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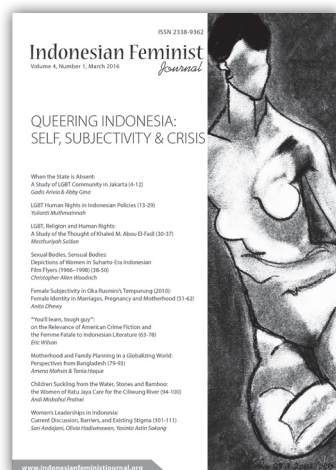
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Queering Indonesia!

Self, Subjectivity & Crisis



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Queering Indonesia! Self, Subjectivity & Crisis

Feminism gives hymn of equality the power and the incentive to emancipate humanity. Originally this fight embraces the cause of women's liberation in full which still unachieved in recent years. Those experiences defend a specific understanding of philosophy as social critique. It owes its conceptual tools from the long struggle against racism and the history of slavery. In Indonesia, the tradition of phenomenology explores women's experiences facing state violence as well as society's unjust treatment against LGBT's voices. The relationship between language and linguistic meaning as cultural marker has sharpened the way state and society rejected equality. Indonesia fails to think of history of transgending, of Srikanth's transgending in Mahabharata epic. Or the ritual role of Banyuwangi transgendered males.

For example, stating that LGBT is cultural style coming from the "west", instead of understanding different linguistic marker that was owned by Bugis for their five genders, including the holy-transgender person as *Bissu*. This issue charts the sketching ontology of present crisis in Indonesia where critical investigation of cultural and linguistic markers is becoming the source of psychological-war. This issue is published as political endeavor, aiming to expose, analyze, and ultimately change gendered power relations. Woman in this issue also offers methodological innovations to challenge those oppressions. And her truth marches on.

In *Jurnal Perempuan Ed 87 Keragaman Gender dan Seksualitas November 2015*, we studies, narrated

and 'politically' promoted voices of LGBT in narrating the meaning of self, subjectivity, and violence. Yet, in the beginning of 2016 we witnessed one of the most dangerous hate-speech and precarious debate on the discourse of LGBT. Now Indonesia has such an open-war on the linguistic notion of it and such engagement might be worsen by the issuing of law forbidding LGBT—exemplified in the defamation and hate-speech as well as the temporary closure of Al Fatah Waria Pesantren in Yogyakarta (Islamic Boarding House for transgendered people). It has shaken and broken everyone's heart.

Changing socio-economic and political conditions are threatening community's inclusive acceptance toward LGBT, resulting in renegotiations of what it means to be the absence of the state to give basic protection to its citizens. Research in this issue narrates LGBT's life experiences and aspirations to escape from heteronormative constructions of love which is in tension with the dominant norms of major religions. Institutions of intimacy regulate gender and sexuality by creating borders, normalcy, and privileges, indicating both what is and is not taboo, and who is and is not normal.

This volume, collaboration between nine researchers working in the fields of gender, politics, and sexuality, showcases nuanced and critical approaches to the topics under study, ranging from the intersection of LGBT, sexuality, ecology, motherhood, notion of *femme fatale*, literature, and nationalism under radical critique of belonging from the perspective of Asian populations. This

issue also aware the dynamic ways in which gender and sexuality is continuously reconstructed by contemporary Indonesian societies. Beyond this unified focus the contributions vary widely in approach and method, but they all display a collective commitment to questioning violence, self, categories of gender, and sexuality.

The most significant feature of the present collection of articles is that it consistently emphasizes, as a whole, the meta-narrative of LGBT as independent subject outside of abnormality and the arbitrary division between sexual normativity and sexual pathology. Through newspapers, blogs, and social media, there has been a marked increase in engagement with and deconstruction of hatred against LGBT, as men and women alike

problematize issues that range from pride to shame and disgust against LGBT. This issue appears to spring straight from this real-time engagement with feminist critique, tackling the concerns of normative heteronormative sexuality from a perspective that is at once phenomenological and wholly accessible to readers outside the ivory tower. Yet, as with any emergent problem of inequality, there are definite kinks within the analyses presented in this issue. This issue is a useful jumping-off point for future feminist inquiry that wishes to remain grounded in both academic study and subjective, grass-roots experience.

Jakarta, 8 March 2016
Dewi Candraningrum

When the State is Absent: A Study of LGBT Community in Jakarta

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Abstract

This study provides an overview of the problems faced by LGBT people in Indonesia. There are four issues raised, namely, the meaning of gender and sexual orientation, violence and abuse, the role of the state, and the meaning of happiness for LGBT people. This study uses a sample of 60 respondents living in large cities, especially Jakarta. However, the strength of this study lies not in the survey results but in the results of the in-depth interviews. From this study it was found that respondents, in the context of a conservative state, are more open in interviews than surveys. This study unearths the meaning of life for LGBT people under a state which is repressive and absent for them.

Keywords: LGBT, meaning of life, violence, state.

Introduction

Discrimination against women and ethnic or religious minorities has been much discussed in Indonesia. Much progress has been made in protecting the rights of women, as well as ethnic and religious minorities. However, very little progress has been made in the fight for LGBT rights. Meanwhile, the LGBT community experiences violence, fear of loss of employment, bullying in school and in the public sphere, only because of their sexual orientation. Many people have argued that LGBT people do not need to be protected because they are different from other minorities. What makes them different? There are some reasons that have been suggested that will be explained by the findings of this study.

The first reason is that there are many people who believe that same-sex relationships are forbidden by God/religion. As a result, LGBT people do not need to be given protection or be empowered. This belief is still quite prevalent in society and in state policy, and, as a result, violence is often considered necessary or permissible because it indicates "they" are on a path not condoned by God. This reason kills further discussion. It is not used for women, for

example; there is no view that being a woman is not condoned by God. Thus the struggle of LGBT people is immensely difficult.

The second reason is that many people believe LGBT is a *lifestyle* that can be avoided if a person wishes. This lifestyle is viewed as destructive and in opposition to existing norms. Sexual relations such as sodomy, and the lifestyle of gay people, are seen as a strange and abnormal way to live. Since lifestyle is a choice, LGBT issues are not seen as human rights issues but caused by the stupidity of the individual. Of course, this view is extremely simplistic and biased, as well as ignoring the existence of various factors including genetics.

The third reason is that since the LGBT community is viewed as having a lifestyle associated with *glamour*, it is thought that there is no one in the LGBT community from poor sectors of society. As such, it is not necessary for there to be a state policy to protect LGBT people. The fourth reason is that LGBT people often do not want their sexual orientation to be known out of shame or for family reasons. They hide their attraction towards the people they love, distinct from heterosexual couples. Thus, the injustice they

are faced with, or their nature as LGBT people, is not easily noticed and therefore their issues are not viewed as urgent. This is different from the case for ethnic and religious minorities, or women, where the issues appear concretely before the eyes.

This fourth argument often is the reasons why families, community and religious leaders, as well as policymakers, do not want to see LGBT people as humans who possess rights and equality with other groups, even while being LGBT (genetically or by choice) is commensurate with people's freedom to choose a religion. Why is freedom of religion protected constitutionally and why are LGBT rights not protected constitutionally? Why are women and children considered to be vulnerable groups, while LGBT people are not?

Methodology

The above questions were the grounding ones when the materials for this research were assembled. At a glance, the research methodology for LGBT issues is not different from the research methodology on the issues faced by women or other oppressed groups. As an example, research about gender issues has, for a long time, used research concepts that demonstrate the existence of "difference". Difference presupposes "difference from", that is, difference from men. This concept demonstrates the existence of diversity in humans, with different lifestyles (Ramazanoglu and Holland, 2003: 107).

Seeing difference makes clear the existence of binary thinking that attributes superiority and inferiority, which differentiates "self" and "other". This way of thinking wants to argue that "the same" is an acceptable form of being, while "the other", being from another category, is unacceptable. Injustice occurs when humans start the process of othering; putting people in the "different" category.

The concept of otherness is a way to

show that 'woman'/the feminine was constituted socially, while 'man'/the masculine was the normal or the human. Women are not merely other to men, but are subordinated to men (Ramazanoglu and Holland, 2003: 107-108). In other words, men have power, and what defines women is a matter of their existence, their bodies, and what is appropriate and inappropriate behaviour for women. The concept of otherness has been used to problematize not only the situation of Western women, but also women in the East. Kartini questioned why men could attend high school but women had to be isolated at the age of 12 (Kartini, 1911). Similarly, Fatima Mernissi questioned seclusion, why women need to be in a *harem*, and men outside (Mernissi, 1995).

What is interesting about the otherness approach is not just a matter of theory, ideas and identity, but also historical experience, discourse and daily relations and practices in social life. For us, this methodology is suitable for seeing LGBT issues within a framework of the politics of difference. With it, we can understand otherness and really explore the different point of view, as well as empathising with the suffering and injustice felt by groups that are different.

This study makes use of 60 respondents from different age groups, professions and regions (the majority are from large cities), but the majority are youths who were prepared to talk about LGBT issues. The survey was completed in September 2015.

What is your age currently?

Answer	0%	100%	Number of Response(s)	Response Ratio
Under 18 years old			2	3,3 %
18-29			36	60.0 %
30-39			12	20.0 %
40-49			3	5.0 %
Above 50 years old			3	5.0 %
No Response(s)			4	6.6 %
Totals			60	100%

What is your profession?

Answer	0%	100%	Number of Response(s)	Response Ratio
Civil servant			1	1.6 %
Private sector			27	45.0 %
Service sector			4	6.6 %
Other			24	40.0 %
No Response(s)			4	6.6 %
Totals			60	100%

This research used a survey method (in order to be able to analyse the data quantitatively) and an in-depth interview. We concluded that the quantitative approach was insufficient and that it was necessary to use the power of interpretation in analysis of the data. This paper argues that the data from the in-depth interviews gave more colour and a deeper understanding of what is experienced by LGBT people in Indonesia. The survey data talks numbers but the narrative data talks feelings, anxiety and insecurity for the future of LGBT people in Indonesia. From the results of this study, four issues are elucidated:

- (1) The meaning of gender and sexual orientation;
- (2) Violence and abuse;
- (3) The role of the state;
- (4) The meaning of a happy life.

The meaning of Gender and Sexual Orientation

In the LGBT workshop for the media organised a few months ago by *Jurnal Perempuan*, reporters were confused by the definitions of gender and what is called sexual orientation. One of the facilitators, Sri Augustine from Ardhanary Institute, patiently explained the difference between biological sex, gender, gender identity and sexual orientation (Arivia, Candraningrum and Agustine, 2015). Augustine commented that every person, whether they are a woman, man or intersex, has a sex (penis, vagina, intersex). Gender is their social or legal status as a man or woman. And sexual orientation is the term used to explain whether a person is attracted to the same gender, the other gender or both (a person can be bisexual, gay, lesbian, or straight, or "questioning" – queer). Every person has a gender and a gender identity. Our gender identity is our inner feelings towards our own gender. The expression of gender identity is masculine, feminine or another expression. In fact, we can be transgender, meaning our biological sex and our gender identity are not the same.

Sex	Gender	Sexual Orientation	Gender Identity
Penis	Social/legal status:	Bisexual, gay, lesbian,	Expression:
Vagina	Male	"straight", questioning.	masculine,
Intersex	Female		feminine, neither of above.

Looking at the above section, clearly whether a person identifies as a man or a woman is not as simple as may be imagined because it is something extremely fluid and varied. Simplifying it means excluding, and even discriminating against, people's identities. A number of interviews demonstrated this complexity:

'We just met, so we exchanged phone numbers, to chat. I thought, "it seems I like her", and right at that moment I felt I really liked her, I told my friend, my closest friend from high school. Even the first time I had an accident it was her that I called, not my family. Right when I became aware of my feelings, I immediately told her, but yeah, she just said "ahh its nothing...ahh...no-lah." That's how it was. That was in 2010. After 2010, I was occasionally still attracted to men too, if someone was cute, yeah, I was attracted, you know. But I started to identify as bisexual...I don't know about the future, actually now I am lesbian, but sometimes I still ask, am I definitely lesbian?' (H) (8 August, 2015)

'I used to call myself lesbian, and now I say hetero, because I identify as a man, but my partner identifies our relationship as lesbian.' (S) (10 August 2015)

Discussion of sex, gender, gender identity and sexual orientation is vital. A person who continually searches and works to understand their existence is wiser and more tolerant. A society that is not aware of this complexity tends to hold homophobic, sexist or transphobic views. These discriminatory views arise because of insufficient language to give meaning to someone's gender identity. For people who are discriminatory towards LGBT people, the language used is binary, man or woman. If they are not in one of these groups they will be excluded.

The same applies for women. With gender, we interpret this as women and exclude what is not-woman, including men. The meaning of male is what is not-woman. The insufficiency of language occurs because of the rigidity of meaning that stems from singular truth. The search for singular truth operates under tension and exclusion. However, in the 21st

century, the meaning of manhood and womanhood is fluid. Women can wear pants and men can wear earrings. Girls do not always play with dolls and boys do not always play ball. Language is always considered transparent, that is, what is called a good woman is one who always

wears closed, religious attire, while a bad woman is clothed openly, freely. A person's expression is limited by rigid language which contains metaphysical or "truth" references. Meanwhile, what does not fit in these categories is "other", strange and abnormal (see Wilchins, 2004).

In *Gender Trouble: Feminism and the Subversion of Identity*, Judith Butler writes that traditional categorisations of identity (only men or women) always cause problems. Because the reality is that there is not communality between women and men. For example, Acehnese women feel differently to Jakarta women, due to access to information, history, and different political agendas. As a result, Jakarta women cannot use the same standard towards Acehnese women. When an act of judging occurs, hierarchy arises. Hierarchy makes boundaries. These boundaries always hurt LGBT people, and their rights as citizens are taken away.

There are not many states that acknowledge the existence of LGBT. One of the states that is quite open and progressive in wanting to accept third gender identities is India. Understanding the existence of fluid gender identities and expressions, the Supreme Court of India, in 2014, confirmed the acknowledgement of a third gender. This means a person can identify as neither a man or a woman. The determination of the Supreme Court of India was a step forward because third genders were acknowledged as rights and as equal before the law (BBC News, 15 April 2014).

Violence

The Indian's government confirming the existence of third genders does not just ensure equality of rights for LGBT people, but also reduces discrimination and violence faced by third gender people. A study by Arus Pelangi in 2013 showed that 89.3% of LGBT people in Indonesia had experienced violence, 79.1% in the form of physical violence,

26.3% in the form of economic violence, 45.1% in the form of cultural violence, of which that perpetuated by the family was as high as 76.4% (for example, being kicked out of rental properties, being required to marry, marrying someone they do not like) and bullying in school was one of the most prevalent categories (Press Release: Reminder of World Day of Remembrance of Violence and Discrimination against Transgender People, 19 November 2014). Respondents to *Jurnal Perempuan* acknowledged that they often experience violence. Violence is not something strange. Living in fear, shame and embarrassment are all normal.

Have you ever suffered violence because of your gender identity, sexual orientation, gender expression or your body?

Answer	0%	100%	Number of Response(s)	Response Ratio
Yes	<div><div></div></div>		38	63.3 %
No	<div><div></div></div>		16	26.6 %
No Response(s)	<div><div></div></div>		6	10.0 %
Totals			60	100%

What forms of violence have you experienced?

Answer	0%	100%	Number of Response(s)	Response Ratio
Psychological	<div></div>		44	89.7 %
Physical	<div></div>		9	18.3 %
Economic	<div></div>		7	14.2 %
Sexual	<div></div>		9	18.3 %
Totals			49	100%

Respondents to *Jurnal Perempuan* acknowledged that they most often experienced psychological violence. When explored in more depth in the form of an interview, some respondents then tended to acknowledge more experiences of physical violence.

'That time, I was hit with many things. With sticks, screwdrivers, a lot. Everything in front of their eyes they threw at me. It was a lot, basically. Of course my body was bruised and I couldn't go to school for a while, then my school friends came to the house. It was impossible that I tell my friends I had been hit. My face (bruised). Finally I said that I couldn't come. They asked why. I couldn't possibly tell them I had been hit because I wasn't too open at school. I only said, yeah, I just fell. My friends didn't believe it, but they were quiet and didn't ask anything. (L) (21 August 2015).

'The time I experience violence was when I was 17. I was stripped, after being beaten up, I was dragged. You know, in Chinese families you know there are photos of the deceased, then I was stripped and sent to ask forgiveness of my parents.' (X) (August 2015).

Psychological violence does not mean there is no imprint. Those who experience psychological violence feel the same pain as those who experience physical violence. Sometimes psychological violence has a longer-term impact. This is especially true if they experience hate from people they love like their own parents.

'Sometimes if there is fighting in the house it is normal to use physical force or swearing. I'm used to it.' (I) (10 August 2015)

'They knew right from the start that I was like this, from high school, because of my proximity. It wasn't reasonable, they said. Whereas before there was nothing. With this idea, they started to check my phone a lot, and then they found out. I was kicked out of the house, without access to money.' (I) (10 August 2015)

Some respondents spoke of psychological violence in the workplace or school.

'...when I started work I was bullied a lot. For example, 'Are you a boy or a girl huh?' It was physical. Also, once at that time in a meeting room, there was a big meeting, and I was shamed there. 'If you still want to work here, be like a woman lah, grow your hair, groom yourself!' (S) (10 August 2015)

'At that time I was still in school in Solo... the seniors did some oppressive things, which I now realise was abuse. At that time, I knew it was something that made me uncomfortable. Then I spent a week away from school. My skirt was lifted. They asked, 'Are you a guy or a girl sih?' (E) (22 August 2015)

The violence received by the LGBT community is difficult to report. As with women who report violence perpetrated by their husband, the authorities often advise them to return to the person who is threatening them. However, in LGBT cases it is much worse, efforts to make them "return to the correct path" are done precisely with threats of sexual violence.

'So I had a friend who wasn't comfortable with their partner, they followed my friend everywhere. My friend went home at night, and this partner

followed. The femme (who played the role of woman) was locked in the house, not allowed to leave. They decided to end it, the butch (who played the role of man) didn't accept it, and cried continually. One night, the femme went to the police station and reported. The police asked questions, not to help, but to tease. 'I told you not to like woman,' the police said, and most frightening the police said they wanted to rape them.' (P) (16 August 2015)

Absent State

The state is tasked with protecting every citizen from violence, discrimination and arbitrary action. In reality, the state is often absent in protecting the rights of minorities, and most of all, the rights of LGBT people. Unlike India, which has acknowledged the existence of third genders, Indonesian law only acknowledges the existence of two genders, male and female. This is evident in the Marriage Law (Law No.1 1974) and the Population Administration Law (Law No.23 2006). This is a problem for transgender people. Their rights are not acknowledged. A same-sex couple that wants to start a family is not allowed in Indonesia, and is not protected legally. The state does not recognize same sex marriage and have legal protection (if the partner dies, rights to pension, health and so on).

In the Indonesian Criminal Code (KUHP), a homosexual person is not viewed as a criminal. However, this is a problem in conservative areas of Indonesia. There are some Regional Regulations which criminalise a person identifying as LGBT. The most recent regulation to criminalise LGBT is from Aceh (September 2014), which punishes anyone who has same-sex sexual relations with 100 lashes. The LGBT community reported that they have now become a target of sexual abuse from the sharia police and the local community. In 2011, a transgender person died in Banda Aceh because they tried to resist abuse from a man (Erasing 76 Crimes.com, 5 January 2015). Other discriminative regional regulations relating to LGBT are as follows (USAID, UNDP Report, 2014):

- Regional Regulation about the Eradication of Evil (No. 13 2002) in South Sumatra Province. This regional regulation prohibits homosexual activity and anal sex by men as immoral, along with prostitution, gambling, adultery and the consumption of alcohol.

- District Regulation about Public Order (No.10 2007) in Banjar, South Kalimantan Province. The regulation defines “prostitute” also includes homosexual and “abnormal” heterosexual behaviour (next to “normal” behaviour).
- City Regulation about the Development of Social Morals Based in the Teachings of Islam and the Social Norms of the Community (No.12 2004) in Tasikmalaya, West Java. This regulation forbids adultery and prostitution, both heterosexual and homosexual.
- City Regulation about the Prevention, Eradication and Action on Social Diseases (No.9 2010) in Padang Panjang, West Sumatra Province. The definition firmly mentions “homosexual and lesbian” relations, and forbids such relations as well as not allowing people to ‘offer themselves to be involved in homosexual or lesbian relations, with or without receiving payment.’

Policymakers and lawmakers at the central level are also problematic because they adhere to the pressure of Islamist and conservative groups. Here are some notable examples:

- Pornography Law (No.44 2008) inserted the term ‘deviant sexual intercourse’ as one element of pornography. The explanation of the meaning of this phrase states, amongst other things, ‘sexual intercourse or other sexual activities with corpses, animals, oral sex, anal sex, lesbian or homosexual [sic].’
- Government Regulation (No. 54 2007) about Adoption makes clear that the adopting parents must not be a homosexual couple. Furthermore, adoption by non-married couples is not permitted.

Discriminative regulations sponsored by the state clearly injure the nation as a whole. Because everyone, including LGBT people have the same rights and equality with any other group. Making discriminative regulations is not just a violation of human rights but also evinces injustice and respect for people. This is

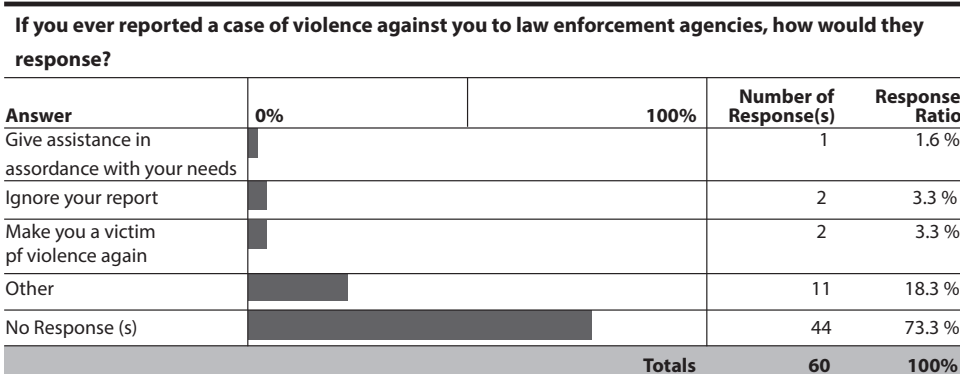
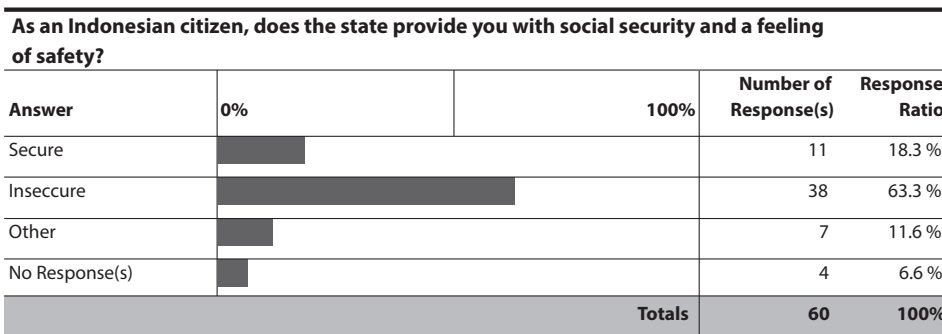
what a respondent told *Jurnal Perempuan*:

‘In the Jakarta district regulations, there is a regulation that considers waria (trans) as a social disease. But as far as I know, social diseases are things like begging, vagrancy. So really the government is conscious of the existence of a third gender, but the problem is that it is categorised as a social disease.’ (L) (21 August 2015)

The argument that is often used in making discriminative policy is to enforce community morals ‘discrimination with good intentions’. However, we want to argue that making discriminative policy for a good purpose (protecting the community) can only be done with rational reasons, not with religious doctrines, that are not necessarily correct. As an example, the Military Court fired a Second Sergeant with the initials SNF because it was concerned that they were a threat to the Indonesian Army’s development. This decision was made in the Jakarta Second Level Military Court (Mahkamah Agung website, 2013). The judge in their judgment, found that ‘Deviant homosexual behaviour will destroy the morale and discipline of the soldiers influenced in carrying out the basic tasks of the Army, especially the defendant’s tasks in the unit.’ This example of the argumentation of the Military Court demonstrates the terrible prejudice towards the gay community and shows that the gay community is not considered to have a suitable moral character as a member of the Army. This argument is one which spreads hate towards the LGBT community without any rational basis. LGBT people cannot rely on the state. Rarely, from this study, did someone believe the state can protect them as citizens, and likewise the state is absent from their social security. Their opinions can be seen as follows:

Does the state make you feel secure so that you can express your identity in social life?

Answer	0%	100%	Number of Response(s)	Response Ratio
Secure			1	1.6 %
Insecure			50	83.3 %
Other			3	5.0 %
No Response(s)			6	10.0 %
Totals			60	100%

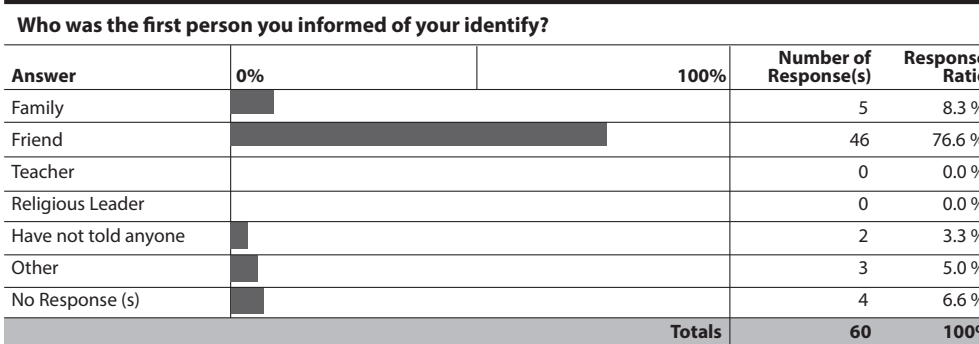
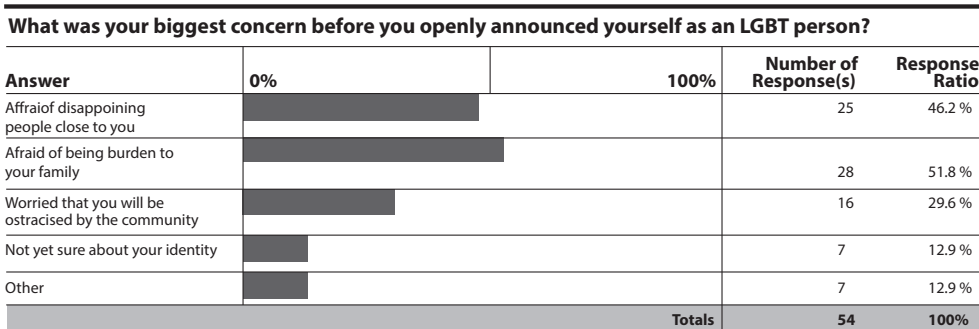


The law enforcement in this country does not play a role or is reluctant to play a role in protecting LGBT rights. Law enforcement is seen as never resolving problems and, in fact, even making matters worse. The LGBT community has almost no faith in law enforcement agencies.

In some cases, law enforcement judges LGBT people. This is unacceptable law enforcement are paid by the people's taxes in order to protect everyone, including LGBT people.

The Meaning of Happiness

While the state is absent, what about the private life of LGBT people? What is the meaning of a happy life? A philosopher living more than 2500 years ago, Aristotle, wrote about the meaning of happiness, or in Greek, *eudaimon* (*Nicomachean Ethics*). To be *eudaimon* means living well and *daimon*, meaning living with a peaceful soul. Aristotle's main argument is that happiness is the priority of humans over possessions (things), and so on. Humans must be



able to live well, which according to him, means living with reasons. Is it reasonable that LGBT people cannot live as other humans live, with comfort and without feeling fearful and guilty?

The majority of people think a perfect life includes a feeling of security, family, being acknowledged as a citizen, and being respected as a human being. The majority of LGBT people do not have this common view. Genuine security that starts in the home is not experienced; when they realise they are an LGBT person, the first person they tell is not their family. This shows that family in Indonesia is not tolerant and cannot be trusted by LGBT people.

Generally, they are afraid of disappointing their family and close friends, especially not meeting up to the hopes of their parents. Likewise in school, teachers are not people who can give good advice.

The feeling of hopelessness was expressed by one respondent:

'I felt very unhappy living. I didn't trust other people and withdrew myself from social interactions.' (I) (10 August 2015)

LGBT people hopes that they be treated humanely and be accepted as they are.

'Judging people not because of their sexual orientation or appearance but because they can contribute to the community. That is the form of acceptance for me. Relating to this, I have many friends who are discriminated against because of

their appearance. Many friends who say 'I'm tired, kak. I applied for work everywhere but no one took me; 'I found work but I can't cope with the behaviour of my workmates.' Don't judge people only by appearance. Don't label us.' (X) (10 August 2015)

Conclusion

Equality is not easy to achieve in this country. The conservative mentality strengthens while the world is becoming more open, advancing the dignity of humanity. Being different does not mean being treated unfairly. An example from Germany is Angela Merkel, who demonstrates tangibly what is called a dignified country, one that does not see culture and religion, helping and protecting evacuees who are in exodus from Syria, without seeing the difference of these people. If Merkel wants to protect and secure the rights of foreigners, why can't Indonesia protect the rights of LGBT people, their own citizens?

Same-sex marriage is increasingly being legalised in the Western world, as a form of acknowledgement that humans of any sexual orientation have the right to find happiness. LGBT people interviewed by *Jurnal Perempuan* resigned themselves to whether there will be a day when they can also marry and have a happy family in this country that they love. Dreams of this sort are too far-flung. For now, they only want to live without violence. This is really a minimal hope, but something that the state cannot even guarantee.

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LGBT Human Rights in Indonesian Policies¹

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Abstract

Human rights as convened through international law and the United Nations should be universal. However, in implementation, in the interest of the state, state sovereignty, religion and culture, the universality of human rights has been restricted by the state or certain parties. Subsequently, the implementation of human rights has become relative in Indonesia. Lesbian, gay, bisexual, and transgender/transsexual (LGBT) issues have been protested at the local and national levels. It remains that the state has the responsibility to recognise, protect and fulfil the human rights of LGBT Indonesians. This paper will explore how LGBT human rights are implemented in Indonesian policy.

Keywords: human rights, LGBT, internal politics.

Introduction: Realism versus Liberalism in Ethical Arguments

Theories in international relations have different perspectives on the position of human rights. From the realist approach, ethical values, such as human rights, are considered a low priority. Realism has the view that in the international community which prefers anarchy, order can only be attained by protecting and fostering a balance of power. In order to strengthen national power within a country, national interests are generally interpreted as the maintenance of power and safety, which become key concepts in overseas policies. From such a realist perspective, moral arguments are minimal and play a minor role. The state is the main actor in international politics for the purpose of maintaining order and peace. State sovereignty must be maintained without intervening in the issues and affairs of other countries. Consequently, it is difficult for realist groups to promote human rights in international politics.²

Meanwhile, liberalism or neo-liberalism, as referred to by David Forsythe (2013), emphasises the importance of morality in international relations in order to achieve peace and stability by forming

cooperative relationships between countries. One of the important instruments here is the use and acknowledgement of international law which generally holds that individual welfare is more important than state sovereignty. As such, policies that promote human rights are important for this group.

Based on this perspective, this paper examines the politics and law in Indonesia in relation to human rights issues for LGBT groups. Does Indonesia tend to follow the principles of realism or liberalism in the formulation of policies related to GLBT issues and rights? Furthermore, this paper will use Neta C. Crawford's analysis concerning ethical arguments. Crawford's work is useful since constructivism theory in international relations emphasises the presence of non-state actors such as international organisations, experts, businesses and NGO activists, as well as state actors (government, diplomats, attachés and the military). These actors directly carry out their roles with the aim of achieving state interests. Research in international relations has generally shown that: first, there is an agent or actor in the form of rationalism and power; and second, that state structure is hierarchical.

Crawford sees this as insufficient. There are other matters which must be considered, namely 'beliefs and culture' as the foundation of 'ethical arguments.' Each country will formulate a policy with the consideration of 'beliefs and culture' in their arguments. As a result, these two interests will be used to understand the changes in the world of politics and to think about the ethical arguments in the process of restructuring the world for the better and which are not solely oriented towards internal state interests or appeasement of conservative groups.³

The State and the Protection of LGBT Human Rights

Sexual rights are an integral facet of human rights. One of the reasons for this is that sexual rights are the inherent rights of every human being and therefore, every human being is entitled to their fulfilment. The state has the obligation to provide and protect the human rights of its citizens without discrimination. According to Musdah Mulia, various international human rights instruments state that the fulfilment of sexual human rights is based on six main principles. These are;

1. The principle of protection for the sake of the development of children.
2. The principle of non-discrimination.
3. The principle of pleasure and comfort.
4. The principle of responsible freedom.
5. The principle of respect and human freedom.
6. The principle of the fulfilment of rights.⁴

Furthermore, in the International Conference on Population and Development (ICPD, 1994), the principles of sexual rights can be categorised as follows:

- a. The right to sexual pleasure without the concern of infectious diseases, undesired pregnancy or bodily harm;
- b. The right to sexual expression and the right to make sexual decisions consistent with personal, ethical and social values;
- c. The right to treatment, information, education and sexual health care;
- d. The right to bodily integrity and the right to choose when, how and with whom to become sexually active with and be involved in a sexual relationship with full consciousness;
- e. The right to enter into a relationship, including

marital relationships with free and complete consciousness as adults and without coercion;

- f. The right to privacy and confidentiality in obtaining reproductive and sexual health care;
- g. The right to express sexuality without discrimination and freedom in reproduction.

Former Commissioner of the National Human Rights Commission, Yoseph Adi Prasetyo, states that it is the state's business to guarantee the rights of LGBT groups, starting from the right to equality before the law and the right to be protected. Furthermore, he argues that the state cannot prioritise the moral and power interests of the few and then ignore the larger interests of different groups of society. LGBT individuals and communities are marginalised groups that are particularly vulnerable and prone to violations of their human rights.⁵ The existence of LGBT groups cannot be denied by the nation state. At the international level, leaders have paid serious attention to LGBT issues. Hillary Clinton at a United Nations World Summit stated that LGBT is not a Western invention, but a human reality.⁶ In addition, the Secretary-General of the UN, Ban Ki Moon (2010) said that:

"As men and women of conscience, we reject discrimination in general, and in particular discrimination based on sexual orientation and gender identity. When individuals are attacked, abused or imprisoned because of their sexual orientation, we must speak out. We cannot stand by. We cannot be silent [...]. Today, many nations have modern constitutions that guarantee essential rights and liberties. And yet, homosexuality is considered a crime in more than 70 countries. This is not right. Yes, we recognize that social attitudes run deep. Yes, social change often comes only with time. Yet, let there be no confusion: where there is tension between cultural attitudes and universal human rights, universal human rights must carry the day. Personal disapproval, even society's disapproval, is no excuse to arrest, detain, imprison, harass or torture anyone – ever."⁷

On another occasion, the UN High Commissioner, Navanetham Pillay, stated that the laws that criminalise homosexuality represent a serious threat to the fundamental rights of every lesbian, gay, bisexual and transgender individual, as they expose them to threats of arrest, detainment, and in some

cases, persecution and execution (February 1st 2011). Pillay considers that national laws which criminalise same-sex behaviour as 'inappropriate' should not be recognized and must be abolished, because these laws are outdated and are inconsistent with international law which upholds dignity, inclusion and respect for all people.

Similar to the perspectives of leaders at the international level, Musdah Mulia (a Muslim scholar) holds the view that, LGBT is not a group of people who engage in deviant sexual activities. From the Islamic perspective, homosexuality is different to *liwath* (sodomy) or *khusna* (someone who identifies with two genders).⁸

Mulia has also reinterpreted verses of the Qur'an which can be a reference to the determination of the law against LGBT. Mulia is of the opinion that humans do not have the right to convict someone because of their sexual orientation. Every person is only required to *fastabiqul al-khairat* (compete in doing good deeds). Mulia also asserts that homosexuality is natural, as God's creation, such that marriage for lesbian and gay couples is lawful.⁹ Following a similar interpretation of Islamic texts, the former President of the Indonesian Women's Coalition (KPI) and Vice President of the National Commission on Women's Human Rights from 2010 to 2014, Masrucha, argues that LGBT individuals have equal rights as Indonesian citizens to be protected and should not be discriminated against.¹⁰

These perspectives are based in part on state fulfilment of human rights as written in the Preamble to the 1945 Constitution of the Republic of Indonesia, in which it is stated that the aim is, '...to protect all Indonesian citizens and the entire country of Indonesia'. Indeed, special protection for LGBT is specified in the 1945 Constitution of Republic of Indonesia, which promises the right to be free from discriminatory treatment (Article 28 1 (2)), and to realise fulfilment of the constructional right to safety (Article 28 G paragraph (2)).

The fulfilment of these rights is the responsibility of the state, particularly since Indonesia's commitment as signatory to a number of international laws. In Article Four of the Convention on the Elimination of all Forms of Violence Against Women (CEDAW, 1979) for example, it states that signatory countries must condemn discriminatory actions, eradicate them and take strategic steps to create a more

conducive situation. These steps must become the focus of all parties. In fact, protection for minority and vulnerable groups-defined as the tendency of individuals or groups to experience assault, harassment, discrimination or other adverse actions from other groups-must also be followed and carried out by all parties including legal apparatus, political, social and religious groups, and the media.

Saskia E. Wieringa (2011) has emphasized that the human rights discourse assumes universality of human and sexual rights for all people, without exception. There remains however, discursive contestation among biomedical experts, religious leaders and conservative politicians on the one side, and feminist, gay and lesbian activists and defenders of human rights on the other, with the latter focusing on reinterpreting what is meant by 'normal' gender, a human body of 'normal' sex, and the act of 'normal' sex itself. To ensure that there is no stigmatisation of a particular party, or if there is a party that insists on rejecting the normative model of the sex-gender binary, the discourse of human rights must be supported by a cultural discourse that is pluralist in relation to gender, sex, and sexuality.¹¹

What LGBT groups and human rights activists in general are fighting for is not only the right to a self-determined (gender and sexual) identity which is recognized by the state, and not to be positioned as a *second sex* or a second-class group, but also to advocate for the most marginalized individuals in society, and contribute to the formulation of the bill on the protection of the fundamental needs and rights of Indonesian citizens which are not yet granted by the state.

If LGBT groups are a part of the minority groups' protection scheme their rights will be protected. If not, their rights will continue to be ignored. The challenge that Indonesia is currently facing is that the majority of the Indonesian population still considers LGBT individuals to be deviants who must be punished through state policies.

The History of LGBT and LGBT Organizations in Indonesia

The implementation of human rights without consideration of an individual's sexual orientation and gender identity is not an essay matter. However, Non-Government Organizations (NGOs), human rights and LGBT activists have consistently fought

for LGBT recognition and rights, both at the national and international levels. Their tireless efforts have resulted in new developments on LGBT issues in Indonesia.

The political reformation (*reformasi*) and democratization that have occurred in Indonesia have brought LGBT issues into the spotlight, leading to a proliferation in LGBT organisations. Yet, the acronym LGBT is still relatively unknown. Around the year 1968, the term *Wadam* (Female Adam)¹² emerged as more positive term to replace the words for transvestite or feminine male homosexual. In 1969, the first *Wadam* organisation, The Djakarta *Wadam* Association (HIWAD) was established, facilitated by the Governor of Jakarta, Ali Sadikin. The term *Wadam* changed to *Waria* (female man)¹³ in 1980 because of the objections from an Islamic leader that the term *Wadam* (irreverently) contains the name of the prophet Adam AS.

On the 1st of March 1982, the first openly gay organisation in Indonesia and Asia, Lambda Indonesia, was established, with its secretariat in Solo. Branches soon appeared in Yogyakarta, Surabaya, Jakarta and elsewhere, and were complemented by the publication of the *G: Cheerful Lifestyle* bulletin.

In 1985, a gay group in Yogyakarta established the Persaudaraan Gay Yogyakarta (PGY) (Yogyakarta Gay Fraternity) (PGY) which put out the *Jaka* publication. On the 1st of August 1987, the Nusantara Lesbian and Gay Working Group (KKLGN), Kelompok Kerja Lesbian dan Gay Nusantara (KKLGN) whose name was later shortened to GAYa NUSANTARA (GN) was established in Pasuruan, Surabaya, as the successor of Lambda Indonesia, and publishing magazines and book series' including GAYa NUSANTARA from 1988. The Yogyakarta Gay Community expanded to become the Indonesia Gay Society (IGS).

In December 1993, the first Indonesian Lesbian & Gay Congress (KLGI) Kongres Lesbian & Gay Indonesia (KLGI)¹⁴ was held in Kaliurang, in the northern area of Yogyakarta, with approximately 40 participants from as far as from Jakarta and Ujungpandang. The congress resulted in 6 ideological points for the future direction of the gay and lesbian movement in Indonesian and GAYa NUSANTARA received the mandate to coordinate the Indonesian Lesbian & Gay Network (JLGI) Jaringan Lesbian & Gay Indonesia (JLGI).¹⁵

In December 1995, the KLGI II was held in

Lembang, West Java, with many more participants than the first. On the 22nd of July 1996, The People's Democratic Party (PRD) became the first party in Indonesian history to include "homosexual and transsexual rights" in their manifesto. In November 1997, the KLGI III was held in Denpasar and for the first time journalists could cover the events outside the sessions. It was decided to temporarily hold a national meeting because it was questionable whether the Congress was effective. In June 1999 Gay Pride was celebrated in Surabaya, working together with GN, Transgender United Surabaya (PERWAKOS) and the French Cultural Centre (CCCL). In September 1999, there were threats from the Surakarta Islamic Defenders Front (FPIS) to attack a JLGI National Working Meeting in Solo, to the extent that the meeting was cancelled. In October 1999, at the fifth International AIDS Congress in Asia and the Pacific (ICAAP) in Kuala Lumpur, Malaysia, formed the lesbian, gay, bisexual, *waria*, intersex, and queer network of the Asia/Pacific region named Asia Pacific Rainbow (APR) of which GN was the founder.

In March 2000, IGS declared March 1st National Lesbian & Gay Solidarity Day (Hari Solidaritas Lesbian & Gay Nasional). The next development was in November 2000 with the Flickers of Royal Court Colours event in Kaliurang. Although the event was a campaign about HIV/AIDS education through entertainment, it was attacked by a group of men from a specific fundamentalist Islamic group.¹⁶ There was a move among the event participants to form a front with various organisations against violence of this type, but due to intimidation from the attackers, this front gradually shrunk and dispersed.¹⁷

In the period since the establishment of Lambda in 1982, there have been two LGBT national organisational networks and 119 organisations established in 28 provinces in Indonesia.¹⁸ The increased number of LGBT organisations indicates an increase in the amount of people who identify as LGBT. Until now, there are a number of organisations that have become vehicles for the crystallization of the struggle of LGBT groups in Indonesia.

GAYa Nusantara

The main leader from this organisation is Dede Oetomo, a principle male leader of the LGBT campaign in Indonesia and pioneer of the introduction of open debate on LGBT issues. He stated that, 'I've

opened the door to approach the state as openly gay. Now other LGBTI's need to utilize this opening and take it further.'¹⁹ Other than advocating on LGBT issues openly and establishing the GAYa Nusantara organisation, Oetomo has been active as a lecturer in Surabaya. In 2012, Oetomo registered himself as a candidate for Commissioner on the Human Rights Commission, however, he was eliminated at the test stage at the House of Representatives level due to strong public pressure.

As an organization, GAYa Nusantara has the vision to bring about a social order that accepts and values human rights, sexual and gender diversity, and welfare, on the bases of voluntarism, democracy, non-violence, independence and transparency. Their mission is education and public awareness; to prepare and develop a medium through which to communicate, discuss and network; to provide services for optimal sexual wellbeing, self-actualization and freedom of expression; and to build networks, strengthen organisations and work together with organisations that have a similar purpose.

The uniqueness of GAYa Nusantara is as the pioneer of gay organisations in Indonesia that are open and proud of their identity and not threatened by diversity of sex, gender and sexuality and other backgrounds. The organisational culture of GAYa Nusantara is one that values responsibility, honesty, time and democracy in an informal atmosphere that continues to encourage and create intimacy, friendship and romance.

Arus Pelangi

Arus Pelangi was formed in Jakarta on the 15th of January 2006 on the basis of the pressing need among LGBT individuals and groups to form a mass organisation to promote and defend the fundamental rights of LGBT people. Arus Pelangi began as an organisation that encourages the establishment of a social order that emphasizes the values of equality and respect for LGBT as human rights.

Arus Pelangi is one of the organisations that functions as a group of LGBT rights advocates who have the mission of: awareness, empowerment and strengthening of oppressed LGBT people; playing an active role in the process of policy changes that protect LGBT rights; and, playing an active role in

increasing public awareness and acceptance of LGBT people in the community.

The four main programs of Arus Pelangi are campaigning, education, organisation and advocacy. Arus Pelangi campaigns on LGBT issues, such as fundamental LGBT rights and violations of those rights. Through these programs, it is hoped that the community will become more aware in recognising the fundamental rights of LGBT citizens and accept them in society. The state also plays an important role in recognising, fulfilling and protecting the fundamental rights of LGBT people through government policies. The Arus Pelangi educational programs are conducted within the framework of awareness of the importance of fighting for the fundamental rights of LGBT people. These educational programs also aim to raise awareness amongst the community. Advocacy programs are conducted with the aims of imposing advocacy which relates to the legal handling of both litigation and non-litigation cases affecting LGBT people, and public policy advocacy, involving legal action by Arus Pelangi against government policies that discriminate against LGBT people. Arus Pelangi is also active in facilitating the formation of LGBT organisations at the local level. These local level LGBT organisations can then unite at the national level in a federal union, such as Arus Pelangi. This matter is in accordance with the Arus Pelangi AD/ART (Anggaran Dasar/Anggaran Rumah Tangga: Organization Basic Law) mandate where the formation of an organisation is an association of members of LGBT organisations or defenders of LGBT rights organisations at the local level.²⁰

Ourvoice

The main figure of this movement in Hartoyo,²¹ who experienced both violence and abuse at the hands of local residents, as well as inhumane detention by police in Aceh. These injustices prompted him to advocate in relation to the cases he experienced through Ourvoice, a social organisation he established with his friends that defends the right to diversity of sexual and gender identity in Indonesia. The organisation is closed, and includes members from LGBT groups and other groups which support the movement and that share a similar vision and mission. The organisation has a membership that is 75% LGBT and 25% heterosexual.

Ourvoice was originally initiated by a group of gay people on September 5th 2007, and was formalized in March 2009. The initial purpose of Ourvoice was as a medium to strengthen the self-belief of fellow homosexuals. Ourvoice works as an alternative medium of discussion and community forum among LGBT friends throughout Indonesia and aims to build an ideology of "similarity" which is the preferred capital of social movements.

Hartoyo's personal experiences of discriminatory treatment made him aware that society does not have sufficient knowledge of LGBT. For this reason, Ourvoice chooses to advocate on public education through the media.²²

Yudi, the Ourvoice Secretary explains that, 'the media represents a common need. Through the media, we can express opinions. In addition to public education, the media is also a part of the campaign not just in the written form, but also via videos. Moreover, we consider campaigns through Youtube to be one the safest campaign strategies'.²³ Through Facebook and websites, Ourvoice provides information about LGBT matters so that LGBT individuals who experience violence in their families can seek support. It also carries out public campaigns through training, discussions and IDAHO (International Day against Homophobia) celebrations in many regions. Through providing support to LGBT individuals experiencing homophobic violence and discrimination, in tandem with advocacy, education and training programs, assisting with access to services, and the creation of another valuable link in the chain of the LGBT community network, Ourvoice is helping to break down the barriers to acceptance of LGBT in the community and at the policy level.

Youth Interfaith Forum on Sexuality (YIFoS)

The Youth Interfaith Forum on Sexuality (YIFoS) was formed from a working meeting of the Syailendra High School of Buddhism (STAB), in Kopeng, Salatiga, on the 7th of March 2010, to create a discourse and action among interfaith youth regarding faith and sexuality. This discourse and action involves critical dialogue, reflection and review of religious texts with regard to faith and sexuality, and includes coordinated shared participation with other caring communities in response to these issues. It is important to create dialogue about this issue because conversations about sexuality are often

considered taboo in relation to norms and religious institutions, while at the same time religion has controlled human sexuality. The implication of this is that religion becomes the means to through which to legitimise where sexuality is 'right' and 'wrong' with reference to the sacred texts, which is arguably a human interpretation of the word of God.²⁴

Conversely, conversations about sexuality are no longer simply conversations about biological sex and sexual behaviour, since sexuality is not solely hetero-normative and is also perceived in terms of orientation and identity. The YIFoS forum came about to create a common understanding that faith and sexuality are a part of the diverse actualisation of humanity and cannot be grouped into existing categories. The six religions recognised by the state are unable to accommodate the existing diversity of faith, and the sexual norms in contemporary Indonesia have been unable to accommodate the diversity of sexualities. Consequently, diversity of faith and sexualities does not become a source of hate, conflict or violence, but rather becomes the means through which to intensify the dialogue and foster mutual understandings between groups through the spirit of diversity.

YIFoS' vision is the realisation of peace in the diversity of faith and sexuality. Its mission is: to review the current state of diversity and spread an understanding of diversity of both faith and sexuality to society; to promote the establishment of rules that do not discriminate on the basis of sexuality or religion in both the community and in faith-based institutions; to encourage policies that accommodate economic, social, civil and political rights regardless of faith or sexual identity; and to build networks with individuals or organisations working with youth, and focused on diversity of faith and/or sexuality, at the local, national and international levels.

According to Edith, the YIFoS secretary, the organisation has conducted a series of activities aimed at providing a space in which young people can be open about their sexual orientation. For example, international youth camps in which young people exchange ideas and experiences.²⁵

Ardhanary Institute

Ardhanary Institute is an organisation for lesbian, bisexual, transgender and intersex females which evolved out of Sector 15 of the Indonesian Women's

Coalition for Justice and Democracy (*Koalisi Perempuan Indonesia*, KPI). Females of alternative sexualities have worked beside gay and transgendered males at the forefront of the LGBT movement in Indonesia since prior to the formation of GN. It is important, however, that they operate independently from males. In the view of female activists, gay male groups are less able to understand the 'femaleness' and the 'feminist' element in their struggle.²⁶ For this reason, other organisations that specifically focus on lesbian issues have come into existence, such as the Pelangi Perempuan Institute, also known as Kamilia Manaf, and more recently, the Ardhanary Institute developed by a female, RR. Sri Agustine.

The Ardhanary Institute was established on November 14th 2005 in Jakarta and has become a centre for research, publishing and advocacy for the rights of lesbians, bisexuals, transgender and transsexual females (LBT). It bases its work on the 1954 Constitution of the Universal Declaration of Human Rights (UDHR) in 1948, the Yogyakarta Principles and the law No. 7 of 1984 on the CEDAW. The vision of this institution is to bring to fruition their ideal of a society that respects and protects LBT rights and LBT sexuality choices. Their mission is to strengthen individuals by creating a group; to create new perspectives about sexuality in society; to encourage policies that do not discriminate against LBT females' sexuality choices; and to create a LBT crisis center.²⁷

This crisis center was imperative because lesbians are more vulnerable to sexual violence if they are known to be lesbians than are gay males. These victims need support because after these incidents victims experience long term trauma. Thus, since 2008 the Ardhanary Institute incorporated a crisis center for LBT individuals and groups who have experienced various forms of violence, either in the community due to their sexual orientation, in their relationships with other LBT, or when they experience domestic violence as a consequence of their sexual orientation or gender identity. Initially, the Ardhanary Institute did not have counsellors, so when a report came in, they would work with other crisis centers or with Legal Aid (*Lembaga Bantuan Hukum/LBH*). The Institute has had counsellors since 2012.²⁸

In carrying out their activities, there are four approaches that the Ardhanary Institute employs.

First, counselling and psychological consultation via telephone, facebook, email, visits to victims' homes, or clients visiting the office. Three forms of counselling are employed including, online counselling, hotline counselling (every Wednesday, Thursday & Friday), and face-to-face counselling. Second, they provide support and legal assistance for clients who wish to legally pursue their case. Here the Institute will cooperate with legal aid agencies and other victim psychological recovery agencies. Thirdly, mediation is undertaken when clients wish to mediate with family or other parties in relation to their sexual orientation. Fourth, a shelter or safe house is provided for clients who need refuge temporarily while they are going through a case. The Ardhanary Institute also contributes to capacity building for people outside of the institution through various training, mentoring and assistance for research, study, LBT monitoring and evaluation.

The enormous and enduring contributions of these organisations enables LGBT individuals to have self-belief and to rise above the problems they face. In addition to organising themselves to establish LGBT organisations, there have been other successes within local communities. Below are some examples of personal success among transgendered males.

Maryani (53) was the leader of *Pesantren Waria Senin – Kamis Al-Fatah* in Notoyudan, Yogyakarta²⁹ was initiated by the late KH. Hamrolie Harun in 2008, and on Monday and Thursday nights she would learn to read the Qur'an, pray, chant in praise of God and conduct other religious activities.³⁰ Maryani, who was born with the name Maryono, became the first *waria* in Indonesia to undertake the pilgrimage to Mecca with the identity of a woman. The Islamic boarding school (*pesantren*) she led become a model for the acceptance and practice of Islam among transgendered males. On the 6th of July 2012, 40 delegates from 18 countries, including Egypt, South Sudan, Kyrgyzstan, Afghanistan, Uganda, Poland, Congo, Kazakhstan, USA, and countries from Europe and Africa visited the *pesantren*. Sadly, Maryani passed away on the 22nd of March 2014.³¹

Chenny Han is a successful entrepreneur in the field of beauty and salons. Chenny was awarded for her outstanding achievements from Taman Lawanin 1980, won the title of Miss Waria in 1992, and has now become the makeup artist for the well-known celebrities including Indi Barends, Agnes Monica

and Melly Goeslaw.³² Jen Kattleya has also been successful in building a bridal makeup business and salon.³³ She also ran as a candidate for the Human Rights Commissioner from 2012 to 2017, but was unsuccessful. Shuniyya Ruhama, a transgender youth who graduated from University with cum laude, is a successful batik entrepreneur. She wrote an autobiography entitled, 'Don't Remove my Headscarf'.³⁴

These four figures began their careers from their own businesses, and eventually opened up salons and made their way into the fashion industry. Although most were successful in building their careers beyond the LGBT movement, the diversity of views on LGBT in the general population in Indonesia has increased. Despite this, discrimination, harassment and/or violence by people in the name of religion, culture, the law or the state targeting LGBT individuals and groups occurs with increasing frequency.

Manifold Perspectives on LGBT Issues

Generally, the existence of LGBT, the right to be LGBT and LGBT issues more broadly in Indonesia are still hotly debated. Anwar Abbas from Muhammadiyah, one of the two largest the Islamic organisations in Indonesia, explained that LGBT is a disease that must be cured, and further is an aberration to religious norms and natural law. According to Abbas, LGBT has nothing to do with the issue of human rights, and therefore, the state must help cure them, not tolerate them or even legalise their wishes.³⁵ LGBT issues have also been firmly rejected by the *Majelis Ulama Indonesia* (Counsel of Islamic Scholars/MUI). According to Makruf Amin, the government and society should not provide opportunities for the legalisation of same sex marriage because it would endanger future generations. Moreover, Amin, stresses that Indonesia has a majority Muslim population,³⁶ implying that to be LGBT is incongruous with being a Muslim. The Chairman of the MUI Fatwa Commission, AF Hasanuddin, was more explicit in his view suggesting that LGBT is an illegal act, a heinous crime and grave sin, and can be punished with the death penalty. The Chairman of the Indonesian Child Protection Commission (KPAI), Asrorun Niam, also states that sodomy is worse than both adultery and sex outside of marriage, and is punished with harsh penalties

in Islam. For these conservative Islamic scholars, homosexuality is a disease that must be treated.³⁷

On the LGBT issue, the MUI also issued Fatwa No. 57 on December 31, 2014, stating that being lesbian or gay, engaging in sodomy, rape, and homosexual relationships and those between heterosexuals not legitimated through religious marriage are considered unlawful acts and are punishable. This is not the first time the MUI has held this view. On October 11, 1997, the MUI issued a fatwa on the 'Status of Waria' that was very homophobic. This fatwa depicted *waria* as something which is forbidden and suggested they must be 'restored' to men who are considered 'normal' and through various ways. In addition to the MUI, Aisyiyah, an autonomous Muhammadiyah organisation, in a classified discussion, also expressed opposition to LGBT issues because being LGBT is considered as deviating from the teachings of Islam.³⁸

Similar to the above opinion, Said Aqil Siradj from Nahdatul Ulama, stated that the consensus among Islamic legal experts is that LGBT sexuality is forbidden. Citing an explanation from Fakhruddin al-Razi, an expert Islamic commentator, Siradj, states that homosexual behaviour is a heinous act, referred to as *al-fakhisyah* (great sin) that is disgusting and contrary to human nature.³⁹ Meanwhile, the same opinion has also been raised by Catholics and Protestants. On the issue of same-sex marriage, Pastor Benny Susetyo from the Bishops Conference of Indonesia (KWI) states that same-sex marriage is contrary to the first principle of the Pancasila, belief in one Almighty God. All religions in Indonesia oppose same-sex marriage. However, according to Susetyo, the church still respects and embraces LGBT as human beings.⁴⁰

In addition, the same opposition has been put forward by the Council of Churches in Indonesia (PGI). The General Secretary of the PGI, Reverend Gomar Gultom, said that the church will not approve same-sex marriage because the church only recognises marriage between men and women.⁴¹

Furthermore, the DPR stated a very similar view. Saleh Pataonan Daulay, Chairman of the VIII DPR Commission, stated that LGBT have no opportunity at all to get legitimisation in Indonesia. Firstly, there is no constitution that allows support of the legalisation of same-sex marriage. Second, LGBT does not conform to the customs and culture of the

nation. Third, Indonesia is a country that is based on divinity, religious values and religion. Similarly, same-sex marriage is prohibited in almost all religious traditions. Fourth, human rights in Indonesia are different to human rights in the United States and are limited by the constitution and religious values.⁴²

There is, however, also strong support for LGBT practices. Among the most vocal supporters is Musdah Mulia. According to Mulia, no strong *syar'i* basis can be found that states that Islam condemns LGBT behaviour. The Qur'an does not instruct to discriminate or kill homosexuals. What is condemned and forbidden by Islam is the act of sodomy, whether it is done by heterosexuals or homosexuals.⁴³ Muhammad Guntur Romli has explicitly stated that blasphemy against LGBT from the Muslim community has no basic argument or strong theology. According to Romli, the amount of hadiths that oppose LGBT is extremely weak.⁴⁴ Pastor Ester Mariana Ga also questions the validity of Christian teachings that prohibit LGBT because, according to Ga there are no teachings in the Bible that forbid loving relationships and responsibility between female partners. Jesus also never said anything about LGBT.⁴⁵

However, the Religious Affairs Minister, Lukman Hakim Syaifuddin explained that it is difficult to legalise same-sex marriage and it is hard to accept in Indonesia where the majority of society is very religious.⁴⁶ From this explanation, it seems that the existence of LGBT tends to be rejected by society on the basis of either religious norms or the relativity of human rights in Indonesia.

LGBT in the National Legal Framework

Good ideas have yet to reach a good level of implementation. Ideally, Indonesia has aspirations for the universal implementation of human rights, these aspirations have not been applied consistently in the hierarchy of legislation. Indonesia, for example, has a National Medium Term Development Plan (RPJMN) as contained in the Presidential Decree No. 5 of 2010 that includes "...increasing Indonesia's role in the promotion of democracy, human rights, the environment and protection of cultural wealth." The RPJMN then became the foundational program for local and national implementation of government activities.

If you briefly read the points of this regulation there seems to be no detail on human rights as the foundational position. However, the Human Rights National Action Plan (RAN HAM) 2011-2014 has decreased the formulation of more concrete guidelines and public plans to improve: the respect, fulfilment and protection of human rights; the politics of human rights for the country to realise the human rights of every person; and to provide directions for the organisers of state power in their guidance of the community.

In fact, RAN HAM is based on the Presidential Decree No. 23 of 2011, in which there are seven programs namely: the establishment and strengthening of the implementation institutions of RAN HAM; preparations for the ratification of international human rights instruments; harmonisation of the design and evaluation of legislation; human rights education; application of norms and standards of human rights; handling community communication (Yankomas); and monitoring, evaluation and reporting. RAN HAM starts from the center to the regions through the formation of the RAN HAM committee, the running of programs/activities, and then by reporting the results from the seven main programs. From these seven programs, every Ministry/Institution is required to introduce these programs into policy and through internal working programs as a form of implementation and support of national interests.

However, in Indonesia, LGBT groups are the most vulnerable to discrimination. Many regulations and laws still do not acknowledge the existence of human rights for LGBT individuals and groups. Government policies that have been institutionalised in legal policy are still dominated by homophobic views which discredit LGBT groups.

According to monitoring conducted by the National Commission on Violence against Women by Komnas Perempuan (National Committee on Women), 342 discriminatory policies were found in the period 2009-2014.⁴⁷ Of these, I found at least, 12 Acts in national and local directly targeted LGBT groups, while the others more indirectly targeted them. According to the monitoring reports of a number of civil society organisations there were 26 cases and incidents experienced by LGBT between the years 2005-2012, 49 cases experienced by LGBT in 2013, and 37 cases of violence and discrimination against LGBT groups in 2014.

Therefore, it is not surprising that human rights violations against LGBT individuals in Indonesia are subject to the scrutiny of the international community. Manfred Nowak (2009) has noted the Hartoyo case, as did the UN Human Rights Commission Report on the 17th of November 2011. Komnas Perempuan and other civil society groups⁴⁸ have also reported the cases of the dissolution of the ILGA Conference, of human rights training sessions, the Q! Film Festival, the Miss Waria competition, of raids and violence against *waria* by the National police in several sites in Indonesia, as well as the issue of sexual identity on identity cards, driver's licenses and other official documents in the Universal Periodic Review (UPR) UPR Indonesia session in 2012.

Furthermore, the Act No.1 of the 1974 Marriage Law states in Article 1 that marriage is the emotional and physical bond between a man and a woman as husband and wife with the intention of forming a happy and everlasting family (household) based on the divinity of God. In Article 3, paragraph one (1), it is stated that the principle of marriage is based on a heteronormative union between a man and a woman. Furthermore, in article 31 paragraph three (3), the proposed role of men is as husbands and women as wives. It is stated that the husband is the head of the family and the wife is the homemaker. Thus, a marriage that is not formed on the basis of a man with a woman or vice versa, is not recognised. These laws explicitly do not accommodate same-sex marriage of gays or lesbians.

In addition to the Laws on Marriage, LGBT existence is also not recognised in Law No. 23 of 2006 concerning Population Administration (Adminduk). Under these laws, the gender column on the National Identity Card (KTP) only accommodates gender or sex status as women and men (*perempuan* or *laki-laki*). These laws do not acknowledge genders other than those of male and female. Therefore, there is no opportunity for *waria* or transgendered persons to identify, neither is there the option to leave the section on gender blank. Although Government Regulation No. 37 of 2007 on the implementation of the Adminduk Law provided an avenue for changing transsexual identity on the KTP, unfortunately, it did not acknowledge transgender. In terms of numbers, there are more transgender identified people than transsexuals who require acknowledgment of their identity. Therefore, transgender people still face

difficulties in having their identity acknowledged.⁴⁹

Another policy that is less supportive of LGBT people is the Indonesian Government Regulation No. 54 of 2007 on Child Adoption. Article 13 of the regulation (PP) regulates the requirements for foster parents. Point (f) of the Article explicitly states that prospective adopting parents must not be a same-sex couple: they must be heterosexual. The government also mentions homosexuality as a deviant form of sexual intercourse, for example, in Law Number 44 of 2008 on Pornography, Article 4.

In fact, where there is autonomy and decentralisation, there are many rules and policies at the local level which are more nuanced towards homophobia. Some legislation equates homosexuals, lesbians and sodomy as immoral, sinful and adulterous. Legislation in Jakarta, Banjar, Tasikmalaya and Padang Panjang even uses the term 'prostitution' and not 'immoral' to categorise homosexuals, and considers homosexuals as disturbing public order or violating religious norms and customs.

The sheer amount of discriminatory policies presents a tough challenge for LGBT groups. The government, both at national and local levels, still categorises LGBT groups similarly to prostitution. This example can be seen in the Padang Pariaman District Regulation No. 02 of 2004 on Prevention, Repression and Eradication of Immorality. In Chapter 1 of the General Provisions, Article 1 states that prostitutes are women or men who have sexual relations with persons of the opposite or the same sex with the intent of sexual and or material gratification.

It is same in Padang Panjang in West Sumatra. Local Regulation No. 9 of 2010 on the Prevention, Elimination and Repression of Social Diseases explicitly refers to 'homosexual and lesbian' relationships and furthermore prohibits these relationships and those people who 'offer themselves' to engage in homosexual or lesbian relations with or without remuneration. Article 5 states that individuals are prohibited from: (f) engaging in homosexual and or lesbian relations; and (g) offering themselves to engage in homosexual or lesbian relations either with or without payment.

This provision also includes sanctions for those who violate the rules. Article 18 paragraph one (1) states that, 'Every person who violates the provisions of point (f) in engaging in homosexual and or lesbian

relations as referred to in Article 5 (f); or offering themselves to other people to engage in homosexual or lesbian relations either with or without payment as referred to in Article 5 (g); shall be sentenced to three months imprisonment or a fine of up to ten million rupiah (AUD\$1000).

Similar laws can be found in South Sumatra. For example, the South Sumatra Regulation No. 13 of 2002 on Combating Immorality in the Province of South Sumatra. Article 2 of Chapter II on Naming and Form of Immorality says: "Including immoral acts, all acts that can damage the foundations of life in community other than those stipulated in norms as referred to in paragraph (1) such as: prostitution; adultery; homosexuals; lesbian; sodomy; rape; sexual harassment; pornography; gambling; consuming alcohol; and drug use." The same conditions can be found in Palembang's Regulation No.2 of 2004 on

the Eradication of Prostitution. In Article 8 paragraph (2) it is stated that, "Acts of prostitution include: homosexuals; lesbian; sodomy, sexual harassment and pornographic acts."

There are also laws that forbid homosexuality in Tasikmalaya, West Java, known for its Islamic student population. The Tasikmalaya Regulations of West Java No. 12 of 2009 on the Development of Community Life Values Based on the Teachings of Islam and Societal Social Norms explicitly prohibit homosexual behaviour. Article 5 paragraph (4) refers to despicable acts and paragraph (3) among others, states: "adultery and prostitution either conducted by a person of the opposite sex or by a person of the same sex (homosexual/lesbian)."

Table 1 below lists public policies characterised as homophobic and discriminatory against LGBT groups:

Table 1. Discriminatory policies against LGBT groups

Policy Name	Contents
Law No.1, 1974 on Marriage	<p>Article 1 Marriage is the emotional and physical bond between a man and a woman as husband and wife with the intention of forming a happy and everlasting family (household) based on the divinity of God.</p> <p>Article 3 (1) it is stated that marriage is in principle where a man has a wife. A woman can only have a husband (From this article, it can be concluded that Indonesia only recognises the principle of marriage as between a man and a woman).</p> <p>Article 31 (3) the husband is the head of the family and the wife is the homemaker.</p>
Law No. 23, 2006 Population Administration	<p>Population Data</p> <p>Article 58 (2) Individual data includes: ...; d. gender; ...; h. religion/beliefs; ... i. marital status; ...; k, physical and/or mental disabilities; ...</p>
Law No. 44, 2008 on Pornography	<p>Article 4 (1) Every person is prohibited from manufacturing, producing, reproducing, copy, distributing, broadcasting, importing, exporting, offering, reselling, renting or providing pornography that explicitly includes; a. sexual intercourse, including deviant sexual intercourse; b. sexual violence; c. masturbation or onanism; d. nudity or the appearance of nudity e. genitals; or, f. child pornography</p> <p>Explanation (a). What is meant by "deviant sexual intercourse" - sexual intercourse or other sexual activities with the deceased, bestiality, oral sex, anal sex, and lesbian and homosexual sex.</p>

Indonesian Government Regulation No. 54, 2007 on Child Adoption	Article 13 Prospective adopting parents must meet the following requirements: e. be married for a minimum of five years; f. not be a same-sex couple.
South Sumatra Regulation No. 13, 2002 on Combating the Immoral in the Province of South Sumatra	Chapter 1 General Provisions Article 1 22. Homosexual is an activity of sexuality among two or more women with same sex in South Sumatera (ini bener ga ya terjemahannya) relationship between one of more men of the same gender in the Province of South Sumatra. 23. Lesbian is a sexual relationship between one or more women of the same sex gender in the Province of South Sumatra. 24. Sodomy is sexual intercourse through the anus by one or more men to another person. Chapter 2 Naming and Form of Immorality Article 2 (2) Including immoral acts, all acts that can damage the foundations of life in the community other than those stipulated in norms as referred to in paragraph (1) such as: prostitution; adultery; homosexuality; lesbianism; sodomy; rape; sexual harassment; pornography; gambling; alcohol consumption; and drug use."
Palembang Local Regulation No.2, 2004 on the Eradication of Prostitution	Chapter 1 General Provisions Article 1 (10) Homosexuality is sexual intercourse among men. (11) Lesbianism is sexual intercourse among women. (12) Sodomy is sexual intercourse through the anus by a male. Article 8 (2) Acts of prostitution include: homosexuality; lesbianism; sodomy, sexual harassment and pornographic acts.
Padang Pariaman District Regulation No. 02, 2004 on Prevention, Repression and Eradication of Immorality	Chapter 1 General Provisions Article 1 m. prostitutes are women or men who have sexual relations with the opposite sex or the same sex with the intent of sexual and or material gratification; n. prostitution as a form of work for sexual intercourse outside of marriage or other sexual activities to get sexual and or material gratification;
Banjar, South Kalimantan, Local Regulation No. 10, 2007 on Public Order	In this regulation "whore" refers to homosexual and heterosexual acts that are "not normal" (in addition to acts that are "normal"). There is no explanation of what constitutes a "normal" act or a "not normal" act. The law also prohibits the establishment of organisations "that may lead to 'immoral' behaviour which 'cannot be accepted by society [local]'. This is then explained by referring to examples of lesbian and gay organisations "and the like." ⁵⁰
Tasikmalaya, West Java Regulation No. 12, 2009 on the Development of Community Life Values Based on the Teachings of Islam and Societal Social Norms	This regulation prohibits adultery and prostitution, both heterosexual and homosexual. Article 5 Paragraph (4) (4) Despicable acts in paragraph (3) among others, as follows: b. Adultery and prostitution either conducted by a person of the opposite sex or by a person of the same sex (homosexual/lesbian). c....
Padang Panjang, West Sumatra, Local Regulation No. 9, 2010 on the Prevention, Elimination and Repression of Social Diseases	Part of the definition explicitly refers to "homosexual and lesbian" relationships and prohibits these relationships and those who "offer themselves to engage in homosexual or lesbian relations with or without payment." ⁵¹ Article 5 Every person is prohibited from: (f) engaging in homosexual and or lesbian relations; and (g) offering themselves to other people

For these reasons, LGBT organisations have advocated, lobbied, educated the public and fought for decades to create a shift in public attitude towards LGBT and minimise the stigma and discrimination they face. These organisations also hold strategic meetings with government Ministries and departments. On the 29th of May 2015, for example, Ourvoice held a meeting with the Ministry of Social Affairs (Kemensos), in a push to get access to the BPJS health insurance for LGBT groups, especially *waria* who are susceptible to HIV/AIDS. From this meeting, it was hoped that the Ministry of Social Affairs will investigate and accept the proposal.⁵²

Response of the International World

The UN Human Rights Council⁵³ has concluded that LGBT groups in numerous countries, including Indonesia, are vulnerable to violence in the form of murder, rape, torture or cruel and inhumane treatment as well as legal discrimination such as in their work environment, education, health, family or their sexual orientation.⁵⁴ In line with the above report, Carlos F. Carceres, in the USAID report, says that Indonesia is one of the countries in Asia that publicly discriminates against LGBT, and rejects homosexuals although there is nothing specific on homosexuality in the national law. For Carceres, Indonesia strongly prohibits LGBT development.⁵⁵

Moreover, the report from the Special Representative on the Situation of Human Rights Defenders, Hina Jilani, when on an official visit to Indonesia from June 5th to 12th 2007, found a credible report about violence against LGBT activists. First, the case of Mrs Maria, a legal assistant from GAYa Nusantara, East Java, who was intimidated and harassed. When she reported her case to the police, her report was not followed up on the grounds that LGBT issues are 'outside products'. Second, the case of Hartoyo, while in Aceh.⁵⁶

Komnas Perempuan, a national level human rights mechanism, has also received complaints of discrimination and violence experienced by lesbians and male to female transgendered people. In 2010, Komnas Perempuan recorded three instances of the dissolution of peaceful LGBTIQ activities by violent religious minorities. These include the ILGA conference in Surabaya, a human rights training seminar for LGBTIQ groups in Depok lead by the Human Rights Commission and Arus Pelangi, and

the Q! Film Festival. Police and the Civil Service Unit (apparatus for the enforcement of local rules) conducted prostitution raids, which represent an avenue for violence and other human rights violations against *waria*. Komnas Perempuan recorded a case of a *waria* who died when being pursued by police in Tangerang (2009); one case of arbitrary detention in Jakarta (2009); and three cases of physical violence and sexual abuse by the local police; and one case by the police in Aceh (2008-2011). None of these cases have been investigated thoroughly.⁵⁷

Of the cases experienced by LGBT groups, the case of the dissolution of the Q! Festival Film contains elements of a hate crime, where the main targets of hatred are LGBT individuals, groups or sympathisers. Only a fraction of above cases were reported by human rights or LGBT organisations to international rights agencies because national mechanisms do not resolve these cases well. Only the Hartoyo case (2007) received considerable attention at the international level. At least three international mechanisms namely, Hina Jilani (2008), Manfred Nowak (2009) and the UN Human Rights Commission on 'Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity' (November 17 2011), documented these cases in their official reports.

Although Hartoyo's case was submitted to the international mechanism, he did not receive rehabilitation, vindication and compensation from the government for what the police did to him. Many other cases also have no significant follow-up report from the civil society to the international mechanisms, support, or compensation from the government. Therefore, it seems that the government disregards these cases.⁵⁸ In response to these cases at the international level, at the 2012 UPR Session in Switzerland, concern was expressed over the discriminatory behaviour and intolerance on the basis of sexual orientation and gender identity in Indonesia. The delegation from Spain recommended that the Indonesian government eliminate the laws that criminalise same-sex relationships and discrimination based on sexual orientation in the UPR Indonesia session.

These international recommendations demonstrate that the condition of LGBT Human Rights in Indonesia is alarming. Even in RPJMN (Rencana Pembangunan Jangka Menengah

Nasional) and RAN (Rencana Aksi Nasional—national action plan of human rights) Human Rights government have accommodated human rights, however it cannot be ignored that Indonesian policies are still influenced by religious and cultural perspectives which are biased against LGBT groups. Therefore, LGBT human rights are not a priority for

the government and the execution of these policies shows insensitivity towards these individuals. The promotion of LGBT human rights and the protection and fulfilment of LGBT human rights must be done thoroughly as mandated in the 1945 Constitution, and this has to begin with changes to the legal and social culture in the community.

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LGBT, Religion and Human Rights: A Study of the Thought of Khaled M. Abou El-Fadl

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Abstract

The “haram” (to forbid) fatwa issued by the MUI against LGBTs and the death penalty against sexual offenders “deviant” has shaken the people of Indonesia, especially those of diverse sexualities. “Religion”, suppose to provide ease and solace to the human condition, has effectively buried those of non-normative sexualities alive. This is despite the fact that the regional, national and international legal human rights instruments recognize their rights as human beings to express their sexual and gender identities and orientations. In essence, Shari’ah and Islamic law is being used as the theological foundation for the issuing of the MUI fatwa contrary to the concept of human rights. Here, the work of Khaled M. Abou El-Fadl is important as he attempts to break the tension between religion (Islam) and human rights using the social approach of contemporary humanities.

Keywords: LGBT, religion, human rights, Khaled M. Abou El-Fadl.

Introduction

This paper analyses the existence of LGBT (Lesbian, Gay, Bisexual and Transgender), who are grouped as *liyan* or others. The Indonesian language uses various terms to refer to transgendered males—*waria* (wanita pria/female male, transgender), or the more derogatory *banci* (pussy), *waria* (transgendered male), *bencong* (faggot), *wadam* (shemale) or *bisu* (transgendered spiritual leaders in Bugis culture) (Budianti, 2014:5). Their cross gender identities are conceived of as social deviance, a sin, haram (forbidden), and cursed. On December 31st 2014, the MUI (Indonesia Ulama Council) announced a *fatwa* banning LGBT in Indonesia. The *fatwa* declaring homosexuality forbidden was formally scribed and signed by Prof. Dr. H. Hasanuddin, AF. MA, and homosexuality was later classified a crime. The announcement proclaimed that people found

engaging in homosexual relations will face death by hanging. This *fatwa* adds to further violence to the burden of discrimination that LGBT individuals experience in the family, and within society more broadly. Islam is a religion which promotes peace, tolerance and acceptance, yet the well-known Islamic phrase “*rahmatan lil ‘alamien*” is no longer based on the practice of compassion (*rahmat*) as is seen in the explicit bias of this *fatwa*.

The MUI has a significant influence on the study of Islam in Indonesia, and the MUI’s *fatwas* are often used as a mainstream reference by Muslim scholars in Indonesia in their attempts to make decisions based on Islamic custom. The MUI seems to take a role as the only reference for syari’ah law in Indonesia. In *Speaking in God’s Name*, Khaled M. Abou El-Fadl states that the authority of the MUI in Indonesia has generated the impression that it acts as “God Hand”.

The contradiction between religion and human rights has elevated to the point that there is an impenetrable wall between the claims of the MUI and the opinions of the Muslim majority. As it stands now, it is becoming increasingly difficult to bridge the widening gulf between Islam (syari'ah or Islam law) and human rights for LGBT people in Indonesia.

This article discusses Khaled M. Abou El-Fadl's thought as a framework for dialogue between religion and human rights. It draws on a contemporary humanitarian sociological approach. Indeed, in his book, Khaled M. Abou El-Fadl does not talk explicitly about LGBT, however, his point of view on religion and human rights encourages equality and fairness for human dignity and value (*al-karamah al-insaniyah*), and offers new approaches to dealing with the social conditions present in Indonesia today.

The main questions that this paper addresses are: how can the thought of Khaled about religion and human rights contribute toward the dynamic co-existence of LGBT people in Indonesia, and how can his ideas be implemented. The main purpose of this paper is to encourage Muslim conservatives and the MUI to consider a different point of view and soften their hard-line stance against the basic of human right of LGBT citizens. Islam must be represented by contemporary Islam scholars like Khaled, to ensure that the version of Islam, which is progressive, and respecting of the human rights of marginalized groups, is emphasised for future generations, rather than a bigoted version of Islam which diminishes and admonishes the basic human rights of LGBT individuals in the name of religion.

Sexuality, Sex Orientation and Sexual Behaviour

Sexuality is the way in which a person experiences their erotic experiences and expresses themselves as a sexual being. Within the individual there emerges a personal consciousness, as either a man or woman. The consciousness is based on their internal or personal capacities in relation and in response to their experiences. The study of sexuality encompasses several aspects including biological sex (penis, vagina, and intersex), gender identity, sexual orientation and sexual behavior. Gender Identity is formed through the process of socialisation and nurturing—a male is heteronormatively masculine and a female with is heteronormatively feminine. Transgendered persons

embody both masculinity and femininity. There are two kinds of transgendering—transwomen (male to female) and transmen (female to male) (Mulia, 2010: 286).

Sex orientation is the individual's capacity in relation to emotional attraction, lust, and sexual relations. Sexual orientation is given and unchangeable. No one has the power to decide to be born with a certain sexual orientation within Islamic context (Mulia, 2010:286). Sexual behavior is how someone expresses him/herself in their sexual relations. According to Musdah Mulia, sexual behavior is influenced by social construction; it isn't given, and can be learned. Some of the sexual expressions are anal-sex, oral sex, threesomes, orgies and sexual poses (or in Arabic, *liwath*). Some of these sexual behaviors are considered deviant because sex without consent and protection can spread the incurable disease which is AIDS (*Acquired Immuno-Deficiency Syndrome*), a syndrome that form symptoms and infections as the effect of the specific damage of human immune system infected by HIV (*Human Immuno-deficiency Virus*) inside human body.

Sexual orientation is generally categorised as heterosexual, homosexual, bisexual, and asexual. A heterosexual is a person who is sexually attracted toward his/her opposite sex. A homosexual is sexually attracted to people of the same sex. Homosexuality describes sexual relations between same-sex partners or those with interest in and who lust for the same sex (Kartono, 1989:247). Bisexuality is sexual interest in both sexes for both males and females. An asexual is a person who is not sexually aroused by either of the sexes.

Further to the sexual orientations mentioned above is the identity of transwoman. Transwomen are transgendered, transsexual (Danadjaja, 2003: 35) or homosexual males who transform their bodies to imitate the cis-woman's body through various means, which may include breast implant surgery, silicon injection, or total Sexual Reassignment Surgery (SRS). Although born with a penis, transsexuals are often aware that they are women in childhood. Many transsexuals see the penis and male superiority as something disgusting and reject it. According to Hesti and Sugeng (2005: v), there are several factors that lead to transsexuality: biological factors caused by sexual hormones and genetic anomaly; psychological factors and the culture of the society in which they are raised; and

Religious doctrine and biological determinism assume that heterosexuality is normative and non-heteronormativity is false and deviant. According to Musdah Mulia, those doctrines and points of view are radical and yet have become the mainstream perception in the course of human history. Over centuries, human thought has been dominated by the point of view that heterosexuality is normal and natural, while homosexuality is considered as a deviation, abnormal, a mental disorder or mental illness. Furthermore, social construction responds to homosexual influenced by gender inequality factor. In a patriarchal society, power, subjects, control and masculinities are dominated by males. Patriarchal culture constructs a man to be dominant, active and aggressive and a woman to be an object, be passive and to surrender. This order of construction creates man as dominant and is reflected for example by the number of violent assaults by men and myths about male sexual arousal and prowess. The heteronormative model dominates sexual and gendered construction in which heterosexuality is the only correct relationship while other sexual relations and gender identities are deemed anomalous and false. Due to the power and pervasiveness of this perception, over the centuries societies have internalised notions of homophobia and transphobia (2010:287-288).

Homophobia and transphobia should not be tolerated in any society. The new millennium has entered the era of the globalised multi-market. People from different backgrounds more easily travel and interact. For this reason, it is imperative to openly discuss the topic of different sexualities and the existence of LGBTs in relation to religion and human rights. It is also important to resolve the dilemma of homophobia and transphobia from the perspective of "Islam" in Indonesia to ensure LGBT citizens and visitors are respected and valued according to the principles of human rights.

LGBT in the Study of Islam

Reference to homosexuality can be observed in the Quran and the Hadists. In the Quran, homosexuality is described in the story of Luth which tells of the lives of the people of Sodom and Gomorra in Syam. The scripts are written as quoted below:

*And [mention] Lot, when he said to his people,
"Do you commit immorality while you are seeing?"*

Do you indeed approach men with desire instead of women? Rather, you are a people behaving ignorantly" (QS. An-Naml: 54-55).

And then the verse,

(80). And [We had sent] Lot when he said to his people, "Do you commit such immorality as no one has preceded you with from among the worlds?" (81) "Indeed, you approach men with desire, instead of women. Rather, you are a transgressing people." (QS. Al-A'raf:80-81).

Those stanzas tell about the people of Luth who perform homosexual acts or anal sex, which is nowadays termed *sodomy*, originally name after the Island of "Sodom". Elsewhere in the Quran, Luth the prophet asks his people:

" Do you approach males among the worlds. And leave what your Lord has created for you as mates? But you are a people transgressing." (QS. Al-Shu'ara:165-166).

The Quran does not mention the term homosexual (*liwath*) or any other sexual orientation in its text. The Quran mentions the word *al-fakhsha'* (contemptible). QS. Al-A'raf: 80, mentions the word *al-sayyi'at*, in QS. Hud: 78, the term used is *al-khaba'its*, while in QS. Al-anbiya': 74 the term is *al-munkar* as the term in QS. Al-Ankabut: 21.

The word *al-fakhsha'* is mentioned seven times in the Quran. Because the act is cursed, Allah torments them with big disaster. Historians believe that the torment was the first judgement day and the massive disaster occurred because of His Majestic power. The description of the Sodom and Gomorra's punishment in the Quran appears in the script:

So We saved him and his family, except for his wife; she was of those who remained [with the evildoers]. And We rained upon them a rain [of stones]. Then see how was the end of the criminals. (QS. al-A'raf: 83-84).

So when Our command came, We made the highest part [of the city] its lowest and rained upon them stones of layered hard clay, [which were]. Marked from your Lord. And Allah's punishment is not from the wrongdoers [very] far. (QS. al-Hud: 82-83).

Along with the Quran, the hadists (the traditional collection of stories from the Prophets or Islamic scholars) also refer to homosexuality. Those hadists are:

From Abu Sa'id al-Khudri from Rasulullah SAW: "A man should not see the private parts of another man, and a woman should not see the private parts of another woman, and a man should not lie with another man under one covering, and a woman should not lie with another woman under one covering."

From Ibnu Abbas ra. from Rasulullah SAW: "Whoever you find doing the action of the people of Loot, execute the one who does it and the one to whom it is done". (hadist riwayat Imam Rawi)

From Ibnu Abbas ra. from Rasulullah SAW: "May Allah curse the one who does the action of the people of Loot," three times. This was classed as hasan by Shu'ayb al-Arna'oot in Tahqeeq al-Musnad. (Hadist riwayat an-Nasa'ie)

The Quran quotations and the hadists from the prophet above are used for the consensus (*ijma' ulama'*) to agree that *liwath* and the same-sex sexual activities are considered as *harem* (forbidden). The prohibition is based on the principle of the ushul fiqh "*daarul mafaasid muqaddamu 'ala jalbi al-mashalih*" (to prevent deterioration is to prefer the good deed at first). These three frameworks were used by the MUI in its announcement of the fatwa on December the 30th, 2014 (See Decision Paper on p 8).

Islamic classical history literature tells a story about Abu Nawas in a poem in which he has interactions with a boy and likes to drink wine. The script is a humiliation of Abu Nawas, but didn't turn into slander. The mystical Ulama, Al-Ghazali, once wrote poetry for his lovers (young boys). However, Al-Ghazali refused to be labelled homosexual (Spencer, 2004: 111). The MUI fatwa represents the dominant view of classical fiqh Ulama about LGBT. For some mainstream Muslim groups, the law on the prohibition of LGBT is a final and absolute decision because the Quran has written on it, the hadists exclaim it, and the Ulama agree upon both sources (*ijma'*). Clearly then, Khaled's comment on the authority of the fiqh is true. Nevertheless, every decision, word, act, and religious "text" is open to reinterpretation using a contemporary humanistic sociological approach.

Civil Rights and LGBT in Law

Civil rights have come about to ensure freedom of expression and identity for LGBT people. Civil rights are based on the human right to be free, be equal, and have privacy, autonomy, integrity and

dignity. Moreover, civil rights represent general rights that protect all humankind. Civil rights protect people with different identities and allows them to express their sexuality and identity based on equal rights with others and in a non-discriminatory rights framework (2008: 23).

The state is responsible for the realization of these civil rights. However, as the implementer of the policy, the state is neglecting and ignoring the fulfilment of these rights as reported in Arus Pelangi's (an NGO concerned with LGBT issues) 2013 research. The report shows that 89.3% of LGBT in Indonesia experience violations based on their sexual identity, with 79.1 % of respondents claiming that they experienced psychological harassment, 46.3% experiencing physical violation, 26.3% economical violence, 45.1% sexual assault, and 63.3% who experienced everyday violence or discrimination within society. Attacks and violations were experienced from an early age in school in the form of bullying. It was reported that 17.3% of LGBT identified respondents had attempted suicide, with 16.4% of those attempting suicide more than once (aruspelangi.org)

Human rights are the basic rights a person is entitled to from birth. Because it is universal, the distribution of human rights needs protection and respect, and to be retained: no one can take or reduce the possession of these rights. The 1945 Constitution of the Republic of Indonesia Article 28 Clause 1 clearly states that everyone has the right to live and the right to preserve their life. Moreover, Article 71 Clause 39/1999 on Human Rights states that the government is responsible to respect, protect, ensure justice and improve human life as regulated in this law since the ratification of the International Convention on Human Rights.

The approval of human rights to protect LGBT rights began when the APA (American Psychiatric Association) conducted research on homosexuality. The research determined that homosexuality and bisexuality are not abnormalities, psychology disorders, or diseases. After the research, in 1974 the APA withdrew homosexuality from mental disorder list. The WHO (World Health Organization) adopted the result and it was approved by Health Department of Indonesia in 1983 (Mulia, 2010: 289).

Since then, homosexuality has been considered a sexual orientation and a basic right, and as such

has been included in various regional, national and international human rights documents. In the period 2004-2009, the Indonesian National Action Plan clearly stated that LGBT and IQ (Intersex and Queer) as a group were to be protected by the nation. The International Human Rights Document signed by 25 counties in Yogyakarta in 2007 demanded human rights protection for LGBTIQ. It states, "*Semua manusia terlahir merdeka dan sejajar dalam martabat dan hak-haknya. Semua manusia memiliki sifat universal, saling bergantung, tak dapat dibagi dan saling berhubungan. Orientasi seksual dan identitas gender bersifat menyatu dengan martabat manusia dan kemanusiaan sehingga tidak boleh menjadi dasar bagi adanya perlakuan diskriminasi dan kekerasan*" (Mulia, 2010:289)." Basic rights for LGBTs were approved regionally, nationally, and internationally. The question then remains, how do we assimilate God's law (the Quran and hadists) with human made law (national and international laws).

Dichotomy Between Religion and Human Rights

The syari'ah law of Islam triggers the classic debate between the discourses of syari'ah and those of human rights. Several arguments correlate and connect the relevance between the two. First, some believe that syari'ah and human rights are partitioned and oppositional. This delineation closes the possibility for dialogue. Syari'ah cannot accommodate human rights and human rights are exempt from syari'ah interference. The differentiation is based on the concept that syari'ah is God's law directing human life: syari'ah is sourced in Divine power, while human rights are manmade and the result of human ideas without God's intervention. That theory leads to division between syari'ah and human rights because both have opposing perspectives and ideologies. In this theory, syari'ah and human rights are partitioned and divergent (Meyer, 1995: 209).

Second, the idea that syari'ah and human rights have an integrative relation. The explanation of this idea is that syari'ah does not explicitly mention the term human right, and so the formulation of human rights isn't inspired by the concept of syari'ah, yet both contain a similar spirit and values. Human rights are formulated on three basic principles of humanity: freedom, equal rights, and justice. On

the other hand, syari'ah requires a total surrender (*ta'abbudiyah*) to the Almighty. The fundamental ground of syari'ah is the unity of God (*tauhid*). As a monotheistic religion, Islam only worships one God. Therefore, the worship of humans or their fellowship is an act that devastates the sanctity of syari'ah itself. If the substantive concepts of syari'ah and human rights are investigated, however, the two support one another (Meyer, 1995: 210).

The two theories described above are in constant friction today. Some Islamic scholars still argue that human rights are in opposition to syari'ah. German orientalist, Frank Rossenberg (Meyer, 1995: 29-30) asserts that syari'ah law is a challenge as well as the villain in the attempt to promote human rights and justice. He adds that a universal human rights declaration is impossible to achieve if it has to be hand in hand with syari'ah law. Rossenberg offers two options; first, to insert the ratification of universal declaration into the legal systems of Islamic countries – removal of outdated and discriminatory Syari'ah law, for good is the consequence. Second, refuse the universality of human rights and preserve the Islamic law which most of the state is against with the basic principle of humanity. Effort to reconcile syari'ah law and human rights is like pairing a deer with a crocodile—one will be eaten, since the other needs to survive.

Between Religion and Human Right

Khaled M. Abou El-Fadl's study examined the conflict between syari'ah law and human rights. Khaled was born in 1963 in Kuwait. Besides teaching, he wrote about Islam and Islamic law during his visits to the United States and Europe and attained his PhD in Law from the University of California. His study is unique because his approach to Islam is from a human rights, justice, compassionate and moral point of view. Moreover, he is well-known for his critique of terrorism and the puritanical Islamic *wahabi* promoted by Arab Saudi authoritarianism.

Khaled (2002, 117) argues that the separation of syari'ah law and human rights constitutes a political agenda that leads to the dishonour of Islam rather than to a more holistic understanding of Islam (*kaffah*). Khaled adds that this is the time for Muslims to shift from the rhetorical debate about whether human rights go hand in hand with syari'ah law or against it. Instead, it is time to focus on the more

important issue of how to raise peoples' awareness and educate the world on the ways in which both human rights discourse and Syari'ah law have parallel basic principles of freedom, justice, and equality. Khaled assumes that the commonalities of both can be found in the study of the treasures of ancient Islamic regulations (2002, 122).

Methodologically, there are many ways to explore primary sources with the aim of integrating human rights (for example, tolerance, dignity and integrity–self-fulfilling prophecies) into Islamic law. Islamic scholars assume that these three traditional Islamic values are able to be integrated into the human rights concept. Others argue that God has consistently granted basic rights to humans, but somehow, that Islamic social history has not been experienced in Western cultures. These socio-cultural gaps meant that Islamic culture was not included in the declaration of human basic rights which bind all citizens of the world (2002: 131).

International human rights assert that each individual is undeniably entitled to basic rights that cannot be taken away by another person, group, nation, or even God Himself. In Islam, Syari'ah law awards the possibility for God to intervene in granting individuals basic human rights. Similar to international human rights, Syari'ah law admits that basic rights are undeniably attached to each person, however, according to Syari'ah law, God has the power to take away those rights at any time. Over time, these concepts have merged into one concept: that a person or a state (government) may enact a policy to take away the basic rights of humans with the excuse of acting upon God's will. This misleading notion leads to the legalization of actions in breach of fundamental human rights (an-Na'im, 1990: 14).

These two opposing perspectives trigger disagreement between human rights and Syari'ah. According to Khaled, the disagreement is not supposed to take place in the subjective experience. The subjective experiences of believers should become one of the important elements in overcoming the gap between human rights and religion. From the subjective level, there is a small possibility to integrate human rights and religion. On the objective level, however, humans have the capacity to resolve the conflict between syari'ah and human rights. If people are subjectively and objectively of the same understanding that a set

of basic rights can integrate human rights and the rights that God has given, then the gap between Syari'ah and human rights will disappear. However, if the rights in human rights are not hand in hand the rights in Syari'ah, then the tension between syari'ah and human rights will be ongoing (2002: 130).

Khaled assumes that Syariah law is based on the interpretation of legal experts or *fiqh* (Islamic law), and the nuances of Syari'ah today are determined by the interpretation of Muslim legal experts. According to Khaled, it is very possible that the texts of the Quran and hadists be read as inclusive of human rights. Unfortunately, the Islamic legal experts interpret them otherwise. On this point, the independence and autonomy of the legal experts are important in the process of interpretation (2002: 129). Khaled comes to the conclusion that today's Law of God is the result of the holistic process of human interpretation that offers two possibilities: it could be right or it could be wrong (2005: 194). So too, the MUI fatwa on LGBT in Indonesia has two possibilities: it could be right or it could be wrong.

Khaled suggests one key to unite the gap between Syari'ah and human rights is to visualize God as the expression of beauty (*al-jamal*) and the good (*al-Khair*). People have to be assured that their belief implies that God is always involved in the assortment of good and beauty reflected in the social reality. If they can reach that point, Khaled believes, the strain between Syari'ah and human rights will slowly evaporate (2002:130).

To help to understand Khaled's thought on religion and human rights, he designed a framework for human rights named *al-Dharuriyyat al-Khamsah* (the five human basic rights that need to be complied). The elements are: the right to convert to another religion, to live, be intelligent, bare offspring and own property. He declares that the five rights are the most basic rights that must be maintained, respected, and fought for through political and legal systems. This means that the systems of politics and the law in Islam have to protect and struggle to achieve human rights for all. Moreover, Khaled adds that these five basic rights do not represent the totality of all human rights, but those most basic rights that need to be shared (2005:188).

To improve the protective function of the *al-Dharuriyyat al-Khamsah*, Khaled outlined three categories of human rights. First, *dharuriyyat*

(*necessities*), including the basic and essential right to the sustainability of human life. If the first category is not a given, it can be assured that no right be fulfilled. Second, *hajjiyat* (needs) refers to all human necessities, but not urgent needs. Third, *tahsiniiyat* (*luxuries*), which is everything that not classified as something important and urgent. Khaled categorises these three stages based on the standard appropriate to the time and place in which people possess the rights. Therefore, Khaled suggests that in the human rights based on the three categories above, a soft approach be used to evaluate the interests of each person or group in their particular context (2005:188-190).

Based on these three categories, LGBT rights in Indonesia are in the first category of *dharuriyyat* (urgent). They are classified into the first category because the MUI fatwa has dragged LGBT people into further alienation within Indonesian society.

Following Khaled's idea about *dharuriyyat*, families need to be encouraged to accept their LGBT identified family member, and to treat them equally and with compassion and affection to encourage them to flourish. Furthermore, society should not insult, deride or marginalise them as second class citizens. Moreover, the government is obliged to prioritise LGBT issues.

Statistically, the most visible LGBT are sex workers. They take this job to survive. Negative stigma in society means that other employment options are limited. This is a vicious circle, since the marginalisation that leads to sex work, also leads to increased incidence of HIV and STIs, particularly among gay males and *waria*. Providing free health care, education and funding social services is the main duty of governments for both LGBT and heterosexual citizens. The shared resources from government should not only be provided to heterosexual people base from their recognition in their ID card as is currently the case. The government needs to provide safe schools for transgendered youth (because of their visibility) since 90 % of transwomen in Indonesia can only survive elementary school (2014:141).

Not surprisingly, the MUI has also announced a fatwa on Khaled's thought and study. They have a short cut method for this. Usually the MUI scholar who had read Khaled would state, "the MUI know better about what the author means, using the perspective of God, the MUI also fully understands what it

means in the text of Quran and Hadists, therefore the knowledge of the MUI is certain, straight to the point and final". That statement tends to suggest that the MUI scholar is the directive and represents the author, which fully discounts the role of the author and ensures an end to debate on interpretation of the text (*nash*). Khaled calls this approach closed, mono-interpretation authoritarianism. He describes authoritarianism as the act of a person, group or organization which closes or limits the will of the Divine, obstructs the core meaning of the text through limitations and presents the determination as an undeniably final result (2004:xiii).

It is too soon for the MUI to detail the types of punishments for LGBT, although the punishments are based on the hadiths of a Prophet. Those punishments are: punishment according to Islamic regulation (*jarimah*), determination of the sentence for the criminal, sometimes by execution, physical abuse or social isolation, as it written in the Quran and hadists of the prophet (*had*), or indecision on the punishment because it has not been the verdict of Shiari'ah law (*ta'zir*). The social milieu at the time in which the hadists were announced was markedly different to that of Indonesia, even today. The death sentence announced by the prophet was only to prevail when Islamic Syari'ah law was the only vital law in Saudi Arabia at the time of Muhammad in the first century of *hijriyah* (Islam calendar). In Indonesia, the basic law is the Constitution of the Republic of Indonesia of 1945 with its symbol of the Garuda and with "Bhinneka Tunggal Ika" (Unity in Diversity) as the guiding philosophy of the nation. Indeed, Khaled admits that the national law is not Syari'ah law. Though national law is based on Syari'ah law, the law needs to adapt with the changes in the regime and the dynamics of social development, whereas, syariah law will remain as a static ideal norm. Khaled strongly argues that in Indonesia "syari'ah isn't the law of the state" (2005:184).

Conclusion

On paper, regional, national and international laws are formally inclusive of rights for LGBT. However, reality reflects a different picture, one in which certain groups in society humiliate LGBT people. In their daily interactions LGBT individuals experience intolerance, discrimination, stereotyping and marginalization in the name of "religion". Instead

of being grounded in the "law of God", the law has transformed into a thick wall that separates humans because of their different sexualities. In the end, religion (or the comprehension of Islam) as the source of laws that guide human salvation have created a gulf that separates God from His creation.

Diversity in the human condition allows people to get to know each other universally and holistically instead of partially. If people get along in terms of rights, race, sexuality, and gender the bond of siblinghood will arise as the natural essence of the being human itself. It will bear the quotation in the noble Quran 13 "O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of Allah is the most righteous of you. Indeed, Allah is Knowing and Acquainted (QS. al-Hujurat:10)

There is no advantage in judging others as infidels (*kafir*), harem, and in assuming that they will go straight hell. Upon Him, all humans are equal, and only the level of the piety will be counted by Allah and only Allah knows the measurement and quality of piety. Therefore, Allah commands humans to compete in doing good *fastabiqul khoirot* in the dimension of theology and the social as it states in Quran, "For each [religious following] is a direction toward which it faces. So race to [all that is] good"). Wherever you may be, Allah will bring you forth [for judgement] all together. Indeed, Allah is over all things competent (QS. al-Hujurat: 13). As a heterosexual muslimah, there is no intention to humiliate a trustworthy institution like the MUI through this paper. However, the writer wants to show Islam as the religion that it is in the hearts of believers, instead of how it has been re-appropriated as a tool for dogma.

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Sexual Bodies, Sensual Bodies: Depictions of Women in Suharto-Era Indonesian Film Flyers (1966–1998)

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Abstract

This article examines one hundred and fifty film flyers released between 1966 and 1998 and identifies two overlapping trends in their depictions of women: the Sexual Woman and the Sensual Woman. The former is marked by an emphasis on sexuality, which includes more exposed skin, the use of phallic imagery, and the depictions of implied sexual relations, both consensual and non-consensual. The latter is marked by modest clothing, a demure demeanor, and an emphasis on the importance of romantic relationships between women and men. These two archetypes, we argue, were determined by the films' target audiences: the Sexual Woman was used to advertise films to men, whereas the Sensual Woman was used to advertise films to women. These flyers thus reproduced the state's gender narratives and biases, but were ultimately unable to conceal the fluidity of women and their bodies.

Keywords: advertising, bodies, gender politics, Indonesian cinema, representation.

Introduction

"Women are the pillars of the state. If the women are good, the state will also be good, but if the women are ruined, the state will be ruined as well." This quote from a 1991 edition of *Amanah* succinctly summarizes the State-sponsored and widely reproduced view of women in Indonesia under the Suharto government. So prominent was the normative representation "good" women in the Suharto era, a constructed "women's nature" (*kodrat wanita*), that it remains a fertile ground for research. Academics have attempted to explain the State's ideology (i.e. Suryakusuma, 2011; Woodrich, 2013) as well as the representation of women in both *sinetron* (Sunindyo, 1993) and the print media (Brenner, 1999). Such research has argued that, though the State promoted a family-centric model of women, they were represented in the media in a variety of ways: a woman could be a "happy consumer-housewife, devoted follower of Islam,

successful career woman, model citizen of the nation-state, and alluring sex symbol" (Brenner, 1999: 17).

Perhaps nowhere is the existence of multiple representational narratives more apparent than in the fiction film industry, which uses both visual and (oral and written) textual means to narrate and represent stories, events, and people, both through the films themselves and through promotional materials. In Indonesia, advertisements have a long history of relying on visual depictions of women, and have presented a wide variety of representations. Discussion of women and their role in and depiction by Indonesian cinema likewise has a long history, dating back to at least 1941 (Mangoensarkoro) and continuing well into the 21st century (i.e. Soh, 2007; Sulistyowati, 2011; Hughes-Freeland, 2011). However, this discussion has been focused predominantly on representations in films proper, rather than other aspects of the industry.

This paper examines the representation of women in flyers for films produced and released in Indonesia under the Suharto regime (1966–1998), a highly productive period.

The one hundred and fifty film flyers examined cover a variety of genres, including horror, action, romance, drama, and comedy, and were produced (generally, but not always, by uncredited individuals) to advertise films produced by more than twenty companies. Two aspects of these flyers were considered: their visual (through illustrations and/or photographs) and their textual representations of women. Both the obverse and reverse sides of the flyers, which respectively emphasized visual and textual representation, were considered. Two major overlapping trends in the representation of women's bodies in these flyers were identified: the Sexual Woman and the Sensual Woman.

Narrating Women's Bodies

From an early age, human beings learn to differentiate between male and female bodies. Infants learn quickly that men do not produce milk—and can thus not feed them in the same manner their mother can—and as time passes young boys and young girls learn that they have different genitals, that women lack a penis and that men lack a vagina. The distinction between men and women's bodies is continuously reinforced as they develop. They learn that men grow facial hair; women grow breasts; men have deep voices; women have soft voices; men have short hair; and women have long hair. These differences are continuously normalized and *appear* natural and immutable.

However, the human body, be it male or female, is not a simple biological entity limited purely by its physical characteristics. It is not simply a clearly delineated collection of bones, sinews, muscles, fluids, and tendons occupying a specific space and perfectly meeting fixed criteria. Rather, it is a complex and often poorly delineated form given meaning and constructed by individuals and societies. It is a site of inscribed representations of difference and identity, where the possibilities of the physical human body are limited by the wielders of power. It is a site of contestation, of assertion, of subjugation. A site where men and women are differentiated. A figure to which masculinities and femininities can be attributed and embedded (Millet,

1968).

Through this social element, the body becomes “a territory and the key to maintaining successful control” (Upstone, 2009: 148) for those in power; the body's potential for fluidity is overwritten with a clearly delineated order so that it may be controlled. This has held particularly true for women's bodies, which have generally been narrated by men. Biologically and socially differentiated from men, women are frequently positioned as “the Second Sex” (Beauvoir, 1989), as the “exotic Other” (Said, 1993). They are narrated as being desirable, but nonetheless different and inferior. In the media, women have been narrated as objects, undergoing what Tuchman (1978) terms symbolic annihilation, while their own narratives are frequently silenced through social and institutional systems, giving said narratives no legitimacy (Friedan, 2001: 57).

The Sexual Woman

The most common depiction of the female body in the flyers surveyed, accounting for nearly 40% of the women depicted, is the Sexual Woman. This depiction is marked by the use of images and linguistic units (words, phrases, and sentences) which emphasize Woman's sexuality. Such representations are generally found in flyers for comedies, thrillers, and sexploitation films, though they could also be found in advertisements for horror movies.

The central trait of the Sexual Woman, for which she is named, is her portrayal as a sexual being. She is consistently depicted in minimal clothing (frequently a bikini, though clothing such as bras and tube tops which expose her midriff are also found), posed in a position which offers her body for the viewer's inspection and is located within a “frame”—taking a variety of forms (see Figure 1)—which separates her from the remainder of the flyer. Be she seated (as in *Inem Pelayan Sexy* [Inem the Sexy Maid; 1976] above) or standing, facing forward (as in *Darah Daging* [Flesh and Blood; 1977]) or backwards (as in *Tuan, Nyonya, dan Pelayan* [The Master, the Mistress, and the Maid; 1977]), she usually has her upper arms and upper thighs (though not extending to the genitals) exposed. When facing forward, she may be shown making direct eye contact with the viewer, leaning forward and emphasizing her breasts and cleavage, or standing straight and exposing her navel. Her



Figure 1: *Inem Pelayan Sexy* (1976), *Darah Daging* (1977), and *Tuan, Nyonya, dan Pelayan* (1977)
Credits: PT Candi Dewi Film and PT Suptan Film, PT Balu Jaya Film, and PT Parkit Film.

erogenous zones, including her nipples and vaginal area, are not shown; they are generally covered by clothing, but may also be obscured by an arm (as in *Anggur Perkawinan* [The Wine of Marriage; 1994]) or shadows (as in *Pembalasan Ratu Laut Selatan* [Lady Terminator; 1988]).

This sexualized imagery is reinforced through sexually-charged language which refers specifically to the Sexual Woman. Flyers are given taglines such as “hot in bed, devoted in duty” (*Cewek-Cewek Pelaut* [Woman Sailors; 1984]) or “With her Sexy Body she tempts and plays at Love with every Man” (*Ranjang Pemikat* [Bed of Temptation; 1993]). Adjectives such as *sexy*, *panas* (‘hot’), *menggairahkan* (‘exciting’), *merangsang* (‘titillating’), and *binal* (‘wild’) were frequently used to discuss the films’ contents or actresses. Other terms, such as *montok* (‘buxom’) were used less commonly but for the same purpose.

The Sexual Woman need not only be displayed for audiences. She may also be depicted as a spectacle, with multiple voyeurs (generally, but not always, male) viewing her with interest (Figure 2). The object

of these spectators’ desire—the Sexual Woman—may be shown passively standing in revealing clothing (such as the bikini worn in *Permainan Tabu* [Taboo Game; 1984]) or actively undressing as others watch (as in *Tahu Diri Dong* [Be Self-Aware, 1984]). Generally the distance between the spectators and the Sexual Woman is not bridged; these images, being amalgamations of different photographs or scenes from the films, do not lend themselves to interactions between the characters. The spectators remain spectators, drawing pleasure from the Sexual Woman without interacting with her—without the possibility of rejection.

Exceptions to this lack of interaction, however, can be found. On the reverse for *Asal Tahu Saja* (Just So You Know, 1984), a man in a sailor suit is shown reaching for the Sexual Woman’s right buttock, which obstructs his fingers. He is depicted with his mouth agape and his tongue jutting out, seemingly aroused by the Sexual Woman’s bikini-covered body. Text on a nearby image featuring the two, written in speech bubbles to give the impression of dialogue, confirms



Figure 2: *Permainan Tabu* (1984), *Tahu Diri Dong* (1984), and *Asal Tahu Saja* (1984)
Credits: PT Soraya Intercine Film, PT Parkit Film, and PT Ganesha Film

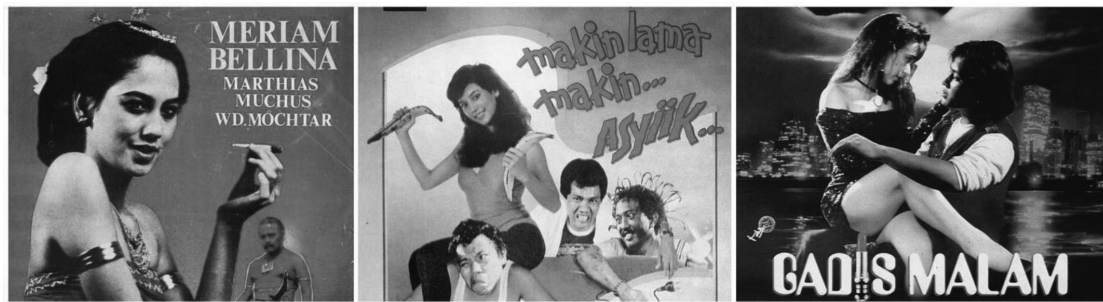


Figure 3: *Roro Mendut* (1982), *Makin Lama, Makin Asyik* (1987), and *Gadis Malam* (1993)
Credits: PT Gramedia Film et al., PT Soraya Intercine Film, and PT Bola Dunia Film.

a sexually charged interaction: the Sexual Woman is given the dialogue “Want a peek, do you?”, to which the voyeur appears to respond “A biiit... just so I know”. A similar technique is used for *Tahu Diri Dong*, though no physical interaction between the two occur: a dotted line is drawn from the male voyeur’s eyes to the Sexual Woman’s buttocks, suggesting that he is looking at a commonly fetishized body part. He is given the dialogue “Gosh, don’t! I can see it even like this;” the Sexual Woman is depicted as responding salaciously, with “Kasino dear,... I’ll take it off now....!”

As that final line of “dialogue” above suggests, the Sexual Woman is not necessarily depicted as taking a passive role in the sexual act. In multiple flyers (Figure 3), she is paired with a phallic symbol which, through its shape, connotations, and interactions with the Sexual Woman, are suggestive of sexual intercourse. In *Roro Mendut* (1982) this phallic symbol is a cigarette, representative of a vice considered by Indonesian society to be acceptable for men but unacceptable for women (Ng, Weinehall, and Öhman, 2007: 799). In the image, this cigarette is held at mouth-level while the Sexual Woman appears to look suggestively at the viewer. Should viewers miss the implication of fellatio, the advertisement’s reverse reminds them “the shorter the butt, the closer it’s been to her lips, the pricier it is!” Implied manual stimulation of the penis is present

in *Makin Lama, Makin Asyik* (The Longer, The Better; 1987), which depicts a smiling Sexual Woman with a firm banana—known as an aphrodisiac which enhance male sexual performance (Hill, 2011) and held by some to increase penile size (Waluyani, 2012)—in each hand. Two men are shown with faces of exertion, whereas a third stares out of the flyer, grinning and cross-eyed, seemingly post-orgasmic. In a third example, *Gadis Malam* (Woman of the Night; 1993), a phallic symbol is positioned as if ready to penetrate the Sexual Woman’s vagina or anus; unlike the above-mentioned cigarette and bananas, the symbol—an open tube of lipstick—is generally associated with female sexuality. This may further emphasize the uniting of man and woman, of the normatively masculine and feminine, inherent to the act of heterosexual sexual penetration.

Though these flyers do not explicitly depict the act of penetration itself, they do depict acts of intimacy connoting sexual intercourse and concealed acts of penetration (Figure 4). *Prahara* (Tempest; 1974) implies a threesome by depicting the Sexual Woman in a bed, her body covered by a blanket save for her bare shoulders, upper chest, and head. She shares the bed with a man whose bare chest hangs over her as his lower body is hidden behind the blanket; part of another man’s chest is on her other side. One of the six panels on the reverse



Figure 4: *Prahara* (1974), *Cewek-Cewek Pelaut* (1984), and *Pembalasan Ratu Laut Selatan* (1988)
Credits: PT Tuti Mutia Film, PT Budiana Film, PT Soraya Intercine Film



Figure 5: *Napsu Gila* (1973), *Perawan Malam* (1974), and *Buaya Putih* (1987)
 Credits: PT Tidar Jaya Film, PT Tutu Jaya Film, and PT Pan Asiatic Film.

of *Cewek-Cewek Pelaut* (1984), meanwhile, portrays the Sexual Woman giving a massage to a face-down, clothed man. She is shown leaning forward, dressed only in a black negligée which hangs loosely on her body, its shoulder strap slipping down her arm as her cleavage is clearly shown. The implication that this massage is sexual in nature is emphasized by the Sexual Woman being alone with the massage recipient, and the deliberateness of this depiction marked by the (imperfect) removal of an object or person behind them. Another representation of the Sexual Woman, found in *Pembalasan Ratu Laut Selatan* (1986), shows her gazing seductively at a half-nude man and pulling him in with her legs. The sexual nature of their encounter is underscored by her outfit; she is dressed in a black top and draping transparent skirt which exposes most of her legs (though her genitals are obstructed by opaque fabric). In the above cases, the implied intercourse is consensual, and the Sexual Woman seems to assume a position of apparent control.

However, the Sexual Woman's sexual interactions are not always consensual. She can also be represented as the victim of sexual violence, even when she appears to have agency (Figure 5). In *Napsu Gila* (Crazy Desire; 1973), for instance, the Sexual Woman is shown violently holding a man to the ground, an umbrella to his throat. The illusion of control is, however, shattered by the crazed look in her eyes—she has lost control of her mind. Her status as a victim is underscored by text on the reverse of the flyer: “a **buxom** woman forced to live among **crazy, sadistic, sex-crazed** old people in an

isolated **lodging**” (emphasis in original).

The violence against the Sexual Woman may even include the viewer: in *Perawan Malam* [Virgin of the Night; 1974], the Sexual Woman is shown sitting against a red spatter pattern akin to blood and giving a terrified side look; her legs are spread and facing the viewer, who is drawn by the positioning of the title to look at the Sexual Woman's (covered) genitals and thus symbolically violate her. More directly, in *Buaya Putih* (White Crocodile; 1987), the Sexual Woman is depicted lying limp, wearing in a torn red tank top, while she is mounted by a white crocodile. The act of penetration itself is hidden behind a long, trailing, yet parted dress. The violent nature of the act is emphasized on the reverse of the flyer, in which the crocodile's penis is deemed a weapon equal to its teeth and tail: “the most dangerous part of a crocodile, aside from its bite and tail, there is something more powerful, namely its penis”.

The Sensual Woman

Another common representation of the female body in the flyers surveyed is the Sensual Woman. This depiction is marked by the use of images and linguistic units (words and phrases) which emphasize the depicted woman's romantic and emotional state. This depiction was most common in flyers for romances and domestic dramas.

Though the Sensual Woman may be presented with exposed skin and (frequently) Westernized clothing, her erogenous zones are either neither shown nor emphasized (Figure 6). In the illustration for *Putri Solo* [Woman of Solo, 1974], for instance, the



Figure 6: *Putri Solo* (1974), *Buah Terlarang* (1979), and *Kidung Cinta* (1985)
Credits: PT Agasam Film, PT Garuda Film, and PT Virgo Putra Film.

Sensual Woman is depicted in a form-fitting blazer and shirt which would, in a photograph, expose the cleavage of her breasts. Though this fact is hinted at with a golden necklace, the skin tones are flat, without any lines to delineate the shape of her breasts (contrast *Napsu Gila*). Meanwhile, in *Buah Terlarang* (Forbidden Fruit, 1979) and *Kidung Cinta* (Love Song, 1985), the Sensual Woman is depicted as wearing stereotypically feminine garb—a formless V-necked blouse and a skirt which reaches slightly below (in the first) or slightly below (in the second) the knees. In neither case are her upper thighs or breasts exposed to the viewer.

In a stark contrast to the Sexual Woman, the Sensual Woman is not shown making direct eye contact with the viewer. Rather, she is consistently shown looking elsewhere, be it towards her male companion (as in *Putri Solo* and *Kecupan Pertama* [First Kiss, 1979], below), at an object in her hands (see Figure 8), or off the edge of the flyer (as in *Buah Terlarang* and *Kidung Cinta*). Never does she appear to offer herself to the viewer through a frank gaze; she is instead presented as only having eyes for her male partner and thus being incapable of committing the cardinal sin of (symbolic) adultery.

Indeed, the Sensual Woman is presented as finding joy in the company of men—more specifically, a man with whom she is in a romantic relationship. She is shown

as smiling in his presence as they walk hand-in-hand or arm-in-arm. She may look into his eyes as she holds him tight, or hold his body close to hers, or give him some distance. The Sensual Woman and her partner may even be shown sharing a kiss. The romance of their relationship is underscored textually on the flyers' reverses, through continued use of such terms as *cinta* ("love"), *mesra* ("intimate"), *berkesan* ("touching"). Their oneness, meanwhile, is shown through the ubiquitous use of terms such as *sepasang* and *pasangan* (both "a pair"); two parts, but one whole.

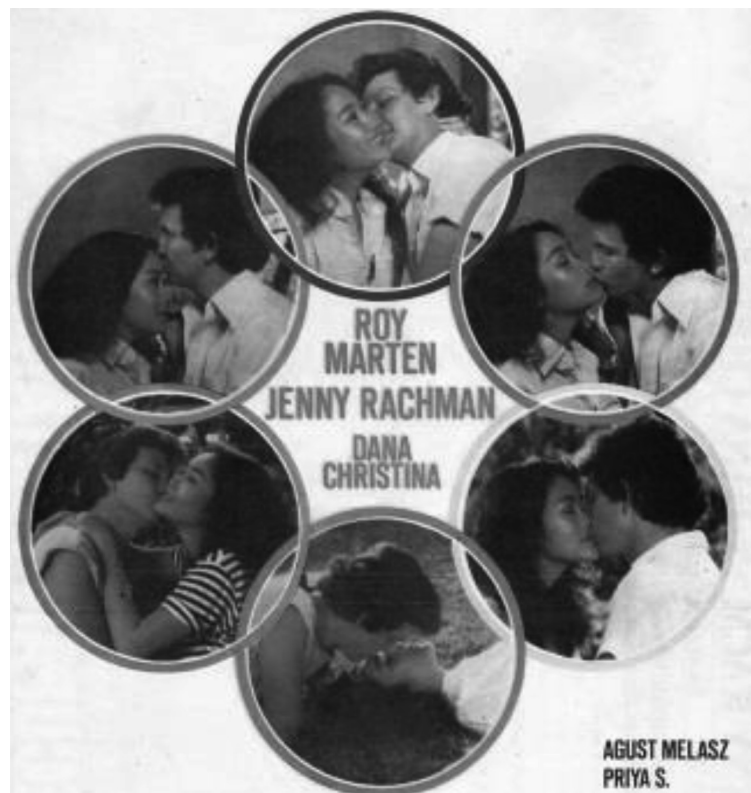


Figure 7: Six views of a kiss, from *Kecupan Pertama* (1979)
Credit: PT Tiga Cakra Film



Figure 8: *Karmila* (1974), *Laila Majnun* (1975), and *Kembang Padang Kelabu* (1980)

Credits: PT Citra Indah Film and PT Madu Segara Film, PT Matari Film and PT Artis Jaya Film, and PT Cipta Permai Indah Film

Though at times her relationships may not be societally acceptable, never is the Sensual Woman presented as unmarried or overly sexual. She is never shown in the act of sexual intercourse, and when depicted as kissing (as in *Kecupan Pertama*, Figure 7), she maintains distance. Her partner may be shown as kissing her on the forehead or on the cheek, or their lips may be depicted as touching lightly; more physically intimate forms of kissing, such as French kissing or the exchange of saliva, are absent. Other skin-to-skin contact is also reduced. The Sensual Woman often is shown holding her partner's covered arm. Even when they are shown holding hands, the partners' palms never meet; this taboo against touching palms, previously noted in Indonesian cinema by Heider (1991: 67), minimizes skin contact and ensures that a safe distance is maintained. She follows, at least on the surface, what the Suharto government termed *kodrat wanita*: women's nature, the state-sponsored normative femininity.

When the Sensual Woman is not shown with a man, she is neither seen with a smile nor depicted as offering herself to the viewer. Rather, she is portrayed as melancholic, as tearful, as undergoing emotional distress. In *Perisai Kasih yang Terkoyak* (Love's Shattered Shield; 1986), for instance, the central image is of a woman crying, partnerless, her disheveled hair carried on the wind as she holds a handkerchief to her face. Commonly, as in Figure 8, the lone Sensual Woman is shown with her eyes closed, looking towards a flower in her hands—flowers being a common symbol of womanhood in Indonesia, connoting fragility and beauty and frequently being used as both a name and pseudonym. The type of flower varies; in *Karmila* (1974), it is a white edelweiss, a symbol of devotion; in *Laila Majnun* (1975), it is a pink rose, a symbol of

romantic love. In *Kembang Padang Kelabu* (A Flower in a Grey Field; 1980), meanwhile, the depicted flower—more specifically, a raceme—coincides with the title. No matter what the flower, however, the implication is clear: the Sensual Woman is a woman of fragility and beauty, one suffering in her lonesomeness.

The Sensual Woman's emotionality is a further manifestation of the normative femininity (the *kodrat wanita*) attached to her. Rather than be rational, she is expected by her very nature to be emotional (Brenner, 1999: 28), at least in her romantic and domestic life. The contrast between the stereotypically feminine emotionality and the stereotypically rational masculinity can be observed in Figure 9. Though both flyers depict a person running, their manner in doing so differs significantly. In *Badai Pasti Berlalu* (The Storm Will Pass; 1977), the Sensual Woman is shown running with her mouth agape, screaming into the heavens. As she runs, her left arm is seemingly thrown from her body, while her right arm trails behind her. In contrast, the male runner of *Mencari Cinta* (1979) is depicted with a



Figure 9: *Badai Pasti Berlalu* (1977) and *Mencari Cinta* (1979)

Credits: PT Suptan Film, PT Elang Perkasa Film and PT Garuda Film

stoic face, his mouth a taught line as he looks straight forward. His arms are closer to his body, allowing him a more effective pumping motion. He is shown to maintain control, despite facing great obstacles; the Sensual Woman, meanwhile, is controlled by her emotions, being “instinctive and emotional” as demanded by her *kodrat*.

Woman: Determining the Representation

What, then, determines how women are represented in these flyers? As mentioned above, the Sexual Woman and Sensual Woman are most prominent in advertisements for films of different genres: the Sexual Woman is most frequently presented in flyers for comedies, thrillers, and sexploitation films, whereas the Sensual Woman is more commonly found in flyers for films of romance and family drama. At the surface, the different genres appears to provide sufficient explanation for these differentiated representations of women: thrillers and sexploitation films are stereotypically viewed by males, whereas romance films are stereotypically watched by women. Different genres, different audiences, different messages.

However, such conjecture is belied by the flyers. If the genre of the film being advertised were, in and of itself, the key factor determining whether the Sexual Woman or Sensual Woman is used in advertising, this would imply that all advertisements for an individual film must use the same representation. As seen in Figure 10 below, this is not true. Two advertisements for the 1980 film *Gadis* (Girl) use different representations. The first (left) depicts a Sensual Woman, framed by a white box, lying in the arms of a young man. Both are fully clothed in Javanese costumes. They are seen to hold hands as the Sensual Woman looks off into the distance. No sexual relations between the two are suggested through the picture, and the tagline promises “A grand love story... behind the walls of the tyranny of the nobility, collapsing from age”. In the second (right), however, this romance is lost, replaced by

sexuality. Though the Sexual Woman here shows less skin than the one in *Inem Pelayan Sexy* (reproduced on this flyer, surrounded by a yellow ring), she is shown actively kissing a man, giving a half-naked man a massage, and branded the “sexy maid” (*genduk sexy*). The reverse of the flyer offers her as “a small, delicate maid who is captivating & exciting” and portrays her holding her (covered) buttocks as a man looks on. The image of the Sensual Woman holding hands with a man, though present, is no longer positioned front and center: it is instead relegated to the left side of the advertisement and the reverse. The more sexually charged images are given priority, positioned on the viewer’s left side—where the eyes viewer’s eyes fall as they begin reading the flyer.

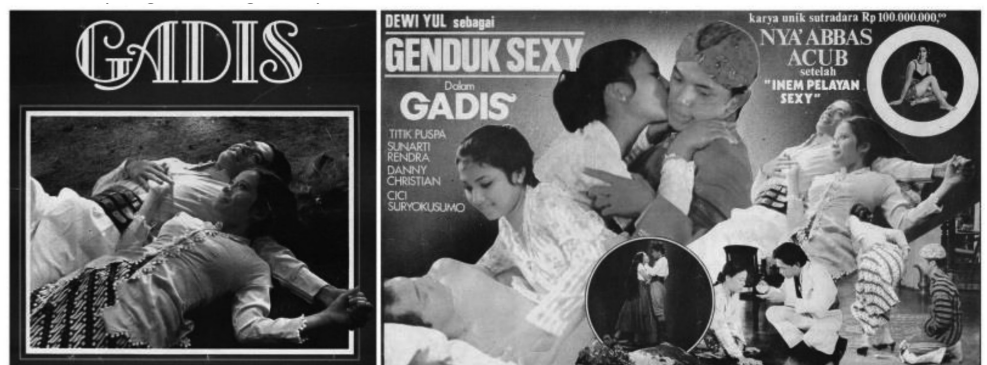


Figure 10: Two different flyers for *Gadis* (1980), with different emphasis
Credits: PT Inem Film

The sharp differences between the two flyers for *Gadis*, a film which Kristanto (2007) lists as a drama, show that genre is not sufficient to determine which representation of Woman is used in advertising. Rather, there is a conscious decision by advertisers to present films in a way which they think will draw desired audiences. Advertisers targeting a film at women could thus present films as stories of love, using the Sensual Woman archetype and reproducing the State’s gender positioning. Meanwhile, advertisers targeting male audiences could emphasize the Sexual Woman and draw on related tropes, taking advantage of society’s acceptance of men’s sexual transgressions. This decision, it would seem, rested not with the advertisers within the studios themselves, but rather local advertisers working with distributors and cinema owners; local variants of flyers are attested with *Terminal Cinta Terakhir* (Love Terminal; 1977) and *Serangan Fajar* (Dawn Attack; 1982).

Sexual Bodies, Sensual Bodies: Positioning Women through Advertisements

The designers of these flyers are generally unknown—the main exception being “Herry”, the man responsible for such flyers as *Putri Solo* (1974) and *Mencari Cinta* (1979)—and thus their genders are difficult to ascertain. However, the capital holders and creative professionals in the industry were generally men; Swestin (2012: 103) writes that “very few women were in positions of control in the administrative and artistic spheres of the film industry”, an industry which saw only four women directors (“all of them ... also actresses and related to prominent male figures in the Indonesian cinema”) between 1926 and 1998. The male domination during this period (which includes Suharto regime) meant that the narration of women and of women’s bodies was dominated by men. This implies that the archetypes of the Sexual and Sensual Woman were created by men and thus served to further the purposes of the patriarchal structure which was dominant during the Suharto regime.

Importantly, although neither the Sexual Woman nor the Sensual Woman archetype was used exclusively—as mentioned above, *Gadis* (1980) offers both in different flyers, and several of the flyers examined included imagery of both a Sexual Woman and Sensual Woman—they were not equal. The Sexual Woman, even in images where she is alone, is a victim. Her denuded body and a taste of her sexuality is offered freely—both in a *libre* and a *gratis* sense¹¹—to (implicitly male) viewers.¹² Her very humanity is denied through the flyers’ continued use of words such as *binal* (wild), *betina* (female animal), and *gila* (insane). Under the Suharto government, “‘immoral behavior’ for women ... usually refer[red] to their sexual activities outside of marriage” (Brenner, 1999: 30–35). As such, the very features which draw the male gaze confirm the Otherness of the Sexual Woman: she becomes the *exotic other*, a being who, though desirable and tempting, is of a different group than the Self and thus of lower worth, unworthy of emulation. Men are free to own her, to consume the image of her body, but women must be certain to never become her.

This double standard—men being both allowed and offered the opportunity to lust after women, while overly sexual women are condemned—was common in the Suharto period. One contemporary

article in *Tiara* magazine (quoted in Brenner, 1999: 30–35) declared “it is indeed part of men’s character to want to have intimate relations with many women”, and when men’s extramarital affairs were discovered, the response was frequently “boys will be boys” and that a husband’s affairs were none of his wife’s concerns. Such a creed was untenable for women; in cases of adultery, even lusting after a Sexual Woman, “despite the fact that men as well as women are implicated in the sexual activities being discussed, the greatest outcry is directed at women’s rather than men’s licentious behavior” (Brenner, 1999: 30–35).

The Sensual Woman, meanwhile, which featured predominantly on flyers for films targeted at women, was more in-line with the *kodrat wanita* and thus more likely to be accepted by the normative narrative of femininity as an example to emulate. Though her sexuality may not be entirely erased—she is, after all, capable of public displays of affection such as kissing—never is her sexuality presented in a manner which threatens an improper affair, a violation of the trust between the Sensual Woman and her romantic partner. She is not, unlike the Sexual Woman, presented as “the picture of uncontrollable women—wantonly sexual; reversing the “proper” order of things by dominating males instead of being dominated by them; shirking their “natural” roles as wives and mothers” feared by the Suharto government (Brenner, 1999: 37).

Rather, she is presented as demure, as offering her love while still maintaining sufficient distance to prevent improper sexual conduct. Even where improper relations are implied textually, they are not depicted visually; as such, any transgressions attributed to the Sensual Woman have less of an impact on viewers and are more easily forgiven. The sensual woman offers a supporting hand, or a strong, loving gaze, finding joy in her relationship with her male partner and pain when such a relationship is lacking in her life. Though she may not be married at the time she is depicted, there is no doubt that, in the end, the Sensual Woman will marry and be willing to carry out what Sunindyo (1993: 135) terms the *Panca Dharma Wanita*, or five duties of women: to “support her husband, provide offspring, care for and rear the children, be a good housekeeper, and be the guardian of the community”.

Conclusion

In the flyers examined, the dominant representations of women through the archetypes of the Sexual Woman and Sensual Woman are presented by a predominantly male industry in a manner which reproduces the Suharto government's positioning of women. Through the Sexual Woman archetype, a realization of the advertising motto "sex sells", male viewers are drawn in through a female sexuality that is simultaneously depicted as alluring and yet undesirable; the Sexual Woman is shown as being animalistic or insane, rather than as a rational person with agency. Through the Sensual Woman archetype, meanwhile, advertisers reproduced the narrative of the "good" woman by depicting happy women as those being in romantic relationships with men, without excessive or extra-marital sexual contact.

However, the possibility of transition between the Sensual Woman and Sexual Woman (and vice versa)—as shown by *Gadis*—attests to the fact that these representations are simply artificial constructions, attempts at enforcing order upon women's ultimately fluid bodies in the interest of the patriarchy. Ultimately, these constructions fail, and the true fluidity of women and women's bodies can be seen. The ability to transition, this fluidity, emphasizes that women need not be—and are not—as defined by the state, nor must they—or do they—fit a specific model. They are dynamic beings with the potential for transformation and change, for breaking out of the molds which society attempts to force upon them. The fluidity of the body cannot be fully constrained, even in highly codified flyer designs—or in a society as restrictive as that of Indonesia under Suharto.

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(Endnotes)

1. Original: “*Wanita adalah tiang negara, jika wanitanya baik, baik pula negara itu, tapi jika kaum wanitanya rusak, maka akan rusak pula negara itu.*” Quote in and translation by Brenner (1999: 33).
2. The use of visual representations of women in advertising has been found in the Indonesian cinema industry since 1926, when the first domestically produced feature film, *Loetoeng Kasaroeng*, was released; advertising materials for the film included a photograph of one of the actresses in costume (Biran, 2009: 65).
3. Swestin (2012), who focuses on the role of women in producing and directing films, being one major exception.
4. JB Kristanto's *Katalog Film Indonesia* (2007, used for all release years mentioned in this paper) indicates that between 1966 and 1998 a total of 1,741 fiction films were produced; this represents almost 70% of the 2,488 films produced from 1926 to 2006 and almost 55% of the 3,186 films produced from 1926 to 2014.
5. These terms can be understood as similar to the Renaissance concepts of Venus Naturalis (the embodiment of physical love) and Venus Caelestis (the embodiment of romantic love, or love of the body and soul) (compare). However, they are distinct in that, unlike the Venus of the Renaissance, the Sexual Woman and Sensual Woman were never presented as representations of divine goddesses; both representations were consistently profane.
6. Other, less common, categories included the Mother (including *Kabut Sutra Ungu* [*A Fog of Purple Silk*; 1979] and *Ibunda* [*Mother*, 1986]) and the Fighting Woman (including *R.A. Kartini* [1982] and *Tjoet Nja' Dhien* [1986]). As these categories were less prominent, they are not discussed here.
7. As the Sexual Woman and Sensual Woman are archetypes, rather than individual women, in this paper the identities of the actresses depicted are not considered. The traits which mark a Sexual or Sensual Woman are dependent on how she is depicted, rather than whether her model is (for instance) Meriam Bellina, Lydia Kandou, Enny Beatrice, Christine Hakim, Jenny Rachman, or Dewi Yul. However, it should be noted that certain actresses were typecast as “Sexual” or “Sensual” women; Meriam Bellina and Enny Beatrice, for instance, were considered sex bombs of the industry.
8. Both in physical and social attributes. There is no clear delineation of even basic organs such as genitalia: intersexuality (the possession of both male and female sex organs) is well documented.
9. These biological and social differences should not be understood as mutually exclusive. For instance, menstruation, a biological function, has frequently been a source of discriminatory practices owing to social taboos regarding it; as such, differentiation of women and men owing to menstruation, such as the statement “It is an indisputable fact that meat goes bad when touched by menstruating women” (in Beauvoir, 1989: 168, 170), has both biological and social aspects.
10. In this context, sexploitation films should be understood as the numerous films produced in Indonesia between 1970 and 1998 which attempted to exploit sex and sexuality to draw audiences. Titles of such films include *Permainan Tabu* (Forbidden Game; 1984), *Ranjang Pemikat* (Binding Bed; 1993), *Kenikmatan Tabu* (Forbidden Pleasure; 1994), and *Gairah Terlarang* (Forbidden Passion; 1995).
11. Original: “*panas di atas ranjang, ganas dalam tugas.*”
12. Original: “*Dengan Tubuhnya yang Sexy ia menggoda dan bermain Cinta dengan setiap Pria.*” (capitalization as in original)
13. The illustration for *Tahu Diri, Dong* (1984) is of particular note: it is a construct which combines the drawn bodies of three spectators (and a monkey) in a car together with photographs of the disrobing Sexual Woman and three photographs of the heads of the spectators. This technique is difficult to reproduce on film, making the constructed nature of the situation explicit.
14. Original (capitalization in the original):
Sexual Woman: “*MAU NGINTIP YA?*”
Voyeur: “*DIKIIT... ASAL TAHU SAJA*”
15. Original (capitalization in the original):
Voyeur: “*WADUUH JANGAN! BEGINI AJA KELIHATAN KOK!*”
Sexual Woman: “*KASINO SAYANG,... GUE BUKAIN DULU YA....!*”
16. Ng, Weinehall, and Öhman (2007: 799) quote one respondent as stating “[For women], smoking is only common among hookers and bad girls.”
17. Original: “*makin pendek puntungnya, makin dekat kebibir makin mahal harganya!*”
18. This film was subtitled “*Betinya Seorang Perempuan*”. The term *betina* refers to a female animal; as such, the subtitle implied a (specifically female) animalism in the Sexual Woman.
19. Though the Sexual Woman may be depicted as having a degree of control, ultimately these implied sexual encounters are determined by other parties—the filmmakers and advertisement designers.
20. Original: “*SEORANG PEREMPUAN MONTOK YANG TERPAKSA HIDUP DIANTARA ORANG TUA GILA, SADIS, DAN GILA SEX DISEBUAH WISMA YANG TERPENCIL*” (capitalization and bolding in original).

21. Original: "*Buaya paling bahaya selain gigitan dan ekornya tapi ada yang lebih hebat lagi yaitu tangkurnya buaya.*"
The word *tangkur* (crocodile penis), aside from being the correct anatomical term, serves to mask the word "penis" and avoid potential censorship issues.
22. In *Buah Terlarang*, both the title and the tagline "the story of a pair of teens married by accident" ("*kisah sepasang remaja yang kawin celaka*") suggest taboo premarital sexual relations, whereas in *Kidung Cinta* the Sensual Woman's school uniform, tied hemline (a common form of resistance to school dress codes), and close physical proximity to an older man in formal clothes who is carrying a clipboard draws to mind a taboo relationship between teacher and student.
23. Original: "*Kisah cinta yang agung.... dibalik tembok tirani kebangsawanan yg mulai runtuh dimakan usia!*"
24. Original: "*Genduk kecil halus menawan & menggairahkan.*"
25. Flyers such as those discussed here were generally distributed by cinemas that were screening the films. Trucks would travel throughout the city and paid individuals would throw the flyers into the air to be carried on the wind. Meanwhile, a person with a loudspeaker advertised the film orally. Young boys would often chase after the trucks and try to collect the more sexually explicit flyers (such as *Buaya Putih*) for their personal use. Parents, however, were quick to discard these collections when they were discovered (Irawanto, interview).
26. Such use of sex and sexuality in marketing films is evidenced in Indonesia as early as 1969, when the poster for *Laki-laki Tak Bernama* (Man without a Name) proclaimed "the only National film that is the bravest and biggest . . . with SEX scenes which are explicit without pulling any punches" (Original: "*satu2nja film Nasional terberani dan terbesar. . . . dengan adegan2 SEX jg serba terang2an tanpa tedeng aling2*") and presented images of the Sexual Woman in bed with a man, getting dressed, and kissing. It was, however, unlike later flyers, more explicit in targeting male viewers. The poster urged viewers to take their *pacar*, a word which, though able to denote either "boyfriend" or "girlfriend", would have been understood as "girlfriend" at the time. It would have been unseemly for a young woman to take a man on a date.

Female Subjectivity in Oka Rusmini's *Tempurung* (2010): Female Identity in Marriages, Pregnancy and Motherhood

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Abstract

This paper aims to explain woman subjectivity reflected in *Tempurung* novel by Oka Rusmini by describing main character perception toward body and autonomy in the formation of woman subjectivity. In discussion I use feminist literary criticism approach. This study reveals that woman characters in *Tempurung* perceiving her body as a significant part of her subjectivity. Furthermore, woman subjectivity isn't her own project but a form of dialogue with other elements including her relationship with husband, children, body and social culture construction which surrounding her. The conclusion of this study is Oka Rusmini makes resistance to the notion of subjectivity on conventional/traditional thought by representing narrative of woman subjectivity which doesn't neglect body, doesn't individual, doesn't always rational, doesn't subject to "universal" notion of subject and doesn't finish.

Keywords: subjectivity, women, marriage, pregnancy, mothering.

Introduction

Notable ideas developed in the discourse of female subjectivity on the issue of body and identity. Meanwhile, the theory of subjectivity was constructed in the humanist framework where it is assumed that the individual is unique, coherent, and truthful (Weedon 1987, p. 32). This argument proposes that the essence of a subject lies with the subject's own consciousness, rationality, capacity for logic and thought. In the West, this model is deeply rooted in the Classical Greco-Roman understanding of subjectivity (the thought and the desire, the body and the soul, Apollo and Dionysus), one that tends to understand the physical body as the prison of the soul. When modernism appeared, the dichotomy of the body and the soul was further reinforced by Descartes' "Cogito Ergo Sum," where the body is understood as consisting only a small part of the whole material reality. Humans can be likened

to the 'thinking' process (I. Bambang Sugiharto 2000, p. 32) and thus our thoughts are often seen as representations of the self. In other words, the body is insignificant in the discourse of subjectivity. However, this point of view is a stark contrast between the male and female dichotomy whereby the female is usually viewed as being trapped within the existence of her body so much so that her rationality is questionable.

Under the liberal humanist construct, the individual was always viewed as a gender neutral object, yet it remains masked behind the male subjectivity. Here the Western normative logic had built subjectivity that normalises the subject as inherently male, thus female subjectivity is a deviation from the norm. As a result, feminists tend to fixate themselves on the previously mentioned construct as it serves to remind them about the female's ever-changing body (the growth of her

breasts, menstruation, pregnancy, breastfeeding, menopause). The body had, therefore, become a physical manifestation of a political struggle. Bordo (1995, p. 17) argued that French feminists such as Irigaray, Wittig, Cixous and Kristeva understood the body as a representative of a new understanding of subjectivity, whilst Beauvoir argued that the body should be understood within a particular context. Therefore, the discourse of female subjectivity remains unstable and never far from the politicisation of the body.

As a result of the above, the question of gender identity is a fluid one. In reference to poststructuralist perspective that views the dynamics of a language as a result of a perpetual conflict of linguistic meaning, Kristeva (1996, p. 351) argued that if a subject is a product of languages, and languages are inherently dynamic by nature, the subject is also dynamic. Feminism, in all of its forms, and poststructuralism pay special attention to subjectivity. Feminism propels the issue of subjectivity as a movement based on personal political conviction and opposes the concept of a wholesome and universal individual as proposed by liberalism. Feminism also criticises the existence of hidden structures of domination and male privilege underneath the seemingly gender-neutral concept of subjectivity. Meanwhile, poststructuralism attempts to deconstruct the humanist-liberalist view to theorise how meaning is reproduced, how meaning conflicts with one another and how meaning can be transformed. Literary texts are products of reality as they represent how the body is formed and categorised not only based on gender but on class, race, religion, and sexuality. It is in these texts the matter of subjectivity is touched upon, discussed, or even neglected altogether. This explains the rationale of feminist literature critics in emphasizing social gender structures and the coercive nature of gender subjectivity as the core perspective. Plain (2007, p. 9) saw feminist literature criticism as "a discourse to oppose humanist assumptions about identity, nature and progress, and to analyse the creation of myths to perpetuate femininity and masculinity".

Here I will analyse the literary work of Oka Rusmini especially her third novel *Tempurung* (Shell, 2010). Oka Rusmini is one of the most productive writers in the Indonesian literary scene where, apart from novels, she regularly publishes short stories

and poems. One of the defining characteristics of her work is her ability to showcase women's issues in the context of Balinese culture. Her identity as a woman, and a Balinese, had influenced her subjectivity as a writer. In an article written by Wayan Sunarta in *Journal Bali*, Oka Rusmini said "I have always lived in a family with strong connection to the Balinese culture. Perhaps this was a strong influencing factor in my writing." This statement exemplifies how Oka Rusmini understands the self/subjectivity as well as an understanding of how one relates to one's external world.

Tempurung is more complex and revealing than its predecessors. *Tempurung* is a novel about the life of a woman confronting her own body, religion, culture, and society. Several reasons contributed to my decision choosing to analyse Oka Rusmini's work. First reason is her identity as a woman. Secondly, Oka Rusmini had been loyal and consistent in discussing themes of personal journey within a political framework by placing personal decisions in a wider social context. She is able to explore issues such as the female body, rape, prostitution, caste, and culture clashes in a complex language without losing its aesthetics. Thirdly, *Tempurung* shows an interesting model of representative subjectivity, one with a potential to expand on the conventional understanding of subjectivity.

Tempurung tells a story of a woman trapped within the constraints of tradition, culture, religion, and marriage. Its storytelling style and drama structure differs from Rusmini's previous novels. This novel tells the story of a woman who must scheme to navigate against all obstacles in her life, some seemingly impossible to evade. The novel tells the stories of female characters with diverse background, each exploring her identity through her physical experiences. It can be said that the recurring theme of Oka Rusmini's work is the struggle of her female characters questioning tradition, culture, and religion. Interestingly, Oka Rusmini tends to present her main characters with a complex personal story and avoids a black and white binary representations of identity.

Oka Rusmini's consistent discussion of themes in her work have positioned her as a strong feminist. The many studies of her work have highlighted the strong feminist elements within her work. Maman S. Mahayana, the literary critic who have analysed the

theme of women and religion in Indonesian novels, argued that Oka Rusmini's novels such as *Tarian Bumi* (*Dance of the Earth*) and *Kenanga*, were intended to challenge the tradition, culture, and religion that tend to put women in a position of lesser value. Maman chose to apply gender-specific terms and to express strong feminist ideas in an analytical criticism. Whereas Wiyatmi in her study about 21st Century female novelists, specifically writers whose work deconstructs the patriarchal history of Indonesian literature, stated that Oka Rusmini's works are strongly embedded within the feminist framework.

In her reading of the 21st Century Indonesian female writers, Wiyatmi (2012, p. 88) has classified five distinct themes and argued that Oka Rusmini's works best fit the first theme, the social structure, and thus: "[the work] is understood within the feminist framework to challenge patriarchal domination and violence against women". Nyoman Darma Putra in the book *A Literary Mirror, Balinese Reflections on Modernity and Identity in the Twentieth Century* – a study on the development of Indonesian literary works from Bali from 1920 to 2000, analyses the dominant themes within the major literary works in those years and in relation to the Balinese understanding of identity – has called on Oka Rusmini as one of the prominent female writers writing from the female perspective.

Nyoman Darma (2011, p. 223-224) has also argued that Oka Rusmini – aside from Alit S. Rini and Cok Sawitri – represents a new form of highly educated female writers with a strong background in journalism and originating from a higher caste family where the gender injustice against women has been more prominent than other castes. This unique background enabled them to be more sensitive and critical when facing issues of gender inequality and women's rights.

Even though Oka Rusmini's first novel was published in 2000, she had written stories and poems since primary school and has only started publishing her work in high school. Her poetry includes *Monolog Pohon* (*The Tree's Monologue*, 1997), *Patiwangi* (2003), *Warna Kita* (*Colour We*, 2007), *Pandora* (2008), and *Saiban* (2014). Other short story works include *Sagra* (2001) and *Akar Pule* (2012). Her novels include *Tarian Bumi* (2000, translated into German in 2007 and English in 2011), *Kenanga* (2003), *Tempurung* (2010).

Oka Rusmini is an award winning writer. *Tempurung* has won two awards: The Department of Language Development Literary Award and SEA Write Award in 2012. Before it was published in 2010, *Tempurung* has been published as a short story in Media Indonesia newspaper in 2004. Both domestic and international appreciation and acclaim for Oka Rusmini's work extends to her being invited as guest speaker or writer in international and national literary forums.

Subjectivity in Feminism

Referring to Weedon (1987, p. 32) subjectivity is used to refer to unconscious and conscious thoughts and emotions of an individual, of the experience of self and how one understands the relation to the external world. Meanwhile Jaggar, as quoted by Weedon (2000, p. 76) argued that the subject, in the tradition of Western philosophy, refers to an abstraction of the individual "without the physical body" under the control of a conscious, rational thought. On the other hand, the lay-person's view of subjectivity within the Western culture tends to reinforce the humanist assumption that views the individual as unique, rational and the subject as a conscious actor. We are conscious that the external world is understood through our experiences and these experiences are expressed through languages. Transparent connections between individuals, experiences and languages have allowed for a smaller parameter to theorise contradictions, whether in the understanding of the self or the subjective interpretation of our experiences. Therefore, postmodern feminism seeks to deconstruct the hegemonic assumption that we, as individuals, are coherent and complete subjects with a unified identity.

The postmodern construct about subjectivity, beyond the conscious thought into the realms of unconscious and subconscious self-awareness, exposes the existence of the contradiction between the process and the change. This construct emphasises the bodily experience from subjectivity. Julia Kristeva, a prominent thinker in the issue of subjectivity, proposes the theory *subject in process* in her work *Revolution in Poetic Language*. Rather than viewing subjectivity as a static humanist essence, Kristeva saw subjectivity as rooted within the unconscious process, formed by symbolism and bound by the rules of the said symbolism process.

Kristeva's subject theory has been developed on the basis of Lacan and Derrida's thoughts. The important point from Kristeva's theory on subjectivity is the concept of the semiotic and the symbolic. Semiotic refers to the "pre-linguistic stage from childhood whereby the child copies the sounds the child hears, or articulates melody and alliterates under pressure to copy the external environment. In this stage, the child does not yet possess symbolic language required and thus has not adopted a strict interpretation of meaning from words. On the other hand, symbolic stage refers to linguistic modality that appears from the mirroring phase or the experience of castration in Oedipus complex where the individual can afford to receive linguistic symbols and articulate what is needed, in the subjective manner" (Kristeva 1996, p. 352).

In essence, the symbolic stage tends to put pressure and oppose the semiotic stage but with little success. Kristeva reasserted that dialectic relationship between the two stages, which has never succeeded in a synthesis, presents proof of a symbolising process that produces the subject. More accurately, the semiotic stage is present as part of a subtext of the symbolic stage, which was seen as a pulsing linguistic pressure and was created as part of experiencing contradictions. The different combinations stemming from semiotic and symbolic within the construct to reproduce many different subjects. As a result, semiotic, even though overlooked from the many regulations of symbolic, has been maintaining its revolutionary potential due to its ability to challenge and re-shape linguistic theory, and thus subjectivity.

Kristeva's subject theory, one that states the subject is always in a process of development, is of interest to the feminist contextual analysis. It can be said that Kristeva's theory presents a form of opposition against essentialism, which argues for the existence of a permanent and stable subject – thus imply the reductive nature of binary identities of 'female' and 'male'.

Apart from Kristeva, Beauvoir's argument for subjectivity also contain a special meaning for feminism. A most recent interpretation of a number of theorists on Beauvoir's work, *The Second Sex*, have related the matter of subjectivity, the female body as well as sex relations and gender. Beauvoir formulated questions about female oppression by

borrowing the framework of Sartrean existentialism. However, as was mentioned by Le Doeuff (cited by Kruks 2000, p. 72) Beauvoir stretched it "beyond and above the meaning." According to Kruks (1992, p. 100-101) Beauvoir's project to describe the seemingly universal female oppression initially employed Sartrean terms on the issue of female otherness. However, unlike Sartre, who saw the impossibility of the relationship ever becoming an equal and reciprocal one, Beauvoir saw a potential for reciprocity between male and female, whereby structural inequalities tend to produce dominant and oppressive relationship between the two.

Related to the issue of embodiment, Lundgren-Gothlin (in Kruks 2000, p. 73) argued that Beauvoir provided a dialectical version of the embodiment, in which the body is lived as a "situation", a complex dialectic of nature and history. While related to the assessment of Beauvoir's view over women's bodies are considered negative, Zerilli (1992, p. 112-113) found Beauvoir was using a rhetorical strategy that borrowed a phrase from Teresa de Lauretis as a "mode of speech" when talking about the female body with the aim to surprise readers and destabilize conventions. Related to the issue of subjectivity, as opposed to Sartre, Beauvoir proposed a version of subjectivity which is not always constitutive or liberating.

The idea of autonomy by early feminists were regarded with suspicion because they promoted unattractive "masculine" ideas, those considered to presuppose an "atomistic" concept of the personal. Recently, feminists have attempted to rehabilitate the idea of autonomy. The term "relational autonomy" is often used to refer reconceptualization of the idea of autonomy that distinguishes feminist version to the concept of an atomistic self. Referring to Marilyn Friedman (2008, p. 571), personal autonomy involves action and life lived by one's individual choices, as well as self prescribed values and identities within the permissible moral limits. Although autonomy is not inherently at odds with social relations, in practice, the autonomy often inadvertently disturbs certain social ties.

The body is an important part of the female self. Feminist thinkers have shown that the body is not merely a container, and the uterus is not just a container for a new life. The woman's body can be said to be more complicated and complex, whereas

the male body is relatively fixed and integrated. In the case of pregnancy, the female body shows how the concept of subjectivity is understood in the discourse of Western humanists / traditional view as a unique subject, steady, and coherent – which does not apply to women. The narrative about pregnancy and visual representations depicting its “unique temporality” and its fluid subjectivity from the perspective of conception is often absent from the discourse of culture, especially the West. As disclosed by Young (2005, p. 46):

We should not be surprised to learn that the discourse on pregnancy omits subjectivity, for the specific experience of women has been absent from most of our culture's discourse about human experience and history.

It is not surprising to know that the discourse of pregnancy has largely ignored subjectivity as we are reminded that women's experiences have been absent from most of our cultural discourse about human experience and history. Therefore, Tyler (2000, p. 292) argued the importance of pregnancy to reclaim it as part of the subjectivity discourse – but this is not fixed to reframe pregnant women as an active subject. I argue that pregnancy narrative by Oka Rusmini in *Tempurung* has somewhat been influenced by Tyler and deserves analysis as an interesting example.

Some feminist philosophers believed that pregnancy embodied the resistance in thinking about individuality, as initiated by Tyler (2000, p. 298) who viewed pregnancy as a “condition of resistance par excellence in conjunction with the individualism of the philosophical model of the self.” The concept of individuals of Western philosophy is a concept that can be argued to separate and distance the body as a disembodied experience (Gadis Arivia 2003, p. 311). Further criticism of individuality is also directed to the normalization of the male body as the basis for the construction of self. By making the male body as the norm, then the pregnant body will be considered as irregularity and disrupt the binary notion of self / otherness as well as subject / object. As Tyler argued (2000, p. 293):

Indeed, the embodiment of pregnancy highlights the difficulty of making any ontological claims with certainty. The pregnant subject defies the logic of classic ontology and is disruptive when thought as a transitional subjectivity, because it

can not be contained within the forms of being constrained by singularity and is at odds with the familiar models of the self-other relations.

Kristeva argued that “women” can not exist or claim an identity without erasing the differences among all women. In the essay “*Stabat Mater*,” Kristeva (1986, p. 161) put forward the idea that maybe it would be different with mothers given that their functions are only attributable to the female gender. Kristeva's arguments have shown us a problem inherent to the discourse. In Western culture, motherhood is often used to represent femininity as a whole, and even more problematic when examined carefully, the representation of motherhood does not refer to reality but rather on the fantasy of motherhood as “lost territory”. The representation does not refer to the real mother, but idealize the relationship between mother and child. Motherhood is a silent and hidden reality.

According to Kristeva, the union between mother and child occurs before the child goes into symbolic rules, and thus enters the life. Kristeva asserted that the process of becoming a mother lacks a subject. We can not say that the mother is the ruler of the pregnancy. The pregnancy occurred “before the symbolic language of the social contract” (Kristeva 1980, p. 378) and to assert that the mother is the ruler of this process is the risk of losing our identity because identity is built in the symbolic language of the social contract. According to Kristeva, examination of the pregnancy process would almost bring us to a level of psychosis so that mothers (the phallic maternal) is formed. Through the establishment of this mother we deny psychosis with the statement that, “Mothers exist, she embodies on this phenomenon; she guaranteed everything, and thus represents the experience” (Kristeva 1980, p. 378).

Autonomy of Women in Marriages

Marital relationships portrayed the characters in *Tempurung* indicated that the situation varies greatly. Dayu depicted the subjectivity of herself when choosing to marry men outside of her caste and religion.

To marry an outsider is an insult.

I had to choose. Love or dignity. I chose love because I know it is higher than dignity. There are no false truths in our love. No pretence. That was what I

thought, perhaps my future will be destroyed after I confronted the reality, sinking, and naked facing the real life. (Oka Rusmini 2010, p. 164)

Dayu's decision brings her consequences, one of which was her banishment by her extended family. "I was exiled by my extended family. Nobody wanted to know me. Maybe they thought I was lower than them. My father still accepted me." Marriage, for most people, is seen as a relation between two large families, so that the decisions taken by the subject or couples undergoing marriage will also have unavoidable implications for the familial relations. But for Dayu, this was not a problem for her because she thinks the human dignity is not only measured by blood or caste. Responding to this, Dayu exerted authority of herself, "The issue of the family, those who exiled me, did not matter – for love is greater than dignity. Father said, I have to be responsible for all of my actions." It is clear that since the beginning, Dayu was aware of the risks and consequences of her choice and therefore Dayu was ready with all the responsibilities of her decisions.

The consequences Dayu faced from her marriage was to sever all of her spiritual relationship with her ancestors and family as she was no longer allowed to pray in the *griya*, a temple. Therefore, Dayu had to perform a ceremony to ask for permission to leave, *mepamit*. Dayu performed the ceremony, in her Father's house and not in the *griya*. Dayu did not refuse to perform the ceremony, but she chose to do so at her father's home. This act showed her autonomy. Dayu did not want to perform the ceremony in *griya* knowing that she would be harassed. Her decision to choose the place to perform the ceremony symbolized her autonomous subjectivity.

On the other hand, Dayu also tried to give a positive interpretation on the ceremony. It can be said that her willingness to perform the ceremony is a form of compromise over tradition. However, giving a positive interpretation of the ceremony, and ready to face the consequences, Dayu showed subjectivity as a woman.

[...] "There may be a silver lining for us, apostates, too. We are so much more alive, so we are more driven to build a better family. Life is so much more exciting" (Oka Rusmini 2010, p. 198).

Autonomy is also shown in characters such as Jelangga. As with Dayu, Jelangga also chose to marry outside her own caste and religion. And not much different from Dayu, Jelangga must run from her home and leave her family as the relationship was opposed by her family. The following was the conversation between Dayu and Jelangga when asked about her feelings.

"Sad. But I've got to be realistic as well. I have already belonged to another person. I fought for love that I believed in. One day you might meet up with the man you love to death" (Oka Rusmini 2010, p. 178).

The narrative shows that with the decision to leave her family Jelangga brought sorrow to herself. However, Jelangga was aware of the consequences of her choices. It is a realistic attitude as a form of self-autonomy. Her belief in the love prepared her for all of the risks and consequences she had to face. Jelangga's decision to stay with her own religion also shows her autonomy.

"What? Did you convert?"

"No"

"Then? How do you pray? According to traditional customs, women follow her husband's religion. You could not possibly pray again in the griya. The ancestors had crossed out your name!"

"Nonsense!"

"Where will you pray? How will you pray? God belongs to man, Jenggala. They will always know who their God is regardless of who their wives are."

"Indeed. I often wondered why there are different religions, huh? Why do we have to unite with men of different religious beliefs? It is difficult. I did not convert my husband; I have never prayed in his place of worship. Does that mean I chose to keep my own religion?"

"Is it not complicated when there are two religions in the household."

"For the time being, no."

Even though Jelangga married an outsider, she chose to embrace her own religion and did not follow her husband's religion. In Bali, it is customary for married women to follow the religion of her husband. Women must perform *mepamit* ceremony to say goodbye to her ancestors, should they

choose to undergo an inter-caste marriage, and they should no longer pray in a place of worship at the family home. This provision applies only to women, while men are not subject to this custom. The rule is clearly discriminatory to women. In a different caste marriage, women suffered a layered discrimination. With this context in mind, Jelangga decided to stay with her religion. Jelangga felt she could not understand another religion, in this case her husband's religion. She also found it strange or uncomfortable entering another religion's place of worship. Therefore, Jelangga determined to stay with her religion. This decision clearly showed her autonomy. And this decision was reinforced by her readiness with regard to burial ceremonies as she chose to be cremated rather than buried.

Subjectivity of Women in Pregnancy & Motherhood

The issue of the body is an important point in *Tempurung* explored by Oka Rusmini. One explored detail is the embodiment of pregnancy. The main characters in this novel included a side character told through the process of their pregnancy. In this section, I describe the embodiment of pregnancy as interpreted by women within the framework of their subjectivity offering resistance to conventional thinking about individuality.

In *Tempurung*, each pregnant character underwent the period of gestation in their own separate ways, which confirms that the embodiment of pregnancy is experienced in different ways by each pregnant woman. This difference does not only happen between other women or pregnant subjects, but even applies to the same woman, each experience of pregnancy varies greatly. Thus, pregnancy can be very specific for each individual. The following narrative of Saring's pregnancy exemplifies the discourse:

It was difficult to contain. In the first six months I could not get up. I was bedridden. Every time I saw the sun, I vomited. Drunk. I did not know the location of the pain in my body. Nothing was pleasant. Everything seemed boring. (Oka Rusmini 2010, p. 56)

I was pregnant the second time [...] It did not bother me this time, I was still able to work. I was at Badung Market when my water broke. My son was born on the stairs. I gave him the name I Made Pasek

Subrata, yet another boy. (Oka Rusmini 2010, p. 57)

The first narrative of the Saring's first pregnancy shows a different situation to what she experienced in her second pregnancy. Both cases of pregnancy were experienced by the same subject and the same body, but each process was very distinct. The same process of pregnancy would also be experienced differently by others. Saring's situation shows that her body was actively responding to the pregnancy, that there was a reciprocal physical relationship between the body with the baby growing inside her. The big difference in the condition of the Saring's body during the first and second pregnancy shows that the body (female / mother) as active. This narrative undermines the view placing women merely as foetal containers. If that was the case, the response of the female body / mother in the first and second pregnancies, and so on, would remain the same, yet the opposite happened. The pregnancy itself occurred without the subject of pregnancy undergoing gestation. As experienced by Dayu:

*Some of the prophecy had come true. My baby had indeed become a man. My pregnancy was also a surprise, **unplanned**, yet **he** had **grown** two months **inside of me**. (Oka Rusmini 2010, p. 247, emphasis added)*

The above narration clearly shows the body can go through pregnancy without the intervention of the mind. Dayu's shock can be seen as a reaction to something growing in her womb, which is a part of her body that was not hers, bringing a number of changes in her body. The term "grow" signifies that Dayu was aware of the pregnancy marking the process of developing into two bodies. It also shows that the pregnant body is a living body. And, the foetus and Dayu are two entities coexisting in symbiosis. The woman's body (Dayu) is thus in the capacity of "giving" or "splitting". The bodily mechanisms, which decided the gestation period itself, also applies to the birthing process. The foetus can exit the body sooner or later than the time expected. As experienced by Dayu:

I did not think he would come out that fast, he was not even full nine months in my womb. He was whining out of my womb after eight months and eleven days. I was worried – afraid of things that happen outside my will. Premature births or other horrible things. My husband and I did not

think that the baby would be born on the 24th of June, because according to the doctor's diagnosis, he was expected on the 24th of July. A month too early. When my stomach was hurting, my husband got angry, he thought I had swallowed a variety of unhealthy foods that make my stomach turn. He grumbled and made me a cup of bitter tea. (Oka Rusmini 2010, p. 248)

From the narrative above we can see how the process of pregnancy and birth can occur without conscious reasoning. So it can be said that the body has a mind of its own, that the body is not merely the object of reason. Pregnancy is not purely a biological issue. It is also related to culture. Pregnancy becomes a kind of necessity that must be experienced by women. As experienced by Sipleg, who was expected to be pregnant, and gave a grandson to her in-laws.

"I heard you were pregnant." Sipleg remained silent.

"Do not be mad at me. I want you to bear a healthy baby boy to take care of the land and Sanggah, our place of worship." She said quietly.

Sipleg raised her head, her hands took her thin bamboo hat off.

"Do not work too hard. You could get sick. I want a grandchild! I'm afraid of losing my grandchild. Do not treat me like this!" Sipleg remained silent and walked towards Payuk's rice fields. (Oka Rusmini 2010, p. 145-146, emphasis added)

An example of culture in pregnancy issue is foetal gender preference. A patriarchal society, valuing masculinity and privileging men, prefers boys than to girls – to the point it can be said there is a communal glorification of a baby boy. In the context of the Balinese culture, it is associated with the notion that only men have the right to continue the family line and worshiping ancestors. A woman who can not give birth to a baby boy would be considered bad luck. And life without male offspring is considered apocalyptic, life is not worth living without a boy. Thus, it can be said that desires related to pregnancy are often culturally driven and supporting patriarchal power relations. But, pregnancy may actually be a female's authentic desire and also a source of power for women. The above narration is a conversation between Sipleg and Jinah, Sipleg's mother-in-law representing the general public's desire for a baby boy. Sipleg's attitude of not answering and remaining quiet is closely associated with marriage,

because Sipleg was forced to marry by her parents. The silence can be regarded as a form of rejection as well as Sipleg's resistance.

Tempurung also narrates several miscarriages. Beauvoir (1989, p. 479) stated that, "Even if women truly desire to have / give birth to a son, their bodies may fight violently when undergoing the process of reproduction". This situation was experienced by Songi, Sipleg's mother.

The meat made her laugh. The meat told her to throw up whatever she ate. Songi once sealed her lips tightly because of a nausea attack during an early stage of her pregnancy. It felt good to beat the desires of the flesh that grew in her body. When she wanted to eat, Songi resisted. She fasted one day. Songi felt victorious and free. She was laughing when the living creatures growing inside the body lost. Usually if you lose, they won't play fair, and they force their way out. Songi was trapped by the pain that ensnared her body. The creature would be dead on arrival. (Oka Rusmini 2010, p. 144-145)

The above narrative shows that there is a part of Songi who wanted to have a baby growing inside of her. Songi also consciously refrained from eating by fasting against the nausea attacks until the foetus died thus leaving Songi to suffer through a miscarriage. There is a kind of denial of the body that caused the foetus to die. On the other hand, looking at the context, Songi was constantly pregnant despite her wishes with her husband wanting to have a boy. Songi's intention to undergo pregnancy was not born out of a pure personal desire to have a child. So it can be said that Songi lies in a position of an object. However, the body can respond with rejection. This has killed Songi's foetus. Thus it can be argued that in her position as an object, Songi can show her subjectivity. Her body was forced to undergo pregnancy; the body's rejection is a response. Songi suffered oppression through her body, oppression and violence, but she also showed resistance. In a situation that was seemingly impossible to get out of, there were moments when Songi was in control of her body, even though it was done secretly. Songi seized subjectivity through the body by using the same repressive "tools". So Songi's attitude of silence (almost like Sipleg's) is a form of resistance and rebellion against the oppressive social construction.

Besides Songi, Maya told her fear of having infants with disabilities so that Maya finally decided

to abort her foetus. The following is a conversation between Maya and Dayu, her best friend, on her fears over the pregnancy.

"You did not know. I have a big phobia!"

"How strange of you to think about the birth defects. Even though you have never tried to get pregnant."

"I have been pregnant ..."

"And?..."

"I aborted it ..."

"Are you serious? Just because you're afraid of birth defects?"

"Yes. My mind is a dead end! When I knew I was two months into my pregnancy, I was chased by a nightmare. Continuously. Not one or two days. Every single time I sleep."

"What kind of dream is it?!"

"I woke up from my sleep and I opened the bedroom door. Behind the door was a crib, a one-eyed baby girl, with deformed legs, and no fingers on her hands. Her head continued to grow every time I looked at her" Maya sighed. She was profusely sweating across her face. She seemed terrified (Oka Rusmini 2010, p. 76).

With reference to Stekel, Beauvoir (1989, p. 479) argued that the miscarriage is also an "interference" as another part of the psyche of women refusing a foetus and associating it with death. Maya experienced severe fear, even phobias towards defective foetus – hence Maya's decision to abort. The narrative below describes the feelings Maya experienced after the abortion.

"Did you regret having to kill the baby."

"No. My fear overcame the birth of my child. You would never imagine having a mentally handicapped, physically disabled baby. Like a baby in my dream room. She had severe disabilities! It would be a pity if she lived. Who would take care of it if I was not there anymore?" (Oka Rusmini 2010, p. 77).

Maya's abortion can be seen as an attempt of censorship against genetic damage to the foetus. The mother's active response to scan the foetus. Thus it can be said that the real body of the pregnant mother is the active body. In addition, Maya's sister, Sarah, a woman with a disability not being able to grow and

function as a normal woman, further confounded Maya's concerns. By departing from the understanding that the rejection of the foetus is the result of the mother's body active censorship intervention, then the decision of the abortion of the foetus is not merely grounded in the interests of the mother.

By writing a narrative about the embodiment of pregnancy through the characters in *Tempurung*, I saw Oka Rusmini's efforts to bring the narrative that had been marginalized into the forefront of our attention. Literary narratives of the female body, especially the pregnant body, are still relatively few, and other narratives tend to be dominated by patriarchal discourse regarding the pregnant body as an object. Then it is clear that in the representation of the embodiment of pregnancy in *Tempurung*, Oka Rusmini attempts to return the 'other' back into the 'centre'. A narrative about pregnancy shown through the conversations and experience of *Tempurung* characters shows that women and men experience this embodiment differently, and even each female experiences are different. In addition, narratives about pregnancy and childbirth of Oka Rusmini in the stories of the different characters can be seen as an attempt to deconstruct the invisibility of pregnancy in the public domain. Thus, Oka's narrative on pregnancy demonstrates a disturbing notion of individuality and subjectivity largely centred on men. At the same time the narration blurs the boundary between self / otherness, subject / object, private / public.

Motherhood is one of the topics stirring the debate among feminists. This issue is also highlighted in *Tempurung*. Motherhood will here be discussed around the myths and stereotypes about the mother as well as the relationship between the mother and the child. The mother is often displayed as a beautiful woman, kind and engaging. While in reality the mothers and motherhood are complex. Oka Rusmini shows this in the narrative between Dayu and Maya in the following excerpt:

"[...] Childbirth, breastfeeding, child rearing. You will feel the extraordinary torture of motherhood. How wonderful and painful. Sleep becomes a luxury. Anyway, you'll discover a whole new, unthinkable world. Being a mother is unimaginable. I found something missing in me as I went through it. Gratitude, patience, and the joy of suffering. Did you know? I became less selfish and more appreciative of the time. Because if I was not able to manage my

time, everything would become a mess. Let's try to think it through again. Or are you scared to be a mother?" (Oka Rusmini 2010, p. 74-75).

Dayu recounted her experience of being a mother as a feeling of intense pleasure and torment, happiness as well as pain. Contradictory feelings, experienced simultaneously. This complex feeling presented a landscape ranging from pleasure to pain. And she stated this as a new world outside the brain's comprehension. This statement confirms that being a mother is not only a rational experience but also emotional. It is not easy to be a mother. For Dayu, becoming a mother made her less selfish and more appreciative of time. The description of Dayu's motherhood mentioned above can be said to constitute a fuller picture and not a partial picture, as often depicted in various media. Depiction of this kind would avoid the partial portrayals reducing the mother to certain categories. Motherhood has become an invaluable experience teaching many things, as per the following narrative:

I closed the computer, 1:23 AM. My body is tired. I had to finish my work quickly. Nothing has changed about the pattern of life and my biological clock after having children. All had to be rescheduled and to follow my child's mood. I had to succumb to a nine-month-old human. Huh, it feels really weird. I must first ask permission from my child to fulfil all of my arrogance, desire, dreams. (Oka Rusmini 2010, p. 159)

Child-rearing forced Dayu (a representation of women) rearrange her life schedule. She had to adjust everything to the child's rhythm. This adjustment process needs to be negotiated within a mother / woman. The narrative above shows how the relationship between mother and child affects female subjectivity. There is a consciousness in Dayu (female) exploring her relation to another (in this case, her child). But this process is not easy for Dayu (and perhaps also for other women), because existing wishes and dreams have to be tailored to a child's wishes. Thus it can be said the female subjectivity is no longer within a process of. On the other hand, the relationship between a mother and a child is not always good or pleasant, as Dayu stated in the following narrative:

I do not know well the female figure which I call "Mother" because she chose to leave me and my sister for another man in search of her happiness. I was almost eight years old and my sister was six.

She was tiny, whiny, liked to suck on her pacifier and was often yelled at by everybody else for doing so. Until now, my relationship with the woman who gave birth to me is like dealing with a stranger. I often observed her whenever we met by chance and I found no trace of an ideal mother in her. She was so foreign. Our relationship was strange and cold. It was usually filled with tiresome small chats. It often also made me restless and miserable when I was with her. I would ask myself: what kind of woman would I want to be? (Oka Rusmini 2010, p. 14)

The divorce of her parents estranged Dayu from her mother. Dayu's narrative above is an unusual narrative about the relationship between mother and child. Mother is generally perceived, displayed and judged as a great individual. This is evident for example in the myth of 'paradise under mother's feet', the myth of an ideal mother, the myth of the happy housewife, and so on. While in reality, the mother figure is very diverse. But the picture is not often revealed. Through an image of mother surpassing stereotypes and questioning myths, Oka Rusmini attempted diversity in her portrayals, depicting a mother as more complex than a perfect mother figure.

Conclusion

Female subjectivity in the novel *Tempurung* surfaces in the physical description of the main characters, their behaviour, and their personal views. Overall, the characters saw their body as an important part of subjectivity. Dayu, the main narrator and character of the novel, represents female subjectivity taking the form not of female projection of herself but rather of dialogue with other elements, including her husband, her child, her social and cultural constructs surrounding her. The subjectivity of Dayu appears to be formed through the relationship with her family (the distance between the mother and father due to their divorce) leading her to build an independent and assertive attitude. These personal characteristics then led Dayu to choose to marry men from outside her caste and religion, resulting in her being effectively banished from her extended family. In addition, her subjectivity as a woman did not depend entirely on her relationship with her husband and children, even though the two were strongly interrelated.

Oka Rusmini exposed the unequal relationship between sexes in the stories of relationships

between men and women, the husband and the wife. The inequality is caused, reinforced, and perpetuated by the rules – traditional customs, religion, and social constructs that gives men advantage. Oka Rusmini hence also questions the social construction that gives privilege for men. Inter-caste marriage, for example, will carry different implications for women and men, where women – those of the upper caste and lower caste – would experience discriminatory treatment as a requirement to break the spiritual relation with the ancestors and family. Customs and social privilege also gives strong preference to boys as they are more valuable because only men can continue the family line, whilst worshiping ancestors makes women, and girls, vulnerable to violence and discriminatory abuse.

Narrative of the embodiment of pregnancy, as shown by Oka Rusmini in *Tempurung*, can be interpreted as an attempt to move what has been seen as part of the private sphere into the public

sphere. Pregnancy can indeed be seen publicly, but the matter will stay within the private sphere. Pregnancy is thus brought to the public space with the possibility opened up to discuss female subjectivity. Furthermore, showing how pregnancy is experienced by each character is an attempt to disrupt the idea of individuality and subjectivity centred in men, thus placing the male body, steady and unchanging, as the norm. In addition to the pregnancy narrative, the narrative about the birth process is an attempt to change what is considered abject by patriarchal values so that the female body can become appreciated and highlighted.

I offered here some notes on the works of Oka Rusmini from a feminist perspective. She brings marginalized narratives back to the centre by writing about the problems faced by women especially in relation to the body, such as pregnancy, blood, concerns, misery, poverty, as well as violence. As such, Oka Rusmini's work is a political act introducing the story of the 'other'.

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“You’ll learn, tough guy”: on the Relevance of American Crime Fiction and the Femme Fatale to Indonesian Literature

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Abstract

This essay constitutes the first step in solving an enigma of Indonesian letters, one that is little noticed but unfathomable: the absence of crime fiction from the canon of the national literature. This is surprising for two reasons, the widespread popularity of crime in popular culture, both literature and film, and the high esteem that the genre is held in other East Asian national traditions (Japan; Thailand; South Korea). This paper argues that contemporary Indonesian writers would be well advised to familiarize themselves with the various strands of crime fiction, in particular the American variant known as Noir, and adopt these traditions to local conditions. When Noir is examined closely, the attentive student will realize that the political and aesthetic concerns of American Noir writers are essentially those of Indonesian authors—the social depredations of neo-colonialism and the traumatic effects of international Cold War politics.

Keywords: Femme Fatale, Noir, Raden Adjeng Kartini, Chester Himes, Paul Virilio, the Cold War, Decomposition.

‘Life is full of dark riddles and secrets. We think that we know so much, and all the time we know nothing! We think that we have a will, an iron will, and picture ourselves strong enough to move mountains —then a burning tear, a sorrowful look from eyes that we love, and our strength is gone.’—

Raden Adjeng Kartini

Introduction

Subversiveness is always relative.

In the collected letters of Raden Adjeng Kartini, we find the following passage from her missive to Mevrouw Abendanon-Mandri, dated October 7, 1900.

I calmly bide my time. When it comes then men shall see that I am no soulless creature, but a human being with a head and a heart, who can think and

feel.¹ It is frightfully egotistical of me to make you a sharer in everything that concerns me. It brings light to me, but to you, it must be vexation. Everything for myself, nothing for you. I long to tell you everything simply because I love you so much. Draw back from me, thrust me from your thoughts, from your heart, forget me, let me struggle alone, for O God, you do not know into what a wasp’s nest you stick your hand, when you reach out to me!²

Although a paradigmatic ‘proto-Feminist’ of Indonesian letters, Kartini was as much an advocate of anti-colonialism as she was of Women’s emancipation.³ This is from Kartini’s letter to Stella Zeehandelaar, May 25, 1899:

I have been longing to make the acquaintance of a ‘modern girl’; that proud, independent girl who has all my sympathy!

If the laws of my land permit,⁴ there is nothing that I had rather do than give myself wholly to the working and striving of the new woman in Europe; but age-long traditions that cannot be broken [patriarchy] hold us fast cloistered in their unyielding arms.

Day and night I wonder by what means our ancient traditions could be overcome [she plans and conspires]. For myself, I could find a way to shake them off, to break them, were it not that another bond, stronger than any age-old tradition could ever be, binds me to my world; and that is the love which I bear for those to whom I owe my life, and whom I must thank for everything. Have I the right to break the hearts of those who have given me nothing but love and kindness my whole life long, and who have surrounded me with the tenderest care?⁵

...Then the voices which penetrated from distant lands grew clearer and clearer, till they reached me, and the satisfaction of some who loved me, but to the deep grief of others [that is, Father], brought seed which entered my heart, took root, and grew strong and vigorous.⁶

Two things are striking about these passages. The first, and most obvious, is that Kartini is announcing her identity as a Feminist; ‘I cannot remain content in my old condition; yet to further the new progress, I can do nothing: a dozen strong chains bind me fast to my world.’⁷ Secondly, and less obviously, Kartini is describing this in terms of a transformation of some kind, a process that is consciously understood to be identical with a parallel process of subversion or transgression, what I would tentatively characterize as Woman-becoming-Feminist.

New conditions will come into the Javanese world, if not through us, through others who will come after us. Emancipation is in the air, it has been foreordained. And she whose destiny is to be the spiritual mother of the new age must suffer. It is the eternal law of nature: those who bear, must feel the pain of bearing; but the child has all our love, though its very existence, above that of all others living, has harassed us. Though it has been received through suffering, it is eternally precious to us.⁸

I have recently had the sort of experience that many academics undergo when they come face to face with the human realities of the subject of their abstract studies. I have studied Indonesia within the field of the comparative law in Southeast Asia for many years, but it was only when I recently heard Eka Kurniawan speak at the 2015 Melbourne’s Writers Festival that I was struck by an obvious truth that I had completely missed: the importance of local tradition and folklore in the formation of national literatures. It is perhaps understandable that Kurniawan is presented, quite misleadingly, in the Western media as a purveyor of ‘magical realism’ in the manner of Gabriel Marquez Garcia.⁹ ‘Misleading’ because such an overly neat classification reveals a Eurocentric reluctance to come to terms with a central characteristic of Indonesian literature, both formal and popular: the use of supernatural narrative, including the forms of both ghost story, with the ghost as the signifier of trauma—either repressed memory (historical) or denied desires (erotic)¹⁰—and more generic forms of Horror, usually centred upon the return of a dead person (a ‘Revenant’ in Irish folklore) as a means of expressing cultural concerns and anxieties over the historical ‘woundings’ of colonialism and oppression.

But this observation, in turn, gives rise to another: the fact that crime fiction, which has been employed to considerable artistic and political effect in other post-colonialist situations (in Haiti, *Love, Anger, and Madness: A Haitian Triptych* (2005) by Marie Vieux-Chauvet and *Street of Lost Footsteps* (1998) by Lionel Trouillot; in Jamaica, *A Brief History of Seven Killings* (2014) by Marlon James, which won the 2015 Booker Prize), has remained largely under-developed within Indonesia. This is especially odd, as the signature themes of crime writing, and, most especially the sub-genre of Noir, are concerned with describing a landscape that is highly consistent with the political geography of colonialism¹¹—the criminality of the everyday (or the ‘normal’), the multiplicity and duplicity of personal identity, the dissociative nature of the private Self, the subversive nature of speech, and the internalization of secret strategies of resistance. And if I were to be very insistent with my observations, I would suggest that Kartini-as-Woman-becoming-Feminist is, structurally, no different from Kartini-as-Feminist-Becoming-Femme-Fatale, the radically anti-patriarchal, and

supremely dangerous erotic icon of the American genre of crime fiction known as ‘hard-boiled’.

Hard-Boiled: the literature of subversiveness

In the simplest of terms, hard-boiled crime fiction is the application of the literary techniques of modern Realism to the detective novel and, by extension, to the crime novel. Originating within the United States in the early 1930s, largely in reaction to the social and cultural conservatism of the British detective novel, hard-boiled received its classic definition by one of its greatest practitioners, Raymond Chandler, in his essay ‘The Simple Art of Murder’ (1944).

*The realist in murder writes of a world in which gangsters can rule nations and almost rule cities, in which hotels and apartment houses and celebrated restaurants are owned by men who made their money out of brothels, in which a screen star can be a fingerman [informant] for a mob [the Mafia], and the nice man down the hall is a boss of the numbers racket; a world where a judge with a cellar full of bootleg [illegally imported] liquor can send a man to jail for having a pint in his pocket, where the mayor of your town may have condoned murder as an instrument of money-making, where no man can walk down a dark street in safety because law and order are things we talk about but refrain from practising...*¹²

To put it another way: Law is the respectable face of Crime. As Nicole Rafter has argued in her seminal work, *Shots in the Mirror: Crime Films and Society*, the basic pattern of the detective story is that of the search.

*These tales have... ‘goal-oriented plots,’ patterns of action to which investigation is key. Mysteries and detective films often mete out clues in small, progressive portions, so that the [reader’s] process of discovery parallels the investigators. Sometimes...they conceal the object of the search, such as the villain’s identity, as long as possible...At other times the goal of the search is clear from the start, and the investigator’s job is to find the thing that is missing.*¹³

The detective story, therefore, closely corresponds to the representational theory of language; the detective ‘reassures us of an ultimate rationality, “a benevolent and knowable universe, “a world that can be interpreted by human reason, embodied in the superior intellect of the detective”... The detective’s skill is precisely the ability to code “seemingly unrelated data into a coherent system of

signs, a text identifying the malefactor.”¹⁴ Therefore, the function of the detective hero ‘is to guarantee the readers’ absolution from guilt. This is basic to the genres’ wish fulfillment...What matters is the detective’s revelation, not the murders’ punishment, for in this myth of rationality truth takes priority over justice.’¹⁵ The problem with this, however, is that the search of the detective, as Chandler has outlined it, culminates in the revelation that there is no essential distinction between the law officer and the criminal: the entire landscape is intrinsically corrupt and, therefore, criminality constitutes the real, but denied, normality.

*Possibly it was the smell of fear which [hard-boiled detective] stories managed to generate [that explained their popularity]. Their characters lived in a world gone wrong, a world in which, long before the atom bomb, civilization had created the machinery for its own destruction, and was learning to use it with all of the moronic delight of a gangster trying out his first machine gun. The law was something to be manipulated for profit and power. The streets were dark with something more than night.*¹⁶

In terms of both literary theory, the greatest achievement of hard-boiled is to subvert the distinction between the detective film and the crime film.

‘The central and defining feature of the crime novel is that in it Self and World, guilt and innocence are problematic. The world of the crime novel is constituted by what is problematic in it’...A crime novel maneuvers its reader into various forms of complicity, managing to subvert the reassurances of the detective novel by ‘put[ting] the signification process into doubt or even exploit[ing] the gap between socially accepted signification and ultimate reality.’¹⁷

Accordingly, to the degree that ‘the crime novel puts the signification process into doubt or even exploits the gap between socially accepted signification and ultimate reality, it subverts the reassurances of the detective novel.’¹⁸

Hard-boiled, therefore, is expressly foregrounded upon the very thing that the culturally conservative British detective novel denies: the iterability between the law-enforcer and the law-breaker; ‘Crucially, the private eye—the most archetypal “hard-boiled” hero—operates as a mediator between the criminal underworld and the world of respectable society. He

can move freely between these two worlds, without really being part of either.¹⁹ And as the dominant trope of hard-boiled is liminality and a focus is upon the porous nature of the borders between Law and Crime.²⁰ A signature dramatic concern of hard-boiled fiction is constant threat of detective-hero being exposed to some form of contagion; the text will always raise doubts in the mind of the reader concerning the unconscious motives of the hyper-masculinist protagonist, his walking the dark, lonely streets a thinly disguised expression of a desire to meet his denied but alluring Other. It is almost as though in a semi-unconscious recognition of the ‘suspect’ nature of the hard-boiled detective as the bearer of unspeakable desires that writers such as Chandler repetitively framed their hero, *the Tough Guy*, as an emotionally alienated white middle-class heterosexual male.

*In everything that can be called art there is a quality of redemption. It may be pure tragedy, and it may be pity and irony, and it may be the raucous laughter of the strong man. But down these mean streets a man must go who is not himself mean, who is neither tarnished nor afraid. The detective in this kind of story must be such a man. He is the hero, he is everything. He must be a complete man and a common man and yet an unusual man. He must be, to use a rather weathered phrase, a man of honour, by instinct, by inevitability, He must be the best man in his world and a good enough man for any world... He has a sense of character, or he would not know his job. He will take no man's money dishonestly and no man's insolence without a due and dispassionate revenge. He is a lonely man and his pride is that you will treat him as a proud man or be very sorry that you ever saw him.*²¹

The enemies of the tough guy are many, both racial and sexual. But one antagonist in particular is noteworthy, veritably defining the entire genre by her mere presence: the Femme-Fatale. The hard-boiled tradition ‘reveals a particular obsession with the representation of challenges to and problems within the ordering of masculine identity and male cultural authority.’²² Therefore, it is only appropriate that the detective’s greatest enemy is a woman, the femme fatale as an “an articulation of fears surrounding the loss of stability and centrality of the self, the ‘I,’ the ego. These anxieties appear quite explicitly in the process of her representation as castration anxiety.”²³ But why this is so is not a question of simple misogyny; as Kartini herself

would have realized, the real culprit here is western Imperialism.

Endo-Colonization/Exo-Colonization

It is not a coincidence that hard-boiled crime fiction emerged during the 1930s nor that its cinematic ‘double’ Film Noir appeared during the 1940s²⁴—both artistic phenomena are a direct response to the crisis within American political culture engendered by the meteoric rise of the United States to global hegemon. What is less well understood is that the ‘crisis’ of American neo-colonialism abroad was paralleled by a crisis of neo-colonialism within. As I have argued extensively elsewhere,²⁵ the work of urban theorist Paul Virilio is of the greatest relevance in understanding the two-faced dilemma of American hegemony following 1945. Central to Virilio’s account of American supremacy is the paradoxical nature of globalization as a dual movement within both internal and external spaces; globalization is ‘first and foremost, a kind of *journey to the centre of the earth*, in the darkening gloom of a temporal compression which closes off the human race’s living space once and for all, a thing some utopians have termed the *sixth continent*, though it is simply the hyper-centre of our environment.’²⁶ Governed by the logic of an accelerating space/time compression, the globalist integration of the World-Economy totalizes both trans-national space and domestic space into parallel fields of the projection of military power; ‘in political terms, this means that the geopolitics of *extensivity* and *exo-colonisation*’²⁷ is strictly matched by the inward exploitative drive of *endo-colonization*, what ‘happens when a political power turns against its own people.’²⁸ The post-1945 American State—understood as being latently ‘suicidal’ because of its unassimilable surplus, or excess, of military power and technology— is always in perfectly inverse relation to social democracy, endo-colonization facilitating the uncontrollable spread of anomie. Post-industrialization economically and politically marginalizes the traditional working classes, culminating in an informal system of social and cultural apartheid.²⁹ Not surprisingly, the domestic implementation of neo-liberal ‘reform’ is known as ‘shock doctrine’;³⁰ the expression in economic form of the military doctrine of ‘shock and awe’: either the accidental or deliberate infliction of trauma upon the State as a means of neutralizing political opposition

to ‘decentralized state agendas.’³¹ The trauma of the impact of the agenda of globalization is strictly equivalent to the speed of its implementation.³² History after Hiroshima and Nagasaki ‘is no longer exo-colonization (the age of extending world conquest), but the age of intensiveness and endo-colonization. One now colonizes only one’s own population. One under-develops one’s own urban economy.’³³ Endo-colonization ultimately fractures the classic liberal consensus of the bourgeois State; the de-localized State is now ‘founded on threat, the economic rival [and] the social adversary.’³⁴ In order to police the post-liberal political order, the suicidal State increasingly directs its surveillance apparatus inwards, transposing the spatio-temporal domain of ‘the enemy’ from the exterior to the interior.³⁵ Paradoxically, the political ‘anxiety’ surrounding the domestic threat—well evidenced by the current ‘War on Terror’—is a direct result of the panoptical transparency of trans-national space achieved through the globalization of its self-same surveillance infrastructure. The Report of the 9/11 Commission released in 2004 has stated this with remarkable clarity.

In the post 9/11 world threats are defined by the fault lines within societies, than by the territorial boundaries between them. From terrorism to global disease or environmental degradation the challenges have become trans-national rather than inter-national. That is the defining quality of world politics in the [21st century]...In this sense, 9/11 has taught us that that terrorism against American interests ‘over there’ should be regarded just as we regard terrorism against American interests ‘over here’. In this same sense, the American homeland is the planet.³⁶

As Virilio’s collaborator, the French military theorist Alain Joxe, has pointed out, exo-colonization serves as the continuation of endo-colonization by other means—or, more precisely, that inter-state conflict in the age of American hegemony mirrors domestic political struggle.

Class conflict has not disappeared, but has made a prodigious, disconcerting leap since it should now be inscribed at a global level: the globalization of the economy makes it difficult to identify the dominant classes and brings an end to their association with sectors of the subjugated classes that remain local or national. Laws no longer codify class relations except at the tactical level of local political concerns.³⁷

For Virilio, the primary sign of the suicidal nature of the American State is *decomposition*; ‘Decomposition is everywhere, everywhere. What is decomposing is the geographical space, the psychophysical and psychophysiological space of being. It affects at once the big territorial body, the small animal body and the social body.’³⁸ Decomposition is the discursive key to Virilio’s increasingly pessimistic critique of globalization; ‘Globalization is the world becoming too small, and not too big...Not only too small because of overpopulation, but because we have reduced the world to nothing.’³⁹ The metaphor of the decomposing social ‘body’ illuminates the multi-level operation of catastrophic spatio-temporal compression, a rhetorical move that complements Virilio’s ‘double movement’ between exo-colonization and endo-colonization.

Trying to keep decomposition at a distance is a misunderstanding of how chaos works. No one can remain immune from chaos, globalization being chaos extended to the totality of the world, including America, including each of us. Each one of us as a person, as a body, is subjected to the threat of chaos, or to real chaos.⁴⁰

Decomposition is the radically anti-humanist (and anti-Enlightenment) annihilation of all possible grounds of future social and political becoming. ‘But when we are in a decomposing world, when everything decomposes because of the acceleration of exchange, the deconstruction of instances and institutions, then there is no future...’⁴¹ Even the singularly uni-polar nature of the American territorial body fails to render it immune from the catastrophic processes of decomposition unleashed by the plenitude of space/time compression, yielding a total, and permanent, loss of faith in the political and historical certitudes of democracy as the guarantor of the classic liberal State. Ultimately, the United States, as the paragon liberal and democratic ‘society’, loses all capacity to act as a discursive referent through its collective vacating of a unified political body; ‘America is done for. When I say America is done for, I mean that the world is done for. Globalization is a phenomenon that surpasses America...Globalization, this is the end of America.’⁴²

The final result is that the totality of American domestic space is transfigured by endo-colonization as a vast, unsettled, urban frontier—hostile, alien and alienating. And it is precisely this anomic space

that the hard-boiled detective writer chooses to inhabit. As Mickey Spillane puts it in his classic ‘tough guy’ novel, *One Lonely Night* (1951):

*Here was the edge of Harlem, that strange no-man’s-land where the white mixed with the black and the languages overflowed into each other like that of the horde around the Tower of Babel. There were strange, foreign smells of cooking and too many people in too few rooms. There were the hostile eyes of children who became suddenly silent as we passed.*⁴³

Crime is now the signifier of the internal borders of the decomposing urban frontier.

And down those mean streets the tough guy must go.

‘Tower of Babel’ is a nice touch.

American crime fiction, endo-colonization and decomposition

The hard-boiled detective is the ideal bearer of the signification of endo-colonialism and decomposition historical successor, as he is, to the other archetypal American signifier, the Westerner, defined by Robert Warshow in terms remarkably similar to that of Chandler on the detective:

*The truth is that the Westerner comes into the field of serious art only when his moral code, without ceasing to be compelling, is seen also to be imperfect. The Westerner at his best exhibits a moral ambiguity which darkens his image and saves him from absurdity; this ambiguity arises from the fact that, whatever his justifications, he is a killer of men.*⁴⁴

As was established by Frederick Jackson Turner in his seminal thesis ‘The Significance of the Frontier in American History’ (1893) the US serves as the premier model of the modern Nation-State through having been the most successful in resolving the historical contradictions of industrial production on a global scale, an achievement directly related to the centrality of frontier settlement to national development.⁴⁵ But the paradox of American national development is identical with the irreconcilable contradiction of Modernity itself: Western society, as a community of individualists, needs to postulate some sort of Enemy to overcome the underlying deficit of unifying social forces; for the US, ‘the text of the frontier has been most effective in its capacity to construct a single cultural enemy on which to build a fantasy of a unified American people pursuing a linear

national narrative.’⁴⁶ And the enemy inhabitants of the American frontier—the indigenous (and misnamed) ‘Indian’—proved supremely capable of undergoing endless cultural mutations; ‘Turner suggests, in an inchoate way, the need for and function of [a] particular ideological formation that drew a line between “white” civilization and “Indian” savagery, a term for which “black” criminal chaos could easily be substituted.’⁴⁷ For Robert Crooks, ‘Turner identifies the Indians as the unifying factor that transformed the various frontiers [diverse and divergent sites of anarchic individualism and criminal entrepreneurialism], their regulation, and their histories into a unity by posing a “common danger” of absolute otherness; it was through endo-colonization that the ‘urban manifestation of frontier ideology, and particularly the textual space opened up by crime fiction for an articulation of that frontier’⁴⁸ allowed new unifying cultural forces—‘*The City*’—to replicate the earlier frontier (exo-colonization) experience by acting as the site of the coalescence of all anti-decompositional tendencies (Racism; Nationalism) within the domestic spaces of Modernity (endo-colonization).’⁴⁹

*Thus, the meaning of the other side of the frontier, in the shift of focus from its western to its urban manifestation, has been partly transformed: no longer enemy territory to be attacked and conquered or vacant land to be cultivated, it now constitutes in mainstream European-American ideologies pockets of racial intrusion, hence corruption and social disease to be policed and contained—insofar as the ‘others’ threaten to cross the line.*⁵⁰

The problem here is that this cultural adaptation mechanism, originally evolved in response to conditions of the 19th century, proved remarkably germane to 20th political and social concerns; the major urban concentrations in mega-cities such as Los Angeles (a.k.a., ‘The Capital of the Third World’) housed non-anglo hyper-concentrated ‘population densities and the size of minoritized communities threatened individualist ideologies, since the collective experience of exploitation lends itself to collective resistance or rebellion.’⁵¹ Accordingly, the hard-boiled detective emerges as the literary successor to the Westerner, precisely because within American detective fiction, the race war on the frontier ‘has now become a class war in the cities...’⁵²

We are presented with a simple, but lethal, substitution: Africans = Segregation for Indians = Extermination. The following extracts from two pre-eminent African-American writers highlight the continuity between frontier and urban spaces. The first is from Richard Wright: ‘They draw a line and say for you to stay on your side of the line. They don’t care if there’s no bread on your side. They don’t care if you die. And...when you try to come from behind your line they kill you.’⁵³ The second is from Ann Petry: ‘And it just wasn’t this city. It was any city where they set up a line and say black folks stay on this side, so that the black folks were crammed on top of each other—jammed and packed and forced into the smallest possible space until they were completely cut off from light and air.’⁵⁴ Anyone familiar with Post-Colonialist literature will immediately note the clear parallels between these descriptions of African American quasi-apartheid within the decomposing urban frontier and the colonialist wasteland of Algeria essayed by Franz Fanon in *The Wretched of the Earth* (1961).⁵⁵ The Post-Colonialist sub-text of American crime fiction is especially pronounced in the work of Chester Himes; as one of the very few African-Americans authors of the hard-boiled tradition, Himes, as one would expect, takes a markedly ‘deconstructive’ approach to the relationships among endo-colonialism, racism, and urban decomposition. Consider, for example, this passage from the preface to his late novel *Blind Man with a Pistol* (1969).

*A friend of mine, Phil Lomax, told me this story about a blind man with a pistol shooting at a man who had slapped him on a subway train and killing an innocent bystander peacefully reading his newspaper across the aisle and I thought, damn right, sounds just like today’s news, riots in the ghettos, war in Vietnam, masochistic doings in the Middle East. And then I thought of some of our loudmouthed leaders urging our vulnerable soul brothers on to getting themselves killed, and thought further that all unorganized violence is like a blind man with a pistol.*⁵⁶

Even more pronounced is his description of the Third-World ‘black containment’ zone in *Cotton Comes to Harlem* (1965).

Their next stop was a dingy bar on Eighth Avenue near the corner of 112th Street. This was the neighbourhood of the cheap addicts, whisky-heads, stumblebums, the flotsam of Harlem; the end of the

line for the whores, the hard squeezes for the poor honest labourers and a breeding ground of crime. Blank-eyed whores stood on the street corners swapping obscenities with twitching junkies. Muggers and thieves slouched in dark doorways waiting for someone to rob; but there wasn’t anyone but each other. Children ran down the street, the dirty street littered with rotting vegetables, uncollected garbage cans, broken glass, dog offal—always running, ducking and dodging. God help them if they got caught. Listless mothers stood in the dark entrances of tenements and swapped talk about their men, their jobs, their poverty, their hunger, their debts, their Gods, their religions, their preachers, their children, their aches and pains, their bad luck with the numbers and the evilness of white people. Workingmen staggered down the sidewalks filled with aimless resentment, muttering curses, hating to go to their hotbox hovels but having nowhere else to go.

‘All I wish is that I was God for just one mother-raping [sic] second,’ Grave Digger said, his voice cotton-dry with rage.

‘I know,’ Coffin Ed said. ‘You’d concrete the face of the mother-raping earth and turn white folks into hogs.’⁵⁷

This passage is replete with the Fanonesque imaginary of the psychic and physical trauma of prolonged neo-colonialist occupation: dysfunction, anomie, religion, magic, *ressentiment*, revenge fantasy, wish-fulfilment, and frustrated racial violence. Himes himself understood his debt to Fanon, evidencing a clear Post-Colonialist understanding of the urban frontier; ‘I became hysterical thinking about the wild, incredible story I was writing...And I thought I was writing realism. It never occurred to me that I was writing absurdity. Realism and absurdity are so similar in the lives of American blacks one [cannot] tell the differences.’⁵⁸ Reflecting on *A Rage in Harlem* (first published in France in 1957), Himes observed that he had not written a hardboiled detective novel but ‘an unconscious protest against soul brothers always being considered as victims of racism, a protest against racism itself excusing all their sins and major faults.’⁵⁹ Yet, the conventional expectation of the politically progressive mind-set—that Himes would use his Otherness to overturn the hard-boiled tradition in its entirety—is utterly confounded in Himes’ treatment of sexuality: once the text shifts from race to sexuality, Himes is as reactionary as any white crime writer. Even by Hammett’s or Chandler’s standards (admittedly quite high),

Himes is ferociously homophobic. The passage ‘the sissies frolic about the lunch counter in the Theresa building’ is taken from *Blind Man with a Pistol*.

*Their eyes looked naked, brazen, debased, unashamed; they had the greedy look of a sick gourmet... Their voices trilled, their bodies moved, their eyes rolled, they twisted their lips suggestively... Their motions were wanton, indecent, suggestive of an orgy taking place in their minds. The hot Harlem night had brought down their love.*⁶⁰

Commenting upon homophobia and the hysterical sub-component of African heterosexuality, Himes wrote that ‘Obviously and unavoidably, the American black man is the most neurotic, complicated, schizophrenic, unanalysed, anthropologically advanced specim[e]n of mankind in the history of the world. The American black is a new race of man; the only new race of man to come into being in modern times,’⁶¹ and openly confessed that his novels ‘are admittedly chauvinistic. You will conclude if you read them that BLACK PROTEST and BLACK HETEROSEXUALITY are my two chief obsessions.’⁶² The fact that an African American writer so finely attuned to racism should be so reactionary in his homophobia should not surprise us if we remember how non-negotiable masculinist hysteria is to hard-boiled fiction.⁶³ As Fanon reminds us, ‘In order to assimilate and to experience the oppressor’s culture, the native has had to leave certain of his intellectual possessions in pawn. These pledges include his adoption of the forms of thought of the colonialist bourgeoisie,’⁶⁴ a point re-iterated, in a slightly different way, by bell hooks: the conventional portrait of black masculinity ‘perpetually constructs black men as “failures” who are psychologically “fucked up,” dangerous, violent sex maniacs whose insanity is informed by their inability to fulfil their phallogentric masculine destiny in a racist context... [However] black men who embrace patriarchal masculinity, phallogentrism, and sexism... do not threaten or challenge white domination... but reinscribe it.’⁶⁵ And homophobia, the ‘particular anxiety to which Himes responds’ ultimately proves inseparable from an equally virulent misogyny, the logical corollary of the white-racist strategy of the feminization of the African male through a social humiliation that is the symbolic equivalent of castration; ‘Within hardboiled fiction, the white man confronts internal threats in the urban space,

threats that are narratively quarantined, crushed, or effectively neutered through devices of plot and characterization or through representational diminishment.’⁶⁶ Not surprisingly, then, hard-boiled fiction ‘is a[n] historically racist tradition with a long history of taking great pains to ignore, diminish, or stereotype black men,’⁶⁷ primarily through an emasculating feminization; ‘In aligning representations of black men with the constructed position of women, dominant discourses routinely neutralized black male images, exchanging potential claims for patriarchal inclusion for a structurally passive or literally castrated realm of sexual objectification and denigration.’⁶⁸ Black homophobia of the variety that Himes endorses is an inverted fear of the destruction of black heterosexual masculinity by the endo-colonizing White community; the ‘hyperbolic response often treads on women and gay men in order to fight that suppression, thereby recapitulating white hardboiled structures in surprising ways.’⁶⁹ As a result, the ‘bond of race does not extend across genders in Himes’ text. The black woman betrays her black man when the lure of white masculine power arises... In Himes’ play with the hardboiled white protagonist, the villainy resides in the white man, and betrayal in the black woman, the easy dupe of the power of white masculinity.’⁷⁰ As Megan Abbott expertly demonstrates, ‘built into Himes’ unleashing of black masculinity is a construction of that masculinity as dominant, dominating, heteronormative, and unimpeachably black... Himes’ revisionary role in the hardboiled tradition then limits itself to instituting a secure black hetero-masculinity invulnerable to any “weaknesses” or “feminizations”—whether of gender, skin colour, or sexual orientation.’⁷¹ In the end we may have reached that within Noir which cannot be deconstructed: the fear of Woman-as-Other; ‘In other words, we have a different version of the same effort found in white hardboiled fiction, where shoring up masculinity occurs at the perpetual expense of women, either through demonization or humiliation.’⁷²

And it is the Femme-Fatale who, in the end, is the true ‘threat of chaos’ that the tough guy detective cannot withstand.

Mean Streets, misogyny and Femme-Fatales

Both hard-boiled and noir may be historically divided into two distinct phases: the Great Depression

(1929-41) and the Cold War (c. 1945-55). Noir is the cinematic and largely derivative form of hard-boiled, which first emerged as a literary response to the social problem of ‘The Forgotten Man’: the World War I veteran and the mass unemployed ‘operates significantly as a figure not so much of emasculation but as a warning sign of the pressing need to re-masculinize the American man rendered impotent during the economic crisis’ of the 1930s.⁷³ Parallel to early hard-boiled literature, Hollywood responded cinematically with the (pre-Noir) Gangster Film, which featured ‘Tough Guy’ protagonists (James Cagney, Humphrey Bogart, James Garfield, Edward G. Robinson, George Raft) who represented derived the Forgotten Man’s ‘isolation and marginalization... the tough guy retains the individualist spirit of nineteenth-century models of white masculinity, but with an added sense of a particularly urban and distinctive mood of alienation.’⁷⁴ Interestingly, there is no direct line of continuity between the Gangster and the Noir film. Although crime figures centrally in both, the Gangster Film remained a separate genre; the vital factor that demarcates the two genres is that Noir foregrounded a central component of hard-boiled that the Gangster Film elided altogether: the hysterical male. In Noir, a ‘central ‘textual pattern emerges in which notions of male agency are thrown into doubt, and male subjectivity constantly threatens to unravel. Masculinity is situated as weak, changeable, even hysterical, with the feminine characterized as potentially lethal in strength and amoral will.’⁷⁵ For Abbott, the defining archetypal theme of Noir is that there is ‘no safe sexual encounter for the lone white male, no encounter that will allow him a consistent position of power and control.’⁷⁶ In a manner wholly inconsistent with the Gangster Film, which almost totally eradicates the presence of Woman, Noir expressly privileges a dangerous and predatory woman, the Femme Fatale, who signifies a terminal crisis within Western Masculinity—that is, decomposition, and the hard-boiled novel invariably ‘ends with the rejection of a woman and a retreat from intimate personal relations...’⁷⁷ The stunning conclusion to James M. Cain’s *Double Indemnity* (1936) is a classic example of this.

I’m writing this [the confession of Walter Huff] in the stateroom. It’s about half past nine. She’s [Phyllis] in her stateroom getting ready. She’s made her face chalk white, with black circles under her

eyes and red on her lips and cheeks. She’s got that red thing on. It’s awful-looking. It’s just one big square of red silk that she wraps around her, but it’s got no armholes, and her hands look like stumps underneath it when she moves them around. She looks like what came aboard the ship to shoot dice for souls in the Rime of the Ancient Mariner.

I didn’t hear the stateroom door open, but she’s beside me now while I’m writing. I can feel her.

*The moon.*⁷⁸

The appearance of the Femme-Fatale, the feminine signifier of decomposition, will always manifest herself within the terms of a crisis of Law—which is to say, of criminality. The paradox of the Judicial, as Judith Butler has brilliantly argued, is that the ‘prevailing law threatened one with trouble, even put one in trouble, all to keep one out of trouble.’ Consistent with the dramatic logic of the Femme-Fatale, Butler noted that ‘trouble sometimes euphemized some fundamentally mysterious problem usually related to the alleged mystery of all things feminine.’ She concludes

*For that masculine subject of desire, trouble became a scandal with the sudden intrusion, the unanticipated agency, of a female ‘object’ who inexplicably returns the glance, reverses the gaze, and contests the place and authority of the masculine position. The radical dependency of the masculine subject on the female ‘Other’ suddenly exposes his autonomy as illusion.*⁷⁹

The easiest way, then, to problematize Femininity is to make the Woman herself a ‘problem’; and the most subversive way to do that is to criminalize her.

This is not simple misogyny, however. In one sense, Chester Himes’ neurotic fear of the feminization of the African male in hard-boiled writing is quite misplaced, as the Femme-Fatale is invariably a bearer of enormous power; hard-boiled presents women who are “‘active, not static symbols, are intelligent and powerful, if destructively so, and derive power, not weakness, from their sexuality.”⁸⁰ According to Janey Place, the “‘ideological operation of the myth (the absolute necessity of controlling the strong, sexual woman) is thus achieved by first demonstrating her dangerous power and its frightening results, then destroying it.”⁸¹ It is for this reason that hard-boiled texts follow highly stereotypical narrative structures, ‘suggesting that

the threat of the feminine and/or feminization be met with hermetic self-containment (Chandler, Hammett) or containing violence (Spillane, who kills Commies, male or female).⁸²

It is easy to explain this erotically charged misogyny simply in terms of the Forgotten Man: if ‘masculinity under pressure’ (to paraphrase James Ellroy) is the archetypal hard-boiled theme, then the post-traumatic woundings of the Great War, coupled with the economic catastrophe of the 1930s, is almost wholly adequately to explain a collective crisis in the viability of orthodox conceptions of Masculinity (and Patriarchy). Yet, this view is clearly simplistic in understanding the visceral dramatic and cinematic power of the Femme-Fatale. If the social crisis theory is correct, the Femme-Fatale should have vanished after 1945; instead, she rises to even greater heights (especially cinematic) with the commencement of the second historical phase of hard-boiled: the Cold War. The explanation, then, would seem to lie within the ideological system of what became known in the US as the doctrine of ‘containment’. As Alan Nadel has pointed out, George Kennan, the generally acknowledged author of the doctrine, who regularly advocated ‘Hemingwayesque masculinity’ in containing the Soviet Union⁸³; ‘Kennan’s writings rely heavily on constructions of Russia as a femme fatale figure, an Eastern exotic who does not abide by the rules of (masculine) logic.’⁸⁴ Quite amazingly, the discourse of containment, precisely because it is so gendered, creates a parallel form of endo-colonization: the racially contaminated urban frontier is now extended into the gendered ‘troubled’ domestic space of the white, middle-class, and heterosexual home: America’s success in containing the Red Menace ultimately depends upon the policing and enforcement of an infallible Masculinism. ‘In distributing the potentials for domination and submission, allegiance and disaffection, proliferation and self-containment, loyalty and subversion—all of which require clear, legible boundaries between Other and Same—the narrative of the American cold war takes the same form as the narratives that contain gender roles.’⁸⁵

Containment, then, conveyed two messages.

The first speaks to a threat outside of the social body, a threat that therefore has to be excluded, or isolated in quarantine, and kept at bay from the domestic body. The second meaning of containment,

*which speaks to the domestic contents of the social body, concerns a threat internal to the host which must then be neutralized by being fully absorbed and thereby neutralized.*⁸⁶

Containment presented a fundamental problem to hard-boiled. On the one hand, the expansion of endo-colonization into the home permitted an even wider landscape for dramatic plotting. As Elaine Tyler May noted

*More than merely a metaphor for the cold war on the home front, containment aptly describes the way in which public policy, personal behaviour, and even political values were focused on the home front...Where...could a man still feel powerful and prove his manhood without risking the loss of security? In a home where he held the authority, with a wife who would remain subordinate.*⁸⁷

On the other hand, the phenomenal success of cinematic Noir, which was ideally suited to portraying domestic space(s) and, simultaneously, glamourizing the feminine form, operated in such a way as to make the Femme-Fatale that much more seductive. Noir films “afforded women roles which are active, adventurous and driven by sexual desire... [female as well as male viewers can enjoy the] fantasy of the woman’s dangerous sexuality... [a fantasy whose] pleasures lie precisely in its forbiddenness.”⁸⁸ Thus, despite “the ritual punishment of acts of transgression, the vitality with which these acts are endowed produces an excess of meaning, which cannot finally be contained. Narrative resolutions cannot recuperate their subversive significance.”⁸⁹ And this led directly to the greatest irony of all: the ‘moral panic’ incited in the US over the deviant sub-text of tough guy movies and novels: hard-boiled, which was meant to render hyper-masculinity impenetrable was, in fact, covertly undermining it from within.

The fear derives from the potential that the man alone, the tough guy, might in fact participate in gender play or gender dissolution, that this figure of seemingly unimpeachable and hardboiled masculinity might in fact engage in less contained or binary-rigid circuits of identification and desire. A man already alarmingly unfettered by paternal or household roles might in fact threaten the very binaries that rule Cold War America, that constitute Cold War America. The seeming apex of tough masculinity might at the same time embody gender disintegration or a pleurably tangled network of sexuality and homosociality, of eroticism and

*intimacy that is not constituted through male/female at all. If these gender binaries are disabled, who is to say how secure any of them are, be they gay/straight, black/white, Eastern/Western, capitalist/communist, American/Soviet?*⁹⁰

Down these mean streets a man must go.

But he does not go down them alone.

He can feel her.

Conclusion

Despite its length, this paper has three very simple hypotheses: (i) Noir’s deployment of the Femme Fatale potentially disrupts endo- and exo-colonialism through its critique of a hysterical Masculinity occasioned by decomposition; (ii) the subversion of gender identities as a strategy of Feminist resistance doubles as a form of post-colonialist struggle; and (iii) any national literary tradition of crime writing that employs the post-Masculinist concerns of both hard-boiled and Noir would, therefore, continue the project of post-colonialist Feminism by other means. Two prominent Indonesian novels, *Beauty is a Wound* (2002) by Kurniawan and *Samam* (1998) by Ayu Utami, both evidence a partial movement towards an indigenous formulation of the Femme-Fatale, albeit one that is deeply implicated within traditional folkloric motifs; neither author has made a full blown ‘conversion’ to American-style crime fiction. With Kurniawan, the duality of the Feminine—destructive and nurturing—is most pronounced; ‘All the sorcerers shrugged their shoulders and said there was no force, no kind of evil spirit, that could appease the vengeful power of a wronged woman.’⁹¹ Although frequently misrepresented as a ‘magical realist’ within the West, Kurniawan is, instead, attempting to utilize the archetypal figure of the ghost within a more innovative, and self-consciously post-colonialist, deployment. The tales’ central conceit—Beauty as Wound equates with a will-to-revenge that doubles as an equally subversive will-to-private-justice—is viscerally incarnated within the four daughters—Alamanda, Adinda, Maya Dewi, and the eponymous Beauty—of the central protagonist, Dewi Ayu, who seems to function as a pedestrian version of Draupadi in a grotesque/burlesque re-telling of the *Mahabharata* gone catastrophically wrong.

“Really every woman is a whore, because even the most proper wife sells herself for a dowry and a

shopping allowance...or love, if it exists,’ [Dewi Ayu] said....

‘But how can I love someone who doesn’t love me back?’

‘You’ll learn, Tough Guy.’⁹²

The Femme-Fatale mystique is most pronounced in Dewi Ayu’s eldest daughter, who bears an uncanny resemblance to the ultra-predatory teenage vamp Veda from James M. Cain’s *Mildred Pierce* (1941); ‘a young man-eater who laughed to see men broken-hearted and suffering in their unrequited love, plagued by her image.’⁹³ As Kurniawan would have it, in his nonchalant dead-pan style, “‘I like men,” Alamanda said once, “but I like to see them cry from heartbreak even more.”⁹⁴ ... ‘From that moment on she realized that her beauty was not just a sword that could cripple men, but also an instrument that could control them.’⁹⁵ Although markedly more secular in tone, Utami’s *Saman* also puts forward a uniquely Indonesian version of ‘the bad girl’; ‘Maybe I had been challenging his masculinity; indulging my ego’s hidden desire of having him surrender before me (or making him stand erect before me, as my friend Cokorda put it).’⁹⁶ Beautifully suggestive of the Noir re-presentation of a hysterical Masculinity (‘He was naked. His penis and wounds were exposed to the world.’⁹⁷), all of the four female protagonists, but especially Shakuntala⁹⁸ and Yasmin (‘Yasmin, Teach me. Rape me’⁹⁹) stand out as potential Femme-Fatales. But what truly unites both novels in their exploratory undertakings into the realm of female/feminine subversiveness is that both announce the arrival of Woman ‘trouble’ through a cataclysmic explosion that un-mans the Men, both literally and symbolically.

First, *Saman*.

The platform rocked violently. Laila was thrown to her knees and was spun around for several meters. Everyone was flat on the ground...What had happened? The valves at the mouth of the well below the platform hadn’t been strong enough to suppress the extraordinary power beneath it, which had suddenly surged upwards. The platform’s steel base, where the workers stood, was torn apart and as the tower began to topple, three workers who had been working at the base of the rig were flung into the air like plastic toy soldiers. They did not even have time to scream. Laila had barely drawn breath

when she saw the bodies of Hasyim and two others crash down onto the platform, and then skid off into the sea. Along with a sign bearing the warning *safety first*. Earthquake. Fire. Alarm bells.¹⁰⁰

Second, *Beauty is a Wound*.

It all started with a noise coming from an old gravesite with an unmarked tombstone covered in knee-high grass, but everybody knew it was Dewi Ayu’s grave...The grave shook and fractured, and the ground exploded as if blown up from underneath, triggering a small earthquake and a windstorm that sent grass and headstones flying, and behind the dirt raining down like a curtain the figure of an old woman stood looking annoyed and stiff, still wrapped in a shroud as if she’d only just been buried the night before...Two men plunged into a ditch, others fell unconscious at the side of the road, and

still others took off running for fifteen kilometres straight without stopping.¹⁰¹

Naturally, Indonesia is not the United States and these tropes and forms cannot be neither readily nor directly translated into indigenous forms. So, too, would an overly easy adaptation constitute a debased form of ‘Americanization’. However, paying close attention to the treasures of American filmic and literary culture and innovating ways in which they might be adapted to fit ‘local’ conditions is no bad thing.

As Kartini herself put it: ‘The tendency to imitate is inborn, I believe...Is it not pleasant to find one’s thoughts reflected in another?’¹⁰²

Down these mean streets a woman must go.

But she does not go down them alone.

She can feel him.

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(Endnotes)

- 1 An alternative translation: ‘I am calmly biding my time, [and] when it arrives people will know that I am no spineless object, but a person with a head and a heart—who thinks and feels.’ Kartini, *Complete Writings*, 146. Unless I indicate otherwise, I will be relying upon Geertz’s translation.
- 2 Kartini, *Letters*, 95.
- 3 ‘Although the struggle for women’s rights was an important one for Kartini, it was actually only a minor aspect of her more general concern for the rights of Indonesians as human beings against the twin enemies of paternalistic colonial exploitation and traditional Indonesian resistance to change.’ Hildred Geertz, 24.
- 4 Here, Kartini has already, in some sense, assumed the identity of a ‘criminal’. For the significance of this, see below.
- 5 Kartini, *Letters*, 31. Emphases added.
- 6 *Ibid*, 32.
- 7 *Ibid*, 41.
- 8 Letter to Stella Zeehandelaar, January 9, 1901. *Ibid*, 97.
- 9 See Conclusion.
- 10 In *Beauty is a Wound* (2002), Kurniawan beautifully manages to unite these two disparate threads: the vengeful ‘evil spirit’ that controls the action throughout the novel is the fruit of the spoliation of a native romance by a sexually predatory Dutch landlord.
- 11 See below.
- 12 Chandler, 991.
- 13 Rafter, 190.
- 14 Tony Hilfer, cited in Sherwin, 48.
- 15 Tony Hilfer, cited in Sherwin 52 fn. 49.
- 16 Chandler, 1016.
- 17 Tony Hilfer, cited in Sherwin 52 fn. 50. Italics in the original.
- 18 Tony Hilfer, cited in Sherwin, 48.
- 19 Krutnik, 39.
- 20 Or between First/Third World; see below.
- 21 Chandler, 992.
- 22 Krutnik, 25.
- 23 Mary Ann Doane, cited in Abbott, 42.
- 24 The cinematic tradition of Noir was Hollywood’s adaptation/translation of hard-boiled fiction that first began in the early 1940s. Abbott, Chapter Five, 125-54. ‘In many ways the Hollywood narrative film can be seen as an extension of a fictional tradition established by the popular novel...almost 20 percent of the *noir* thrillers produced between 1941 and 1948 [the ‘first wave’, or ‘tough’ thriller of Noir] were adaptations of “hard-boiled” novels and short stories.’ Krutnik, 33. As Paul Schrader has pointed out, ‘When the movies of the Forties turned to the American “tough” moral understrata, the “hard-boiled” school was waiting with pre-set conventions of heroes, minor characters, plots, dialogue and themes.’ Paul Schrader, cited in Krutnik, 33.
- 25 Wilson 2009 and Wilson 2012.
- 26 Virilio, *Unknown Quantity*, 87.
- 27 Der Derian, 10.
- 28 Armitage, 50.
- 29 Virilio, ‘Critical Space’, *passim*.
- 30 Klein, *passim*.
- 31 ‘By “shock”, we mean the ability to intimidate perhaps absolutely; to impose overwhelming fear, terror, vulnerability and the inevitability of destruction or defeat; and to create in the mind of the adversary impotence, panic, hopelessness, paralysis and the psychological incentives for capitulation. Generally, this would be achieved with great suddenness, rapidity and unexpectedness.’ Ullman and Wade, 13. Chile under Pinochet is a classic example of this phenomenon: ‘For the [Neo-Liberal] experiment to work, Pinochet had to strip [Neo-Keynsian] distortions away—more cuts, more privatization, more speed.’ Klein, 80.
- 32 ‘If all is movement all is at the same time accident and our existence as metabolic vehicle can be summed up as a series of collisions, of traumatisms, some taking on the quality of slow but perceptible caresses; but all this, according to the impulsions lent them, becomes mortal shocks and apotheoses of fire, but above all a *different mode of being*. Speed is a cause of death for which we’re not only responsible but of which we are also the creators and inventors.’ Virilio, *The Aesthetics of Disappearance*, 103. Emphases in the original.
- 33 Virilio and Lotringer, 95.
- 34 Virilio, *Lost Dimension*, 124.
- 35 Virilio, *Negative Horizon*, 176.
- 36 Cited in Coker, 76-77. Emphases added.

- 37 Joxe, 201.
- 38 Virilio, *Crepuscular Dawn*, 165.
- 39 Ibid, 89.
- 40 Ibid, 164.
- 41 Ibid.
- 42 Ibid, 166.
- 43 Spillane, 133.
- 44 Warshow, 39.
- 45 See Crooks 175-9 for discussion of the Turner Thesis.
- 46 Ibid, 195.
- 47 Ibid, 176.
- 48 Ibid.
- 49 Ibid, 179.
- 50 Ibid, 178.
- 51 Ibid.
- 52 Slotkin, 97. For Noir fiction as a form of Fascism, see Ogden, *passim*.
- 53 Richard Wright, *Native Son*, cited in Crooks, 175.
- 54 Ann Petry, *The Street*, cited in Crooks, 179-80.
- 55 Fanon, *passim*.
- 56 Himes, *Blind Man with a Pistol*, Preface.
- 57 Himes, *Cotton Comes to Harlem*, 43-4.
- 58 Cited in Abbott, 160.
- 59 Cited in Abbott, 161.
- 60 Himes, *Blind Man with a Pistol*, 15.
- 61 Cited in Abbott, 166.
- 62 Cited in Abbott, 167. See also Stephen Soitos: Himes ‘reserves his most vitriolic attacks for black gay men...fall[ing] back on the traditional hardboiled convention of a masculine viewpoint that links hatred of homosexuality and sadistic mistreatment of beautiful women and presents it as status quo, acceptable behaviour.’ Cited in Abbott, 179.
- 63 See Fred Pfeil on Raymond Chandler/Philip Marlowe: ‘It is not enough...to speak here of the latent and violently repressed homosexual desire charging [Chandler’s] writing, or even more generally of its homosociality. Rather, the fear that obsessively links women, blacks [and] overt homosexuals...within the same underworld through a complex chain of equivalences and affinities in Chandler’s work must be understood as the flip side of a desire to yield to and to be penetrated by the infernally disordering dissolving force they serve and represent, to suffer and enjoy the violation of precisely that hard-shell masculinity which must be defended at all costs.’ Pfeil, 117.
- 64 Fanon, *The Wretched of the Earth*, 38.
- 65 hooks, 98.
- 66 Abbott, 165.
- 67 Ibid, 161
- 68 Ibid, 161
- 69 Ibid, 163.
- 70 Ibid, 158.
- 71 Ibid, 177.
- 72 Ibid, 176.
- 73 Abbott, 24.
- 74 Ibid, 26.
- 75 Ibid, 27.
- 76 Ibid, 69.
- 77 Porter, 186.
- 78 Cain, 114-15.
- 79 Butler, vii. Compare Butler with Annette Kuhn on the seminal Chandler novel and film, *The Big Sleep*: “‘The trouble, the disturbance, at the heart of *The Big Sleep* is its symptomatic articulation of the threat posed to the law of patriarchy by the feminine.” Cited in Abbott, 151.
- 80 Janey Place, cited in Abbott, 138.

- 81 Janey Place, cited in Abbott, 133
- 82 Abbott, 89.
- 83 Nadel, 31. According to Kennan, “‘if we can maintain that situation [of containment], keeping cool nerves, and maintaining it consistently, not in a provocative way but in a polite way, a calm way, preserving at all times with our own strength and firmness...I am personally quite convinced that they will not be able to withstand us...that sooner or later the logic [of American hegemony] will penetrate their government.’” Cited in Nadel, 31.
- 84 Abbott, 88-9.
- 85 Nadel, 29.
- 86 Andrew Ross, cited in Abbott, 164.
- 87 Cited in Abbott, 164 and 165.
- 88 Elizabeth Cowie, cited in Abbott, 138.
- 89 Sylvia Harvey, cited in Abbott, 145.
- 90 Abbott, 88.
- 91 Kurniawan. 242.
- 92 Ibid, 139.
- 93 Ibid, 224.
- 94 Ibid, 205.
- 95 Ibid, 206.
- 96 Utami, 32.
- 97 Ibid, 101.
- 98 Ibid, 110-44.
- 99 Ibid, 180.
- 100 Ibid, 23.
- 101 Kurniawan, 1-2.
- 102 Kartini, *Letters*, 34 and 97.

Motherhood and Family Planning in a Globalizing World: Perspectives from Bangladesh

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Abstract:

The paper examines the politics of motherhood through the family planning programs in two locales in Bangladesh. It argues that the entire discourse centers round patriarchal ideas and values in which women have little voice. The paper looks into the ideas of nationhood, the development, security, environment, poverty discourses, which weave patriarchy into sinews and fabric of the entire political and social milieu. Women's movements and organizations however are making interventions by reshaping discourses and challenging the biological model of motherhood through positing the social political model of motherhood.

Keywords: Family planning, biological motherhood, political motherhood.

Introduction

Let us begin by clarifying what this paper is not about. It is not about the history and evolution of family planning nor does it provide an analysis or critique of the various international conferences and national policies in Bangladesh on family planning or reproductive health. This paper problematizes the issue of family planning in general and in Bangladesh in particular by looking into the location of women within the national paradigm and links it to the global. It raises the ethical questions about the centrality of women in the entire process, yet at the same time, their marginality at the point of debates where they emerge as sub themes, and also their lack of control. While making this contention we are acutely aware of the non-homogeneity of women across boundaries, castes, class, religion and culture. It is however beyond the scope of this paper to make a detailed study of the variations; our focus point is Bangladesh based on a survey of 100 women. The surveys were carried out between March and April 2013, in two slum areas in Nakhalpara of Dhaka

city where 50 women were surveyed through a questionnaire, unstructured and detailed interviews were also taken in few instances. A similar method was followed for the 50 women belonging to the Tripura community, in Tekhpara, Cox's Bazar during the same period. This study therefore does not claim to be representative of the Bangladesh scenario; but it does provide a broad picture of the women being marginal in general, which issues in contention amply demonstrate through surveys that can to a degree be argued to represent marginalized communities. The paper is divided into six sections. Each section seeks to locate the woman within a wider paradigm. It is submitted here that these paradigms are the major frameworks within which the debates around the woman's question and family planning have been evolving.

Nationalism and Women

Women and their bodies have long been the points of debates and contests within the realm of politics, starting with the birth of a nation, a

nationalist movement, development, ecology, and policy making both at the national and international planes; yet, paradoxically enough, despite this centrality the woman is missing. This contradiction is however not surprising given the evolution and location of woman within the discourse of nationalism, which set the parameters and also defined the roles that a woman is expected to play. This however is not to suggest that such a discourse was a rupture from the tradition rather to a large extent it built its bases and drew legitimacy from a tradition, which premised itself on patriarchal values. The nationalist movements being a reaction to the 'other', the 'excluded' often sought inclusions and group solidarity among other things by re-inventing a mythical past and cultural ethos, which by its very essence was based on exclusions. In other words, the exclusions were not a consequence of nationalism rather they were its defining principles. However, in its attempts to *re-locate* and *reform* the tradition to meet the challenges of colonial modernist intrusions the nationalists re-interpreted tradition but interestingly and again paradoxically enough through these re-formulations the nationalist movements *inclusion* of women in fact led to their *exclusion*. The exclusion was necessary to uphold a patriarchal tradition that marginalized women, but at the same time got it sanctified through religious and cultural practices. Women belonged to the *ghor* (home) and men to *bahir* (world). Colonialism was a major venture that was attacking as well undermining both. It was totalizing in its impact.

The Nationalist in India according to Partha Chatterjee conceded defeat at the *bahir* but the *ghor* remained unconquered. According to him to establish the above contention, relevant dichotomies and analogues were drawn. The material and spiritual dichotomy corresponding to that animal / god like qualities which correspond to masculine / feminine virtues were established. Chatterjee aptly alluded to this dichotomy as following: The new norm for organizing family life and determining the right conducts for women in the conditions of the modern world could now be deduced with ease. Adjustments would have to be made in the external world of material activity and men would bear the brunt of this task. To that extent the family was itself entangled in wider social task. To the extent that family was itself entangled in wider social relations,

it too could not be insulated from the influence of changes in the outside world... but the crucial requirements was to retain the inner spirituality of indigenous social life. The home was the principle site of expressing the quality of the national culture and women must take the main responsibility of protecting and nurturing this quality. No matter what the changes in the external conditions of life for women they must not lose their essential spiritual (i.e.) feminine virtues... (Italics mine).

One can also extend this argument and draw the analogy of the tension between primordial and civic that Clifford Geertz refers to in his conceptualization of nation. For our context that primordial represents the woman and the civic the man. Primordila represents the self; this self based on purity of blood brings women to the core of the nation. Women are the bearer of the nation, the sacrosanct mother. This sacrosanct however needs protection, which the male within this discourse supposedly provides.

Motherhood therefore is a matter of much religious and cultural religiosity, inextricably linked in popular culture with the notion that a woman does not attain her fullness unless she becomes a mother. Giving birth is not enough; it is the birth of a male child that is more important. Also though motherhood is much revered and is equated with divinity, yet as our discussion below will show the woman despite being the core is actually peripheralised. The discussion will limit itself to colonial Bengal.

The politics of motherhood

In colonial Bengal, the policies of the British Raj on health matters, with few exceptions, was most explicit only on the issue of childbirth. Much has been debated about the reforms that the British Raj had undertaken in its colonial enterprise; and quite aptly regarding the women issues arguments suggest it a part of the ideological gamut the raj had set up to justify its rule, and the reforms done to bring women to the core rather demonstrated the inferiority or crudeness of the indigenous or the local. A good instance of this field of medical health was the establishment of the lady Dufferin Fund. It was intended to set up maternity hospitals and baby clinics. The opposition was also very political; the Dufferin women doctors were compared with women missionaries who supposedly had come to

India to destroy the local culture. These hospitals were regarded as an insult to the Indian system of birthing. Acceptance of women to attend these clinics was regarded as an insult to the Indian system of birthing. Refusal by women to attend these clinics was regarded as allegiance and regard for the local culture. Local newspapers were very vocal in their resistance and criticisms of these institutions, more often than not pleas and appeals were made to local traditions and purity of women. In many instances resistance was put up by the local patriarchy to such reforms and even when a section of the male population supported the reforms much of it was done from the perspectives of religion and culture rather than the women. As pointed out earlier medical science was no exception to this. The study of medicine by women was not encouraged. It was regarded as men's domain, as Engels puts it:

Gender ideology rendered the study of medicine an unsuitable occupation for a woman. Western medicine and science - complete with dissections during anatomy lectures - was incompatible with Hindu teachings. Women were more vulnerable than men because their purity was more important and more violable. Moreover, young women were not used to social contact with men from outside their families. They found it difficult to sit with unrelated young men listening to medical lectures that dealt with the functions of the human body¹

The case of Muslim women understandably was no different if not worse since the institution of purdah (veil) was stricter. It is also well known that having lost their power to the British they were reluctant and were late comers to the education system introduced by the British. As discussed earlier within the nationalist equation women being the essence of purity and spirituality were the bearers of culture as well, no matter how oppressive it was for women. The rituals of birthing illustrate this point well. Motherhood, at least the first pregnancy or additional pregnancies in expectation of a male child was eagerly awaited. The would be mother was pampered and looked after very well depending upon the economic circumstances of the family. It was common for a woman to travel to her parents' house for birthing so that she could be more relaxed and at ease. During the pregnancy different kinds of rituals were performed for the wellbeing of the mother and child. How much of the care was for the mother to be or for the child to be is however

a matter of debate. However, once the birthing has taken place the notions of purity and impurity comes into play. The blood loss following the birth is symbolic of being impure, though it is only a natural biological function of the body. This notion of impurity following child birth is common both among Muslims and Hindus. In the case of the former the woman is supposedly impure for forty days after which she takes a bath cleans off everything to regain her purity. It is posited here that through this dyad of purity and impurity a woman is turned into an object of manipulation and control; with her turning into an impure object once the birthing has taken place. The irony of the situation is that the same body was pure and much pampered and revered till she was bearing the child, so essential for the continuation of the family, the nation. In case of Hindu women childbirth took place in a special room, *aturghar* or *sutikagriha*. A vivid description of the place has been provided by the Census of India. It says:

The character of the room depends on the means and enlightenment of the family, but generally it is one of the worst rooms in the house, or a shed is erected outside the compound. Among the poorer classes, the woman's accommodation is wretched. A portion of one of the living rooms may be screened off, or she may have to use the verandah; some doctors' even state that cowshed or kitchen is occasionally used. As a rule, when a separate room is assigned, it is small, dark and ill ventilated.⁷

Often the windows were blocked off; this was done to keep the evil spirits from entering the house and the mother and child from catching cold. An argument can be made here in support of the local customs citing their well meaning intentions, but this begs the question why this had to be done in a manner so oppressive and suffocating to the women concerned. Several rituals were also observed following the childbirth, more festively in case of a male child. The notions and periods of purity and impurity indeed are critical from the perspectives of both, men's hegemony and control vis a vis women's marginality. Though the process of birthing has changed much but the control over women's body and their marginality continues in different forms. It may be mentioned here though birthing was considered to be a women's affair but in actuality it was never so. The notions of purity and impurity are testament to this. The establishment of the maternity

hospitals tied the local to the global and women's body in India became an issue of the colonial enterprise, an issue of contest and debate between the colonial power and the Indian nationalists, the woman being *re-presented* while actually not being *present*.

Politics of Development

Development is one of the most debated and contested terms. Questions like development for whom, for what, and also what kind of development and at what cost have long engrossed political and economic agendas. Following decolonization high hopes were placed on the primacy of the state's role in development; though there was an emerging counterargument in favor of free trade and private investment but there was no real challenge to the statist paradigm. By the end of the 1960s the trickle down critique emerged. It was argued that the approach had not only failed to reach the poor and raise living standards but also set in the process of expropriating resources to powerful forces both within and across boundaries. The dependency school critiqued the international economic order and argued for addressing poverty alleviation and basic needs. By the mid 1970s the focus shifted from economic growth per se to the entitlements and needs of the poor. The 1970s also saw the emergence of an international women's movement. Drawing upon other social movements it drew its agenda of gender equity demanding the recognition and visibility of women and their integration as equal partners into the engines of development. From practical gender needs one moved into the arena of strategic gender needs.⁸

Population, population control and integration of women's voices were an integral part of this movement. The linkage between poverty population and development is a long one. Two major points are critical here: a) rapid population growth is a drag on development, it is eating up the resources; b) womanhood is associated with motherhood, giving prominence to that the fatherhood is not, family planning programmes therefore made women their targets. Women more precisely the control of their fertility became the central agenda of population control. The entire equation is a problematic one. To begin with, woman alone by herself cannot get pregnant there is a man involved in the entire

process, yet it is the woman who is made to bear the primary burden. The equation of development with population growth without taking into account the asymmetries at the systemic and sub-systemic levels addresses the issue only partially. There is lack of contextualization of local socio-economic as well cultural factors. It is suggested here this is deliberate and politically motivated, for development policies, as has been observed earlier, have benefited the rich and the dominant at the cost of the poor. Globalization has only accelerated the process.

Major shifts in power relations have occurred at both the micro and macro levels. In the latter case, the developed world is setting the pace and conditions for changes, and more often than not at the expense of the developing states. As national economies are becoming globalized, one observes a growing polarization of wealth, compromises in the security of domestic populations, and threats to the sustainability of local resources.⁹ The gap between rich and poor countries has increased rapidly in recent years. The income difference between the 20 per cent of the world population that lives in the world's richest countries and the 20 per cent that lives in the poorest countries was in the order of 30:1 in 1960. By 1990 it was 60:1 and by 1997, 74:1. This trend will continue because the flow of capital, new technologies, skilled labor and information continues to favor the advanced industrialized world.¹⁰ Within countries globalization favors market-oriented sectors and completely bypasses those oriented towards subsistence production. Women being the most marginalized of the marginalized, arguably would be most affected. Yet the development planners continue to put the blame on population growth. It has been identified as a *national* problem of Bangladesh by the policy planners and population control has been made an integral component of national development.

This however is not surprising; Bangladesh has been tutored into this long before it emerged as an independent state. It was colonialism which introduced these ideas in this region. Malthus's views that densely populated areas would not benefit from rapid population growth, India and China according to him faced disastrous population problems. These ideas were internalized by the Raj and its local agents. Periodic famines in India especially in Bengal were attributed to the rapid population growth. Malthus

spent most of his life teaching economics and population theory to young members of the British raj who went out to rule India. The argument that population increases at a geometrical progression while economy has an arithmetic progression rate was accepted uncritically. The poverty famine equation has been contested by Amartya Sen who pointed out that it was not the lack of food that caused the famine rather the lack of buying capacity was responsible for the situation.¹² The uncritical acceptance of the Malthusian view however is understandable. As pointed out earlier Edward W. Said¹³ dealt with it elaborately and pointed out the totalizing impact of colonialism through its policies, vocabulary and language. Quite explicitly he has made the argument that only by inferiorizing the Orient, which itself was the creation of the colonial enterprise the Occident could be created and privileged. This colonization of the mind resulted in uncritical acceptance of the Malthusian thesis. The pre-independence Indian civil service was deeply imbued with the Malthusian idea. It carried itself to Pakistan and then Bangladesh. It is therefore no surprise then that in 1952 independent India created the world's first national family planning programme. Pakistan started it in 1956.

Ayub Khan, the Martial Law Administrator and later the President of Pakistan stressed upon the need for population control upon the administrators in the then East Pakistan. It was seen as a race between food production and population growth. Population control became *the* policy of the country. In 1959 the US AID and the Ford Foundation, set up administrative colleges in Pakistan to train the recruits to the civil service of Pakistan. There among other things they were taught the need to control population growth. Then the East Bengalis among them were sent for further rural development training to the Academy of Rural Development in Comilla in East Pakistan. There they were given further training in family planning and in 1961 the Academy developed a family planning component of its development projects.¹⁴ Such planning and control indeed were necessary from the perspectives of the Pakistani rulers since West Pakistan was being developed at the cost of resource transfers from the East to the West, which ultimately led to the separation of East Pakistan from West Pakistan and the emergence of the later as independent

Bangladesh.

The state administration being tutored in the population development discourse continued with the old paradigm. However, the population program went through various twists and turns largely due to external and to some extent pressures from within the women's movements. Population policies in Bangladesh have mostly been undertaken in the five-year plans of Government of Bangladesh (GOB). Only in 1976 and then in 2004, GOB has given separate population policies. In all the plans it has consistently been asserted that, high rate of population growth had been hindering socio-economic development of the country. In 1976 rapid population growth was identified as the number one problem of the country. In the first five-year plan (1973-78), it was stated that, no *civilized* measure would be too drastic to keep the population of the country on the smaller side of fifteen crores (i.e. 150 million).¹⁵ What constitutes the *civilized* measures however remains unexplained. While identifying population growth as the number one problem the policy planners conveniently forgot to factor in the high level of political and economic corruption at all levels mostly concentrating at the top, which is consuming the major resources of the state. It can be argued that since higher population growth is prevalent among the poor sectors of society so by identifying population growth as the number one problem (to the exclusion of the high level of corruption among the rich) the poor are being targeted. Development strategies thereby whatever nomenclature it adopts in actuality remain a pro-rich agenda. The state however has pursued its population program most aggressively. The Information, Education and Motivation unit of Directorate of Family Planning have had information courses for leaders at all levels, including imams (religious leaders). The latter have been paid lecture fees for making positive statements about family planning at the Friday prayers. The electronic media has been allocating time for population programmes since 1975.¹⁶ These policies have had their impact and Bangladesh despite controversies on the issue have been hailed among the international population funding agencies as a success case. The argument that population decline is necessary for development has also seeped through. Our sample survey revealed that 80 per cent of the women interviewees believed that family planning was

necessary for development. Development for them indeed entailed education and job opportunities for their children. In a widening polarizing situation worsened by the forces of globalization, to what extent their dreams of development would be realized remains a matter of debate and conjectures.

Women's movements both within and at the international levels have been trying to hammer at the ethical and women's rights dimensions of the population policies. It had been making interventions at the international population conferences. The most crucial point of these interventions was to emphasize upon the integration of women in all development agendas and their right to exercise family planning. Such interventions went through various phases and led to challenges to the population planners. The challenges were made on both ethical and gender grounds. This opened up new vistas of debates and also provided feminist interpretations of the issues at hand. In case of development versus population, the 1974 World Population Conference at Bucharest was a milestone. A number of third world and socialist countries pointed out that the straight equation of population poverty and development is a way of distracting attention from the underlying asymmetries. It was pointed out that the spread of economic and social progress in Europe at the beginning of the twentieth century had brought fertility decline. It declared that development was the best contraceptive, thereby putting the equation other way round. It further declared that population programmes were constituent elements of socio-economic development policies rather than substitutes for them.¹⁷ Following it in the Tehran Conference the right of women to complete integration in the development process was affirmed. The Mexico Conference in 1984 made important innovations in the area of population and gender. It segregated the role and status of women from those dealing with reproduction and family, and urged the governments to integrate women into all phases of development. The Cairo Conference on Population and Development held in 1994 further broadened these discussions¹⁸ (the discussions below will explicate this). The Women's movements explicitly made the point that,

Inequitable development models and strategies constitute the underlying basis of growing poverty and marginalization of women ... there is a need to

design social development policies starting from the concerns and priorities of women. These include: redistribution of resources, restoration of basic services eroded by macro-economic policies.

The critical elements in these interventions were attempts to turn women into subjects rather than objects of development and to shift the ends-means debate. Women were not to be the means of developments through the control of their body by population and development planners; rather development was to be a means for population control. This was to be brought about by broadening the notion of development and integrating women in all phases of development activities.

Politics of environment

By the late 1980s and early 90s environment made its entry into the population debate. The Earth summit brought new awakenings about the world environmental health. The population versus ecology debate had however started earlier. The environmentalists projected the rapid population growth as a threat to the earth's carrying capacity in terms of its available resources. It was argued that rapid population growth in the South along with poverty is resulting in the fast depletion of world's natural resources through over exploitation of forest, land and water resources. A major consequence of this is also the extinction of many rare species of plants and animals.²⁰ Such an argument, as will be discussed later, however begs the point that environment is a global issue not local, it also (dis) misses the cultural practices often intertwined with religion of environment conservation by local indigenous communities.

The national and international bodies picked up and adopted the arguments and environment became an integral part of the population control strategy. The Bangladesh government's population control policy, 2004 declared that, in Bangladesh the land man ratio is 834 per sq. kilometer, which is one of the highest in the world. This high density is resulting in loss of forest and arable land, pollution of air and water, malnutrition and lack of living habitat. To face this calamity population growth has been identified as a *curse that* needs to be tackled firmly to attain sustainable development for the survival of Bangladesh in the comity of nations. In order to implement these specific measures have been

suggested. These are mostly targeted towards the poor and people living in rural areas, for instance -among others it includes control of the growth of slums, social afforestation programmes, and discouragement of the rural urban migration. The policy also recognizes the need for relaxation of rules for international migration for qualified people and suggests that measures ought to be taken for granting dual citizenship. The word *control* has an inbuilt hegemony; arguably it is the weak and the marginalized that can be controlled. It is therefore no surprise that the environment nexus like the developmentalist is targeting the poor and the marginalized to the exclusion of the various intervening factors including globalization, which largely are responsible for environmental degradation.

Feminists have quite rightly picked this up and called for integrated and holistic interventions. The connectivity between consumption patterns and environment has been stressed. The need and greed divide has also been underlined. It has been argued that the poor people squeeze the earth's resources to meet their basic needs whereas the rich does it out of greed.² It has been argued that overpopulation is not only a matter of population density, but the areas' carrying capacities in terms of available resources, per capita consumption and pollution and other resource degradations must also be factored in. Within this formula the developed world is also overpopulated. The US uses approximately a quarter of the world's fossil fuel and is the largest contributor of carbon dioxide, undesirable combustion products and chlorofluorocarbons - chemicals that contribute to greenhouse warming and attack the earth's ozone shield.²³ It has also been stated that one billion people in the industrialized countries consume 80 per cent of the world's resources. Yet it is the poor and the wretched of the earth that are being controlled and blamed.

Little attention is being paid to the harm caused to the environment by the activities of the multinational companies' development agendas sponsored by the donors. Globalization, as argued earlier, is a pro-dominant force. The underlying notion of the current emphasis of the poverty reduction strategy paper (PRSP), which constitutes the core of the Bangladesh state's development agenda equates growth with poverty reduction. Yet analyses of GDP growth over a decade period indicate three major

areas of growth: agriculture, industries and services. Increasingly the industrial and service sector is growing by passing the agriculture. This is indicative not only of the growth of the urban sector but also the growing gap between the rich and the poor. Under such a scenario the rural urban migration is bound to increase so is the growth of slums, the areas of control identified by the population control policy. The case is not different in the instance of social afforestation also identified as an area in the population control policy. In Bangladesh the Asian Development Bank (ADB) proposed to undertake a major forestry program in the Chittagong Hill Tracts (CHT) region. The program known as Social Forestry Rules, 2000 has been rejected by the Committee for the Protection of Forest and Land Rights in the CHT, and other local NGOs of the CHT as "anti-people, anti-environment and anti-national interest." In order to put the Social forestry (SF) program into effect the government passed the Forest Amendment Act 2000. The following provisions of the Act have important implications for the forest people:

The prohibition of "land cultivation" and "attempted land cultivation" in RF and PF backed by penal sanctions; The penalization of activities that may cause damage to SF programs; The appointment of special magistrates to try Forest-Act related offences; The vesting of further powers on Forest Development Officers (FDOs) to take possession of seized forest produce and take custody of alleged offenders;

The vesting of authority on FDOs to prohibit certain activities within privately owned lands or other lands for the protection of publicly owned forests or for the protection of "property" and the environment; The strengthening of indemnity of government officials (essentially FDOs) from criminal prosecution action against them in performing their responsibilities under the Forest Act and ancillary (and delegated) legislation.²⁴

The Hill people allege that vesting of extra authority to the FDOs and their indemnity from criminal prosecution will increase the harassment of the local population at the hands of government officials. The drafts of the 2000 legislation were prepared by expatriate consultants who have little or no knowledge or understanding of the dysfunctional problems within the existing forest administration set-up and the needs and wants of indigenous and forest dependent peoples. There was no local

participation in the drafting of the legislation, though the ADB emphasizes on the participatory approach. The taking over of land as RF has marginalized the Hill people in various ways. These include displacement and the traumas associated with it. Loss of rights over their livelihood. 'Criminalization' is a new emerging factor in this context. With the loss of lands and rights to the resources traditionally enjoyed by the Hill people and more importantly with no alternative means of eking a living available to them, the latter are forced to enter the RF 'illegally' as 'thieves'. This is especially true of the Kheyang community in the CHT. Consequently, a shift is taking place in the traditional gender roles of their society. Their women now go to the market places, traditionally a men's domain, as the latter stay at home for fear of being caught.¹

The activities of the MNCs also cause much damage to environment plantations. Commercial or industrial plantations are cases in point. The objective of these plantations is not natural forest cover but short rotation crops that would yield revenue. The plantations of teak, rubber and pulpwood, thus is of particular concern. Besides exotic species such as acacia, eucalyptus and pine have now replaced much of the native forests in the CHT. Tobacco is also now grown as a major cash crop. The curing of raw tobacco consumes an enormous amount of fuel wood and results in the destruction of forests in and around the tobacco growing areas. The above have led to a complete extinction of a variety of indigenous plants and animal species and in severe erosions in these plantations. It is also important to note that while the state has barred the local population traditionally using the forest resources from these areas; huge tracts of forestlands have been given to Bengalis and MNCs as plantation plots.

The above instances only illustrate the argument made earlier about the poor and subordinate being controlled and dominated while the rich and dominant remain unaccounted and uncontrolled. For the sake of equity and social justice the carrying capacity thesis must factor in the asymmetries and inequities.

Politics of Security

Within the nationalist discourse states have sought to control population in various ways. It has been perceived as a source of power, a curse and threat to development and environment, and

also states have gone for selective breeding. In each instance either the national security or human security paradigm has been invoked. The linkage between the local and the global is indeed there. The above according to the

'This was stated by a Kheyang person in a seminar on "land and Forest Rights of the Indigenous Peoples of Bangladesh" organized by SEHD, Taungya, Committee for the Protection of the Forest and Land Rights of the Hill People in Dhaka on 9.6.2001.

traditional statist argument, is a pre-requisite of national power. In Japan, for instance, the government offered a reward of USD 38 a month for each child under school age and twice as much for a third child. Media campaign exhorted people to have more children. The state argued that population growth was required for the welfare of the nation.²⁵ The conflict between Israel and Palestine illustrated this point well. Shimon Peres, in his capacity as Israel's Foreign Minister regarded politics as a matter of demography not geography. In regions infested with insurgency states have sought to bring demographic shift through ethnic cleansing and also population settlements. In CHT Bangladesh where an insurgency was waged for over two decades, both the strategies were employed and by the mid 1980s 400,000 Bengalis were settled through state settlement programmes in order to bring about a demographic shift as a counter insurgency strategy.²⁶ In CHT the local people allege that family planning programmes target the ethnic communities to bring down their population. Indeed, a demographic shift has taken place and the Hill people are minorities in many areas in the region. Today Bengalis constitute 49 per cent of the total population of the CHT.

States have also gone for selective breeding in accordance with the eugenicists. In Nazi Germany 'pure Aryans' were made to breed through various state incentives while forced sterilization was carried out for the weak. Singapore pursues this policy most aggressively. The highly educated women are expected as part of their patriotic duty to produce children who would be genetically superior while poor uneducated mothers were given cash award to be sterilized. Akhter argues that the South is seen by the North in a similar light.²⁸

Bangladesh indeed is seen to be a classic illustration of the Malthusian discourse. Its

population control policy, 2004 explicitly states that couples having one child would be given preferential treatment in different aspects of society. Population growth of the 'lower breed' is also perceived as a threat to the stability and status quo of the rich and the privileged. A declassified report of the US government, which was later adopted as a National Security Policy in 1975 identified thirteen key countries, Bangladesh among them for vigorous measures of population control. Its major concern was the radicalization of the developing world. It stated that younger people in high fertility populations can more readily be persuaded to attack MNCs and other foreign influences. Dr R.T. Ravenholt, Director of US AID had demanded in 1977 that one quarter of fertile women around the world should be sterilized to meet the US objectives of population control and to maintain the normal functioning of the US commercial interests around the world.² One only needs to stretch the imagination and impute the post 9/11 scenario to the dynamics and politics of population control in the light of the above arguments.

Akhter also suggests that very strong fears persist in the North of the South laying a claim to the resources and consumption patterns of the North. She quotes Nafis Sadik, the Executive Director of UNFPA, according to Sadik, "One billion people in the industrialized world already consume 80 per cent of the world's resources. What happens if the other four billion decide to consume at the same rate."³⁰ The links between the security threats of the local and the global are evident. The North for that matter the privileged within the South is also alive to the security threats posed by the asymmetries at the systemic and sub-systemic levels. Depopulating or population control without addressing the issues of equity and justice therefore are only partial interventions. Unless a holistic and systemic approach is adopted the insecurities would continue to persist.

Politics of empowerment

As suggested earlier family planning has gone through major twists and turns. The interventions and critiques by rights groups and feminists resulted in various interpretations and incorporation of values within the program. Empowerment of women has entered the development and women's discourse

in a big way. Implicit in the term is the concept of power, which according to the realists constitutes of control and domination; while feminists see it as collective sharing. Power constitutes of both, tangible and intangible factors. Control over land, resources, decision making, availability of options are all elements of power. In other words, empowerment requires the creation of institutions as well ideologies that create an *enabling* environment for women. This however is not to suggest that women are totally disempowered and lack agencies; rather each society and culture has its own notions and traditions of women's empowerment. In Bangladesh the indigenous women enjoy more freedom and mobility than Bengali women; but at the same time they do not enjoy rights of land inheritance, which Bengali Muslim women do, though it is half of the share of men. In other words, marginality of women is there though the degree and levels vary. Besides, within an asymmetrical system with patriarchy being the dominant ideology, both at the systemic and sub-systemic levels it is also questionable how far the notion of empowerment can be implemented.

Equity and social justice are essential to the realization of empowerment. It has been a major contention of this paper that while civil society movements have been emphasizing upon these values and have been successful to a large extent in exposing the inequities and contradictions of the system; yet the system remains a highly unequal one. Globalization has empowered women through the channels of communications it has opened, the rights groups indeed have made crucial interventions; but at the same time polarizations have widened the gap between the rich and poor. In other words, though the ideologies of equity are being pronounced loudly the world is becoming more unequal. Religious and nationalist militancy are also on the rise. The rise of the above it can be argued is a defense against globalization, which is regarded as a homogenizing and hegemonic force,³¹ on the other hand globalization also facilitates these forces. Women are the major victims of militancy in whatever form it may be. Bangladesh is signatory to all major human and women's rights documents, including the Convention on the Elimination of all forms of Violence against Women (CEDAW). Yet Bangladesh is in the third position as regards women repression in the world, according to the UN Human

Development Report. In 2005 between January to September 4,444 incidents of violence against women took place, this exceeded all previous records. According to a report of the Bangladesh Mohila Parishad (Bangladesh Women's Association), between 1997-2003 20,134 incidents of violence against women had taken place.³² The increase in violence against women along with the growing religious militancy and terrorism is indeed alarming.

Yet resistance to the above is also very forceful. In the context of family planning the right of women over her body, the right to choose and the responsibility of men in this regard has been emphasized time and again through various conventions and national policies. CEDAW adopted by the UN General Assembly in 1979 affirmed the equal rights of men and women to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights. This has been reiterated in all the major conferences on population. Strong emphasis has been placed to the centrality of women's empowerment in the entire process. On the basis of these debates and arguments fertility control has been taken out of the rubric of family planning and the concept of reproductive health has been instituted. Accordingly, the GOB has stressed on the need for multisectoral interventions, such as, raising age at marriage, women's education, employment and income generation to sustainable livelihoods, gender equity, to interventions in nutrition intake, environment management have been envisaged as part of the population control policy. Based on our survey, however this paper submits that in the case of the marginalized women, who arguably are in need of being empowered, empowerment remains an illusive agenda. The paper takes the following as empowerment indices: understanding family planning, decision making, informed choice, well-being. It needs to be emphasized that each of the above is interlinked.

Understanding Family Planning

The interviewee women in the Nakahalpara slums were aged between 15-45. Most of them were illiterate. The age group suggests one of the failures of the GOB in family planning. The legal age for marriage in case of girls is 18 and for boys is 21. The women's conception of family planning was limited

to taking of pills, i.e., Maya Bori, the most popular pill. It also implied having two children or keeping the size of the family small. The above reveals the lack of awareness on the part of the respondents about reproductive health and its underlying connotations.

The 50 Tripura women who were interviewed in Tekhpara in Cox's Bazar also belonged to the age category of 15-45. Their conception of family planning did not vary much from the Bengali women. For them also family planning implied keeping the family small. However, there was greater awareness about the state being a factor in this equation since many of them observed that since they were poor the government wants them to have small families. Greater awareness of various methods of birth control was also observed among them. They talked of pills, safe periods, herbal methods and injections. Three major factors can be attributed to this awareness: a) many among them had school level education; b) being minorities they are more conscious and sensitive to state interventions; c) women in ethnic communities enjoy more freedom of mobility than Bengali women. The second factor is indeed important from the perspective of nationalism, state and the location of minorities, but our respondents did not refer to any coercion on the part of state agencies regarding family planning operations among them. The point to be noted here is the greater sensitivity of minorities to the state apparatus vis a vis members of the majority community.

In an attempt to get a comprehensive idea of family planning men's perception of family planning was also taken into account. A few (numbering around ten) of the spouses were interviewed. Men's attitude, both Bengali and Tripura, towards family planning was in general positive and often supportive. They often bought the pills for their wives. This however is not to suggest that they shared equal burden and responsibility regarding family planning. It was commonly observed that family planning was a woman's affair. The general feeling was that since women get pregnant so it is their responsibility to stop it. Some men even observed that it is a private matter that needs to be dealt by women. Men refused to use condoms on the ground that it was uncomfortable and denied them full satisfaction. It was also observed that in general they had no objections to their wives taking pills,

but they reacted sharply and negatively when the taking of contraceptives resulted in complications like frequent spotting and prolonged menstruation among the women. At that point they often forced their wives to discontinue contraception. In other words, the entire responsibility of the family rested upon the women. They were at the receiving end. It is significant to note the similarity between men's perceptions and the mainstream perception about family planning, which regards it to be a women's affair. Family planning it had been observed earlier is gendered, it is the women's body which is targeted and remains at the receiving end.

Decision Making

It was observed among the interviewees in the Bengali community that there was a growing trend towards joint decision-making regarding the adoption of family planning. In joint families the process was complex, often the mother in law or elder female members of the family intervened. The newly wed bride, it was found had little or no says in this regard. However, it is important to note that the term joint is an illusive one in this context. It has been observed earlier that men did not want to use any contraceptive method and regarded it as a women's affair. The decision was taken jointly but the women had to take the responsibility of using the contraceptive. In other words, women did not have control over decision-making. During discussions with the women it was revealed that many women opted for family planning to maintain peace and harmony in the house. Abject poverty was also cited as a major factor. It is understandable as argued earlier home is the domain of women, so the burden of maintaining peace and harmony in it also rests with women. At this point one indeed needs to ponder if the women had any option other than adopting family planning. The concept of equity indeed remains far from realized within such a public-private divide, which again is a construct of the patriarchal ideology.

Table1 : Family planning decision-making process in Bengali Community

Bengali Community	
Joint decision	85%
Women decided alone	10%
Decision undertaken by others (Relatives, neighbors)	5%

Joint decision-making was found to be the dominant mode among the Tripura community as well. However, in their case, as the use of contraceptive method below will reveal, women are much more empowered than Bengali women and the joint decision making process is real rather than illusive. This only reiterates the point made earlier that empowerment needs to be contextualized within the cultural specificities of a community.

Table 2 : Family planning decision making process in Tripura community

Tripura Community	
Joint decision making	85%
Decisions undertaken by women alone	18%
Decision undertaken by others	2%

Informed Choice: Pill is the most popular method among the Bengali interviewees. The reasons for preferring pill to other methods were given as following:

- Pill is easily available. Community based field workers supply pill free of cost.
- It is least expensive.
- It is the most popular method and has a great deal of acceptability.
- It is easier to take pill than taking injections.

The respondents pointed out that family planning field workers do not give them sufficient advice about family planning that is why they do not feel confident about trying other methods. They were also not aware about the suitability of the other methods. Since pill is supplied free of cost and is advocated most by the field workers so there is a general belief that it is the most effective and acceptable method of family planning. In other words, it is the supply side determining the demand. The demand has been created by the family planning body itself through its supply and motivation strategy. In the absence of availability of information about the various methods one cannot posit the preference for pills to be based on informed choice. Some male respondents claimed that the field worker always provides information to their wives so they have very limited idea about male methods. At the same time, they said that male method options

are very limited compared to female methods. The field worker through home visits made contacts with couples. But it is the woman who was focused upon and encouraged to have small families. The discussion below would further reveal that most of the women suffer from side effects and what is more critical over here was their ignorance about the side effects prior to the adoption of the family planning method. Their complains about the family planning workers have been noted earlier. The field visitors' targeting of women demonstrates the gap and contradiction between policy and practice. Despite having explicit state policies on equal responsibility between men and women regarding family planning the state agents target women. The following graph is illustrative of this.

Table 3: Contraceptive methods used by married Bengali women aged 15-45 years

Traditional	4%
Condoms	1%
Pill	75%
Injection	20%

Among the Tripura women, however the situation was different. They mostly opted for safe period method. They preferred this because there was greater awareness about the long-term effects and side effects of using medicalized means. Women pointed out that safe period was the best option since it did not make women vulnerable, while pills and injections have side effects. Literacy of women and the continuity of traditional cultural practices among ethnic communities may be deduced as contributory factors for this awareness.

Table 4: Contraceptive methods used by Tripura married women aged 15-45 years

Safe period method	65%
Condoms	10%
Pill	15%
Injection	10%

In a situation where women have little knowledge about different contraceptive methods and also little option other than adopting family planning for the sheer survival of their families, the notion of informed choice is indeed a chimera.

Well Being

World Health Organization's (WHO) definition of health is a "state of complete physical, mental and social well being".³³ In the context of developing countries health then is a Utopia for majority of its population. The women's situation is even worse given the structure within which they have to operate. For the purposes of this paper our attempts to investigate into the health of women taking contraceptive methods revealed that their state of health is far from what may be termed as healthy or a state of well being. The most common complains were excessive menstrual bleeding, irregular menstruation and lower abdominal pain. Vomiting, dizziness headache, enlarged and tender breasts, fluid retention and weight gain were also mentioned as common problems with certain methods. They complained that when side effects are experienced no follow up support service is provided to them. This affects their daily chores and they fail to take care of their families, which results in chaos and violence in the family. Thus the adoption of family planning measures instead of providing physical, mental and social well being causes anxiety for them.

To substantiate the allegations of the slum dwellers the office of "Surzer Hashi chinitta Paribarik shastha Clinic", Nakhhalpara, Dhaka was visited. The field visitors denied the allegations and instead alleged that the slum women were not serious and did not come for check ups. They also pointed out that when women experience serious ailments as a consequence of taking contraceptive they advice them to give it up and ask the men to use condoms, which is mostly refused by them. The women centric approach was further revealed through this visit. There was no male family planning worker in the clinic to advise men. More importantly men are approached only when women fail to continue with the contraception.

The following are some of the instances of side effects:

Reduced menstrual cycle: Rehana Begum is a housewife; she has been married for 15 years. She has three daughters and one son, now she has started taking pills. Two months after taking pills she noticed an unusual decrease in the duration of her menstrual cycle. It was normal for her to have bleeding for four days, now the bleeding is reduced

to two days only. It caused her considerable anxiety because she heard this might lead to weight gain, which not only hampers one's working capability but also results in various diseases.

Heavy bleeding: Jasna is a housewife; she has been married for four years. She has four daughters. Now she has started using injection. She experienced heavy bleeding after using the injection for two months. She never had so much bleeding before. Then she switched over to taking pills (fevicon), which also made her weak. Now she can hardly attend to her household chores.

Giddiness and weakness: Ratna Begum is a housewife. She has been married for seven years. She has three daughters. She has been using pills for two years but now she wants to give it up due to nausea. It is often accompanied by headache and she has become very weak. She asked the family visitor for help but no follow up support was provided to her.

These side effects can influence women to discontinue contraceptive methods. This puts them in the risk of becoming pregnant unless they switch to some other method, but the options made available to them are few and men are most reluctant to cooperate. Women thus continue to suffer despite much rhetoric about the success of fertility control in Bangladesh. Indeed, fertility control has been attained through the control of women and her body.

Empowerment, it may be argued from the above discussion is an illusive concept. It needs contextualization and there may be different degrees of being empowered, as the case of our Bengali respondents it would be wrong to suggest that they are completely disempowered lacking any agency. The realization that they need to maintain peace and harmony of the home for the sake of their children and family itself empowers them with power, the power to maintain the family. The argument that in the process her *self* is marginalized is also debatable, not a single respondent alluded to this, therefore one might suggest, as women are nonhomogeneous, the category of empowerment

is also a fluid one. Nonetheless the targeting of women and their bodies is a strong instance of patriarchal values and despite much rhetoric about reproductive health, the narrow focus on family planning and women remain. The case of the Tripura women demonstrated that women were much more empowered in terms of decision making, but less empowered in terms of the tangible attributes of power.

Conclusion

The study attempted to locate women within the family planning orbit of the global and the local. The interlink age between the two has been a major argument of the paper, which it has tried to show by factoring in the twists and turns and the debates that occurred in the population discourse. Throughout the study our emphasis, as argued earlier, has been to focus on the politics of the discourse. The patriarchal ideology and its institutions of hegemony have been the pace setters, though interventions by the rights groups and feminists have been largely successful in making important breakthroughs and establishing at least in principle the ideals of equity, social justice and well being. Distinctions are being made between the ideas of being a biological mother and politically and socially constructed notions of motherhood. The shift from the narrow focus on fertility control to reproductive health in family planning marks a qualitative shift in terms of gender parity. States have come to accept these as targets or objectives to be attained. The Millennium Development Goals (MDG) of the UN has reiterated these as objectives to be attained by states by 2015. Though the odds are enormous, but the goals have been set. This study through its problematization of the issues and the field survey has attempted to make a critique of the population discourse as it evolves within a national and international/global milieu, the major objective was to demonstrate the hegemony of the milieu and sieve out women's voices fighting this hegemony across boundaries at various levels, be it a slum in Dhaka city or a *para* (cluster of houses) in Cox's Bazar.

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Children Suckling from the Water, Stones and Bamboo: the Women of Ratu Jaya Care for the Ciliwung River

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Abstract

This paper examines the relationship between women and nature in the village of Ratu Jaya Depok along the Ciliwung river. Ecofeminism framework suggesting oppression of nature as connected to the oppression of women is used. The Ciliwung river was a main water source for Dutch Batavia during the colonial era. It can no longer be used in this capacity due to bamboo felling, illegal logging and illegal housing upstream. Yet, Ratu Jaya's women are still dependent on the Ciliwung river. Domestic work is completed using water from the Ciliwung, and not only that, the Ciliwung is a place to educate their children regarding the stones and bamboo. The water there is relatively clean. The women care for the river and rely on it for their children to survive climate change.

Keywords: Ciliwung water, women, ecofeminism.

Introduction

"The earth and the womb as bodies run on a cosmological timeline. Just as the flow of earth's life-giving waters follows the lunar rhythm, so too follow the tides of a woman's womb. No culture has failed to notice these connections or the related feats of an elemental power that the female can grow both sexes from her very flesh and transform food into milk for them, and that the earth cyclically produces vast bounty and intricate dynamics of the biosphere that allow life. Cultural responses to the physical connections between nature and the female range from respect and honor to fear, resentment, and denigration. Whatever the response, it is elaborately constructed over time and plays a primal, informing role in the evolution of a society's worldview. The central insight of ecofeminism is that a historical, symbolic, and political relationship exists between the denigration of nature and the female in Western cultures."

(Spretnak, 1993)

Ecology was traditionally concerned with the study of plants and animals and as such was only considered a branch of biology. However, humans are living creatures that interact with the environment too, we influence our environment and we in turn are shaped by it. As with other living creatures, we form an ecological system or ecosystem with our environment which consists of biotic and abiotic components. The biotic environment is made up of plants, animals and other people. The abiotic environment includes earth, water, air and light. Apart from our interaction with animals and plants, whether we realise it or not, we also interact with our abiotic environment. In order to protect the ecosystem we must protect the reciprocal relationship between the environment and us. Environmental issues such as natural disasters, climate change and poverty are the result of disharmony in our relationship with the environment. Dewi Candraningrum (2014) writes:

The fundamental understanding on nature is that nature can communicate with human beings, that it can develop a discourse with human beings, provided that human beings can place themselves in an equal relationship with nature. A democratic conversation between human beings and nature will greatly help human beings to develop a new discourse against the episteme that has been cruel to nature. Human beings' authentic experiences with nature can assist human beings in making consideration, policies, and findings that are sensitive to the voices of nature. Human beings therefore get rid of their self-centered state and unite themselves with nature in an organic relationship to avoid hierarchy and exploitation or cruel relationship. (2014:16)

Humans that have long lived close with nature have a holistic view of the world. They feel there is a functional relationship between themselves and the biophysical system. An example of this can be seen in the understanding of the Sundanese from West Java regarding their position in the ecosystem. They believe that humans are a part in, and of a larger entity, where these principles become the life force.

In Javanese mysticism, everything that exists is unique in the world. The tradition of *petungan*, the complex calculations using the elements of days of the week, market days, people's names, the dragons that guard the daily and yearly points of the compass, as well as the gods, demonstrate their unity with the ecosystem. This holistic approach shows why humans should live together with nature.

Women and Water

Water is an integral part of our environment. It is not only the amount which is important, but also the temperature, pH level, and clarity of the water. Ensuring a positive relationship with water is an effort to protect the continuation of life. In ancient times, the people of Mesopotamia successfully developed a sophisticated irrigation system. They redirected the water of the Euphrat and Tigris rivers to irrigate thousands of hectares of farming land. While this technique resulted in progress on one hand, it also caused destruction. In the dry country, the water that was been used for irrigation evaporated quickly raising the salt level in the earth in a process known as salinization. This destroyed the fertility of the land (Soemarwoto, 1978). As technology develops, we are no longer living with nature. It always happens in the same way, what

begins as a mutual symbiotic relationship becomes a parasitic symbiotic relationship where nature is always oppressed. We are the parasite and the water, earth and air are the hosts.

Water is the source of life for all living creatures, including us, and both water and women have been considered a source of life by civilisations across the ages. However, issues of gender and water have never been resolved despite their importance and connectedness. This raises an important ethical issue. Women suffer far greater than men as a result of water scarcity and pollution in developing countries. Women and water are dominated in the same way men dominate women and humans dominate nature. The *World Health Organisation* (WHO) has shown that women's health and welfare influence directly their children and family's health as well as community development. The poor health of one generation of women predicts the problem carried over to next generations.

Vandana Shiva in her book *Water Wars* explains that there needs to be a movement leading the fight against pollution from high-technology industry. Shiva proposes an environmental bill of rights, which includes the right to clean industry; safety from exposure to danger; for prevention; knowledge; participation; protection and enforcement; compensation; and for cleanliness. All of these rights are basic elements of water democracy, where the right to clean water is protected for all citizens. There are nine principles which underlie water democracy 1) *water is nature's gift*, 2) *water is essential to life*, 3) *life is interconnected through water*, 4) *water must be free for sustenance needs*, 5) *water is limited and exhaustible if used nonsustainably*, 6) *water must be conserved*, 7) *water is a commons*, 8) *no one holds a right to destroy* 9) *water cannot be substituted*. These nine principles emphasize that water is a gift.

We receive water freely from nature. We owe it to nature to use this gift in accordance with our sustenance needs, to keep it clean and in adequate quantity. Diversions that create arid or waterlogged regions violate the principles of ecological democracy. (Shiva, 2002)

Water is nature's gift. We receive water freely from nature. We owe it to nature to use this gift responsibly, to keep it clean and accessible to everyone. Exploitation which creates dry or flooded areas violates the principles of democratic ecology.

Life is connected through water. Water connects all creatures and parts of the planet through the water cycle. We all have a responsibility to ensure that our actions do not endanger other people and species. No one has to the right to overuse, misuse, waste, or pollute the water system.

The Source and Tears of the Ciliwung

The Ciliwung river passes through the Regency of Bogor and the cities of Bogor, Depok and Jakarta. The main sources of the Ciliwung river are Mount Gede and Mount Pangrango. There are 62 officially recorded tributaries which flow into the Ciliwung. These seasonal tributaries and annual rivers of the Ciliwung spring in the Mount Gede-Pangrango range. There are hundreds of even smaller streams which look more like small open drains that flow through the tea plantations which stretch across the higher ranges of the mountains. As the streams flow downhill they join, forming larger tributaries eventually ending in the Ciliwung, the Mother River. The largest and longest of the tributaries is the Ciesek river. Further downstream, the number of tributaries flowing into the Ciliwung river reduces.

In ancient times, the Ciliwung was revered and protected as the main source of water. However, it has suffered damage and serious pollution as result of man's actions to its life giver, its mother. Up until the mid-19th century, the Ciliwung was used for drinking water by the Dutch in Betawi. The water was stored in reservoirs originally built near *Benteng Jakarta* in the city's north before being relocated to *Medan Glodok*. Water flowed into the reservoir through wooden pipes from a height of about 10 feet (Abeyasekere, 1989). The water from the Ciliwung was drunk without any purification. However, this caused health problems for the Dutch living in Betawi. The river water brought disease as a result of forest clearing and the use of land for settlement. The water was safe to drink when the forest was still virgin with no inhabitants. The oppression of the Ciliwung resulted in the river's ecological role shifting. The river that used to be a source of water and life had now become a source for tears, bringing floods and other disasters.

The focus of this paper are the women of Ratu Jaya, who have long lived alongside the river. In Ratu Jaya, there are three small neighborhoods where people's lives are closely linked with this

ancient river. Around 200 villagers live in these three neighborhoods and many of them use the Ciliwung in their daily lives. They use the water from the river to do their household chores. The closeness of the women with the Ciliwung is a beautiful face in the stone mirror of the Ciliwung. After living with the river since birth Ibu Uum is grateful. This is what Vandana Shiva calls the "Gift of God".

"Every Sunday there are so many people bathing in the river, it's like a recreation park, the kids are happy. If I'm bored at home, I'll go and sit in some shade by the river and watch the children playing in the water and the bamboo trees. Even though my house is close to the Ciliwung, I've never thrown rubbish in it. Alhamdulillah, the Ciliwung means so much to me, it's a source of life. When it's the dry season, like now, mine and the other villagers' wells are dry. We all come to the Ciliwung to get water."
(Uum, 54 years old)

Superstitions and myths about the river do not interfere with the women's interaction with the Ciliwung. These women continue their activities without any fear. For them, the Ciliwung is like a breastfeeding mother, protecting and giving life with its water, stones and bamboo.

"Well, there are lots of superstitious stories told, but we've never been afraid. Usually it's newcomers who are scared. There are tales of the Ciliwung kuntilanak, female spirits who died giving childbirth and a mythical white crocodile. We like that there are many bamboo thickets here because it's not hot and doesn't stink of motorbike exhaust." (Uum, 54 years old)

The bamboo roots help to stop erosion and prevent the danger of floods. Unsurprisingly, there are several species of bamboo that grow along the river highlighting the importance of the preservation of the area. The roots can also help to manage mercury from hazardous waste. The plants' root fibers filter the waste from the water. Additionally, the roots can be used to contain the water, making it useful in the supply of water.

"I've been here for 30 years. Every day I bathe and do my laundry in the river. My house is quite far from the river, so when it was dry I had to carry water up to the house. Now, me and my husband both have a well and there is a lot of water. The well is near the Ciliwung river, we dug near the banks of the river and the people here in Ratu Jaya call it their spring. People come here every morning to take water from this well to cook." (Zubaidah, 50 years old)

"Ever since I have lived here, I have always bathed in the river with my children. My husband works and bathes using the water from the well. The kids love going to the river." (Yuliani, 30 years old)

The Ciliwung is a silent witness to the ebbs and flows to the lives of those who shelter along its banks. The hustle and bustle of the capital city makes the women appreciate and love the nature here.

"My children really like swimming in the river, I never worry even though there are many large rocks. The children have never been swept away by the river, we are used to interacting with the river. We keep it clean so it is friendly to us. We've also never had floods here, when there is a heavy downpour the water coming from Bogor is muddy because of erosion. Once the rain stops it clears back up again. (Ida, 40 years old)

"I have 4 children and I bathe them all every day in the river. I just use the water from the well for cooking. I like living near the river, because when it's dry the villagers whose houses are far away all come to the river to do their washing and cleaning. In the 10 years that we've lived here, alhamdulillah, we've always been healthy." (Nita, 38 years old)

The women of Ratu Jaya: breastfeeding from the water, stones and bamboo of the Ciliwung

Life is as part of co-evolution with nature, a symbiotic relationship enhanced by the reflections and creativity of the ecological guardians. This is the role of the women of Ratu Jaya. Local efforts to reduce the exploitation of natural resources have begun to take place, from government policies to religious rules. For example, holistic religious teachings about the exploitation of nature by humans have led to the designation of areas as sacred in order to protect them.

There is one part of the river that is still very clean. Every time I go there, I like to put flowers or incense there so lots of people don't go there. I know that the more people who come here, the more rubbish there will be. For example, Mount Semeru, it's so beautiful, and even though there are regulations that you must take your rubbish with you, it's like an ocean of rubbish. (Hidayat, 37 years)

The statements of the women of Ratu Jaya above speak a deep understanding of the river as something that is alive, living and loving. It is influenced by both positive and negative interactions

in its ecosystem. The experience of the destruction of the Ciliwung cannot be erased from the pages of history. The treatment of the Ciliwung has been tragic beyond measure, a cast-aside source of water, a forgotten ecosystem, a womb that has been raped by global capitalism. It is at this moment, that I see the thousand faces of the Ciliwung.

The River: a Place for Water, Children and Women to Rest

The Ciliwung river is now one of the causes of flash flooding in Jakarta, it is often called the sea of rubbish. Ciliwung is insulted because of man's actions. The Ciliwung is a fight between rubbish and water. Those who live in the hills around Bogor have built houses and villas causing erosion to happen rapidly, muddying the water. The villagers that live upstream in Bogor have an endless supply of fresh water, but people living in Jakarta see nothing left in the river. As a metropolitan city, it is easy to drill deep beneath the earth for the water needed to give life to the hotels, apartments, malls and offices. So the question remains, what about those who do not live at the source or the end of the Ciliwung?

Depok is about half way along the Ciliwung. It is far from the source of the river and people there also experience the effects of the pollution from the capital city. The supply of water underground does not always meet their needs. The economy does not turn as fast as in Jakarta. Life there is in a grey area. However, the river that courses through Depok is a blessing for the women of Ratu Jaya. The roots of the Bamboo that still grow along the river provide an ecological function for the environment. Because of the bamboo, the water of the Ciliwung can still be used for household needs.

I've lived on the banks of the Ciliwung since I was born, 54 years. I bathe, go to the toilet, wash my clothes and dishes here. Now, I have one more activity, bathing my grandchildren. The water is still fine for our daily needs. I do my washing in the Ciliwung every two days, in the morning usually. Some of the other women do their washing in the afternoon while they bathe their children. I've never got any skin disease the whole time I've bathed here, the water here is still clean and can be used for wudhu (Uum, 54 years old).

"I'm a local, since I was young I've lived here. In the Ciliwung, we usually bathe, wash our dishes and clothes. Our reproductive health, up until now, is fine, no one has ever gotten cancer. The most

common ailments that we experience are tired and tight muscles and colds because we're too long in the water. When we do our laundry here, of course our clothes get wet too so we bathe here at the same time. The river is very important for us. The children love playing here every afternoon. I don't have a yard or a field where the children can play. So, we don't want the river to be dirty and disappear. The Ciliwung river is our friend" (Mama Dira, 51 years old)

"Me and my children wash in the river wrapped in a cloth usually used for carrying the children, the villagers here are used to bathe like that. The river water here is still clean, there are still many bamboo trees and large rocks. There has never been a flood here like in Jakarta. I like living here, there is the river when you're tired and want to relax. During this dry season, there has been no water aid from the local government. Despite that, we still have the river, so we can face a long dry season". (Nita, 38 years old)

In developing countries, the life of women is closely connected with water. Their household duties are exhausting; almost half of their time is spent doing labour like collecting water. Women are the primary users of water: cooking, cleaning, family hygiene, and sanitation. Despite the understanding of women regarding nature and the availability of water, children's ability to access nature and their experience as managers of the sources of water for their families, this knowledge is often scorned or simply ignored by policy makers and engineers, who are usually men. As Baden writes:

Women are the main users of water: for cooking, washing, family hygiene and sanitation. In these countries, in the same manner as boys enjoy easier access to education than girls, men are traditionally given greater access to technology, training and engineering than women. Despite women's better understanding of natural variations of water availability acquired through countless generations managing domestic water sources, this knowledge is still scorned or simply ignored by policy-makers and engineers who are still usually men (Baden, 1993).

Work that involves water is primarily completed by women. When the sources of water are far away from their homes, and the wells have begun to dry, the women must walk there and carry the buckets of water back to their homes. This sometimes can lead to fatigue and leaves the women susceptible to illness. Bu Ida, one of the villagers of Ratu Jaya who interacts with the river daily, explains:

I've lived here for 13 years after marrying my husband. I used to live in Jakarta. I was surprised when I moved here, having to live with the river. But, as time has gone on, I've become used to doing laundry in the river. My house is quite far from the river, I have to walk around 100 metres. I do the laundry by myself every two days because my husband works and the children have school. I usually take a sack full of clothes when I do the washing, so when I finish it's heavier because the clothes are wet. To get back to the house I have to climb up a steep slope. Everyone who does the washing here is a woman, the men who come to the Ciliwung only do so to fish, and it's only a handful of them. The other women and I do the laundry on the large rocks, around 2 hours every day. We never get any skin diseases, because the water here is always flowing, and there are a lot of rocks. Once I finish the laundry, that evening my feet tingle like they have pins and needles and my arthritis plays up because I've been in the water for a long time (Ida, 40 years old)

Natural femininity that is described here does not refer to female gender characteristics that are constructed as meek and gentle. Knowledge and experience of nature is an experience and difficult endeavor. The reality that the heavy flows of the river cannot be negotiated with. Reproductive health and physical survival is the main daily struggle for the women of Ratu Jaya, as Ida experiences with her leg pains after washing the laundry. Rodda explains:

Women's water-related tasks at home are numerous. When water sources are far from their homes, unclean, or in short supplies, women are the first to suffer from the resulting fatigue and disease that inevitably affect both themselves and their families. When children or other family members are sick on account of water-borne or waterrelated diseases which are preventable and which were widely eradicated from the developed countries during the past century, women must care for those who are ill, thus having less time to care for the other family members, to support their children's schooling, to work in the field and do other activities (Rodda, 1991).

The other women consider the Ciliwung as a long-term investment for the continuation of life. Through the education efforts of the Ciliwung Depok Joint Secretariat, they are beginning to realise that their poor waste management will harm the Ciliwung (again).

The Ciliwung is a place for children and families to relax and play. I normally bring my child here

when I wash. Little kids normally like playing with water. After I finish doing the washing, I wash my child too. I hang out the clothes that have been washed to dry in front of my home. I brush my teeth with water from the river too. I've done this for 15 years. We always remind each other not to throw rubbish into the river, because if we do, the rubbish gets caught in the rocks and ruins the beauty of the river. I want my children to have somewhere to play (Eni, 45 years old)

The children prefer to go the river than to the swimming pool. At the pool it's hot and so crowded. I've lived here for 16 years, and like the other women, I wash and bathe here too. Thank god, I've never gotten any skin diseases. There are a lot of mosquitoes though, but they are from the fields, because the river here is always flowing, so there's no dengue fever mosquito larva. Our household waste is collected every month, we pay 15 000 rupiah. Our environment doesn't smell, it's still clean and fresh.

(Muhlihah, 39 years old)

Rivers are not only the wrestling of water, fish, rocks and bamboo. Rivers have immeasurable experience, the water always flows, even though no one takes notice, she always provides as much milk as possible. Ina Hunga (2014) explains that the destruction of water is destruction of the domestic space of women.

Conclusion: Women's Knowledge and Sustainable Development

In the Beijing Declaration from the Fourth World Conference on Women, 1995, equitable social development that recognizes empowering the poor, particularly women living in poverty, to utilize

environmental resources sustainably is a necessary foundation for sustainable development (UN, 1995).

Since then, the fundamental role of women as environmental actors has been increasingly recognized. Women often play a leadership role in the promotion of environmental ethics, reducing the use of natural resources to minimise waste and excess consumption. Women, particularly indigenous women, have specialized knowledge about the relationship between ecology and the management of fragile ecosystems. Future developments that do not involve women will not be successful in the long-term. However, there still has much to be achieved to involve them in the decision making, highlighting the importance of providing women with same access to education." (UN, 1995)

Current economic systems, both capitalist and socialist, are based on the delusion that material progress without limits can be achieved by advancing industrialization, without any consideration of the capital cost to the earth, and without any care of pollution, waste disposal or conservation. This current way of thinking must be abandoned in place of a cooperative economy, based on community, a solid state, and a future that acknowledges all living creatures depend on the integrity of the biosphere and local ecosystems. The current system has no fundamental power, and is cultural not biological. There must be a transition from the industrial era to the ecological era in which sexism, patriarchy, racism, ethnocentrism, class hierarchy and castes, are replaced with ecofeminism, a balance between humans and nature and egalitarianism.

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Women's Leaderships in Indonesia: Current Discussion, Barriers, and Existing Stigma

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Abstract

Indonesian women's leadership in the public domain is not well promoted and sustained. This research examined women's perspectives on female leaderships in Indonesia, barriers to women's leadership and qualities of an ideal female leader. Qualitative interviews, focus group discussions and informal dialogues were conducted with 30 female community members, university students, lecturers, professionals, and women's activists. Respondents were between 19 and 60 years of age, literate, and were working or living in *Jabodetabek* – Jakarta, Bogor, Depok, Tangerang, Bekasi areas. Findings from this study suggest a narrow symbolic idealization of a heroic woman leader. Women's perspectives and inspiration were also explained by an embodiment of female-gendered qualities of being patience, sincere, being approachable and having a strong interest women-focused issues. In turn, this conceptualization may also poses barriers to a large scale of creative social change process in women's empowerment in public leadership. This research offers in-depth understanding of the complexity of current barriers to and consistent stigmatization against women's leaders in Indonesia.

Keywords: gender, women's leaderships, collective leadership, barriers.

Introduction

Following the latest presidential election of Mr Jokowi Widodo in 2014, nine female cabinet ministers were announced. Those ministers include the Minister of Maritime Affairs and Fisheries, Ms. Pudjiastuti; whom ever since had caused controversy in public and political arena (Politik. *kompasiana.com*, 2014; *Unilubis.com*. (2014). Ms Pudjiastuti, as often pictured as a single mother of multiple unsuccessful marriages, a smoker, a motorbike rider, has challenged the public's opinion about what a female leader should look like. Some saw her as an inappropriate choice for the ministry. However, many public leaders admitted that she was one of the most performed cabinet ministers. In the last decade, other well-known female public

leaders also include the former President Megawati Soekarnoputri and former ministries, of health, Nafsia Mboi; trade, Mari Pangestu; and Sri Mulyani, the current Managing Director and Chief Operating Officer of the World Bank (Siahaan, Tisnabudi, & Rachman, 2010; Suharmoko, 2010; *The Jakarta Post*, 2014).

Like many countries in the Southeast Asia region, Indonesian women's advancements in education, health, and economic development, are yet to be followed by women's empowerment in politics (Parawansa, 2005; *The World Economic Forum*, 2014; Tuminez, 2012). Leadership in Indonesia continues to be associated with men. Significant gender leadership gaps remain unchallenged. Barriers to women's participation in public leaderships varies across

different level of political system, organizational structures, and cultural norms (Shvedova, 2005). Those barriers include existing male-dominated values and norms; lack of supportive organizational structures for working women; and lack of organizational knowledge on gender differences in working priorities, patterns and decision making styles. For example, women tend to give priorities to social welfare, national security, children's and health issues (Andajani-Sutjahjo, Chirawatkul, & Saito, 2015; Setiawati, 2010; Shvedova, 2005). Other barriers may include the conventions of marriage, poverty and low education levels of women which limit women's participation in leadership (Evans, 2014; Parawansa, 2002, 2005; Shvedova, 2005; Suryakusuma, 1996). Within the convention of marriage, a married female parliamentary member is expected to fully commit to not only her party and constituency work, but also continue to play the roles of a good wife and dedicated mother (Shvedova, 2005).

Also, women are often excluded from a leadership position in infrastructure or technology industries. Women are often viewed as physically smaller and weaker than men and incapable of solving technical problems (Andajani-Sutjahjo et al., 2015); hence the majority of them are given only the administrative roles (Andajani-Sutjahjo et al., 2015; Ongsakul, Resurreccion, & Sajor, 2012; Zwarteven, 2008).

There is no shortage of highly educated women with great talents in Indonesia. More than half of university graduates are women and they are participating in the labor force (Utomo, 2015; *Women matter: An Asian perspective*). About 52% of women in Indonesia are working in services industry (52%), followed by agriculture (33%) and manufacturing or infrastructure industries (15%). Interestingly, educated young women in Indonesia today, continue to hold the belief that once they get married their career aspiration shall come second to their roles as a wife and mother. This way of thinking is often referred to the term *women's kodrat* (God's will) as a wife and a mother (Andajani-Sutjahjo, 2003; Djajadiningrat-Nieuwenhuis, 1992; Suryakusuma, 1996; Utomo, 2015)¹. A report from the World Bank (2014) shows that only 9% of top managers in private firms in Indonesia are women, compared to those 48% who work as unpaid family or domestic workers (48%).

There was an increase in the number of women's candidates participated in the last 2014 parliamentary elections (from 30% to 37%), totaling to 2467 women. Yet only 94 of them were elected in the 560-seat of the House of Representatives for the 2014-2017 period (Fardah, 2014). This is far from the targeted 30% seats for women, set at the 4th World Conference on Women in Beijing (United Nations Development Programme [UNDP], 2011). The Electoral Law 10/2008, article 55, stipulates that women's legislative candidate should compromise at least 30% of the total candidates. Yet there is no enforcement to guarantee the achievement of this ideal quota of women's legislators. Women's representation also varies across different parliamentary committees, with the lowest of 7% in Parliamentary of Defense, Human Rights and Regulations Commission (Komisi III). The highest women's representation of 43% is in the Parliamentary of Labor, Transmigration, Population, Health, and Food and Drugs Commission (Komisi IX). Only 23% of the members of the Parliamentary of Women's Empowerment and Child Protection Commission, are women. The majority of the members of the Indonesian National women's Commission are women (87%). No women's representation in the Indonesian Corruption Eradication Commissions, nor in the Judicial Commission. Only 3.5% of the members of the Indonesian Police Force are women. Women are underrepresented in the Indonesian judicial system. Only 11% of the members of the Attorney General's office; 29% of attorneys are women. Only 20% of judges in the Indonesian religious courts are women.

The predominance of male leaderships in the national government level continue to trickle down into the micro-politics of regional, local governments as well as other institutions and organizations. Less than 4% of village headmasters are women and only 9% of those top seniors at the national government level are women. (United Nations Development Programme [UNDP], 2011, 2013).

Literature acknowledges that women's empowerment in top leadership can be painstakingly slow and hindered by ever existing stigma, discrimination against women, and obstacles in social, political and cultural systems (Evans, 2014; Tuminez, 2012). Recent Transformational Leadership model however, stressed on empathetic and altruism

characteristics which lead to women's values and intrinsic characteristic (Evans, 2014; Goleman, 1995; Latu, Mast, Lammers, & Bombari, 2013). Therefore, women can play more significant roles in future of global leaderships with a better targeted approach, supportive social structure environment (Evans, 2014). For example, in France, women's leaders are given more flexible working arrangements. They can work from different power bases which in turn foster a better team cohesion and collaboration in working transnational setting (Evans, 2014; Tuminez, 2012). Women's peculiar personality traits; their abilities to multi-task and be empathetic, are favourably perceived in a transnational company globally.

Methods

Four focused group discussion were conducted with a total of 30 women, aged 20 – 60 years. Participants included university students and lecturers, housewives, professionals, labor-workers, and members of non-government women's organizations. Participants were recruited with the assistance from the Kalyanamitra Women's Organization and researchers from the University of Krida Wacana (UKRIDA), Jakarta. All focus group discussions were conducted between August and October 2014. Each group discussion took about 90 minutes. Group discussions were conducted either at the UKRIDA campus, a meeting room at the Kalyanamitra office, or a local café. Participants included 10 undergraduate students, 7 university lecturers, 7 women's activists, 4 factory workers and 2 housewives. 17 of them were married and 13 were single. All were literate and of middle income status. They had completed at least a high school education, with a few had some tertiary qualifications. All participants either lived or worked in Jabodetabek (Jakarta, Bogor, Depok, Tangerang, Bekasi) areas.

Group discussions were conducted using social dialogue techniques which aimed to facilitate shared knowledge, experiences and understanding of the topics being discussed. Topics ranged from participants' perceptions of an ideal and qualities of a female leader; barriers to women's leaderships in Indonesian context. Discussions were conducted in mix Bahasa Indonesia and Javanese dialect, audio-taped and transcribed, then translated into English. Thematic analysis was used to identify patterned meaning of the participants' transcriptions as

comprehensively and accurately as possible (Berg, 1998; Liamputtong & Douglas, 2005). The two co-authors (OH and YAS) worked together to bring fragments of ideas, identify patterns in the text and examine recurring or commonalities or differences presented in the text. This initial analysis then was discussed with the other co-author (SAS); a more experienced qualitative researcher for feedback and discussion. The final decision was made involving all of the co-authors.

Generally, the pre-existing idea of an ideal 'woman' leader was convoluted by women's social status, the provision of marriage, social norms and expectation of women within the conception of women's '*kodrat*' (God's will) as a wife and mother. Participants were also aware that their ideal expectation of a woman's leader could somehow be disadvantaging to women. Within the conception of a woman's *kodrat* and the provision of marriage, a woman's primary roles as a wife and a mother should come first before her public commitment. Consequently, women's leaders are then expected to continue negotiating and balancing their commitments between the binary domestic vs public domains.

A Woman's Kodrat (God's Will)

All participants maintained the importance of women's *kodrat*. An aspiring leader should follow her *kodrat* as a caring and nurturing mother. She is expected to be *halus* (gentle), *peduli* (caring), *pengertian* (empathic), *melayani* (giving service to others) and *mengayomi* (nurturing and protecting) her family. A failure to comply with her *kodrat*, will make her an 'incomplete' woman and it can affect the harmony in her family.

Here I give you an example of a woman who is keluar (out of) her kodrat. She is too busy for her children and her children become her nanny's kids. She leaves for work when her kids are still asleep. I think wouldn't it be good for the family to have breakfast together. Also what happens if the father are also very busy, and he gets home late, so whose children are they? (Ayunda, Focus group (G) 1).

Participants also explained that a woman who follows her *kodrat*, should be astute and observant. She should be able to adjust her behaviors accordingly within different social situations. As a wife, she ought to obey her husband. Any decision making should be made with the approval from her

husband. 'If a woman doesn't realize her position that she is someone's wife ... that she needs to serve her husband and when she fails, it would have severe consequences to her and her family.' (Elok, G3).

The Indonesian society places a high demand on women to follow her duties as a wife and mother, but gives women little authority: '*she has all the responsibility to manage and run the household*' (Elok, G3); yet still '*her decision of her life, her interest, her aspiration and of her family must be decided by the man, the husband, the leader in the family*' (Iffah, G4). A woman might be given a opportunity to give advice on family matters, yet it would be her husband who has the final say.

According to Bening (G1), '*women's devotion [to her family] will never cease*,' followed by Cempaka (G1) '*When I become a wife, my household will be my first priority*.' This view and the understanding of women's *kodrat* is likely to be taught across generations. A girl is taught to be a good wife, a loving mother and a dedicated home maker by her mother, grandmother and female relatives. Cempaka (G1) learned that: '*Women are the key of a successful family, why many families are failing? That's because the women are not motivated and wise*. Careers outside home or public participation hence should become secondary to her duties as a wife and a mother. Her merit will continue to be judged by how well she cooks for the family, cleans the house, serves her husband and nurtures her kids.

Ah ... yes as for a mother, even though she is already in her 70s, still she needs to wake up early in the morning [before everyone else], prepares breakfast for her husband, do the laundry, cooks and fulfills all the husband's needs. But her husband, at about the same age as her ... he would be retired and gave his pension money to her. He will be regarded as a hero, he doesn't need to do any [household] chores but sitting around doing nothing and gets all the credit. (Bening, G1)

As wife and a mother, a woman is expected to always look after others. As a girls, she learns to take care of her parents and younger siblings. As a wife, she looks after her husband, children, parents and in-laws. As a grandmother she looks after her grandchildren. She ought to be loyal to her husband and children, to uphold a high moral standard (Firdaus, 2010). Any failure to maintain harmonious relationships in marriage and family will be socially condemned and is often unforgiven by the society.

Consequently, a woman's achievements outside home are not yet to be praised unless she could balance between her domestic and public commitments. Talented and aspired women are firstly expected to accomplish her domestic commitment before moving to the public domain. Not surprisingly, participants who worked outside homes often felt being pulled between the never-ending hard-to-balance commitment for her family and work. Many believe that a success outside the homes should come hand in hand with being a good wife and mother; yet many also experience some frustration in their effort.

Women's facing the double burden

Some participants argued that it would be very difficult to succeed in both domestic and public domains, without experiencing frustration or conflict. In facing these competing priorities, women are often left unsupported; making them feel frustrated:

My husband's only principle is that I am are free to do anything outside (the house), but first I must not neglect my job as a wife and mother.' So he gave me the freedom, still on the other hand he also give me a set of responsibility I need to fulfill and cannot ignore. This often makes me feel frustrated and annoyed (Firza, G3, 560-563).

Women are often blamed for a marriage breakups and disharmony in the family. She can be the object of social gossips by her neighbors, friends, and relatives. These social condemnation and gossips are disheartening for women:

But not all the women like doing domestic chores. My friend, she is more 'bule' (westerner) type, working all day. We women must be careful because not all men like to be treated that way. This friend of mine, oh ... her husband was way too nice, and he always helps around the home. Even he sometimes cooks his own dinner after work, but it turns out he has been having an affair with another woman. (Elok, G3, 545-549).

Respondents admitted that balancing between the domestic vs public worlds had been very challenging. Some women might give up –the very likely it would be her public career. For many participants, to be successful in both domains, a woman needs to be a 'super woman'.

Being a super woman

The imaginable 'super woman' leader, according to Gandari (G3): *'... when she already can lead herself in the home, and also leads her subordinates in her workplace, then I will categorize her as a super woman.'* Participants gave a characters list of an 'ideal' women's leader. A woman's leader ought to be communicative, open to suggestion and able to develop partnership with others. She can motivate her subordinates, share her experiences, has a clear goal, and able to transfer her knowledge and expertise to the people she works with. She evaluates her subordinates but at the same time needs to be righteous, courageous, humble, firm, and down to earth. She ought to have the willingness to know her community well². She needs to be quick, discipline, timely, paying attention to details, and has *'enormous amount of energy to be spent as a leader'* (Iffah, G4). A woman's leader is also expected to be self-motivated, wise, confident, brave, decisive, smart, strong and able to survive any calamities faced at work. Most participants realized that it is very challenging for a woman to have a leadership position in a male-dominated public domain: *'she has to prove that she has the ability to lead or enhance her organization, she needs to show that she has more knowledge compare with men in a similar position.'* (Iffah, G4).

Those list of a 'super woman' leader, on the other hand, might also suggest women's struggle in balancing between her public and domestic commitments. Being entrapped in the patriarchal point of view which endorses women's *kodrat*, and the convention of marriage which limit women's roles as a wife and mother, is disadvantaging to women. Success in the public domain has relatively a clear measure. Success in the domestic domain however, is often never-ending, demanding, and with no clear measure.

I'm so flabbergasted, what kind of women would she be?! When she wants to work outside the home ... she still needs to be responsible in managing her house, takes care of her children, it still a woman's responsibilities. I don't think that kind of duty can be passed on to men [sigh], [they] say' let it be the woman's duties. (Elok, G3)

Some respondents were adamant that a successful woman's leader ought to follow her *kodrat*. *'she is ought to mengayomi (Ind: nurturing and protecting) and educate her staff, just like a*

mother.' (Delima, G1). She is expected to be gentle and compassionate, patient, helpful, serving and caring towards her subordinates; able to encourage, support and help her staff reaching their full potential. The 'motherly' quality of a female leader and the conception of *mengayomi* includes altruistic qualities of selflessness.

Women had the nature to care towards her subordinate, she is having that gentle side. So with this kind of leadership (care for and serve others) which is on trend right now, it resonates well with women. (Hayu, G3)

Indonesian women's struggle to success in public domain will continue to be challenged by the society itself, as long as the binary distinction between women's domestic and public domains remains uncontested. Respondents' expectations, perceptions of attributes of a good female leader maintained the message that 'the public space is not for women' and it is not within a woman's nature. A woman's leader generally is often closely watched, easily scrutinized, trapped in a 'super woman' illusion:

So you can imagine how difficult the challenges are for a woman to be a leader, whatever judgements are made against her would be around her inferiority to men... so it is hard for a woman who attempt to bring a new spirit in her leadership. For example, if she is very meticulous and demanding for perfection, her workmates would think she was a single or lacking of 'love'. If she were single, the gossip would be around her not having a date or a boyfriend, which make her more emotional at work. (Iffah, G4)

A woman's leader ought to make extra efforts to sustain her leaderships. First, she needs to fulfill all of the requirements set up by her society, then she needs to work on stigmas which can be belittling her leadership role.

When a woman wants to be in a leadership position, it will be a double fight for her, she must double her efforts too. She must fight those stigmas, work hard to prove her ability, and also her ability to lead or advance her organization. (Iffah, G4)

Domesticated leadership & Convention of Marriage

Existing patriarchal view applies double standard of leaderships for men and women. Men's success in public domain, has never been judged according

to his roles as a husband or a father. Men seem to be living in two unrelated domestic and public domains. Men's accomplishment in public is highly valued disregard of his accomplishment in the domestic domain. The illusion of 'a super woman' leader suggests that women's public roles are being highly domesticated. The concept of a super woman would easily make women fall into the trap of feeling exploited and overburdened. Women might pressure themselves to be a perfect housewife, mother and successful public figure. They cannot afford the option of failing in either domestic or public domain.

As an executive of the state, the government does not have the right to interfere with 'domestic' affairs of its people. The legalization of Marriage Law -which regulates the role of husband and wife in the family - would be interpreted as what husband and wife ought to do. Although there is no penalized to the people who violate it, but it would minimized the dialogue between husband-wife and father-mother because the standard have already been settled upon by the state.

Marriage Law is about of what the role of wife and the role of husband are. As the head of family, house wife. What are the duties of housewife is written in that law. ... (thus) the burden (from the law) need to be scrapped and not standardized in that law (Marriage Law), because it (the duties) more like roles in household that can be compromised and negotiated by both sides, not supposedly regulated by the law. (Kemala, G4).

Indonesian Marriage Law No 1/1974 (UU No. 1/1974) stipulates that 'the right and position of the wife are equal to the right and position of the husbands.' However, the status and authority of a woman in the family is limited as 'the husband is the head of the family while the wife is the mother of the household.' Further, a married woman, according to the Indonesian Civil Code (1847), articles 106, 108, 110, shall obey her husband, follow him and cannot have any legal ownership over joint of her property. She also needs the permission or written consent from her husband for making any legal action (Andajani-Sutjahjo, 2003; *Indonesia: Civil Code [Indonesia]*, 1847; Parawansa, 2002). These regulations hence become the standard on how the role of a woman in her family is defined and managed by the state.³ A husband is the leader and main decision maker in the family, often women

are at a disadvantage as 'they are not accustomed to make decisions about anything' (Iffah, G4), even if it is about her own matter. Jingga explained that women's commitment in public is often seen as 'only as an extra thing, a cry for self-existence, not being regarded in terms of what she earns, the autonomy she achieved or her other achievement.' (Jingga, G4).

Women's continuing struggle to be a leader in the public domain was explained by Kemala, a young educated female university student:

Once I was inclined to follow that pattern [male working pattern]... most of the members of the students' board are men and meetings are held in the evenings and could go after midnight. At that time, we female students were struggling to find a position of leadership and participate in the campus politics, we tried to go forward with our female leadership in our Students' Executive Board (BEM). The meeting would not last until 12pm or 1 am, but I could only join till 9 pm. (Kemala, G4)

A similar challenge was faced by women candidates in the parliament. Some participants explained that women had been used as 'a beautiful doll' or political 'tools' for 'the party to fulfill the 30% quota of women's candidates'. Later she would receive minimal or no internal support or be discouraged by other women or male constituents to pursuing an electorate membership:

The women would be without any further aid. Let alone financial aid, none of them get any assistance when (she) collides with an incumbent senior, they (the party) would likely siding with the senior, especially if the senior is a man. (Jingga, G4)

To stay in power, a woman need to adjust to the habitus⁴ of male-made world, domination and power. A woman's struggle to maintain and sustain her leadership role in public could become impossible, too hard of an effort, and risking women to social condemnation and scrutiny.

Visioning a collective leadership

Participants were well aware of the continuing structural and social barriers faced by women in public domain. Women might deliberately choose not to take a leadership role due to competing priorities of being a wife, a mother and a leader. Ascribed norms of women's leaderships were either too difficult, unrealistic. There has been a lack of support for women's participation in Public. In their

forward looking, participants offered insights and possible solutions to women's empowerment in public:

In my perspective, women's leadership is about how that leadership role can be fulfilled jointly. It is about how we lead together. History has shown that women were never considered as a leader, so the leadership form when she is appointed as a leader needs to be a new kind of leadership. (Kemala, G4)

Participants offered the conception of 'collective leadership' when the authority, patronage of a leader is being shared and distributed to the team members. The process of making decision and responsibilities, therefore include all of the team members. Working within women's strengths, this collective leadership relies a working culture which fosters negotiation, collaboration and networking. Others commented that this form of collective leadership would contest the myth of a 'super woman' leader. A few respondents expressed their dislike of being imposed toward the idealization of 'a super woman'.

An image of a woman with many hands or a woman who is able to perform multiple tasks at once imposes that super woman idealization. Actually, women do not want that kind of image. Not the super power, but gives her some space and give her a space to negotiate her needs, which she thinks can be shared, and what supports she needs from others, ... not a super mom. So the 'super women' image is misleading. It is just re-fostering the idealization of 'women with multiple hands,' which is not real (Kemala, G4, 686-691)

Women's struggles to balance commitment in the binary separated domestic vs public domains continue to persist and uncontested. Indonesian women's achievement in education and health is yet to be followed by their access to women's empowerment in politics (Parawansa, 2005). At the same time, the conception of a woman's leader as a 'super woman' has been largely convoluted by the characterization of male leaders. This study shows that women, due to some of them, the conception of women's *kodrat* and the convention of marriage, have been socialized to occupy mainly the domestic domain and to play a role as a wife and a mother. Women may have the talent and great interest to take a leadership role in the public domain, yet lacking access to social and institutional support, and time, energy due to her domestic commitments.

Findings from this study confirm (Evans, 2014); barriers to women's leaderships include women's commitment to family, stereotyping and preconceptions of women's roles and abilities. Women in this study offered to explain attributes of an ideal leader as a 'super woman.' Women's leaders would find it challenging to balance success in domestic and public domains within the hard-to-fulfil 'super woman' model.

In this study, women's ideation, conception, and understanding of women's leadership continues to be narrowly focused on the state defined roles of a woman as a wife and mother. Discourse on women's equal opportunities and empowerment for public leaderships is not well supported. The provisions of marriage, existing patriarchal values and domestication of women's roles place a strong barrier to any efforts to empower women in public leadership. The state gender ideology provides a very limited space for any discussion, programmes or policies to promote women's participation in public leaderships. Failure to address this gender-discriminative state ideology and the conception of women's roles within the 'woman's *kodrat*' will continue to put women at a disadvantage because there would be limited or no access to women's participation in public leaderships.

The conception of 'the super woman' may imply general belief that women are inferior to men in public leaderships. This may relate to the 'glass cliff' phenomenon (Ryan & Haslam, 2005) which acknowledges the existence of the double-standard leadership applied to women and that women's skills and capabilities are always 'second' to men's. This precarious context would make it even more difficult for women to succeed, when they are being judged using double standard and compared to their male peers. Some also viewed that often a woman would be brought into a top leadership ladder when her man counterpart had failed and the situation was irredeemable (Cuddy et al., 2015; Evans, 2014; Ryan & Haslam, 2005). With the advantage of men dominating in both global economic and political areas, not surprisingly male-stereotypes of a leader are mostly valued (Glick et al., 2004). These social and cultural construction of leadership traits associated with men rather than women, would easily make women feel uncomfortable and inferior (Cuddy et al., 2015; Koenig, Eagly, Mitchell, & Ristikari, 2011).

Literature on gender differences in leadership effectiveness is yet to be conclusive (Evans, 2014; Paustian-Underdahl, Walker, & Woehr, 2014; Ryan & Haslam, 2005). Further, men's and women's successful and effective leaderships are often judged by predominant stereotyping of masculine traits and men being a dominant public group. Cultural and social context of leadership continues to apply different rules, expectations, attributes to men and women (Paustian-Underdahl et al., 2014).

Participants' explanation of a good and effective woman's leaders which include women's leadership styles, attitudes and altruism, according (Barling, Slater, & Kelloway, 2000; Evans, 2014; Goleman, 1995) has been more relevant to current and global organisational requirements. Those women's attributes can be transformational than ever in the past than power and control. Evans and others also confirm that current international environment seeks for transformational leaders which characterized by supportive and empathetic leaderships styles, to a large extent favour to female attributes (Evans, 2014; Goleman, 1995; Latu et al., 2013)

Conclusion

Women's representation in top management leadership in developed countries have been very prominent in the past 30 years. Yet, the progress of women's leadership in the Asia Pacific region has been stall (United Nations Development Programme [UNDP], 2010). In Asia, many reported that many women opted out of their professions when transitioning from middle to senior management. This phenomenon is often referred as the 'leaking pipeline' phenomenon. For example in Japan, the drop of women from middle to senior management levels was as high as 70.24%, China (52.88%), Hong Kong (48.83%) and China (45.90%) (Tuminez, 2012).

Many agrees that ever existing social, cultural, political barriers, stigma, prejudices will continue to put barriers for women climbing top positions (Evans, 2014; Parawansa, 2002, 2005; Setiawati, 2010; Tuminez, 2012). The progress of women's empowerment in some regions, like the Asian Pacific, has been painstakingly slow; yet (Evans, 2014) was

optimistic, that the direction and expectation of global communities are changing and women are poised to play a much greater role in the future⁵.

The progress of women's leaderships largely depends on regional practices in women's empowerment and efforts to reduce structural barriers to women's leadership in top positions. Targeted systematic support is needed to help women to persevere in the public domain without giving up their roles as mothers and caregivers. This may include policies on maternity and paternity leaves, better access to childcare and elder care, and more gender-equal retirement and pension schemes (Tuminez, 2012). A serious reforms towards a more participatory and flexible bureaucracy which is highly focused on distinctive gender policies, is needed. Gender-sensitive policies need to address gender differences in leadership styles, values, norms and approach to social welfare issues and provide guidelines for the development of gender responsive capacity building programs for women's leadership across different sectors.

Women's interest in leaderships in politics, economic, health or education need to be addressed in both regional and community levels. Public and private institutions need to be more flexible and informal, and proactively removing barriers for women's leaderships. (Andajani-Sutjahjo et al., 2015). Strong domination of male bureaucrats in the public domain, could only lead to further stigmatization against a woman's leader. Therefore men should be the partners for women's leaderships and struggle, not their competitors. For example, discussions on the roles of women and women's *kodrat* which has been disadvantaging to women's participation in public space could potentially be a starting point of some collective reflection. In this study, all of the participants agree for the need to look into the context of collective leadership, which encourage partnerships, distribution of shared power (Parawansa, 2002), and collective efforts in strengthening women's voice, confidence, agency, as well as proactively creating opportunities and support for women into high leadership positions.

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(Endnotes)

- 1 This recent study included 1761 male and female students from 7 universities in Jakarta and 5 universities in Makasar. It examined the perceptions of young educated men and women toward gender roles in marriage (Utomo, 2015).
- 2 The term *blusukan* [Javanese: going down to observe and listen to the grassroots communities] was often used, as it echoes the recent exemplar of President Jokowi in his campaign.
- 3 Indonesia experienced a dark history of discrimination against women during the New Order government (1965-1998). In order to maintain national 'stability' the roles of women were control within its domestic arena and it was stipulated under the *Repelita* (the five-yearly development plan) (Suryakusuma, 1996). The roles of an *ibu* [mother] was primarily to the serve her husband, children and then the nation. A mother's commitment was determined by her duties to her family. It set the application of the double-standard measure on how men and women were being valued in public domain.
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- 5 This refers to the concept of glass staircase, reuniting different concepts of glass cliff, glass ceiling developed by previous researchers. The concept of glass staircase refers to the recognition and observed evidence that cultural and social obstacles to women's leadership do exist and women's empowerment in leadership can be painstakingly slow, yet changing in current international worlds poised women to play a far greater role in not so distance future (Evans, 2014)

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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.

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