"> - Middle class - Bureaucrat 	<ul style="list-style-type: none"> - Active in women organizations during her time as the wife of Regent of Bantul - After her husband, occupied the post for two terms, she stood in the direct local elections 2010, and was elected as Regent of Bantul
9	Widya Kandi Susanti	Regent of Kendal (2010-2015)	PDIP	<ul style="list-style-type: none"> - Education: Master (S2) - Muslim - Starting her career as a medical practitioner - Wife of Hendy Boedoro, the Chair of DPC PDIP Kendal - Wife of former Regent of Kendal (2000-2005) (2005-2010) 	<ul style="list-style-type: none"> - Upper-middle class - Politician 	<ul style="list-style-type: none"> - Vice-chair of PAC PDIP Kendal District (2001-2006) - Chair of DPC PDIP Kendal (2008-2010) - Chair of DPC PDIP Kendal Regency (2010-2015) - Member of <i>DPRD</i> Kendal Regency (2004-2009) - Vice-chair of <i>DPRD</i> Kendal Regency (2009-2014) - Elected as Regent of Kendal in direct local elections 2010
10	Anna Sophanah	Regent of Indramayu (2010-2015)	Golkar	<ul style="list-style-type: none"> - Education: High School - Muslim - Wife of Irianto M.S. Syafiuddin, Regent of Indramayu (2000-2005) (2005-2010) 	<ul style="list-style-type: none"> - Middle class 	<ul style="list-style-type: none"> - Active in <i>PKK</i> during her time as a wife of Regent of Indramayu, increasing his interaction with community members, particularly housewives - Member of <i>DPRD</i> Indramayu from Golkar (2009-2014) - Standing as a candidate direct local elections 2010 and elected as Regent of Indramayu

11	Airin Rachmy Diany	Mayor of South Tangerang (2011-2016)	Golkar	<ul style="list-style-type: none"> - Education: Master (S2) - Muslim - Married to Tubagus Chaeri Wardana, a businessman and younger sibling of Governor Ratu Atut Chosiyah of Banten, which makes her a part of Banten's political dynasty 	- Upper-middle class	<ul style="list-style-type: none"> - Starting her career as a notary in Tangerang - Active in various women groups and social activities in Tangerang - Standing as a candidate and elected as Mayor of South Tangerang in direct local elections 2011
12	Tri Rismaharini	Mayor of Surabaya (2010-2015)	PDIP	<ul style="list-style-type: none"> - Education: Master (S2) - Muslim - Successful bureaucrat in Surabaya who started her career as the Head of Spatial Planning and Land Use, Municipal Development Planning Board of Surabaya in 1997 - Wife of an employee in a private company - Daughter of a war veteran, tax official and businessman 	- Upper-middle class	<ul style="list-style-type: none"> - Branch Head of Park Agency of Surabaya (2002) - Head of Research and Development Division (2003-2005) - Head of Park and Waste Management, Agency of Surabaya (2010) - Her education background in Architecture and Master (S2) in Urban Development Management has boosted the application of innovative program in developing Surabaya - Elected as Mayor of Surabaya (2010-2015) in direct local elections 2010
13	Idza Priyanti	Regent of Brebes (2012-2017)	PDIP, PKS, Demokrat, Gerindra	<ul style="list-style-type: none"> - Education: Master (S2) - Muslim - Daughter of a successful businessman in transportation sector, whose business was inherited by Idza Priyanti - Younger sibling of Mayor of Tegal (2009-2013) - Wife of a middle-ranked police officer 	- Upper-middle class	<ul style="list-style-type: none"> - A successful businesswoman in transportation sector whose business has increased her social-financial capital to engage in political sector - Elected as Vice-Regent of Brebes for the remaining term of 2007 – 2012, via a plenary session of the <i>DPRD</i> Brebes, since the former Regent, Indra Kusuma, was suspected in an alleged corruption case. - Elected as Regent of Brebes in direct local elections 2012
14	Puput Tantriana Sari	Regent of Probolinggo (2013-2018)	PDIP, PKB, PKIB, PKNU, Gerindra, Hanura	<ul style="list-style-type: none"> - Education: Bachelor (S1) - Muslim - Wife of Hasan Aminuddin, Regent of Probolinggo (2002-2007) (2007-2012) 	- Middle class	<ul style="list-style-type: none"> - Chair of NU Advisory Board of Probolinggo - Elected as Regent of Probolinggo in direct local elections 2013
15	Rukmini	Mayor of Probolinggo (2014-2019)	PDIP, PKS, PAN, P. Pelopor	<ul style="list-style-type: none"> - Education: Bachelor (S1) - Muslim - Wife of HM Buchori Mayor of Probolinggo (2004-2009) (2009-2014) 	- Upper-middle class	<ul style="list-style-type: none"> - Active in di Fatayat NU Probolinggo - Member of <i>DPR RI</i> from PDIP (2009-2014) - Standing as a candidate and elected as Mayor of Probolinggo in direct local elections 2014

16	Utje Ch Hamid Suganda	Regent of Kuningan (2013-2018)	PDIP	<ul style="list-style-type: none"> - Education: Master (S2) - Muslim - Wife of Aang Hamid Suganda, Regent of Kuningan (2003-2008) (2008-2013) 	-Upper-middle class	<ul style="list-style-type: none"> - During her time as a Regent's wife, she was active in a number of social activities and in various programs aimed at improving children and community's welfare, which made her well-known among community members - Won numerous awards - Elected as Regent of Kuningan in direct local elections 2013
17	Hj Atty Suharti Tochija	Mayor of Cimahi (2012-2017)	Golkar, PPP	<ul style="list-style-type: none"> - Education: Bachelor (S1) - Muslim - Wife of Itoch Tochija, Mayor of Cimahi (2002-2007) (2007-2012) 	-Upper-middle class	<ul style="list-style-type: none"> - During her time as a Mayor's wife, she was active in promoting various social justice issues in health and children welfare sectors, which made her well-known among community members - Elected as Mayor of Cimahi in direct local elections 2012
18	Neneng Hasanah Yasin	Regent of Bekasi (2012-2017)	Golkar, Demokrat, PAN	<ul style="list-style-type: none"> - Education: Bachelor (S1) - Muslim - Daughter of a successful rice businessman, Hasanah Yasin, in Bekasi 	-Upper-middle class	<ul style="list-style-type: none"> - Her father's social influence paved her way to political stage - Golkar politician - Chair of <i>DPD</i> Golkar Bekasi Regency - Elected as Regent of Bekasi in direct local elections 2012

OUTSIDE JAVA

1	Vonny Anneke Panambunan	Regent of North Minahasa (2005-2010)	PP, PKPI, PPD	<ul style="list-style-type: none"> - Education: High School - Christian - Coming from ordinary family - Ex-wife of a man from a rich family, divorced and became a single parent - Becoming a rich businesswoman with a number of businesses in Jakarta, Kalimantan and foreign countries 	- Middle class	- Elected as Regent of North Minahasa in direct local elections 2005
2	Hj. Marlina Moha Siahaan	Regent of Bolaang Mongondow (2006-2011)	Golkar	<ul style="list-style-type: none"> - Education: Bachelor (S1) - Muslim - Daughter of a politician - Wife of H. Syamsudin Kudji Moha, a businessman, a Golkar politician, and chair of the <i>DPRD</i> from Golkar di South Bolaang Mongondow. 	- Middle class	<ul style="list-style-type: none"> - Golkar politician - The political career of her husband paved her way to compete for political posts in Bolaang Mongondow - Elected as Regent of Bolaang Mongondow in direct local elections 2006

3	Hj. Suryatati A. Manan	Mayor of Tanjung Pinang (2008-2013)	PDIP, Golkar	<ul style="list-style-type: none"> - Education: Bachelor (S1) - Muslim - Career bureaucrat with a degree from <i>Institut Ilmu Pemerintahan</i> Jakarta 	- Middle class	<ul style="list-style-type: none"> - District Head of West Tanjungpinang (1993-1995) - Head of Local Department of Revenue (<i>Dispenda</i>) Riau Islands (1995-1996) - Mayor of Tanjungpinang (1996-2001) - Acting Mayor of Tanjungpinang (2001-2003) - A candidate and elected as Mayor of Tanjung Pinang in direct local elections 2008
4	Telly Tjanggulung	Regent of Southeast Minahasa (2008-2013)	Golkar	<ul style="list-style-type: none"> - Education: High School - Christian - Member of <i>DPRD</i> North Sulawesi from Golkar - Wife of former Regent of Talaud for two terms, who was allegedly involved in a corruption case 	- Upper-middle class	<ul style="list-style-type: none"> - Elected as Regent of Southeast Minahasa in direct local elections 2008
5	Ni Putu Eka Wiryastuti	Regent of Tabanan (2010-2015)	PDIP	<ul style="list-style-type: none"> - Education: Bachelor (S1) - Hindu - Daughter of Nyoman Adi Wiryatama, a prominent figure in PDIP and former Regent of Tabanan (2000-2005) (2005-2010) 	- Upper-middle class	<ul style="list-style-type: none"> - PDIP Politician in Tabanan - As the daughter of a former Regent of Tabanan, Eka Wiryastuti has been familiar with political activities, and it is likely that her father has influenced her career development in a certain degree. - Elected as Regent of Tabanan in direct local elections 2010
6	Rita Widyasari	Regent of Kutai Kertanegara (2010-2015)	Golkar	<ul style="list-style-type: none"> - Education: Master (S2) - Muslim - Daughter of Syaokani HR, former Regent of Kutai Kertanegara (1999-2004) (2005-2006) 	<ul style="list-style-type: none"> - Upper-middle class - Bureaucrat 	<ul style="list-style-type: none"> - Chair of <i>DPD</i> Partai GOLKAR Kutai Kertanegara (Kukar) Regency - Chair of <i>DPRD</i> Kukar Regency (2009-2014) - Regent of Kutai Kartanegara (2010 - 2015) - Elected as Regent of Kutai Kertanegara in direct local elections 2010
7	Christiany Eugenia Paruntu	Regent of South Minahasa (2010-2015)	Golkar	<ul style="list-style-type: none"> - Education: Bachelor (S1) - Christian - Daughter of Jopie Tarutu, former Rector of Universitas Sam Ratulangi and a Golkar politician from Manado - Her mother is a Golkar prominent politician in Manado - Becoming a successful businesswoman in South Minahasa and Jakarta 	- Upper-middle class with a good educational background	<ul style="list-style-type: none"> - Golkar politician from Manado - Functionary of <i>DPP</i> Golkar, namely Vice-Treasurer I of Golkar South Sulawesi branch - Active in various social activities - A candidate and elected as Regent of South Minahasa in direct local elections 2010

8	Juliarti Djuhardi Alwi	Regent of Sambas (2011-2016)	Demokrat, PPP, PAN	<ul style="list-style-type: none"> - Education: Master (S2) - Muslim - Professional Medical Practitioner turning to a successful bureaucrat within the Health Agency of Sambas Regency 	- Middle class	<ul style="list-style-type: none"> - Head of Community Health Centre (<i>Puskesmas</i>) in Sambas on December 1989 - Acting-Director of <i>RSUD</i> Sambas in 2001 - Head of Sambas Health Agency - Her successful career led her to be elected as Vice-Regent of Sambas (2006-2011) in direct local elections 2006 - A candidate for and elected as Regent of Sambas in direct local elections 2011
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Source: made by the author from various sources

Table 3 above shows that there have been 18 women elected as local leaders in Java. Meanwhile, in other regions outside Java, 8 women have been elected as local leaders. Mostly, they were elected as Regents/Mayors. In total, there have been 26 female local leaders elected through direct local election system in the period of 2005-2014 under the Law No. 32/2004. This figure constitutes a significant rise compared to the number of female local leaders elected through the local election system via the *DPRD* in 2000-2005, which only amounted to 4 people. Therefore, judging from the quantity and gender equality perspective, it is apparent that direct local election system provides higher opportunity for women to participate in politics and to be elected as a local leader. This system, in turn, encourages gender equality in the political sector.

In addition, from their profile, it can be observed that most of the elected female leaders are Muslims, with a few Protestant female leaders outside Java, coming from diverse social background (Nationalists, bureaucrats, *santri*), with an average educational level of university undergraduate degree (S1). Thus, it can be said that the newer generation of female local leaders possess better potential and more diverse backgrounds than their counterparts elected through the election system via the *DPRD* during the effective period of the Law No. 22/1999. Based on their personal backgrounds, the author puts those 26 female local leaders into four categories: *first* is female career bureaucrats/politicians with influential familial ties; *second* is female local leaders who assume

positions with influential familial ties; *third* is women with non-political/non-bureaucratic backgrounds with influential familial ties; *fourth* is female career bureaucrats/politicians without influential familial ties.

Female politicians in this article are defined as women who began their professional political career with a political party, which facilitated the development of their political career. Female career bureaucrats are women who began their political career through their works as bureaucrats, and at a particular time, their work led them to become active in a political party which consequently facilitated their political career.

Meanwhile "familial ties" in this article refers to the term used by Linda K. Richter (1990-1991). Richter analysed the emergence of female political leaders in South Asian and South East Asia (Benazir Bhutto, Indira Gandhi, Sirimavo Bandaranaike, Corazon Aquino, Aung San Suu Kyi, and Sheik Hasina Wajed) and suggested that one particularly significant factor behind their political rise to power were their "familial ties", that is the influence of their male relatives (father, step-father, older brother, younger brother).²⁴ These connections helped these female politicians to build and achieve their specific political leadership roles.

In the author's understanding, when 'familial ties' stretch several generations, an accumulation and domination of social, economic and political

24 Linda K Richter, "Exploring Theories of Female Leadership in South and Southeast Asia," *Pacific Affairs* 63, no. 4 (1990-1991): 525-8. For a comparison, see also Mark. R. Thompson, "Female Leadership of Democratic Transition in Asia," *Pacific Affairs* 75, no. 4 (2002-2003): 535.

resources in a certain region occurs, 'familial ties' evolve into political dynasties.

The first type is the female politicians/career bureaucrats that have influential familial ties. Included in this category are: (i) Rustriningsih, because she began her political career in the PDIP at an early age. Her father was a senior PDI politician (pro Megawati) during the New Order, he was her main mentor and helped in her political career; (ii) Haeny Relawati Rini Widyastuti with her father's influence as a bureaucrat and Golkar politician in Tuban, began her career as a politician in Golkar in the Regency of Tuban. She was elected as the Chair of *DPRD* Tuban Regency and was nominated as candidate for Regent before being elected as the Regent of Tuban in 2006; (iii) Ratu Atut Chosiyah, whose father is a famous *jawara* in Banten, Ratu Atut slowly but surely created a political career in Golkar and became the vice-governor of Banten in 2001 before being elected as the governor in direct elections in 2006 and 2011; (iv) Idza Priyanti is the daughter of a successful transport entrepreneur which helped her political position. Furthermore, her older brother, the Mayor of Tegal (2009-2013) may have also assisted her.. He led her to be nominated for the vice-Regent of Brebes for the remaining period of governance (2007-2012) before being elected as the Regent of Brebes (2012-2017) in direct local elections; (v) Neneng Hasanah Yasin, having the status of the daughter of a successful business man, was assisted as an already elected Golkar politician to become the head of *DPD* Golkar Bekasi Regency and then the Regent of Bekasi (2012-2017) in direct local elections in 2012; (vi) Hj. Marlina Moha Siahaan, whose father is a politician and husband an influential Golkar politician in South Bolaang Mongondow, was helped through various political positions before finally being elected as the Regent of Bolaang Mongondwo (2006-2011); (vii) Telly Tjanggalung is a Golkar politician who has been a representative member in the North Sulawesi parliament. Her husband was then also the Regent of Talaud. All of this helped to facilitate her candidature and election as the Regent of Minahasa Tenggara (2008-2013); (viii) Rita Widyasari is a politician Golkar Kutai

Kertanegara, helped with the influence of her father, Syaukani HR, a famous Golkar politician and Regent of Kutai Kertanegara (1999-2004) (2005-2006), into the position of the Regent of Kutai Kartanegara (2010-2015) in direct local elections in 2010; (ix) Christiany Eugenia Paruntu, had an early advantage with both her mother and father being well-known Golkar politicians in Manado. This helped facilitate her political career in Golkar-Manado. Combined with her career as a young and successful entrepreneur, Christiany was elected as the Regent of South Minahasa (2010-2015) in direct local elections in 2010.

The second type is women who already hold positions as local heads due their influential familial ties. This is because their husbands or fathers have already served as local heads for two consecutive periods. According to the Article 58 (o) of the Law No. 32/2004, local heads that have already served two terms in one region cannot stand themselves again to be local heads. So, to get around this law, these incumbent local heads nominated their wives/daughters to be the local heads in direct local elections. Several examples of female local leaders who were elected in this manner include Haryanti Sutrisno, Regent of Kediri (2010-2015); Sri Surya Widati, Regent of Bantul (2010-2015); Widya Kandi Susanti, Regent of Kendal (2010-2015); Anna Sophanah, Regent of Indramayu (2010-2015); Puput Tantriana Sari, Regent of Probolinggo (2013-2018); Rukmini, Mayor of Probolinggo (2014-2109); Utje Ch Hamid Suganda, Regent of Kuningan (2013-2018); Hj Atty Suharti Tochija, Mayor of Cimahi (2012-2017); and Ni Putu Eka Wiryastuti, Regent of Tabanan (2010-2015).

The third type is non-political/non-career bureaucrats with influential familial ties. Included in this category are (i) Rina Iriani Sri Ratnaningsih who was an elementary school teacher and a wife of a businessman. She progressively became a successful business woman in Karanganyar and was elected as the Regent of Karanganyar (2003-2008) and then re-elected as the Regent of Karanganyar (2008-2013) in direct local elections in 2008; (ii) Siti Qomariyah was a lecturer at an Islamic tertiary education institution in Pekalongan

with a modern education, an NU women's activist, her father was a prominent NU *kyai* in Buaran Pekalongan. She was recognised by PKB Pekalongan and was elected as the vice-Regent of Pekalongan (2001-2005) and won the direct local elections to become the Regent of Pekalongan (2006-2011); (iii) Ratna Ani Lestari was an ordinary woman from a family of entrepreneurs in Banyuwangi. She became a housewife after marrying the Regent of Jembrana, who was also an influential politician in Jembrana. This facilitated her political activity as a PDIP politician, and she became a member of DPRD Jembrana for PDIP (2004-2009). This helped her Regency nomination in 2005 and she was elected as the Regent of Banyuwangi (2005-2010); (iv) Airin Rachmy Diany was a notary who married Tubagus Chaeri Wardana, an entrepreneur and younger brother of the Governor of Banten, Ratu Atut Chosiyah and also son of a prominent figure, Chasan Shohib, entering their family political dynasty in Banten. With time, Arin became active in politics. She was nominated by Golkar and elected as Mayor of South Tangerang (2011-2016) in direct local elections in 2011.

Using these three typologies, the author intends to show that "familial ties" in an Indonesian context is not limited to the political influence of the father or male relatives on the rise of women in politics. Familial ties can also have a broader meaning as women can also get political promotions due to their father/male relatives' background or strong social, cultural or religious influences despite the fact that they are (their father/male relatives') not politicians in the traditional sense, such as *kyai* and other prominent figures.

The fourth type is female politicians/career bureaucrats that do not have influential familial ties. This type is ideal because women from this group began their political career as professional politicians or bureaucrats in their respective fields. The background of their father or husband is not that influential in the development of their career. Their career development is primarily determined by their own achievements and commitment during their terms as politicians or bureaucrats. This in turn led to their promotions

in public office as vice-local or local heads. Included in this category are Tri Rismaharini, Vonny Anneke Panambunan, Hj. Suryatati A. Manan and Juliarti Djuhardi Alwi. Female local leaders from this category usually have their own unique appeals as they have a strong ability in a particular field which has been nurtured and sharpened during their years as career bureaucrats or politicians. This consequently influenced how they developed their respective region during their terms as local heads.

After reviewing the profiles and types of the female local leaders that have been elected in direct local elections since 2005-2014 in this section, we will examine the policies and programs designed during their periods of governance, specifically those related to women's issues in their respective regions, in the next section.

Performance of Female Local Leaders

This part will not discuss the performance of all female local leaders, but the descriptions of a few women mentioned here is intended to provide information and spot any pattern of policy/program during their term as local leaders. The women discussed here are those who won direct local elections since 2005, so a five-year term minimum or more has provided enough performance data for evaluation. As background information on local governance, especially related to gender issues, in 2012 our government partnered up with AusAID to issue an Indonesia Governance Index (IGI) for 33 provinces and local development in Indonesia. In detail, the IGI measured to what extent gender equality between men and women's rights prevails in every province by using gender indicators in a number of areas: governance, bureaucracy, civil society, and economic society.²⁵ The IGI noted that in terms of gender mainstreaming institutionalization, most provinces had a women and children protection and empowerment agency in place, but its performance was substandard. As a result, the

²⁵ AusAID dan Kemitraan, "Temuan-temuan Utama IGI" dalam *Indonesia Governance Index 2012: "Menuju Masyarakat yang Cerdas dan Pemerintah yang Responsif"*, 23 (Jakarta: Kemitraan bagi Pembaruan Tata Pemerintahan, 2013)

Table 4. Female Local Leaders and Their Policies/Programs on Women and Children Issues

Name and Position	Policy/Program	Result/Achievement
Rustriningsih Kebumen District Head (2005-2010)	<ul style="list-style-type: none"> - In 2006-2010 Kebumen District Local Government Work Plan, gender equality was under the same programs as inequality and poverty eradication.¹ However, after a careful inspection, the local government focused more on providing basic needs for women and population control, but overlooked violence against women and children. - An interview with PR, Head of Kebumen District Women Empowerment and Family Planning Agency or <i>Badan Pemberdayaan Perempuan dan Keluarga Berencana</i> suggested that Rustriningsih was rather passive and not proactive in addressing women issues, so the agency staff must actively initiate programs and activities of their own.² On a similar note, IR, an INDIPT (Institute for Social Strengthening Studies) Kebumen activist, said that having a female district head did not necessarily mean that her administration would automatically be more gender sensitive.³ 	<ul style="list-style-type: none"> - The number of violence against women and children cases in Kebumen was still relatively high: 67 cases (2006), to 86 cases (2007), and climbed to 93 cases (2008).⁴
Siti Qomariyah Pekalongan District Head (2006-2011)	<ul style="list-style-type: none"> - In Pekalongan Local Medium Term Development Plan (2006-2011), women empowerment was not one of its 8 development priorities, even though the document acknowledged a lack of awareness of women's rights, violence against women, and poor institutionalization.⁵ 	<ul style="list-style-type: none"> - In Pekalongan District, Maternal Mortality Rate increased from 85/100,000 live births (2005), to 149 (2006), 176 (2007), and 173 (2008).⁶ - Gender inequality still existed in education, in which female illiteracy was higher than that of male: for men, 8.75 % (2002), 9.41 % (2003), 8.61 % (2004), and 6.53 % (2007); for women, 17.70 % (2002), 17.69 % (2003), 16.07 % (2004), and 16.48 % (2007).⁷ - Many of the issues regarding violence against female migrant workers or <i>Tenaga Kerja Wanita</i> (TKW) were not seriously addressed by the relevant agencies, considering that Pekalongan District was one of the originating areas of TKW and migrant workers in Central Java.
Ratna Ani Lestari Banyuwangi District Head (2005-2010)	<ul style="list-style-type: none"> - In Banyuwangi Local Medium Term Development Plan (2006-2010), improving women's quality of life and meeting women and children's needs were two of its 11 development priorities; the local government wanted to focus on 4 key issues: violence against women and children, making available data on gender inequality, improved women's role in politics, and health.⁸ However, this excellent document lacked in terms of implementation and in the end caused many problems. 	<ul style="list-style-type: none"> - There was an increase in HIV/AIDS cases because Banyuwangi had many red-light districts and Ratna Ani Lestari's administration failed to close/organize these areas. - There were many problems related to TKW or migrant workers because Banyuwangi was one of the originating areas of TKW and migrant workers in East Java. - Maternal Mortality Rate increased from 6/1,000 live births (2005) to 20/1,000 live births (2006).⁹

<p>Tri Rismaharini Mayor of Surabaya (2010-2015)</p>	<ul style="list-style-type: none"> - Pro-women and children policies, such as women-only buses, smoking areas, lactation rooms in public spaces and city parks, <i>Ramah Anak</i> (Kid-Friendly) Award sub-districts, Local Government Regulation Number 6 of 2011 regarding Children Protection Implementation, Local Government Regulation Number 2 of 2012 regarding Social Welfare Problems or <i>Penyandang Masalah Kesejahteraan Sosial</i> (PMKS), Local Government Regulation Number 4 of 2013 regarding HIV and AIDS mitigation.¹⁰ - Building green, convenient, hi-tech and integrated parks for citizens and children, as well as restoring sidewalks.¹¹ - Building Local Government's shelters for orphans and children with special needs, including renovating Taman Surya for people with special needs.¹² - <i>Pahlawan Ekonomi</i> (Economic Heroes) Program to encourage housewives from lower class to become creative entrepreneurs since 2010.¹³ 	<ul style="list-style-type: none"> - Gender Empowerment Index (IDG) is an index that measures women's active roles in economy and politics, including their political participation, economic participation and decision making, as well as control over economic resources¹⁴ in Surabaya City. This index increased from 58.28 (2008) to 58.55 (2009), and continued climbing to 77.53 (2010).¹⁵ - Surabaya City received Parahita Ekapraya¹⁶ in 2011, 2013 (Utama). - Surabaya City received ASEAN Environmentally Sustainable City Award in 2011 and 2012 - Future Government Award for Asia Pacific in 2013 - Receiving City Fit for Children Award for 3 consecutive years: 2011, 2012, and 2013. - Risma received "Mayor of the Month" award (February 2014) from The City Mayor International.
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Source: compiled from sources listed in the footnotes.

IGI Report suggested the urgency for women to be placed in strategic positions as decision makers.²⁶ The IGI reached a conclusion that more women in executive positions or acting as policy makers did not necessarily mean they focused themselves on gender issues, so more women in politics should go hand in hand with more capacity for making strategic decisions.²⁷ The condition in district/cities was not much different. A study in 2010 of 41 districts/cities suggested inadequate gender consideration in development planning and implementation in these districts/cities.²⁸ So, what are the examples of policies/programs on women and children issues during a term of female local leaders? See the following table for more information.

Although Table 4 only lists four female local leaders from direct local elections, we can at least have an overview of what their policies were during their term and how they responded to women and children issues. Through various local formal documents, we can see that some of the administrations did include women/children issues as their agendas and development priorities under female local leaders, but the rest showed no significant alignment with these issues. In some cases, theory was different from

practice, in which female local leaders tended to be passive and not proactive, as well as relied so much on other relevant parties' initiatives.

However, in another case, a female local leader in Surabaya showed strong commitment and real alignment with women and children issues even before her appointment as district head/mayor. In this case, her performance after being elected as local leader greatly improved, bringing positive changes and reformations, especially in the areas of women, children, environment, and health. Female leaders certainly have inherent capital as women and mothers, who in general can quickly understand the needs and problems of other women and children, including their ability to show empathy and use their intelligence to adopt a gentle-but-firm approach to every problem. As Surabaya Mayor Tri Rismaharini said, being a woman and a leader had its own advantages, "My advantage is as a woman, I can identify myself as a mother to the entire city".²⁹

These various findings represent dynamics and challenges of developing pro-children and women policies when a local government is led by a woman. The problems are indeed never simple. In-depth research into Rustriningsih, Siti Qomariyah, and Ratna Ani Lestari suggests that

²⁶ Ibid., 25.

²⁷ Ibid., 25.

²⁸ At <http://www.menegpp.go.id/V2/index.../policy-brief-versi-indonesia>, page 3 (accessed on 13 July 2012)

²⁹ A quote from Tri Rismaharini, as quoted by Ira Puspito Rini, *True Spirit Ibu Risma* (Yogyakarta: Penerbit Indoliterasi, 2014), 95

there are a number of factors which influence the policy stand of a female local leader, especially on handling women's issues at the local level. Some among these factors are their personal experiences in women organizations and networks throughout their political processes, leadership qualities, and individual commitment on gender equality when handling women's issues at the local level. Thus, it can be concluded that the existence of a female local leaders does not necessarily guarantee that their political policies will be gender sensitive and having women's perspective.³⁰

Closing: Future Political Agenda

This paper finds that women's roles in Indonesian local governance have never been simple. The quantity and extent of women's participation as local political leaders are heavily influenced by a broader sociopolitical context surrounding them. For example, during the New Order when Suharto's regime maintained full authoritarian control over the country's sociopolitical context, gender ideology at the time discouraged women from being engaged in politics, including local leadership. At the time, Indonesian women were mostly encouraged to devote themselves as mothers and wives who supported their husbands in serving their country. In the New Order era, local elections were held under the Law UU No. 5/1974 by the DPRD with only three political parties (Golkar, PPP, PDI) allowed to join the competition. This way, it was easier for the central government (Suharto) to control the election results in favor of their "people" as local leaders. As a result, only few women were elected as local leaders, and most of them were members of Golkar. Positive changes started to take place in 1998 when democratization began to spread after the downfall of Suharto. The next presidential figure (Abdurrahman Wahid) had strong gender sensitivity, and this made gradual shift towards women's programs' orientation (such as Dharma Wanita, PKK, KB) empowering broader political roles. In this context, the Law No. 22/1999 was also issued to arrange for

significantly smaller president's intervention in local elections by the DPRD. After the Law's implementation, four female local leaders were elected, although most of them were from Golkar or PDI(P) with no new face among them.

More significant changes took place after the Law No.32/2004 took effect, introducing the mechanism of direct local elections. In terms of women's participation, the author is of the opinion that this mechanism opened broader "structure of opportunities" for women to engage and be proactive in politics as local leaders. It was proven by 26 female local leaders (from Java and beyond) winning the local elections, mostly as district heads/mayors, in 2005-2014. If we look at their profiles, we can see that new faces were in the mix alongside some familiar ones, and that they took part in shaping local politics at the time. Moreover, we can see that they came from various political parties, instead of being dominated by Golkar and PDIP, such as PKB, PPP, PKS, and other minority parties. Therefore, in terms of participation, number of women elected as local leaders, and political diversity, direct local elections under the Law No. 32/2004 were more agreeable to and provided more room for new types of female local political leaders. Based on the foregoing, it is safe to say that Indonesian local politics (at the time) was an 'enabling critical locus' for women to reach higher at political leadership ladder.

Then, what does the future hold for us after the ratification of Law No. 22/2014 regarding Governor, District Head, and Mayor Elections? By reverting to local elections by DPRD under this Law, we, in general, have made a huge step backwards in terms of women's participation and leadership in local governance. However, with the Government Regulation in Lieu of the Law No. 1/2014 which advocates direct local elections for governor, district head, and mayor seats – and simultaneously cancels the Law No. 22/2014 – we can still hold out hope for continued and broader opportunities for women's participation in local governance, especially as local leaders.

Even though there is no guarantee that women elected as local leaders will automatically improve the condition of women and children

30 Kurniawati Hastuti Dewi, "The Emergence of Female Politicians in Local Politics in Post-Suharto Indonesia," 292, 296.

in their area, since there are a million factors at play here that influence performance,, more female local leaders means more opportunities for gender perspective that is aware of women and children's various needs and issues to be adopted in local governance. Especially, taking into consideration that challenges and problems ahead will grow more complex, such as the issue of climate change affecting major cities and in close relation to aspects of gender, as women

would suffer the most from this phenomenon. Problems regarding childcare, especially in the developing regions and major cities, require attention, and women in local governments should think of developing regulations and legal platforms for these issues, including the increasingly widespread violence against children and women even in formal educational institutions. These are actual, urgent problems that desperately require attention and solutions.

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Indigenous Women and Land Rights in Indonesian Agrarian Conflicts

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Abstract

This paper aims to provide an understanding linking indigenous women, land rights, indigenous forests and the marginalisation of women in agrarian conflicts in Indonesia. For indigenous people, forests are not only a natural resource but they are an integral part of their culture. Rivers and swamps are a source of food and help indigenous women teach their children how to survive in nature. Forests lose their biodiversity overshadowed by monoculture plantations, mining and other agricultural practices. These practices do not only destroy the beauty of forests, but also cause acute environmental pollution and birth defects.

Keywords: Indigenous Women, Land Rights, Agrarian Conflict.

Introduction

The Indonesian archipelago has more than 100 million hectares of abundant forests. The lives of tens of millions of people, particularly indigenous people, depend on these forests. Flora, fauna and clean overflowing rivers provide a source of life. The people relying on the forest collect here rattan, wood, vegetables, game, honey and traditional medicines for their livelihoods, and these people are known for having the wisdom to take care of the forests and their surrounding environment. However, after the forests are divided into categories and the state gives power to companies to make their own arrangements, it becomes increasingly difficult for indigenous people to get what they need for life from the forest. As the appearance of the forest changes, an unlimited number of rubber trees and palm oil plantations appear.

Indigenous women in particular experience heavy affects from deforestation through oppression from the changing environment, while this is also a source of sexual violence.

It was in the New Order that natural resource exploitation began to increase. On May 24, 1967 provisional legislation regarding the Basic Provisions of Forestry was thrown out. This ensured that the exploitation of natural resources became a priority over environmental protection. It is clearly stated in this legislation that Indonesia's resources between forests is still extensive. The message then was that forest exploitation should not be delayed, even at the expense of some, for the sake of the national economic development and welfare. At the time, the forest became a capital development item, and in order to maximise the 'use' of its natural resources, the legislation was made public within

the year. The Law No. 11 of 1967 regarding the Basic Provisions of Mining constituted measures that opened the door for capital investment, both foreign and domestic, complementing the Law No. 1 of 1967 on Foreign Investment and the Law No. 6 of 1968 on Domestic Investment¹.

Following the Forestry Legislation of 1967, emerging policy on the use of the forest was introduced with a forestland use agreement (THGK). Based on the THGK, the forest is categorised into four categories, namely, forest for production, forest for protection, forest for conservation and forest for nature reserves, however, these could be changed at the discretion of the state. This policy is referred to as the law for forest depletion.² In applying this legislation, the government could begin handing land and forest out by allowing concessions to companies, in the forests of Central Kalimantan, Sumatra, Maluku, East Nusa Tenggara and Papua. Control over all (unclassified) forest areas, in the eyes of the state, would then be changed to state forests. Gifting concessions and management rights without considering the rights of residents or the indigenous population is something that has long been an issue.

The Ma'ayan Dayak Forest Story

Mardiana Dana could not hold onto her emotions when she told the Ma'ayan Dayak forest story. She sobbed. Her eyes glistened. Full of a diverse range of tree species and animals, and rivers with clear running water, the forest met the everyday needs of its residents, as well as their ritualistic needs. The forest provided wood, rattan, fruits, game, honey and various medicines. "With our forest food now gone, we are imprisoned in our own country. We are here in the forest, where can we go?" says Mardiana³. Mardiana is a Ma'ayan woman and nurse working in East Dusun, Tamiang Layang. There are 56 women this year from Sarapat village in the East Barito regency, Kalteng and since 1979 Mardiana's has worked to help the residents of the village. She is concerned and saddened to see their forest customs ruined, especially for the indigenous community who has lived in the region for a long time. When these people have to deal with the state they are forced to fight for

their rights. There are people in this community who have been arrested and/or severely wounded, and this does not include what has happened to the women.

Since 1993, the rubber plantation industry began to enter the region of the Ma'ayan Dayak community and others in the Janah Jari village, Awang, East Barito, Kalteng. PT. Haspram was the company, now known as PT. Sendabi Indah Lestari. Residents were persuaded to release their land and even though they resisted the offer, the company still entered. Still today, the problem is not over and the threat is increasing. These forests not only became rubber plantations but also coal mines. Currently, there are around nine coal mines. Slowly, the forest is being lost to these industries. Kalteng is just one province 'plundered' for natural resources, through legal and illegal means. The Indonesian Forum for Environment's (WALHI) data for Kalteng from December 2012 showed that palm oil plantations expanded by 4.1 million hectares with 3.8 million hectares of the region based on the conditions in the land use agreement. According to WALHI, in 2010, the province was home to 81 palm oil plantations, covering more than 718 thousand hectares of illegal land.

Companies operate in not-for-conversion forests in the production forest areas without permits from the Ministry of Forestry. Moreover, there were more than 300 mining permits issued, mainly for coal, for the conversion of some 300 thousand hectares of forest land. In East Barito alone, there were more than 100 permits issued, which didn't include industrial forest plantation permits or forest concession licenses.

"In these forests is our life and now its gone", Mardiana says, she cannot bear to look at what the companies and officials have done to the people. She now simply tries to help the people and has joined the Indigenous Peoples Alliance (AMAN) in regional Kalimantan. She stays with locals through any of their struggles, with many of them receiving threats. "[T]here was a time where someone put a cleaver to my neck to threaten me. I was once hit by a car too. I never thought of turning back nor giving in (as) I was sure that God would help me and my ancestors. We are fighting for our indigenous livelihood",

she said. Now, she accompanies and is the guarantor of nine Ma'ayan Dayak people that have been accused of stealing rubber by the company. She continues: "[i]n fact, they take the rubber from their own land, but it's claimed by the company because they obtained a license for the area." In East Barito, the development of palm oil and other plantations as well as mining, uses hundreds of hectares, even thousands, resulting in a massive loss of nature.

Not only is its biodiversity lost, the lives of residents of the forests are greatly affected as well. In Janah Jari, after the company entered, the forest began to be cleared for rubber seeds and a short time after that Haspram opened a coal mine, while in other villages, palm was replacing the original forest. Forest clearance for palm oil following the use of fertilizers for plantations and mining operations eroded the land and the use of dynamite led to contaminated rivers and swamps. Rivers turned from murky yellow to black.

Changes in the forest and river population greatly affect the lives of many indigenous people who depend on them, with indigenous women in particularly effected for their close relationship. Due to the destruction, it is difficult for women to gather resources from the forest and its river system. Everything from fruits such as durian, mangosteen, vegetables, firewood, raw material for cleaning products and medicines are all taken from the forest, and all of these forest products are collected close to home. However, the current situation means they have to venture far into the forest for collection. The women also make various crafts from the raw material they collect: "[w]hen the forest is owned by companies, it is turned into oil, mining and plantation land. It's already difficult to get the materials we need". Obtaining water from the river and marshes becomes increasingly difficult. "The river in East Barito went from brown to black, to blue to green, and now it's muddy and smelly. The foam on the river is not from washing clothes, it's from mining because the mine is higher up and the plantation below", says Mardiana. Before that, residents could drink the water that came from the river or the marsh without having to boil it first: "[w]e were

healthy. But now, we're drinking poison". The girls and women could easily catch fish from the rivers and marshes for their families: "[n]ow, it's hard because the river is polluted".

Furthermore, the rivers and marshes aren't just a source of food; they are also a part of the culture. They are places for indigenous women to teach their children to be safe around water: "[n]ow, how can we continue our cultural practices if the rivers and marshes are polluted and almost gone?". This is a big impact on the indigenous population and their culture. Losing the source of their livelihood has led to children dropping out of school and poverty in the villages is getting worse. Now, according to Mardiana, out of 100 families in Janah Jari, 24 are living below the poverty line, "[t]here are children in primary school that do not want to go to school". Contamination of the river, she says, is also affecting community health, primarily in pregnant women who then have the potential to give birth to children with birth defects. Somebabies are being born with disabilities.

In this community, the indigenous men and women work together to manage the forest, including the rubber and fruit plantations and hunting areas. For a long time the day-to-day tasks of men and women complemented each other: "[i]f a husband went into the forest to collect fruit, for example, the wife would help with vegetable farming or fishing. And if the husband could not go into the forest, the wife would. Caring for the children was also something done together, as was making decisions". Yet, Mardiana says this culture has faded somewhat after the companies began development. Bad influences from the outside arrived: "[f]or example, husbands are making decisions without their wives, there is no more deliberation". The reality is that the family experience is changing. The pros and cons of welcoming investors has caused the relationship within communities to change and the culture of working together and making joint decisions has worn thin. In the past, there was no suspicion between peaceful residents,.

And that's not all. The investments that have changed the forest have also changed rituals. Their ancestors had taught them to

maintain and care for the forest, through village education about management of the land and understanding the trees: “[w]e know what trees can be felled and what trees cannot”. This is a form of indigenous ritual, and in this ritual, men and women share roles. There are many indigenous rituals, rituals that maintain the village borders or *ipaket*, rituals that open the land for cultivating unirrigated fields or *nyuwuk jumpun*. This is to see what land is suitable for farming and in the Kaharingan religion, they also have rituals such as giving food to the water guard, or calling for the spirit of the water guard. Now, this ritual is almost gone as the region is under the power of the companies. They also had a belief that when a person died they had to be buried in a coffin made of a certain tree that is commonly found in the forest: “[t]his is very hurtful, as trees such as *lalutung* and *gaharu* are hard to come by now”.

Loss of the indigenous territories for the Ma’ayan community shows just one picture of a community that has lost its livelihood. The protests have not been considered, as the forest lost is not a problem for the government as the companies involved have licenses. The misery caused to the lives of indigenous people seems not to be a consideration for the government. Their rights have been neglected, and this pertains especially to indigenous women. This stance is shared with Dr. Mia Siscawati from the Gender Studies Program at The University of Indonesia⁴. Siscawati says that indigenous women, both young and old, struggle against violence on the ground, in their villages and in their homes. In a special study conducted by Siscawati in Kasepuhan Banten Kidul, from 1998-2013, there were no female leaders in the community and the involvement of women in deliberations was limited. In most big communities the women who were involved had a relationship to the officials, either through a family relationship, marriage or kinship, and usually had the responsibility of providing catering or logistics. And these women could only listen to the deliberations from behind a bamboo wall. These women would also get other indigenous women to help with the preparation of the logistics so that they could also listen to the speeches. Indigenous

women also have inheritance rights over the land and other property, however greater access is given to men⁵.

The villages of these indigenous people, said Siscawati, is located in an area rich in natural resources, however this is also their source of life. Unfortunately, until the presence of companies of palm oil, mining and government plantations leave, the restoration of the ecosystem and nature reserves must be provided for the communities life, “[t]he people are treated like animals in factory farmed”. And for the women, violence comes from their own homes and their poverty. Siscawati says, the children do not want to go to school. Recovering from this is more difficult when a young woman is trapped in trafficking syndicate. They come to the village after a job offer but they are actually entering a syndicate: “[w]orse, it is often a job offered by someone close to them”. In the village, women’s reproductive health is low. And for a rich region, poverty and low education in the community, as well as the infant mortality rate, are at their peak. This problem, says Siscawati, does not exist only in Papua, Aru and Barito, but also in Banten, an area not far from the centre of the country. She cited Kalbar, an area where the trafficking of women and rate of HIV/AIDs is very high, even though the area is rich in natural resources: “there has to be something wrong with the management of these natural resources. Its time for the country to stop this and get these women out of this situation”.

It is apparent that discrimination of women is greater to that of men. In this form, it is practiced by the state, but also by the companies and even the surrounding local community. The indigenous community is often accused for cultivating squatters and thieves, when these people are actually managing the land and fighting for their lives.

Indigenous people cannot live calmly, as they have no certainty that their land or the forest will not be lost. Within the indigenous community, women are now considered to be second to men. What has been happening to Ma’ayan Dayak women is also happening to women in other regions. Indigenous forests are not something that is acknowledged by the

government. Inevitably, the loss of a living area is a conflict over land and natural resources. In regions claimed by companies or governments, residents have resisted and tried to survive. According to the Data Consortium of Agrarian Reform (KPA), there were at least 472 conflicts over almost 3 million hectares in 2014, involving more than 100 thousand families.

Compared to 2013, there has been an increase of 103 cases. From KPA's 2004-2014 data, there were 1,520 conflicts over an area greater than 6.5 million hectares involving more than 970 thousand families. From this data, conflicts related to indigenous people come from sectors such as infrastructure, plantations, forestry, farming and mining. Throughout this, the state neglected to protect any indigenous people. Instead, the state becomes present in the form of military and the national police, often with guns, and that is something at odds with indigenous people. From the state's perspective, this society is seen as something that prohibits development, or worse, is considered as a 'pest' that must be eradicated. A very small number of government officials are neutral on the matter and when residents report land grabbing to the police, officials often do nothing. Conversely, when companies report residents who they consider to be encroaching on company rights, the police are present as enforcers of the law. Regional customs, culture, arts and crafts are made from natural sources by women, and are often considered rare items. However, art culture and customs that vanish along with the forest seem to escape the attention of the government. The recognition of customs and rights already existed in the Basic Agrarian Law (UUPA) of 1960, but in practice recognition is not given, particularly after overturning the Forestry Act of 1967. UUPA is no longer in use, however, there has been a strengthened civil movement on the rise with the civil community organisations from local to international voicing serious pressure on the government to recognise indigenous rights.

Aleta Baun, an Ecofeminist

Baun's weapon are the many unique indigenous women. They weave! Indigenous women in many areas rise up and are at

the forefront of protecting the forest. They organise themselves to drive out companies who would otherwise destroy the forest. The Molo indigenous women have struggled to maintain the environment from the grip of the Mount Mutis mine, East Nusa Tenggara. Mount Mutis has high biological diversity and is the centre of West Timor's major waterway, which supplies drinking and irrigation water to the residents of the island. The community also looks for food and medicine in the forest, as well as grows crops in its fertile soil. The women obtain natural dyes for fabric in the forest and the spiritual connection between the community and the forest is strong. Not surprisingly, when the companies were entering the forest, Baun appeared as the driving force behind its protection.

Baun has been fighting since 1996 and has since become an enemy of big companies and local governments. They have even offered a reward to anyone for her assassination. She has luckily escaped all attempts on her life, through fleeing and hiding in the woods with her baby. Other members of the community who have shown resistance have been detained and beaten, however, they have persistently resisted. Baun has organised hundreds of people to peacefully protest and occupy the marble mine and their approach is to protest while weaving. Thanks to their persistent struggle, in 2007, Baun and fellow protesters managed to stop the destruction of the sacred forest land on Mount Mutis, with the mining company leaving Molo⁶. These protests did not only happen in Molo as resistance was shown by female fighters on various islands in Sumatra, Kalimantan, Sulawesi, Maluku and Papua. Indigenous women became the driving force against companies that would destroy ancestral forests. In order to strengthen indigenous women, the civil society organisation concerned with their struggle, AMAN, formed a special board in September 2013 involving women.

This board is composed of a number of individuals who were involved in the protests. There are several important goals: *firstly*, to recruit, educate and manage the cadre of women to become fighters for the basic rights

of indigenous women, both in indigenous communities, government and in international relations; *Secondly*, to manage information and knowledge on indigenous women in areas that could inspire indigenous and non-indigenous women in other countries; *thirdly*, to collect, manage and distribute a variety of funding sources, from both internal and external organisations focused on indigenous women; and *finally*, to manage the network of resources that constantly fighting for the fulfilment of the rights of indigenous women, both at the level of individuals and organisations⁷.

On May 16, 2013, Abdon Nababan, the first person of the Indigenous Peoples Alliance, headed to the Constitutional Court. He hoped to watch the trial verdict of AMAN's lawsuit against the Forestry Law. However, he arrived late and the trial was over. Yet, Nababan could not hide his excitement when he arrived as their case had won. The decision numbered 35/PUU-X/2012 states that *indigenous forests* are no longer state *owned forests*. This was wonderful news for all indigenous peoples, especially for indigenous women. This decision is now called the MK35 decision. "[T]his decision is an important change for the indigenous peoples of Indonesia. A ruling that restores sense, a ruling the indigenous people were desperate for", says Nababan. In March 2012, AMAN, together with the two indigenous communities Kasepuhan Cistitu and Kenegerian Kuntu registered to fight the 1945 Forestry Law at the Constitutional Court.

They fought for indigenous forests, not state forests, for their management and utilisation to be returned to indigenous people. In the decision's understanding, state forests included indigenous forests, thus marginalising indigenous people. In indigenous forests, he said, the government gives companies forest concession licenses and industrial forest plantation permits. Inevitably, this leads to the conflicts involving thousands of people, with many being arrested⁸. Prior to that, AMAN drafted a proposal to recognise and protect indigenous people in the era of president Susilo Bambang Yudhoyono. However, the discussion was dragged out in parliament and the SBY

government is finished and the bill has not been passed. Although the decision regarding MK35 strengthened the position of indigenous people, on the ground it seems not to apply. Corporations and the government continue to dominate indigenous territories and indigenous forests continue to be cleared. Citizens in conflicts with companies and the government (in national parks or nature reserves) keep being expelled or arrested by legal verdicts. The Constitutional Court's decision seemed not be aligned with the view held by the central and local governments in addressing the issue of indigenous people. In fact, in July 2013, former president Yudhoyono, at an international forum, expressed his support for the recognition of indigenous peoples' rights as mandated by the Constitutional Court, yet this was no real promise.

Not all that surprised by the Ministry of Forestry, when it was led by Zulkifli Hasan addressing the defence of MK35, saying that the recognition of indigenous forests awaits local regulations. Therefore, there is a 'back door' permit into forest areas (there is often a recommendation or proposal from the region) that is provided by the ministry. A positive sign before former president Yudhoyono left office in October 2014 was that the Anti-Corruption Commission (KPK) signed a joint decree Menhut-II/2014 regarding the determination of citizens' land, including indigenous territories. The departments involved were the Ministry of Forestry, the Ministry of Public Works and the Ministry of Internal Affairs and the National Land Agency.

The central government must move quickly to disseminate this policy across all ministries, agencies and local governments if this is not to be just another regulation on paper. Myrna Safitri, the Executive Director of the Epistema Institute said that the decree ordered the settlement of conflicts in forest areas within six months. The problem however is that the land offices in regional areas are not aware of this decree. This issue needs to be clarified and the technical guidelines pushed: "[i]f the process is opened up to involve the known parties, the problems on the ground will be known"⁹. In some areas, initiatives to make regulations

regarding indigenous people already exist, such as in Kajang, Bulukumba, South Sulawesi and Kabupaten Malinau, however there are still very few. Civil societies continue to urge the government to implement recognition of indigenous peoples, however on the ground, conflicts continue. In September 2014, civil society organisations filed a judicial review of the law on the Prevention and Eradication of Forest Degradation (P3H), which was initially intended to ensnare corporations however one year on the law targets all citizens, especially indigenous people residing in the forest and not a single company or company person.

The role of the National Commission on Violence against Women: the National Indigenous Inquiry

The decision on MK35 was made more than a year ago, but the work of the government in providing recognition on indigenous rights is yet to be seen. The National Commission on Human Rights (Komnas) established the conditions behind the implementation of the National Indigenous Inquiry. This was while the violation of indigenous territories continued to occur, as well as while many other agrarian conflicts were being reported to the commission. With the support of several civil society organisations and institutions, the Inquiry was implemented: “[a]grarian conflicts experienced by indigenous people occur everywhere and are severe. To that end, the Commission initiated a special inquiry for indigenous peoples in forest areas, hoping that the process can contribute to solving the problem while being able to obtain justice for victims”, said Sandra Moniaga, the Komnas commissioner at the launch of the Inquiry in Jakarta on June 20, 2014.

The Inquiry aimed to uncover, thorough information collection, systemic human rights violations and its massive impact on indigenous communities. After hearing a collection of testimonies the Commission would provide recommendations to the government for settlement. In the Inquiry, Komnas paid particular attention to the violations against indigenous women. Arimbi Heroepoetri, the commissioner of the National Commission on

Violence Against Women said that the Inquiry is looking into violations against indigenous peoples in a comprehensive manner. According to Heroepoetri, speaking about women’s rights, sometimes the recipient does not know that there was a violation committed. The Inquiry is looking into seven regions: Palu, Sulawesi, Medan, Sumatra, Banten, Java, Pontianak, Kalimantan, Jayapura, Papua, Bali, West Nusa Tenggara, Lombok, East Nusa Tenggara and Ambon, Maluku.

Around 40 cases have been heard in the regions. Present were the parties of the victims, local governments, various companies, the military and the national police. There was a session of testimonies from indigenous women and from these testimonies, a number of human rights violations against indigenous people were said to have been committed by various sectors. There were at least 33 instances of human rights other abuses concerning the social, economic, cultural, civil and special rights of indigenous peoples. Now, the Commission is compiling recommendations based on the Inquiry’s results that will be given to the government. At the end of the Inquiry in Jakarta on December 16, 2014, the Commission on Violence Against Women expressed that 40 cases included a variety of human rights violations against indigenous women who have subsequently endured an onslaught of discrimination. In the Commission on Violence Against Women’s findings about violence towards indigenous women in forest conflicts, it was evident that the opinions heard came from women who had strong indigenous backgrounds. Their testimonies made their relationship with the land clear as their source of life and livelihood when arranged in traditional management systems and customary law. The forest provides food, shelter, medicine, characterises the self-existence, and shapes the culture.

The Commission on Violence Against Women’s hearing of 40 cases recognized the eviction of indigenous peoples from their source of livelihood as continuous and massive. Damage occurred through ignoring regulations, through the blurring of customs, changes in the function of indigenous forests into national parks,

nature reserves, forest concession licenses, industrial forest plantation permits, palm oil plantations, mines and other agricultural uses, all without consulting the people dependent on the area. Neglecting claim settlements made between indigenous people, companies and government was also an issue: “[t]his condition has exacerbated the presence of transmigrants, which ignores aspects of sociology and culture, as well as having the Special Police Corps (Brimob) present during conflict resolution”. Forced displacement of indigenous peoples because of transmigration, mining or other practices, results in their cultural roots and rights being deprived. The displacement of indigenous peoples from the forest is less effective because they have a strong spiritual relationship with each other and a strong spiritual connection to the forest. At the time, the sociological and ecological analysis was weak. There was also a lack of preparation within the community for a new culture. This resulted in feelings of anger, disappointment, frustration as well as instilling hopelessness for future development.

The Commission on Violence Against Women evaluated that the removal was massive, systematic and structured. This began through the passing of the 1967 Forestry Law and the Mining and Investment Law. Exploitation of natural resources in indigenous territories by the various parties over the decades had an extraordinary impact in forms of torture, public health, serious environment damage and pollution. The impact on women’s reproductive health as well as during the birthing process due to their lack of nutritional intake, the potential exposure to hazardous chemicals used in the management of gold mines and palm oil. Losing sources of life and food from the forest meant losing livelihood, which caused children to drop out of school, or people to work outside the village to help their parents. Indigenous women, said Heroepoetri, suffered the most when there was conflict over natural resources. Apart from having to meet the requirements of the economy and provide food for the family, they suffered violations of their own rights through threats, harassment, stigma and evictions: “[p]ersecution, losing the right to access information

and contribute to decision-making, and losing access to steady work or mining”. According to the Commission on Violence Against Women, in Papua, the Merauka Integrated Food and Energy Estate (MIFEE) works without involving the wider community. MIFEE has an effect on ecological safety because almost all major economic activities are based on the exploitation of natural resources; meaning that conservation becomes irrelevant. The program is also detrimental to the indigenous people who have lost their source of life without assurance that future generations can enjoy the environment in its present state (the future generation right) and potentially eliminating the identity of the community. In other findings, the state did not pay enough attention to guarantee the protection of indigenous peoples living on small islands, as the ecosystem’s existence was threatened, similarly to what occurred in Maluku and North Maluku.

Agrarian Conflicts as a Source of Violence against Women

Mia Siscawati’s view is that the root of violence against women is closely connected to agrarian conflicts and that this is something that must be stopped. The root of these conflicts, according to Siscawati, is *firstly*, claiming indigenous forests as state forests. State policy affirms that unclaimed territories are state land. To this end, this territorialisation should be reviewed as “[i]t may be possible to put a stop to this approach”. Through this, there have been more than 30,000 villages in forest areas or around forest areas that have suffered. “[T]his is not a small problem”, she says. *Secondly*, the forest is understood solely as a natural commodity.. This means that the natural resources have been used as the main product of trade in the market supply: “[t]his was done simply to negate the existence of indigenous peoples, especially indigenous women and other marginalised groups. President Jokowi and other state institutions should think about it being time to stop this”. *Third* issue is the militaristic approach, where an agrarian conflict ends in an armed conflict. For Siscawati, this pays homage to the colonial legacy in which the

management of land in Java was administered through force. *Fourthly*, the presence of the state in indigenous affairs through violence, cannot continue.

She asks the country to recognise, protect and fulfill the rights of indigenous people, particularly women. This is possible, she says, if the child mortality rate and illiteracy and education problems can be overcome. The trafficking of women in areas where natural resources are rich can be drastically reduced. The state, she said, should not be allowed to close its eyes and neglect the rights of indigenous women, the state is not free from liability. AMAN was an official supporter of the election campaign of president Joko Widodo and vice president Jusuf Kalla in July 2014. The pair's vision and mission committed to provide recognition, as well as protect and promote the rights of indigenous people.

This will be achieved through the process of forming new laws or changing current laws and policy. Jokowi-Jusuf Kalla incorporated six main points for the protection and promotion of indigenous rights in Nawa Cita (see Table 3). Once the cabinet was formed, the president asserted that ministries and agencies had to incorporate this vision and mission in key aspects of their work.

Now, ministries and agencies are following the Nawa Cita. Among other efforts underway, the new Ministry of Environment and Forestry is preparing a task force recognising the rights of indigenous people and resolving conflicts. In five years, the Ministry of Environment and Forestry aims to have 40 million hectares of land set aside for the indigenous community, when before, there was only 9 million hectares, with only 4.5 of that forest area. The ministry also plans to resolve all conflicts so that indigenous communities no longer have any difficulty fighting for their land, however, on the ground, conflicts still continue. The Ministry

of Agrarian and Spatial Affairs and the National Land Agency, and the Ministry of Environment and Forestry are attempting to work with four ministerial regulations on community zoning. As stipulated in the joint regulations, if there is a conflict over land, the government has to resolve it within six months. The Business Agency, since its inception, has been committed to protecting the rights of indigenous peoples through its Reducing Emissions from Deforestation and Forest Degradation (REDD+) program. Now, the agency is in charge of the data that maps indigenous territories. The Ministry of Interior Affairs has also promised to use the maps data for the establishment of infrastructure. This map is important because it recognises the rights of indigenous peoples and it means that their territories are included in national maps.

Conclusion

This study hopes that the positive signals from the recognition and protection of indigenous peoples is not limited to being merely a commitment on paper. The ministries and agencies are moving forward, yet they must not only work within their area, but also with other agencies such as the Ministry of Agrarian and Spatial Affairs and the National Land Agency, the Ministry of Environment and Forestry, the Business Agency and the Ministry of Interior Affairs. Other ministries such as the Ministry of Women's Development and Child Protection, the Ministry of Health, the Ministry of Education, the Ministry of Tourism and Culture as well as other ministries have to move together. All efforts should be coordinated by Jokowi's vision and mission for the protection of indigenous people. If this was an easy task, indigenous women would already be exercising their rights. However, rights have been violated because of the government's neglect. The next step should be to ensure the government measures its successes.

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Feminist Ethics Against the Stigma of Theocracy-Patriarchy: Reflections on the 2014 Presidential Election

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Abstract

Feminist politics is a perpetual investment in a just civilisation. For a long time feminist politics has known that a structure of injustice is inherently located within the sociological body of a patriarchal system. Feminist politics needs more than just voluntary efforts for democracy. Rather, strong conceptual tools are needed that will enlighten the dialectic transport of communication in a democratic system. Any feminists should watch and guard, as well as, cynically and radically, monitor the progress of the newly-elected president—whether he will bring a mandate of equality or not. A short-term strategy has been invested to block the NewOrder regime from taking control; and a long-term strategy shall be invested to guarantee a system of equality in the new cabinet.

Keywords: ethics of feminism, women, theocracy-patriarchy, presidential election.

Introduction: Ethical Position

Is politics a tool for women? If the intended changes are implemented in the mission of equality and enlightenment, then the involvement of women is for strategic purposes. Moreover, there will be a demand for political ethics to create feminist changes. These changes include shifts in political civilisation towards respect for human rights and supporting *the powerless*. These complaints are very political because historically, women have encountered *powerlessness*. This affirmation encourages female participation in Indonesian politics of today. The foundation is very empirical. Various discriminatory policies still dominate our politics. At all stages of public policy making, the female voice is still considered as a hindrance on

the orchestration of male politics. The findings of the Human Development Index, indicates a stagnation in the development target results (IPM, Bappenas, 2014). In a global comparison, there has not been an improvement in health and equality, the quality of legislation is not in favor of women, and cultural and religious doctrines impede on female public access. All of these are political problems designed imperceptive of the citizen rights.

In environments where intolerance and violence still happen - in places of refuge and conflict areas - female conditions are even worse replete with concerns for the future of their families. An insulting theocratic stigma, limited economic movement, decisions on the role of the country - all of these produce debilitating

conditions and an ethos of republicanism as a basis for a life together. However, in many records of injustice and human rights violations there is a growing demand to continue to strive for change, although aware of the strong socio-cultural constraints. Female politics has arrived with this ethical purpose: change for growth.

The Construction of Election Politics & Political Feminist Volunteers

We have gone through a safe election process but without the cultural aspects. Yes, because the political battle takes place within a patriarchal culture. Behind the candidates, a true power structure is lined up: feudalism party, retired generals, oligarch investors, patriarchal ideologues and doctrinaire parties. But also the culture behind this political battle, really is not an open and democratic culture: these elections are mainly primordial campaigns modelled on religious sentiment, race and slander. There is, however a positive phenomenon: public participation outside the political party of "political volunteers". But this phenomenon is seen more as counter-politics to the party "establishment". We must read these political volunteers as "political feminists" at a minimal level, as cynicism to the patriarchal construction of our party. At least, there is horizontal energy which connects within the civil society to look after the common interest of change. This of course, is not a unified energy from an ideology or a feminist party. But, this political horizontalisation is seen by those "political volunteers" as equal to the feminist politics: power de-hierarchisation.

A critical evaluation of "horizontal politics" is required to provide us with a less critical view of the facts of power such as the distance between "political volunteers" and "patriarchal party construction" that once again presents the formalism of political reality. This means that presidential voluntarism will return to the every-day real politics construction of power pragmatism. There is a hope to see "affirmative" actions from the president towards the "tacit" demands of political volunteers of equality, non-feudalism, pro-human rights, pro-environmental ethics, understanding of LGBT,

and all the substantive democratic needs. But even here the election issues begin. The dimming of the ad-hoc "volunteer factor" would pave the way for oligarchy and hierarchical interests that have been employed as "big strategies" for winning the elections since the beginning. Here, the distance between the "ethical position" and the "pragmatic position" will slowly become widespread in "everyday politics". The problem is simple in that it is impossible to extend or move the euphoria field to the formal political room, the room that is controlled by the "elite oligarchy".

This factor is very structural, because from the beginning, politics requires capital infrastructure that is provided outside of the voluntarism of the civil society. The contrasting political competition is not absolutely final, the post-election pragmatism will organize interests preceding the imperative of "public ethics" that has become the basis of participation for political volunteers. Here, we are faced with the same problem: "election" is not always in line with "decision". This universal dictum is now being tested at the beginning of the institutionalisation of the new government with their commitment to human rights, pluralism, minorities, the environment, and so on. The political infrastructure of the last election was strongly marked by "extra civil activities". Particularly that political involvement had a minimal influence. In fact, on a number of occasions the President gave a press statement that nuanced a "warning" so that the ABRI was neutral. This security and intelligence infrastructure was also influential post-election, especially when the General Elections Commission started to count the votes. In this very indicative nuance there is still a feeling of a condition that will justify the public cynicism, that the organisation of an election is also followed by intelligence activities of the country's apparatus. This factor will be noted as an indication that, behind the civil politics of the 2014 election, there was a strong feeling that the lobby and retired military were influential factors in determining the leadership of civil politics.

A condition of "post-praetorian" emerged after the institutionalisation of civil politics that

has continued in the 15 years after reformation. This means that there are still potential workings of a New Order political culture in the current political era of reformation. This condition was evident in the political tension in the days leading up to the voting on July 9, 2014. The various exaggerated issues were quite reasonable considering the political rivalry between the two parties of the presidential candidates, Prabowo-Hatta and Jokowi-Jusuf Kalla, as well as the intelligence confrontation on the human rights issue and the military secrets in the cases of "Kidnapped Activists" and the "Stepping Down of Suharto". In these situations it was clear that political issues became patriarchal issues. That politics has been taught in society as "war", "intrigue" and "slander". The black campaign became one of the objects of the campaign because there wasn't a distinctive idea that either of the sides truly owned.

The debate between the candidates was far from the standard debate of the two presidential candidates. The wealth of ideas and intellectual maturity did not appear in the series of five public debates. The standard concepts of public policy and country progress cannot be clearly examined because it was very obvious that both presidential candidates did not organically understand what strategic concepts had to be raised. A number of programs have distinct formal political documents about the visions-missions of the presidential candidate in their campaign material, but are still hesitant to show authority in the forum debates. This means that the formulation of a successful team is different to the capacity of conceptual understanding of the presidential candidates. The main problem here is that a conceptual thought, that the presidential candidate has not conceived himself, will then be difficult to discuss when that thought is showcased as the "commitment" to the constitution.

Commitment is complete knowledge. Commitment is a structured concept. Commitment becomes a promise because it is intended to be visible. From this perspective, it is very likely that "female interests" will be forgotten, because to understand "justice" from a female perspective, it is clear that there

is a requirement for authentic conceptual understanding from the president. Mentoring is possible, but authenticity must come coherently from the thoughts of the leaders. It is clear that feminist concepts were rarely discussed in the debates leading up to the 2014 Presidential election. The uproar happened because of the issues of the black campaign, with the downside that a focus towards "political women" was not considered by the press. It can only be felt that there was a "feminine" nuance on Jokowi, and a "masculine" on Prabowo. But this impression is a public impression. Not a conceptually inherent impression of each of the political candidates, moreover from a broader perspective, on each of the parties, and culture from the supporting parties.

But the "feminist politics" perspective came precisely from the volunteer political profile of Jokowi's side, including the public leaders' profiles, NGO activists and art workers who were voluntarily involved in the support for Jokowi. While "patriarchal politics" were used on the coalition parties supporting Prabowo who came from a party based on religion and Golkar, which is considered as posing as the New Order. But once again, this impression does not by itself show the "feminist political structure" in the program on Jokowi's side. This means that an evaluation that is radically intended to test the leadership and Jokowi's governance program must be proven via comprehensive observation. In other words, the increase support of female voted for Jokowi (55%) compared to Prabowo (45%), still influences the personal support because of "cultural" reasons and the rise of "rational" thought, that sees the program of "feminist politics" on Jokowi's side. The "New Order" figure on Prabowo and his military background, as well as the human rights record that continues to be questioned, indeed conveys a cultural contrast with the civil figure of Jokowi. But of course, it's not that aspect that decides the visions of feminist leaders.

The Female Perspective

If you are an eco-feminist for example, what is your opinion on the campaign proposals of the two presidential candidates? Prabowo intended

to produce 25 million hectares of rice fields. Jokowi was critical of this in stating that, first there is a need to build five dams so that there is a source of water for these rice fields. There was a naïve debate between the two of them that was witnessed by an eco-feminist. That means that the two presidential candidates would have had to work together to clear the forest in order to shape their programs. If you live near the forest and Prabowo needs half of the forest, it will be converted into rice fields. Then Jokowi needs half to be used as a source of water, to build dams. And you subsequently lose your "authentic life." Maybe this sounds extreme, but this is a criticism from the feminist perspective: radical for equality.

This principle applies to the integrity test of the feminist perspective on the other programs of the two sides. But once again, this opportunity has been limited in past political debates because the political issues of this campaign were really dominated by public rhetoric and the black political campaign. The only thin line that became the influential for the public was that Jokowi represents a relative political atmosphere that is more "democratic" compared to Prabowo. And this suggestion quite possibly projected Jokowi as a figure that will participate more in feminist, equality and social justice politics. There certainly was an interest in female politics in the 2014 election. What was most pressing was the eradication of misogynistic regulations, particularly a lot of Local Government Regulations that overtly obstruct female public activities. This problem is not just the revision of the legal perspective towards the female body, but also all the cultural infrastructure that confirms feudalistic and patriarchal politics. On this issue, women's interests are aligned with the democratic struggle interests to achieve equal citizen rights and respect for pluralism of life views.

There is no political change without change in the way that a country administers justice for all citizens. In fact, there is no change in the way that a country understands equality if there is no political partiality for female politics which continues to be weakened by the illiterate knowledge structures towards

feminism. So, with the main theme of "equality and enlightenment", female politics was made important in the 2014 election. A president, from the women's political female perspective, must also be a feminist. That is, they must understand about justice and human equality and understand that knowledge is grown organically from the personal character and their leadership record. A high standard of feminist ethics is the political imperative that is required to examine to what extent future democratic results will bring about changes in the way we are a country, in the way we organise our public policy, in the way we attend to different citizens experiences, in the way we respect citizens sexual orientation and in the way we treat the female body.

Politics from the female perspective is all of the power orientations which understand that "personal is political". So, it is not only because the main public issues of development or strategic issues are in the area of security and macro-economy. The descent from these strategic issues must be felt in the everyday experiences of women with their legal access, financial access, local politics access, body security, availability of health infrastructure, sustainable environment and so on. If this imperative is announced as a condition of female participation in today's politics, since the beginning we know that it is impossible to entirely demand that capacity from the presidential candidates. The feminist political logic is in fact, too foreign for our political culture here. The political origin of parliament members is from both human resources in our bureaucracy that is too low in terms of knowledge and awareness of "women's political justice".

The population of women in our public institutions is still counted as a part of the population of "a person with female gender", and not the population of "political women". The perspective on the development of gendered perspectives was proposed a long time ago by the UN, but this perspective saw that local policy makers were still controlled by the oligarchy-patriarchy perspective. Power is only divided up amongst the elite scheme, with the result that access to resources and justice was not overseen by the voters. Female

public participation intends to end political oligarchy that is the exclusive source of power for policy makers. Oligarchy controls politics in the drafting of laws. Oligarchy controls politics with a controlling process on the law-makers. A parliament's political openness in the process of making laws is the main interest of female politics. In this context, female participation in choosing the leader of a country is participation to produce clean legislation, which is undertaken fairly. It is minimal in the sense that "making clean and fair laws", female politics can exercise its democratic participation.

The Press and Public Ethics: "Losing Nalar" **Hannah Arendt**

All of these political issues of the 2014 elections were really determined by public opinion on the competition at the front, which the media of each of the sides organises. There is a flaw in the press division. There are claims of partiality to show "both the black and white" between the Prabowo side and the Jokowi side. But the press is less thorough in showing the "inside structure" of both of the sides. If the press takes sides, then it is valid to do a whole ethical contrast between the two parties to show the conclusions to the public. The impression that all the main media provides "protection" to the Jokowi side was a consequence of the attack of the black campaign that was considered to come from Prabowo's side. But at the same time with this "fortifying" attitude, fortifying is also another aspect on the Jokowi side, so that it seemed that Jokowi was flawless. That oligarchy also worked on Jokowi's side and that a feudalistic culture was wiped out on Jokowi's side inevitably disappeared from press criticism. Also that the issue of human rights violations was on Jokowi's side was not talked about as intensively as was the case on the Prabowo side. Capital power was also found on both sides but it also was not discussed proportionally in the press.

Of course, with the ethical responsibility of the public, the imbalance must be noted as a weakness of the professionalism of institutions protecting democracy. That there was euphoria to produce "reformation vol 2", under no

circumstances should result in no criticisms from the press to the presidential candidates. At the point of evaluation of public opinion, we cannot count the frequency and the amount of the black campaign on 'both sides' of the media, besides the explanation of transparency and objectivity in all the flaws of the two sides. But, in the 2014 elections, the press lost their rational balance because it was directly involved in "duel politics" that is considered as "duel ethics". Taking sides is not considered as an ethical demand, even though the two dueling sides did not completely contrast in terms of ethics. This setup emotionally divides the public which simultaneously creates stigma in the way we care for future democracy. Namely, that the press hasn't been able to engage the public political tension to become critical discourse which then presents quality perspectives as a means for public reasoning in democracy.

An important lesson is that of a circular oligarchy which also controls mass media institutions. The press as a "profession" must have a third eye that is a thinking eye, to evaluate in depth their personal perspectives when politics becomes the game of the media oligarchy. Connected to public ethics is professional ethics which is the principle that the press is only responsible for themselves. A responsibility that surpasses the political euphoria that carries away the tide, is the crowd alone. The press' responsibility in itself means a responsibility to educate themselves, as a manifestation of the public's decision. The public decision must be taken with a degree of criticism. By being smart, the press becomes the caretaker of the public's health. We can learn from the criticism of Hannah Arendt - a female philosopher, while covering the trial of the Nazi leader, Adolf Eichmann - who made the critical conclusions of the mental condition of the murderer. Arendt challenged the public opinion that was euphoric with revenge and unbiasedly explained the real political conditions that Eichmann was in a state of "mental deficiency". Eichmann's crimes were a result of his inability to think (Arendt, 1977). In this type of political situation, a person is no longer a political subject but simply a function of the mechanism of power. This trivialisat

of humanity makes crime banal. Arendt's journalism was able to see the hidden condition from the anthropology of crime. In this radical perspective Arendt highlighted an important teaching that, the public needs to think (Arendt, 1958). And the press should let them do that.

The press' responsibility is to take a critical position in how it influences the public with strategic issues. The maturity of the press is measured in the depth of the political mind to read politics "between the lines". There is always a reason that the press' support of a presidential candidate isn't a "blank cheque". But in the conditions of the last election, the press was precisely at the forefront of giving a "blank cheque" to the political parties because direct involvement in the partisan campaign became the mouthpiece of the two sides. Because of this, when there was a contestation of a "split nation" in this election, this is in fact what happened, due to the divide in public opinion via the "split press". Understanding the politics of the 2014 election in the construction of public ethics demands the press position to really go away. Not a neutral attitude, but a critical attitude to witness the real conditions from a political contest. The press and public ethics is the most reliable democratic guide in a period of political translation like this.

Public ethics supports politics in the long-term. Elections are a routine process every five years. Because of this, the press' integrity of investment is a long-term investment to develop the critical ethos as the main lesson to becoming responsible citizens. This republican ethics revives the cynicism that there is always an unseen ambition behind the politics of popularism that is often disguised as ambition. Feminism is a sensitive perspective towards the most disguised patriarchal conditions that have the potential to occupy the power hierarchy when politics returns to the formulistic characters. The press and criticisms are a feminist project. There is an acuteness to find the oligarchy construction surpassing the euphoria of voluntarism which is highlighted in the political construction of "friend-foe", which really is not a true contrast. Forming of opinions and constructions like this often shape the power game that starts from

a historical background of revenge, capital transactions and ambition from a hegemonic group.

Feminist perspectives must focus on the longer history to enable criticisms to overcome the pitfalls of patriarchy in every strategic political event, such as elections. This means that euphoria on political events cannot shut down critical reasoning to oversee the return of a feudal culture, political hierarchy and capital hegemony for determining public issues and policies. These press and feminism conditions should overcome the construction of "friend-foe" which in fact contains patriarchal interests. The "friend-foe" metaphor by itself, actually isn't a feminist metaphor. Public ethics and critical journalism only grows in conditions of "adequacy of mind", which is the condition that carefully walks on the small process of democracy and is still prone to slide down by oligarchy interests in the two sides who compete at the front.

Theatre of Ambition

The last election was exciting with the confrontation between the two sides because this was the first time our democracy was tested at the front in a condition of "friend-foe". The failure of the Democratic Party Convention led by Susilo Bambang Yudhoyono - who was also the President of Indonesia - brought forward a third presidential candidate to strengthen that front. But, behind this confrontation, stood real political ambition. Well before the war of the black campaign, we understood that there was an elite political translation between Megawati and Prabowo, in what was known as the "Batu tulis Pact". Apart from the various conditionality interpretations which declined that transaction, it was clear that public interests are only determined by such political trade-ins. That the leadership shift had already been determined by the elite, preceding the development of civil society dynamics, such as the real constituents of democracy. The civil law aspects of an agreement requires an obligation from the creator. The *pacta sunt servanda* principle applies in the private contract between them. The integrity of each of the parties is measured in the fulfillment

of the ethical demand of that obligation - who is a liar, who is honest, can easily be checked with the civil law norms and the moral public norms.

Apart from these issues, there is something behind this agreement. There is the neglect of political openness. Also, there is the public right to not be bound by an agreement with unknown consequences from the beginning. So, we catch a power privatization game that is based on elitist political ambition. This construction explains the heated political rivalry between the two sides in the 2014 election. In this election, we truly witnessed two events on the same stage. On the front stage, there was excitement, but also tension. On the back stage, there was planning and a strategy of ambition. The public was involved in political emotion, but did not observe political ambition. These two sides were working on an ambitious strategy which benefits all of the abilities of their demagoguery to seize public opinion. Populism slogans were said on all stages. Old doctrines like devotion were heard via the microphones in front of the masses. But how can the public truly distinguish between Prabowo populism and Jokowi populism, between Prabowo's version about Sukarnoism and Jokowi's version?

The contradiction in the character ideology between Prabowo and his deputy Hatta Rajasa, can easily be read with Hatta Rajasa's understanding about the "meaning of democracy". With one of them understanding it as a "toll", while the other explained it as a "value". But it could also be read about the inconclusiveness of the Sukarnoism idea in Jokowi's vision about "mental revolution", with his deputy, Jusuf Kalla understanding it as a "pragmatic-economic" concept. Political ambition has already surpassed conceptual clarity. Again, this election felt like a vehicle for ambition in the political theatre, rather than a contest of sharp minds in indicating the political direction for the next five years. This problem will quickly be felt when policy making is faced with the harsh reality of limited political choices on both a local and global scale.

The ideology of populism will be immediately faced with concrete matters in political arrangement such as the APBN, which is

heavily burdened by political energy subsidies. Furthermore, international agreement especially in the extractive sector, must be respected by the governments if they want to participate in the rationalist system of the global economy. Similar applies to a local level, where politics is still dominated by arrogance of the regional autonomy which is a cartel and old political oligarchy. It is clear that the contents of the ideology that underlie the visions-missions and political candidates program was not coherently conceptualised in the competing ideological paradigms. Conversely, political ambition can be seen plainly in the various public statements put forward by the key figures from both sides. The point is that the political competition for the election is still over-controlled by political strength, whether it be the motive of revenge, or the sheer thirst for power. There is a friendly debate in the mass media. But this is mainly about past quarrels, rather than the conceptual debate.

Feminist interests go beyond the political presentation in the theatre of ambition. Female political participation clearly identifies the game of political ambition. And only because of utilitarian reasons does the feminist political voice tend to be in favour of the Jokowi side. But it must be remembered that Jokowi figuration is "ad hoc" in this election because the political dichotomy directly presents the civil and military figure in those two sides. This means that when a feminist political test proposed radically to Jokowi side, then it is immediately apparent that there is an unspoken partiality. There are still shades of feudalism in PDIP, Jokowi's main coalition party. The ranks of retired military personnel in Jokowi's side that is still overshadowed by human rights issues, is certainly not the choice of feminist politics. Jusuf Kalla is also not an ideal feminist politics figure. Indeed there is a construction that is prepared by a number of activists and civil society figures to put Jokowi towards the feminist political paradigm. But of course, this strategy is still too simplistic because there is a need for authentic glue to investigate the feminist values in the mind of a political figure that is in a political environment which is still patriarchal.

Conclusion: Feminist Ethics

The theatre of ambition is the stage for five years. Feminist politics is an investment in civilisation. From this train of thought we have evaluated the 2014 election. For a long time feminist politics has known that being a woman and experiencing unfairness is one sociological packet that is managed by patriarchy. The need for political change is not only required in the field of participation, but more so in the sharpness of discourse in reading these unjust structures. This is why we need to strive for strong theoretical understanding, so that the political euphoria that swept the field was not feminist conceptual tools, but rather the tools of thought and surety about more radical justice. Feminist politics also understands that efforts to manage that justice in critical moments such as the election, is required as a “short term strategy”, in order to prevent the inclusion of authoritarian characters in politics. But feminist politics still looks at long-term politics, with the strength of democratic institutions that are truly focused on the ideas of human equality and enlightenment.

Cultural conversation is important to feminist politics. Cultural conversation about values, ethics and respect to different life perspectives. In this cultural dimension, feminist politics fosters an environment that allows for horizontal political participation to maintain the characteristics of a “political society” and to not transition towards a “political country”. This demarcation between cultures and countries must be protected so that the voluntarism of “political volunteers” for previous elections, does not change to become “small tickets”

from those who truly follow the “Theatre of Ambition”. We are embroiled in a weakening political battle. Embroiled in a stage which we do not completely know about. An expectation of this change has moved the community to “initiate” the formation of new power, in the spirit of volunteerism that is ideologically anonymous. This is a new political experience. Where there is an important lesson, there is a public reason and political common sense will always be reactivated when politics are in a state of emergency.

For feminist ethics, political concern is a concern for the opportunity to celebrate solidarity. Political intentions driven by feminist ethics surely requires ethical and authentic honesty. Honesty to measure yourself if that solidarity experience grows uniquely from an awareness of the “feminist movement”, or if it just happens because of the “friend-foe” euphoria. This reflective question will take in the new atmosphere or a new government. But more than that, the reflective question that is posed on the feminist movement itself: to what extent do we have authenticity in translating feminist ethics into the political policy of the 2014 election? We still have to take care of democracy. Especially after a number of main institutions - the press, campus, organizations - argue and generate an uproar of public opinion. This post-election pedagogy is a pedagogy to take care of the body and political thoughts that are lingering from the patriarchal arguments. Feminist politics will still be involved in tidying up. But this time not because of the construction of “friend-foe”, but because of the responsibility to continue civilisation.

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Understanding the Ties that Bind: Early Marriage in Yogyakarta

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Abstract

In Indonesia, socioeconomic status is one of the key factors in determining marriage age and partner choice. Adults and youth alike view religious and *adat* values as the ‘fortress’ or ‘filter’ countering all of society’s ills, including hedonism, consumerism and exploitation. Problematically however, the values associated with religious faith and local belief systems are not sufficient to equip one to deal with the complexities of contemporary social life. The increasing liberalisation of attitudes towards sexuality in popular culture, through access to digital media and virtual technologies and among peers, positions youth in an incredibly vulnerable position, one which requires them to have the tools to critique what they experience and to protect themselves against risks. In effect, this means an increase in the number of dispensation requests, greater scope for their abuse by local officials and an increase in the number of abortions.

Keywords: youth, early marriage, *adat*, abortion.

Introduction

Sexual politics in Indonesia operate within a complex matrix of normative discourse, Islamic ideology, local custom and a sexually liberal and exploitative market and media. Generally speaking, the only publicly acceptable expression of female sexuality is within heterosexual marriage for procreation purposes; virginity is held sacred. Despite the relatively recent rise in middle class affluence and the accompanying shift to more liberal attitudes to sex and sexuality, early marriage (known as *nikah/kawin muda* or *pernikahan dini*) among children, teens and young adults is increasingly the subject of moral panic, not least because it is associated with pre-marital sex (*seks diluar ikatan perkawinan* or *seks pranikah*).¹ Situations of unplanned

or pre-marital pregnancy (KTD)² and MBA (Married by Accident),³ therefore, as evidence of female sexual deviance, are considered shameful (*aib*) and are highly stigmatised, as is

marriage is also equated with underage sex (*seks di bawah usia*).

I must point out that the terms *pernikahan dini* and *nikah muda* are distinguished, specifically among academics and human rights activists in that the former relates to child marriage (under the legal age of 16, particularly for girls), while the latter refers to marriages that occur when the youth involved are over 16 (late teens to early twenties), and therefore of legal marriage age, yet not mature, independent, or psychologically or physically prepared for marriage and family. For a detailed deconstruction of the discourse of *pergaulan bebas* see, T. Wright Webster, 2010, *Pergaulan Bebas and Gendered Youth Culture in Yogyakarta, Indonesia*, PhD. Dissertation, University of Western Australia, Perth.

² Indonesian acronym for *Kehamilan yang Tidak Dihendaki/Direncanakan/Diinginkan*.

³ The English language acronym MBA is often used

¹ The general term for the moral panic is *pergaulan bebas*, and more specifically in relation to sex is termed *seks bebas* or *free sex*. Early

abortion.⁴ In this paper I draw on findings from ethnographic fieldwork, including in-depth interviews with married females aged 17-29,⁵ conducted in 2011 and subsequent observations in the period 2012-2015 in Yogyakarta on early marriage.⁶ I highlight some of the cultural and legal circumstances surrounding early marriage specific to Yogyakarta, the incitement to sexuality in popular culture and legal inconsistencies in relation to marriage age.

In relation to the moral panic surrounding youth sexuality, Utomo and McDonald (2009: 133) pose the problem as:

The sexual and reproductive health values and behaviors that are emerging among single people in contemporary Indonesia are conditioned by a political context that allows the conflicting forces of traditional Indonesian values, Westernization, and the strong emerging force of fundamentalist Islam to compete for the allegiance of young people.

In the context of this friction, youthful Indonesian bodies are vulnerably positioned as contradictorily exposed to discourses of liberal sexuality, particularly since the explosion in digital telecommunications media, while being educated within a national education system which panders to conservative religious / Islamic doctrine. As a result, the education system continues to fail to acknowledge the ways in which youth are engaging with and subjected by these discourses, and therefore, fails to provide the moral 'filter' or 'fortress' that many Indonesians suggest children and youth require to be able to navigate the rapidly evolving context in which they live. As Parker (2009: 65) explains, the fear underpinning this disjuncture is based on the misconception that 'sex education will encourage students to have premarital sex, by giving students the means to experiment with sex and "get away with it"'.

This disjuncture exists despite widespread

recognition of rapid changes in media, products, youth cultures and consumerism in the period of 'cathartic release' (Gillespie 2007: 210) that characterises the post-Suharto *reformasi* period and which shares similarities to changes observed in China (Farrer 2002), Vietnam (Ngyuen & Thomas 2004) and other non-Western countries. In particular, the changes in sexual cultures which are being increasingly homogenised through the impact of globalising discourses of liberal sexuality, together with hyper-sexualised constructions of femininity.

Changes in postcolonial and postmodern subjectivities, specifically those that act to reinforce highly sexualised and commodified forms of femininity as the only option for girls,⁷ have been critiqued by feminist sociologist Angela McRobbie (2009: 71-2). In her conceptualization of the 'postfeminist masquerade', McRobbie implies that feminism is not a *fait accompli* and now redundant, but rather that the vigilance of feminist critique of globalising trends to the liberalisation of sexuality in the global capitalist economic/cultural model is critically lacking. McRobbie's feminist contemporaries and activists in the social mediascape are mounting increasing criticism of neo-liberalism in asserting that discourses of self-liberation, self-expression, gender and notions of agency require deeper analysis in terms of social class, material constraints and cultural context,⁸ especially in relation to the fashion, style and sex industries, their consumption, and formulations of gendered desire inherent in the media products of these industries.

Changing Marriage Trends

Similar to other postcolonial societies, delay of marriage in Indonesia has coincided with prolonged education, steady urbanisation and the preference for choice marriages based on romantic love, particularly in cities.⁹ As Pam

4 Pre-marital pregnancy is often precipitated by young women's inability to access safe and affordable abortions. For a detailed analysis of Indonesian policy on abortion see Claudia Surjadjaja, "Political Analysis of Abortion in Indonesia: The Dynamic of State Power, Human Need and Women's Right," *Institute of Development Studies* 39 (2008), 62-71.

5 Three of the informants were divorced by 25, two of whom were remarried within a year of divorce.

6 The 2011 research was funded by a 6 month Australian Endeavour (Postdoctoral) Research Award.

7 Commodified forms of femininity are implicit in the rapid encroachment of the Arabisation of fashion and representations of female piety in the last decade, see Dewi Candraninggrum (2012), *Negotiating Women's Veiling: Politics and Sexuality in Contemporary Indonesia*, Occasional Paper No. 22, Research Institute on Contemporary Southeast Asia.

8 See, for example, Melinda Tankard Reist and Abigail Bray, eds., *Big Porn Inc: Exposing the Harms of the Global Pornography Industry* (North Melbourne: Spinifex Press, 2011).

9 For further reading on marriage trends see, Gavin W. Jones and Bina Gubhaju, "Trends in Age at Marriage in the Provinces of

Nilan (2003: 45) observed over a decade ago in Bali, university students are 'very much "in love" with the idea of romantic love'. The western model of romantic love has become the idealised model for permanence in intimate partnered sexual relationships: the model of a secure relationship (Borneman 2005). With choice marriages based on romantic love seen as the alternative to arranged marriage, they are idealised as the preferred and expected marriage option for many Indonesian youth. Choice-based marriages are deemed an entitlement among generation *gaul* – urban, media savvy, educated middle to upper class youth and early adults (born mid 1980s – 1990s), and normatively involve a courtship period of getting to know each other as *pacaran*.

Marriage, however, remains a social contract not entirely in the hands of the marriage partners, primarily because marriage initiates an ongoing relationship between two families. Indeed, in 2008 Nilan found that marriage among the educated middle classes is still largely predicated on the compatibility of the partners in terms of 'faith, family and finances'. These criteria are a contemporary version of the Javanese criteria for ranking a prospective son-in-law according to quality, rank and origins (*bobot, bibit, bebet* Jv.), among which faith was not prioritised. It follows that the conditions in which marriages are entered into are not limited solely to the desires of the partners as idealised in the notion of marriage based on romantic love, but are negotiated through hierarchical webs of power within which individuals are highly constrained to put family first.

Indeed, while rapid social change exacerbated by new technologies characterises the new millennium, Bütünheim and Nobles (2009) have shown that marriage (familial structures and their relations) in Indonesia are influenced by local *adat* – systems of social norms and unwritten laws for negotiating everyday life – as much as by religion, the state and the processes and discourses of development and modernisation. As they suggest '*adat* norms are strong predictors of marriage behaviour, both over time and net of large increases in

educational attainment' (Ibid: 277). Difficult to define or quantify, *adat* norms are perceived, determined and negotiated by individuals within the specific and highly variable contexts in which they are subjected. Even within cities, local *adat* custom acts as a 'lens' or 'conduit through which control is exercised' and marriage choices made (Ibid: 281).

In the period 1971-2000, average marriage age for females in Indonesia increased from 18 years to 20 years of age. According to the Indonesian Family Life Survey (IFLS),¹⁰ 20 percent of female youth are marrying under 20 years of age, with 9 percent marrying between the ages of 15 and 19 (Jones & Gubhaju 2008: 4), with only 1.5 percent of males marrying in their teens (Ibid: 8). '[M]ore than one third of all young women were still marrying in their teens, and 1 per cent before reaching their 18th birthday' (Ibid: 7). While marriage is universal throughout the archipelago, in more cosmopolitan cities like Jakarta, Bandung, Yogyakarta and Surabaya people are choosing to extend their time in education and work prior to marrying (Ibid: 1) such that 20 percent of women aged 25-29 are never married (Ibid: 5).

As Linda Bennett (2005: 2) has suggested, it is commonly expected that middle class Indonesians be married by 30. The 2007 Ambivalent Adolescents in Indonesia (AAI) survey confirmed this expectation.¹¹ The survey found that 99 percent of youth aged 16 (across class groupings) in Yogyakarta aspired to marry by the age of 25. This preferred age at marriage may in part explain why 'early marriage' is generally considered to be marriage before 25 years of age, an age preference that ideally (and for those who can afford it) allows for completion of an undergraduate tertiary qualification.

Although early marriage is generally conceived of in international development 'speak' as teen marriage before the age of 20, and associated with health risks for the mother during gestation and labour, and for the embryo, newborn and infant under 5, conceptions of

Indonesia," in *Working Paper Series*, Singapore: Asia Research Institute NUS, 2008.

¹⁰ Based on data collected throughout Indonesia from people born between 1934 and 1964.

¹¹ The 'Ambivalent Adolescents in Indonesia' study, to which my PhD research was linked, was funded by the Australian Research Council, and involved a team of six researchers in nine Indonesian cities.

what constitutes early marriage in Indonesia have varied considerably over time. At the turn of the twentieth century for example, concerns about early marriage focused more specifically on forcible child marriage by parents and the consequences for girls (as young as 6), such as in the practice of *kawin gantung* (suspended marriage) (Blackburn & Bessell 1997). Girls were rarely consulted on timing or choice of marriage partner; rather, these decisions were made by parents. Blackburn and Bessell have suggested three broad reasons for parents marrying their daughters off young, based on,

certain common motives and shared assumptions: parental desire for gain through marrying their daughters, a conviction that childhood was brief, and a fear of the sexuality of girls
(Ibid: 113).

The Dutch, although critical of the practice of child marriage, deemed that the outlawing of child marriage would pose a potential threat to both Islamic and *adat* practices which support early marriage (Ibid: 116). Child marriages (under 16 for girls and 19 for boys), although not legal under the 1974 Marriage Law, continue to be sanctioned in Indonesia today, largely influenced by the obscurity of notions of *adat* from region to region and tolerance for Islamic marriage (*nikah siri*) and polygyny. We see, therefore, a continuing tendency among the poorer and lower working classes, though not exclusively, both urban and rural, to marry young. Apart from the reasons cited above, in the contemporary context among the lower to middle classes parental consent to early marriage is often strategic in reducing the financial burden on the primary family unit, particularly in the case where there is no money to fund a child's continued education. If a daughter or son has reached puberty, is of marriageable age and not studying, they must work to contribute to family income rather than be idle and drain family funds. Once married, the lack of adequate reproductive and sexual health education combined with the social and gendered expectations to reproduce mean that pregnancy often follows swiftly.

The combined factors of limited economic capacity within the parental family and inability

to continue with education precipitated early marriage for the three of the research participants. Of these three young women, one was offered a scholarship to complete high school but refused as it would mean further separation from her parents who had lived and worked in Yogyakarta all her life while she was raised by grandparents hundreds of kilometers away in Lomangan. The alternative to her taking the scholarship was that she was voluntarily married off (*dijodohkan orang tua*) at 16 as her parents also were (though at a younger age). She explained that, 'it is easier to face hardship as a couple than alone' (*lebih baik susah berdua daripada susah sendiri*). Another participant from this group, raised in a peri-urban farming community where a young unmarried woman of 17 is considered an old maid, married at 16. This meant she had to pay her way to eligible age of marriage or '*beli umur*' through claiming dispensation. She explained that 'to have a family is the main priority in life. Since I could not afford to go to school, I had to get married and have a family of my own. My life is hard. I cook, clean, wash and iron for everyone in my family. That is what I do, that is all I do, that is my life.' Another, after leaving school at 12 and working in factories in Jakarta and east Java for several years married at 16 for 'economic reasons.' She is full of 'regret' with five children under 12, an underemployed husband, no extended family and no assets.

Blackburn and Bessell's (1997) suggestion that parental pressure to marry is often based on fears surrounding female sexuality, and the sanctity of virginity persists. One young high school graduate from Magelang, who worked in hotel administration in Yogyakarta for a year after graduating, married at 18 due to pressure from her boyfriend's parents after three rather innocent visits to their home. One couple (both 18) was married a week after being caught alone together by the girl's parents. Having been caught was public knowledge within moments of it occurring. To save face, the parents met and the decision was made that in their best interests they marry as soon as possible.

Conflict with parents over the right to choose a partner who does not conform to parental expectations while youth are still dependent on their parents is common, though to rebel against

parents brings heavy sanctions. One participant in senior high school ran off with her boyfriend who was rejected by her step-father, a prominent public figure, for refusing to stop gambling – the couple married by *nikah siri* (which does not require parental consent) so that they could live together, and distanced themselves from the girl's family. Another young woman, a tertiary student from Sulawesi, whilst boarding in the home of a poor family in Yogyakarta, fell for their son. After watching a pornographic video with her boyfriend and his friends, she was cajoled into re-enacting what they had seen – and she fell pregnant. Her boyfriend's family did not consider abortion, saying they could not face (*gak tega*) an abortion, and welcomed the child lovingly. Her wealthy parents were not impressed, did not attend the wedding or visit her in Yogyakarta. As a mother, she was unhappy and often frustrated with the child. She did not continue her studies once pregnant, was ostracized by her family and no longer received her monthly subsidy from afar that she received while studying. For four years, she and her husband's family raised her son in poverty. Finally, she visited her parents in Sulawesi alone and did not return. She divorced her husband and, leaving her son in his care, continued her education with family support.

Three other informants married after becoming pregnant. Due to the social stigma against pregnancy outside of marriage and the shame this brings to families they attempted abortion unsuccessfully, using 'traditional', non-surgical methods, before informing their boyfriends of their pregnancy in their second trimester. Of these four young women, one, a university student, was expelled from the family home after reluctantly announcing that she was four months pregnant. Her mother disowned her and her father relocated her to Sulawesi where she and her boyfriend were married. When the time came for her to deliver, her father moved her to Yogyakarta so that he could assist her. He later funded accommodation for the couple and their return to education. In the years that have passed, her mother still has not communicated with her or her child. The family of one young woman was so embarrassed at the news of her pregnancy that they sent her and her boyfriend to live in a village in peri-urban Yogyakarta with distant cousins who were

not well off. Their living together unwed was not tolerated in the village and they were pressured to marry. Their lack of education, access to information, money, resources, family support and, at last resort, knowledge of how and where to be married according to *nikah siri*, however, meant that they were always on the move. The last case is that of a young woman who fell pregnant to a married man whose first wife started a two year contract in a factory in Taiwan weeks after they were married. The young woman was unaware that her new husband was married. That she had become pregnant prior to marriage and that her husband was already married resulted in her being alienated by her family. She was forced through poverty and isolation to live in a makeshift house made of bamboo and plastic tarpaulins at the back of her husband's parents' home.

One of the worst fears of Indonesian women is to bring shame upon the family and be ostracised by them as a result. To avoid bringing shame on the family of an influential businessman and Muslim, one young participant, 20, who fell pregnant while studying away from home, was pulled out of university, forbidden to speak to her boyfriend (who was considered not of the same social status as the young woman's family) and isolated within the family home as her pregnancy became visible. Her father's sister and her husband were implored by her father to register the child as their own, which they did. The child was then raised as the daughter of the young woman's parents, under the guise that she was adopted by the parents from the poorer family of her father's sister. Tragically, another young woman, 19, also studying away from home attempted abortion through a *bidan* (community nurse) through massage, but died of septicemia as a result of an incomplete removal of the foetus and placenta. All effort is taken to avert ostracisation from the family since ostracisation effectively severs all social networks and means of support to a young woman, limiting her access to the hierarchical social structure within which she, as a member of her family, is relatively positioned.

It is not surprising that, in the context of ambivalent messages in the media in particular in relation to sexuality, recent studies on youth attitudes towards pre-marital youth and early

adult sexual practices¹² unanimously call for policies of responsible and comprehensive sexual and reproductive health, as well as rights education programmes in Indonesian high schools. Studies of marriage preferences prior to marriage (Bennett 2005, 2006), of middle-class university students (Nilan 2008) and of youth with Muslim sensibilities (Nancy Smith-Hefner 2005, Parker 2006), draw out the link between marriage age and education as a function of socioeconomic status. Education is vital also to understanding the complexities relating to the legalities of marriage and the conflicting laws in relation to age at marriage.

Legal Inconsistencies Related to Age of Marriage

According to the current Indonesian Marriage Law No. 1, 1974 Article 6 Verse 2, youth under 21 years of age require written consent from both parents to marry. Article 7 Verse 1 stipulates the legal marriage age for girls as 16 years and for boys 19 years. As a supplement, Article 7 Verse 2 states that in cases of request for marriage by underage parties, dispensation (*dispensasi*) can be sought from the Religious Courts (*Pengadilan Agama*) by the parents. The dispensation supplement makes allowances for the practice of underage marriage tolerated according to *adat* (customary) and Islamic law, ameliorates the social stigma towards families due to pre-marital pregnancy, and reduces the number of babies born illegitimately (*di luar/tanpa ikatan*, and referred to as *anak haram*). For underage persons, the dispensation law provides a legal alternative to the practice of *nikah siri*, a religious (Islamic) marriage, not necessarily registered with the religious courts, which confers no legal rights to the wife/s or child/ren in the case of marital disharmony, abuse or neglect yet may grant a reasonable level of social tolerance of the union

in the local community.

The 1974 Marriage Law, however, is complicated by local and regional *adat* laws, Islamic law, the colonial legal system, and newer civil laws introduced since independence through which subjects are positioned dependent on their legal situation. The current Regulations in Civil Law (*Undang-Undang Hukum Perdata*, UUHP) derive from the Dutch system of *Burgerlijk Wetboek* introduced in 1859, in which the age of adulthood is 21 years. In essence, the 1974 Marriage Law has overridden the basis of the former Dutch law yet maintained the need for parental consent for marriage under 21. More recently, the Compilation of Islamic Law (*Kompilasi Hukum Islam*, 2001)¹³ was revised to include Article 15 (1 and 2) which conforms to the marriage age stipulated in the 1974 law. In 2002, in accordance with the International Convention of the Rights of the Child 1990, Child Protection Laws (*Undang-undang Perlindungan Anak*) were introduced in Indonesia. Article 1 of the Child Protection Law (2002) extends childhood to 18 years, and contradicts the legal age of marriage for girls stipulated in the 1974 Marriage Law. Article 26 of the Indonesian Child Protection Law states it is the responsibility of the parents to prevent their children from marrying under 18 years of age. In practice then, the 1974 and 2002 laws, which specifically address the age of girls at marriage, may be applied on an either/or basis.

Problematically, inconsistencies between the two laws are often manipulated by village level officials (advising and assisting those applying to marry), particularly in cases of marriage for girls under 18 who are not aware of their legal position (as in the case of '*beli umur*'). As a result, there has been a steady annual hike in number of marriages requiring legal dispensation due to pre-marital pregnancy. Frequently, articles on the 'problem' of early marriage due to pregnancy pinpoint village level officials who assist in the process as charlatans.¹⁴ In accordance with Article 53, Verses 1, 2 and 3 of the *Kompilasi*

12 See, Tom Boellstorff, "The Gay Archipelago: Postcolonial Sexual Subjectivities in Indonesia," PhD diss, Stanford University Press, 2000; Augustina Situmorang, "Chastity and Curiosity: Attitudes and Behaviour of Young People in Medan Regarding Virginity and Premarital Sex," *Journal of Population* 9 (2003): 27-54; Brigitte M. Holzner, and Dede Oetomo, "Youth, Sexuality and Sex Education Messages in Indonesia: Issues of Desire and Control," *Reproductive Health Matters* 12 (2004): 40-49; Piper Crisovan, "Risky Business: Cultural Conceptions of Hiv-Aids in Indonesia," PhD diss, University of Toledo, 2006; and Claire Harding, "Adolescent Sexual and Reproductive Health in Indonesia: Investing in the Future?," Honours thesis, The University of Western Australia, 2006.

13 Direktorat Pembinaan Peradilan Agama Islam, Ditjen Pembinaan Kelembagaan Islam Departemen Agama, 2001. Source, <http://hukum.unsrat.ac.id/ma/kompilasi.pdf>, accessed 24.8.2011.

14 <http://suaramerdeka.com/v1/index.php/read/news/2011/04/11/82707/-Dispensasi-Usia-Nikah-Meningkat-Tiap-Tahun>, accessed 12. 04. 11. I found many village level officials (*pak dukuh and pak RT*) who said they often raised the age of girls to 17 to enable them to marry, for a fee of around Rp 100 000 (AUD\$10).

Hukum Islam, the Religious Court (*Pengadilan Agama*) allows underage marriage due to exceptional circumstances, though, as in the 1974 Marriage law, there is no explanation of what these circumstances may include. Suffice to say, everybody falls into the exception category. Legal dispensation in cases of premarital pregnancy recognizes that pre-marital sex is occurring and is a legal measure for maintaining social harmony and establishing responsibility in the hands of individuals.¹⁵

Conflicting legal guidelines in relation to age at marriage, age of childhood and the simultaneous functioning of systems of civil and religious marriage are confusing to young people and their parents and guardians. I have pointed out situations in which this can lead to exploitation of the situation for financial gain by local village leaders, yet it is in relation to the unspoken social mores that more insidious consequences may result. One of these is suicide, which is the second highest cause of death for youth 10-24 years in Indonesia, with approximately a third of these said to be the result of failure to cope with the end of a love relationship.

News articles related to suicide among the 10-24 something age group are relatively common in the Indonesian print media. In these articles, matters of the 'heart' (love relationships) are constructed as causal of suicide, reinforcing the power of the notion of romantic love. Termination of a relationship, betrayal or unfaithfulness in love leading to 'broken heart' is represented as the main cause, and the lack of parental consent to the relationship as another. For example, in an article in *Kedaulatan Rakyat* (21st Feb 2011: 22) entitled *Dilarang Nikah – Gantung Diri* (Forbidden from Marrying – He Hung Himself), it is reported that a young man (21) hung himself while his parents deliberated his request to marry his long term girlfriend, believing he was too young. In

the case of Cicilia (15) it was reported that she hung herself after her boyfriend ended their relationship. She had little emotional support as her parents lived in Bandung.¹⁶

In such cases, heterosexual youthful love relationships (*pacaran*) are either prohibited by parents, and ended by the couple,¹⁷ entered into without parental awareness (*pacaran gelap/bakstrik*), or are more casual, experimental and physical (*cinta satu malam / pacaran sesaat*, one night stand), and less romanticised. Problematically, poor sexual and reproductive health education combined with negative attitudes towards purchase and use of condoms,¹⁸ inconsistent use of the female contraceptive pill due to lack of knowledge of the female reproductive cycle, and fear of engaging with health professionals leads to high numbers of unplanned pregnancies.¹⁹ In attempt to conceal the shame of pre-marital pregnancy, many result in premature marriage, (unsafe) abortion,²⁰ murder, and callous disposal of full term fetuses and newborns.²¹

Conclusion

In Indonesia, socioeconomic status in one of the key factors in determining marriage age and partner choice. While rapid change has brought about an increase in marriage age among the middle to upper classes, adherence to *adat* norms (which are also imbued with religious ideology)

15 Of those interviewed in this sample, one couple aged 16 applied for legal dispensation to marry on the advice of their school principal who agreed to allow them complete their high school education on condition that they marry. These students attended an SMA which catered to students who had been expelled from other schools due to difficult behaviours or failure to conform to school rules. The Catholic principal supported the view that female youth should not be educationally disadvantaged because of pregnancy. I found many village level officials (*Pak Dukuh* and *Pak RT*) who said they had raised the age of girls to 17 to enable them to marry, for a fee. For these powerful male village officials, it was a matter of protecting the 'good names' of people they knew who had come to them for help.

16 In the area of Gunung Kidul, Yogyakarta, it is believed that the night before a person suicides a comet-like light is seen crossing the sky near the home of the victim, foretelling *mulung gantung* (suicide by hanging) as one's fate. The myth does not take into account the psychological, health or economic condition of the person.

17 I conducted a small survey among 20 university students (half female, half male) across disciplines with an average age of 20. One survey question related to what to do if parents do not consent to one's choice of *pacar*. 95% (19/20) responded 'find another one' (*cari yang lain*). One male suggested slowly bringing his parents around to accepting his choice as over time they would witness his genuine commitment to his girlfriend.

18 Recently, the Mayor of Surabaya, Sri Rismaharini, following the marketing of chocolate packaged with condoms by minimarkets for Valentine's Day, immediately enforced the removal of condoms from minimarket shelves in her jurisdiction.

19 This number can only be estimated through data on abortion.

20 According to BKKBN (National Family Planning Coordinating Board) statistics for 2012, 2.4 million abortions were performed in Indonesia, 800 000 among teenagers. The PKBI (Indonesian Family Planning Association) data suggests that of those seeking abortion 16% were unmarried. These statistics do not account for 'backyard' abortions.

21 <http://www.tribunnews.com/2011/05/17/bantul-gempar-dua-mayat-bayi-ditemukan-dalam-sehari>. Accessed 15 June 2011 and, <http://www.krjogja.com/news/detail/101902/Duh...Baru.Lahir..Bayi.Dibuang.Tempat.Sampah..html>, Accessed 5 Oct 2011.

and the sharing of economic pressures among the poorer classes mean that early marriage is often undertaken for moral and economic reasons. Adults and youth alike view religious and *adat* values as the 'fortress' or 'filter' countering all of society's ills, including hedonism, consumerism and exploitation. Ideally, this moral filter will enable one to distinguish between right and wrong actions and assist in not compromising one's own values. Problematically however, the values associated with religious faith and local belief systems are not sufficient to equip one to deal with the complexities of contemporary social life. The increasing liberalisation of attitudes towards sexuality in popular culture, through access to digital media and virtual technologies and among peers, positions youth in an incredibly vulnerable position, one which requires them to have the tools to critique what they experience and to protect themselves against risk. The question remains: if youth are to be self-protective without being selfish, and develop a high level of moral and social consciousness

suggested by the notion of '*benteng*' and '*filter*', how are they to do this if not through responsible and reflexive comprehensive reproductive and sexual health and rights education that acknowledges the complex realities youth face? Further, the marriage laws have recently been reviewed and legislation introduced in alignment with international conventions on age of childhood with marriage age in Indonesia, that is, to raise the age of marriage for girls to 18. The legislation was defeated. The reasons for this are many and varied and may be said to reflect the conservative views of legislators in relation to pre-marital sex. In effect, a rise in the legal age of marriage would mean an increase in the number of dispensation requests, greater scope for their abuse by local officials and an increase in the number of abortions. When the time comes that the law does pass, one would hope it to be accompanied by a clause on consensual age of sex to avoid the problems potentially arising from perceptions of an effective increase in the age of prohibition.

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Women as Other in the Narrative of the 2014 Legislative and Presidential Elections

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Abstract

This research explains the interaction of religion and politics during the Legislative Election of April 9 and the Presidential Election of July 9, 2014 in considering the status of women. Feminist approaches are often suspicious or cannot believe how the alliance of these two terms (religion and politics) can truly serve the mandate for gender justice and social justice. Explanation of the General Election data affirms the vulnerable status of women and other groups, both within the structure of political parties, proportion of MP's and in the executive development paradigm of the incoming President. The entire women's movement, paradigmatically and practically, needs to work together, shoulder to shoulder, in order to analyse, criticise and nurture these narratives of justice for an equal society in the coming 2014-2019 cabinet period.

Keywords: Election, women, politics, religion, cabinet.

Introduction

This research explains the interaction of religion and politics during the Legislative Election of April 9 and the Presidential Election of July 9, 2014 (from here on abbreviated as the General Election: the Legislative Election and the Presidential Election) in considering the status of women. Feminist approaches are often suspicious or cannot believe how the alliance of these two terms (religion and politics) can truly serve the mandate for gender justice and social justice. Along with undertaking a theoretical discussion, the study in this edition (82) of *Jurnal Perempuan*, also documents Focus Group Discussions (FGD) which were held on Tuesday July 1, 2014 from 1pm until 5pm Western Indonesia Time at the *Jurnal Perempuan*

Foundation office, Jakarta. These FGD were facilitated by Mariana Amirudding (Member of the Editorial Board of *Jurnal Perempuan*) along with: Ade Kusumaningtyas (RAHIMA), Husein Muhammad (National Commission for Women), Siti Khadijah Nasution (Ministry for the Empowerment of Women and Protection of Children), Manneke Budiman (FIB, University of Indonesia), Masruchah (Indonesian Women's Coalition), Muhamad Ali (University of California, Riverside), Nur Iman Subono (FISIPOL, University of Indonesia), Septemmy Lakawa (Higher School of Theology Jakarta), Siti Musdah Mulia (Megawati Institute) and Titi Sumbung (Indonesian Center for Women in Politics). A conceptual discussion of the three terms in the title above will be considered in

light of the political facts (data) of 2014, that is, facts (data) about the Legislative Election and the Presidential Election.

Political-Etymological Description: *Religion*, *Agama*, and *Dien*

In his opening remarks, Muhamad Ali dissected the etymology of the three words which possess a complexity of different meanings and implications in the religious life of Indonesians, namely: *religion* (from English), *agama* (from Sanskrit), and *dien* (from Arabic). *Agama* is a new word which emerged in the modern paradigm. And *religion* as a Western concept then influenced the concept of *agama*, that is, in the context of Westernised Christianity. Religious (*agama*) belief then became a belief for the private sphere, at least in Asia. While from an etymological point of view *agama* comes from Sanskrit – it was then taken to be identical with *religion*. Likewise the Arabic word is taken as identical with *agama*. The relation of politics and religion is hard to change. Etymologically, religion and politics can be differentiated, but they cannot be separated. In Asia, especially in Indonesia, religion is an administrative affair, that is, a clerical affair. In this way religion enters the political sphere. Indonesia is truly a secular State, as has been explained historically and sociologically. Why? Because Indonesia has a ministry of religion, which is the most concrete example of secularisation. While the

definition of a religious leader and political leader become one and the same in a religious State, Indonesia has not adopted such a system. Consequently, religious and political leadership is separated. Indonesia has not allowed its religious and political leadership to unite. This is the democratic road, administratively and politically, in which religion is kept separate.

Primordial and Visual Religious Narratives in the General Election

But if seen through a cultural and social-historical lens (that is, considering the issue of *mindset*), the Indonesian people still unite religion and politics into one entity. As a result, whether or not they want to, political parties must play the religious card, the language of the people is the language of religion. Since all parties use religious language, religion becomes a weakness. Religion functions to divide, differentiate and split minority ethnicities, genders and sects. However, religion also has a positive impact, such as providing a source of norms which are relatively universal. These norms, examples being justice, equality and security, can be used by followers of other religions and also by the non-religious. Siti Khadijah Nasution from KPPA rationalised this. Religion is a double-edged sword, it depends on how politicians and political parties choose to play this card in winning over the masses. The biggest issue is that conservative language



has been used by the secular parties to attract support without understanding the normative message therein. This is a setback. It has ushered in a democratisation of the tapering of identity politics. Furthermore, sectarian questions are raised to attract support or to weaken the base of political opponents: Who are your parents? What is your religion? Muhammad Ali explained this in the FGD.

In the last Legislative Election and Presidential Election, identity politics was used to a massive extent. Women parliamentary candidates (*Caleg perempuan*), both from religious parties like PPP, PKB, PAN, PKS, PBB and secular parties like Partai Demokrat, Golkar, Partai Demokrasi Indonesia – Perjuangan, Nasdem¹ and others used primordial narrative devices such as their origin, Arabic naming, and photos where they wore a veil in order to canvass the support of the people.



Currently, there are approximately 202.9 million people in Indonesia who identify as Muslim (around 88.2% from the total population of Indonesia, 237 million people). The majority are Sunni, around 1 million people are Shia, and approximately 400 thousand people are Ahmadi. Generally, there are two further categories which can be seen, modernist and traditionalist – although this is not to deny the other tendencies within the Islamic tradition. As a country with adherents of the largest religions in the world, particularly as the country with the largest Muslim population, Indonesia was surprised by the April 9 Legislative Election. Firstly, the PDIP's share of the vote decreased and the share of the vote of religious parties increased. In 2009, the total share of the vote for self-identified Islamic parties was 29%, the lowest point for them in many general elections. While the polling predictions this year suggested their vote would be 15-25%, the results in the Legislative Election proved there had been a dramatic increase to 31-32% of the total national vote – where PKS declined by only 1 percent.

This confirms the rise of Islamic ideology in the Indonesian political context, and consequently its use as a political device in the Presidential Election. Almost all parties, both secular and religious, employed a religious (Islamic) visual narrative to increase their support. For example, the figure of Gus Dur became part of a primordial contest in the visual narratives of parties such as PKB and PPP. In fact, in the Presidential Election, the first² Presidential Candidate, Prabowo-Hatta,³ used primordial narratives and religious narratives to win the vote of religious schools⁴ on the basis of being *Gusdurian*.⁵ This was later protested by the family of Gus Dur. Likewise, the second Presidential Candidate, Joko Widodo- Jusuf Kalla also used Ramadhan and an Islamic visual narrative to increase electability.

1 Translator note. The Islamic parties. PPP: United Development Party, PKB: National Awakening Party, PAN: National Mandate Party, PKS: Prosperous Justice Party, PBB: Crescent Star Party. The secular parties. Partai Demokrat: Democratic Party, Golkar: Party of the Functional Groups, Partai Demokrasi Indonesia – Perjuangan: Indonesian Democratic Party – Struggle, Nasdem: National Democratic Party.

2 Referring to the numbering in the ballot. Prabowo drew number 1, Joko Widodo drew number 2.

3 Prabowo was candidate for President. Hatta was his running mate and candidate for Vice-President.

4 Pesantren-pesantren

5 That is, being like Gus Dur

The faces of politicians were changed according to the group who was being approached. If the audience was conservative, then a religious face was used. Meanwhile, if the audience was nationalist, then an inclusive, pluralist, universalist face was used. The various forms of primordial and visual narratives mentioned were used as an instrument of practical politics, even though their normative load was often forgotten, or was purposely passed over in order to broaden electability. There were almost no Islamic parties who campaigned with a sharia agenda. The one party which did put sharia on the agenda was the Crescent Star Party (PBB) which only received 1.5% of the vote in the last Legislative Election. The National Awakening Party (PKB) was one of the winners out of the Islamic based party, closely supported by members of the Nahdlatul Ulama⁶

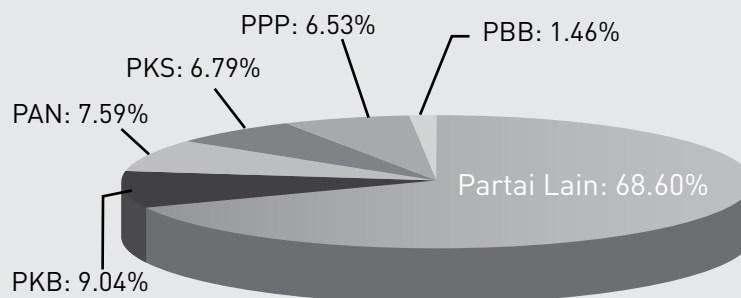
- because it has a primordial link to Gus Dur
- with a vote which increased from 4.9% in the 2009 Legislative Election to 9% in the 2014 Legislative Election. This success was mainly because of the closeness to Nahdlatul Ulama which possesses a large base especially in East Java. Apart from PKB, PAN achieved 7.5% - experiencing a reasonably significant increase, while PKS only achieved 6.9% and PPP only 6.5%.

The April 9, 2014 Legislative Election did not indicate an increase in Islamic ideology, however, the resilience of Islamic parties under democracy demonstrates their ability to adapt in a dynamic political climate. They have been a part of the national government during Susilo Bambang Yudhoyono's presidency, and they have become more and more pragmatic because they have tasted power under democracy. This is what has caused them to drop a sharia agenda.

Competition over the politics of value - the normative mandate derived from the mentioned exploitation of symbols - is almost non-existent.

In the FGD, Muhamad Ali suggested there is a need to develop such a politics of value - that is, you must practice what you preach. Comparing political Islam globally, he continued that, America is a secular State, but its people are religious. Even so, according to him, it must

Graphic 1. Result Vote from 5 parties based on Islamic religions (PPP, PKB, PAN, PKS PBB)



Source: Adapted from The National Commission of Election: Result of Legislative Election 2014 & Other Political Parties.

be acknowledged that religion has become a barrier to democratisation in the Islamic world, particularly in the Middle East, as it is a divisive issue there. "Indonesia must become a model of democracy. Indonesia is far better than the Middle East - in the context of religion, politics and democratisation. However, Indonesia has not yet made a rapid leap - due to the obstacles presented by corruption, gender inequality and many problems with the irregularity of the exercise of authority which continue to arise. Democracy has to be a path, rather than a destination. If Religion and the State unite, then there will be discrimination. Indonesia is still better than the Middle Eastern States, because it has not unified the religious and political administration", he said.

The Revolutionary Mission of Religion in Politics: Mandate for Equality and Justice

In contrast, during the FGD, Manneka Budiman commented differently, stating that "in truth, it will be forever impossible to separate religion and politics. It will never happen, it can only be an ideal. We will be stuck in an illusion.

⁶ Nahdlatul Ulama is the largest traditionalist Islamic social organisation in Indonesia.

It can never really happen. Differentiation is possible, but separation cannot be done. The religious structures within the State are far older than humans. Religion helps people to 'survive' – when the realities of life are hard, then religion provides answers". According to Manneka, up to this day Indonesia has not been successful in harnessing the constructive potential of religion. In Indonesia's history, religion was born as a revolutionary idea – increasing the level of civilisation. In the historical context, religion also arrived with a revolutionary potential. But then, with the increasing institutionalisation of religion, religion became a reactionary and conservative force – from a liberating to a repressive force. "If the passion does not come, then conservative political elites hold a monopoly – which can be fought effectively by religion itself", added Manneka. This religious passion has long been buried and institutionalised. This religious influence cannot be separated from the mentality of the community – that is, to change the political conditions towards equality and welfare. The intervention of religion in the State can be seen from two sides. Does this intervention benefit the State or religion? "The existence of the Department of Religion confirms the existence of intervention in the State or alternatively the existence of State control of religion", said Manneka. Identity politics can mean 'liberation', that is, it can be progressive and fight the domination of whoever is powerful. Or it can mean repression, when it becomes dangerous, bringing primordial, sexist and sectarian symbols against minority others such as sects and gender minorities. Thus, religious symbols must be looked at in their context. Prophets, in fact, are born to fight the powerful religious and State elite who are corrupt, authoritarian, totalitarian, arbitrary and unjust towards women and vulnerable groups.

They were not founders of societies for ethical culture nor the proponents of humanitarian projects for social reform or cultural ideals. The salvation of the soul alone was the centre of their life and work. Their ethical ideals and the practical results of their doctrines were all based on that alone, as were the consequences of purely religious motives. We shall thus have to admit that the cultural consequences of the Reformation were to

a great extent, ... unforeseen and even unwished-for results of the labours of their reformers. They were often far removed from or even in contradiction to all that they themselves thought to attain. (Weber, 1930: 89-90).

Max Weber exemplified this 'survival' (sintas) in his book *The Protestant Ethic and the Spirit of Capitalism* (1930) which explains how the passion of Protestantism, that is, religiosity, changed Europe to become a set of States which progressed the narrative of welfare and justice. In turn, this gave rise to the concept of the welfare state. In the Islamic world, 'Islam' and 'Muslim', are not uniform in their etymology but multifocal and diverse, both in relation to interpretation and traditions. Claims of purification and universalism, as signs, have long possessed dynamism in the Islamic world of Indonesia. Husein Muhammad explained in the FGD about the meaning of such signs in one project of 'survival' (sintas) for justice as was explained by Manneke Budiman earlier:

"The construction of religious reasoning is a construction from Medieval Arabia. It has remained stagnant. Indonesia needs to undertake a reconstruction of norms and religious terminology to find a comprehensive interpretation which is not jumbled. That is, 'sintas'. Each of us has a pathway, that pathway is sharia. Dien is different from sharia, dien is one while sharia is plural. Religious values are eschatological values, universal and personal. Sharia is contextual, dien is universal. The sacralisation of something which is profane makes religious life dangerous. The culture of the Muslim community is a text-based culture – textual civilisation; for example, it is haram for young girls to walk alone. Khilafah is a comprehensive State – universal, the ruler is the second religion. Earlier in the 20th century there appeared questions of the relation between religion, culture and politics. Islam did not possess a concept of politics. Religion based on texts is critical – against tyranny, discrimination, exploitation, naïve speculation, and for remembering the common interest. In every political, economic and cultural measure, the function of the prophet is to cut the chains of oppression. Religion has prophetic functions – to free us from tyranny and ignorance – towards belief and justice. Religion falls down if it mixes too freely with politics. Indonesia's platform is already beautiful – Pancasila".

From a Christian theological point of view, Pendeta Septemmy Lakawa (STT Jakarta) explained in the FGD that relations and conflict in religion and politics are like relations between signs/symbols. Religious conflict involves many dimensions. And conflict is not just triggered by one thing, by religion, but is triggered by many factors. And identity and religious symbols become a tool which can most easily be used as a weapon in conflict. The rise of Muslim intellectuals indicates a new relation and new life in religious practice. There is a massive dualism regarding political action, between whether this is acceptable or not. If we talk religion, then we need to discuss 'power'. Septemmy continued:

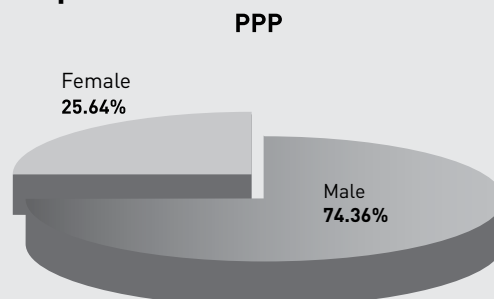
"Who controls religion, who controls political institutions – they will be strong. The scriptures were quite political – religion is a reality beyond. So the religious imagination strengthens in the context of political repression. Indonesia's history provided possibilities for religious imagination. In Christianity, there is theology and philosophy. There are around 400 hundred schools of theology, as minority in numbers, this theological education should be structured under DIKTI⁷ because theology makes it possible to imagine beyond doctrine. The pastor is a servant – who gives religious interpretation to free the congregation. Theology and philosophy must become sources of strength for religion, and a bid to refuse attempts to domesticate religion – in the public sphere. The voice of the people (rakyat) is not the voice of God – because the symbols which are used by the people are masculine symbols. This issue has been almost non-existent up until now, and there is no discussion about what 'our dreams for Indonesia' are like? These issues have not emerged in the public sphere, so they must be made to emerge; this is a test case for whether it will become too dangerous, or not. Profane and sacred authorities can meet. This is problematic if they meet in a State which is corrupt. And this becomes an instrument of destruction for women and vulnerable groups. We hope that the character of politics can be based in values of equality and justice."

The status of Women in the Legislative Election and the Presidential Election

Then what about rights, the roles of, participation of and status of women in the

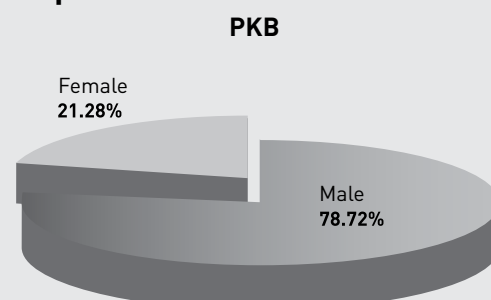
Legislative Election and the Presidential Election? Women were actively involved in the Legislative Election, although the mechanisms of the political parties mainly disappointed women, as was reported in many studies in *Jurnal Perempuan* 81 "Women Politicians" May 2014 (see Anita Dhewy's research). The amount of women who serve within party structures is too small and the amount of women members in the parliament is decreasing. The 2014 Legislative Election is not a surprise for the women's political movement as the amount of women in parliament decreased from 18% in 2009 to 17% in 2014. How about the room given for political action of women by Islamic parties? The proportion of women members of parliament (MP) from PPP came to 25.64%; PKB came to 21.28%; PAN came to 15.52%; while the smallest proportion was PKS with 2.50%. 97.50% of PKS seats were dominated by men. This result remains unsatisfactory, and the case of the status of women in PKS affirms an increase of misogyny in religious political parties.

Graphic 2.



Source: Adapted from The National Commission of Election: Result of Legislative Election 2014.

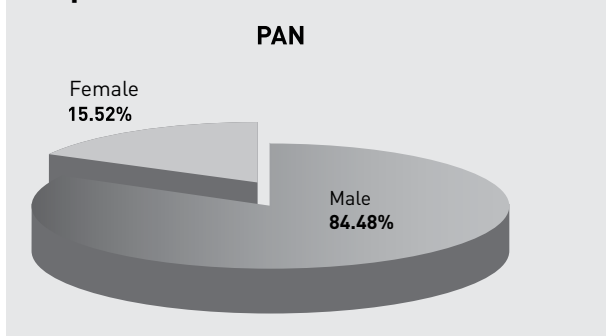
Graphic 3



Source: Adapted from The National Commission of Election: Result of Legislative Election 2014.

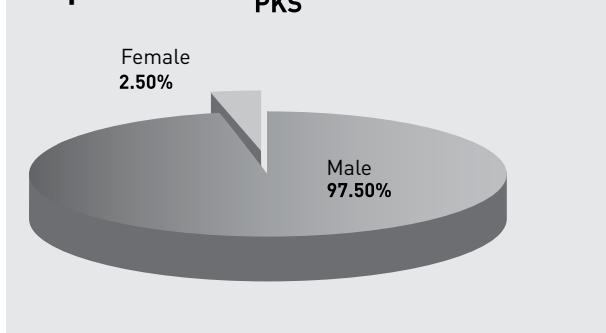
⁷ The Directorate General for Higher Education

Graphic 4



Source: Adapted from The National Commission of Election: Result of Legislative Election 2014.

Graph 5



Source: Adapted from The National Commission of Election: Result of Legislative Election 2014.

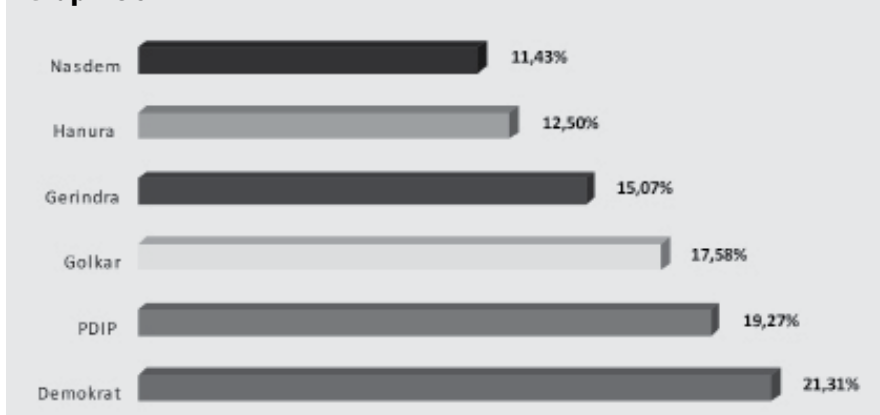
What about the status of women in the non-religious parties, which are often referred to as nationalist or secular parties? The result was also not that surprising. Women MP's from the Partai Demokrat surpassed one sixth of its MP's,

at 21.31% as seen in Graphic 6 following. They were followed by Partai Demokrasi Indonesia - Perjuangan with 19.27%, Golkar with 17.58%, Gerindra with 15.07%, Hanura with 12.50% while the lowest was Nasdem with 11.43%. Within the structure of parties and in the parliament, seats are still dominated by men. Women, sexual minorities and other vulnerable groups were almost unseen in the 2014 General Election.

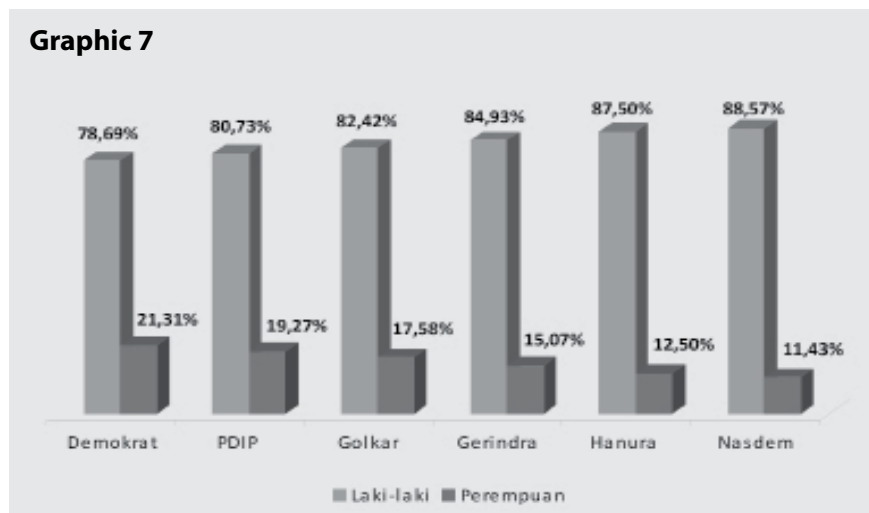
What about the Presidential election? Were women still unseen? The July 9 Presidential Election shows how women participated and worked hard to be involved in the vision and mission of both sets of candidates. This issue was reported by Mariana Amirudding who initiated monitoring of the vision and mission of each pair of candidates in an effort to build a political paradigm for the status of women. The results from SMRC polling shows that more women than men chose Jokowi-Jusuf Kalla in a survey before the Presidential Election which was undertaken by SMRC and Tom Pepinsky (Graphic 7).

The question which follows is, with the announcement of the results from the Election Commission's manual count in favour of Jokowi-Jusuf Kalla (Prabowo-Hatta: 62,576,444/46.85% and Jokowi-Jusuf Kalla: 70,997,833/53.15%), will the new cabinet, executive strategic policy and political direction of 2014-2019 be favourable to women and minority groups?

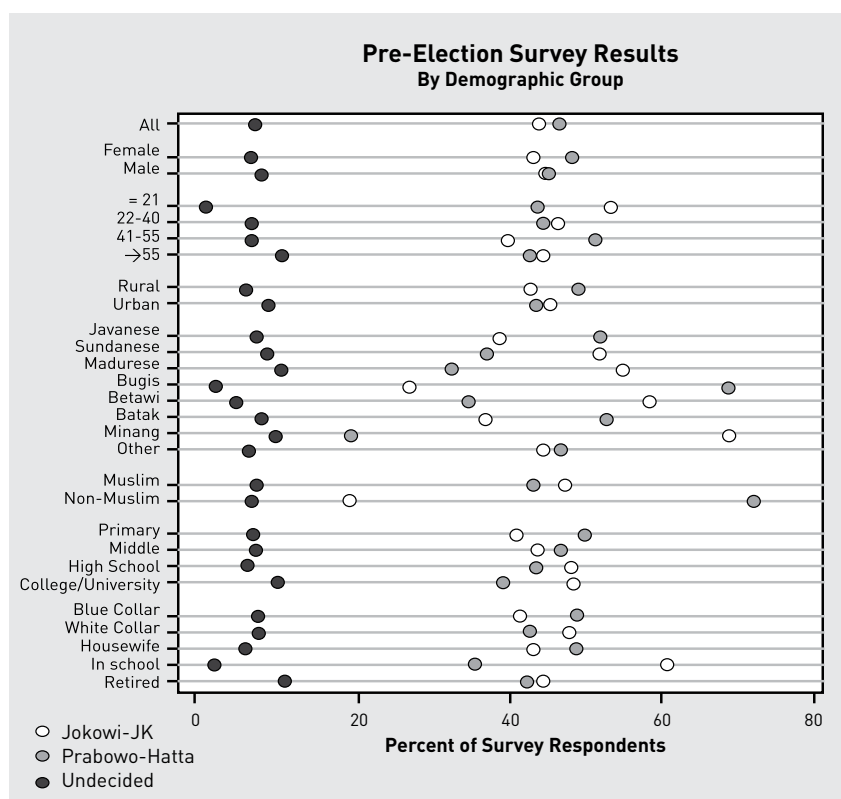
Graphic 6



Source: Percentage of Women in Legislation of 6 non religion-based parties viewed from amount member of parliament of each political party. Adapted from The National Commission of Election: Result of Legislative Election 2014.

Graphic 7

Source: Percentage of Women in Legislation at 6 non religion-based parties viewed from amount member of parliament of each political party. Adapted from The National Commission of Election: Result of election of legislative 2014.



Conclusion

In the Focus Group Discussion, Masruchah from the Indonesian Coalition of Women commented that political rights are fundamental rights. "Political parties now, in fact, do not hold the spirit of freedom with the entry of religion into politics. There are 362 discriminative policies faced by women, like *jilbabisation*⁸ - curfews - bans on prostitution and very vague,

brief and unclear local regulations. Politics has become uncertain, insensitive to gender, and the greatest victim are women". "This situation shows that in the end, the Other is controlled by religion. The fact that religion is an instrument of violence is proof that the politicisation of religion has triumphed and oppressed women. And triumphed post-reformasi"⁹ continued Mascruchah. Ade Kusumaningtyas from

8 The trend of wearing the veil, the jilbab.

9 The 'reformation' in Indonesian politics in 1998.

RAHIMA, said that “the sociological reality is not created free of history. Identification, for example the coloniser, is identical with who, so then divisions appear. The Law No. 1/1974 about Marriage, for example, is a human creation, so it must be left open for discussion”. “This is regulation – a man-made product. We need to consider how our personal religious experience is manifested in the public sphere. In this way diversity can be protected”, Ade commented. From the world of feminist activism, Titi Sumbung added that:

“Politics is an instrument of power that serves. But now politics is used as an instrument of repression. The passivity of law enforcement. The Draft Law about Gender Equality, for example, has until now not been accepted – because the concept of equality is unacceptable especially for PKS”.

The director of the Megawati Institute, Musdah Mulia, commented that the efforts to give voice to gender justice must be constantly raised and protected. “This is new ground for jihad. Divinity means spiritual values. The

relation between religion and politics is not at an end. Religion seems to be used by political parties as an instrument of repression. The State is neglectful in efforts to develop religion which is compatible with democracy and a narrative of justice and equality. Sharia regulations in regions which are saturated with patriarchal, feudal and sectarian values – which is evident since the implementation, is done in a hurry and does not involve both Quranic scholars (*mufasir*) and gender experts. This is unconstitutional. It leads to the shaping of the State towards theocracy” she explained.

Explanation of the General Election data affirms the vulnerable status of women and other groups, both within the structure of political parties, proportion of MP’s and in the executive development paradigm of the incoming President. The entire women’s movement, paradigmatically and practically, needs to work together, shoulder to shoulder, in order to analyse, criticise and nurture these narratives of justice for a society which is equal in the coming 2014-2019 cabinet period.

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