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Politics of Pornography

A critical human rights approach to the pornography
legislation in Indonesia

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Abstract

The Indonesian law against pornography has caused controversy since 2006. This thesis aims to explore what norms and conceptions that can be found amongst politicians and influential actors promoting the Indonesian pornography law, in order to understand its significance. Six interviewees' understanding of the law and pornography is analysed from a theoretical platform inspired by discourse theory that provides understanding of the social. The analysis shows that the pornography law is enabled by certain norms of sexuality and gender, and built on conceptions of a perceived threat from the West directed at the Indonesian nation, embodied by women. The concept of pornography is open to interpretations and negotiations and escapes a fixed meaning, which groups tries to define in a struggle over political legitimacy.

Keywords: Pornography, Indonesia, law, women, sexuality, nation, interviews, discourse, human rights.

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1 Introduction

Pornography is political, because bodies are political. Whatever action we perform, whatever statement we make, we cannot separate us from the body, our location in the world. This do not mean that bodies are uncontroversial, indeed the exact opposite! Bodies are regulated by self-imposed sanctions, by societal rules and sometimes even by legal norms. This thesis focuses on one legal regulation of bodies: the Indonesian pornography law.

The Indonesian law against pornography has stirred up massive protests and has been filed for judicial review by human rights activists. The objections against it are so many and so well articulated, that I started to wonder on which grounds anyone actually could support the law. My curiosity led me to put on the human rights glasses and travel to Jakarta to find out. There I discussed the law with those who drafted it and with important advocates from Muslim organisations to understand the proponents of this law.

This thesis is the result of my exploration.

1.1 Purpose and Research Question

The main objective of this thesis is to, through interviewing key persons in the drafting process of the Indonesian pornography law, expose how law-making ultimately can be a matter of personal convictions and fears fertilised by social, cultural and religious preconceptions. This thesis also aims to illuminate the preconceptions behind the pornography law, in order to understand its significance. The hope is also to contribute to an academic discussion in the field of human rights, by acknowledging the Indonesian pornography law's potential danger to fundamental freedoms and rights for women.

Hence, the research question is following: What norms and conceptions can be found amongst politicians and influential actors promoting the Indonesian pornography law?

1.2 Delimitations and Material

This thesis is a product of a Minor Field Study conducted in Jakarta the spring of 2010. My empirical material encompasses the transcriptions of recorded interviews with politicians and representatives from influential socio-religious organisations that promote the law. In order to answer the research question, the exploration of central concepts is in focus to understand the

conceptions among the interviewees concerning the pornography law. This thesis is an attempt to understand those *for* the legislation, by using a critical method for analysing their arguments and statements.

Oppositional parties and organisations' views on the law are not the focus of this study, since enforcement of the legislation suggests that it is those promoting it that has largest influence on this kind of body politics in Indonesia. It is a personal view that those with the power to produce and define are most interesting to examine.

The material does not have the capacity to explain or discuss the media influence in the promoting of the law, nor enter any economical aspects of the legislation, such as the cost for implementation, or the financial-strategical relationship between some parties and organisations.

1.3 Disposition

Firstly, a background to prevailing Indonesian politics and the legislation is lined out, followed by a short review of Indonesia's current judicial commitments to international law concerning the scope of the pornography law, and finally of the academic state of field.

Chapter three attends to the theoretical framework of discourse theory inspired by Ernesto Laclau & Chantal Mouffe. The next chapter proceeds to methodological reflections on the conduction of the field study and methodological reflections on the management of the empirical material. Subsequently an introduction to the interviewees based on their own presentation of themselves is given. The empirical chapters six, seven and eight are thematically organised. Chapter six provides us with the interviewees' understanding of central concepts to the pornography law, while chapter seven and eight focus on finding the essence of the preconceptions behind the pornography law. Finally, a concluding chapter discusses the findings of the empirical chapters and offers an answer to the research question, and suggests further research on the topic.

2 Context and State of Field

In this chapter, a historical political context is outlined, and a brief background to international law standards in Indonesia and to the pornography legislation is given. Finally, the state of field regarding academic research concerning the pornography legislation is discussed.

2.1 Historical political context

To understand the processes and conflicts in the political landscape today, knowledge about the past is crucial. The history of Indonesia is complex and the full scale of it is hardly graspable. The historical political introduction below only aims to outline national politics in Indonesia to put it in relation to issues relevant for this thesis, such as nationalism, gender and religion.

Indonesia was colonised by the Netherlands in the beginning of the 16th century until the mid-20th century. During the Second World War, Indonesia was occupied by Japan, but led a successful resistance. At the end of the war, claims for independence were raised and in 1949 Indonesia's independence was internationally recognised. Islam played a central role in the nationalistic project of independence. It worked as a unifying link for nationalistic sentiments for Indonesians, and disassociated Indonesians from the Dutch.¹ General Sukarno, who became the first president of Indonesia after the independence, ruled with the communist party. He was in favour of separating Islam from state in a sense of a legal-formal commitment, but meant the state should have an ideological and constitutional base in Islam. Sukarno argued that there was no contradiction in being Muslim and nationalist and Marxist.² Islamistic groups constantly challenged this view.³ However, to some extent, the Indonesian society was polarised between Islam, secular nationalism and communism.⁴

After a coup in 1965 when Suharto came to power with the Golkar party and the military, he announced the New Order regime. Vedi R. Hadiz identifies three significant features of the New Order: it was a capitalist oligarchy that possessed structural power, instrumental and direct control over state institutions, such as the military, Golkar and the parliament. The second characteristic was a disorganisation of civil society, and the last a network of patronage from

¹ Effendy; 15

² Effendy; 22

³ Effendy; 23

⁴ Martyn; 57

national to local level. The patronage system and the disorganised civil society survived the New Order, according to Hadiz, and were causing difficulties in the democratisation process.⁵ In order to get legitimacy for his new regime, Suharto drew upon the Pancasila.⁶ The five constitutional principles, called Pancasila, became state ideology. It stated that Indonesia has a:

belief in the One, Supreme God, just and civilized Humanity, the unity of Indonesia, and democracy which is guided by the inner wisdom in the community arising out of deliberation amongst representatives... creating a condition of social justice for the whole of the people of Indonesia.⁷

The condition for other political parties was severely impaired during the New Order. All employees of state controlled institutions had to be a member of the regime party Golkar, and were prohibited to engage in political activities in other political parties.⁸ It forced all socio-religious organisations, such as Nadhlatul Ulama (NU), Majelis Ulama Indonesia (MUI) and Muhammadiyah, to adopt Pancasila as organizational basis in 1983. Also, all existing political organisations (PPP, PDI and Golkar) had to have the same ideological basis. The old idea of political Islam was hence ruled out from the official political arena.⁹

If Islamistic groups rejected Pancasila as too neutral and colourless, Christian groups on the contrary regarded it as viable, since they feared an imposition of Islamic law also to religious minority groups. Pancasila was from the state seen as a national-unitary construct, which was a part of a secular political ideology in antagonism to the formalistic political Islam.¹⁰

The resignation of Suharto in May 1998, after more than 30 years of repressive regime, had a huge impact on Indonesia's political landscape. At least 181 new political parties emerged, and many of them had Islam as ideological and symbolic base.¹¹ Some feared that emerging parties of political Islam would fragment and polarize the Muslim community. Ten Islamic parties gained seats in the parliament in 1999, the second free election in Indonesian history. Together they received 37.5 % of the seats.¹² The elected president was Abdurrahman Wahid, also called Gus Dur. He resigned in 2001 and the vice president Megawati Sukarnoputri, the daughter of former president Sukarno, was elected as president for the lasting years of his presidency.¹³ The current president Susilo Bambang Yudhoyono from the Democratic Party was elected 2004 and in the

⁵ Thörnquist et al; 111, 112

⁶ O'Shaughnessy; 168

⁷ Mudzhar et al 2002: 4

⁸ Effendy; 47, 48

⁹ Effendy; 51, 52

¹⁰ Effendy; 52

¹¹ Effendy; 9

¹² Effendy; 214

¹³ <http://freedomhouse.org/template.cfm?page=22&year=2009&country=7626> January 2010

election of 2009 he once again won the majority of the votes. He will be the president of Indonesia until 2014.

2.1.1 Political Islam and Gender in Indonesia

Political Islam give rise to debates on appropriate gender relations in Indonesia, based on Qur'anic interpretations. Women take part in these discussions and are on both sides of the spectrum: as proponents of readings that emphasise humanistic ideals rooted in Qur'anic values linked to an Islamic feminism, as well as proponents of literary readings promoting subordinated femininities. The first group is often linked to the religious organisation NU, and mostly refers to values as democracy, social justice and pluralism as fundamental Islamic values. The other group criticises liberalism, pluralism and secularism as the root of everything ill with Indonesia.¹⁴ Rachel Rinaldo says that the fact that Muslim women activists take public positions on both sides of the issue of pornography is important. Debates over abortion, pornography and veils are struggles over religion and the nation, and Muslim women activists, both liberal and conservative, are implicated in a re-imagining of Indonesian nationhood.¹⁵

A fatwa, i.e. a formal Islamic legal judgement or view, issued by NU in 2004 stated that there was no religious barrier to women to hold high official positions. The Muhammediyah and the MUI agreed in this. MUI said that as long as women had a talent for leadership, a sense of justice, broad knowledge, support from the people and a clear thinking, they could hold any position. In the 2004 election, MUI encouraged voters not to vote for parties without a clear commitment to Islam.¹⁶ Pious Muslim women have historically been marginalised, but are becoming more salient with a growing prominence of Islamic discourse in the political sphere.¹⁷ There is a growing tendency for all sides of the political spectrum to root ideas in religious discourse, and by that make Islam a more central part of the Indonesian public sphere.¹⁸

Masruchah and Bridget Keenan argue that the legal structure in Indonesia is still not gender sensitive, e.g. there is no national legislation on rights concerning sexuality.¹⁹

¹⁴ Robinson; 165

¹⁵ Rinaldo; 1797

¹⁶ Robinson; 168

¹⁷ Rinaldo; 1798

¹⁸ Rinaldo; 1797

¹⁹ Masruchah and Bridget Keenan; 184

2.2 The Pornography Law and Its Critique

Several drafts of a pornography law has been pending to and from revision for more than a decade. It was first in 2006 that a launched draft stirred up emotions and protests. That edition of the pornography bill limited traditional dance, body language, and clothes revealing too much skin.²⁰ In fact the bill did not only aim to control the production and viewing of pornographic material but also included “porno actions” or “pornographic acts”, such as “kissing on the lips in public” and other body movements and displays considered to follow under sexual nature.²¹ At this time the pornography bill contained 96 articles, but was once again sent to revision, this time due to protests, and the original 96 articles decreased to 36 articles.²² The pornography law underwent several changes in 2008 before it passed. All in all, three drafts, excluding the final anti-pornography bill, have been discussed and revised.²³

A central problem with the law is its unclear definitions and fields of application. The first article states:

Pornography is drawing, sketches, illustrations, pictures, writing, voice, sound, moving pictures, animation, cartoons, conversation, body movement or any other forms of message through any means of communication and/or public performance, which contains obscenity or sexual exploitation which violates the norms/morality of society.²⁴

The terminology of violation of norms/morality of society and obscenity is crucial to the understanding and implementation of the law; still neither are further elaborated or defined. The use of *violation of norms/morality of society* is a curious choice of phrasing. It requires a homogeneous view of morality and a fully accepted set of norms, acknowledged and practised in every sphere and corner of the Indonesian society. Such a common understanding can hardly exist, since norms and morality is a matter of individual experience and belief. The otherwise respected diversity of the vast Indonesia is thus ignored and the application of the terminology is left to arbitrariness.

The term obscenity poses a similar challenge to a cohesive implementation of the law. According to Oxford Dictionary, obscene is “offending accepted standards of decency”, which brings us back to the elusive notion of the norms/moral of society. Obscenity is a crime under the penal code of Indonesia, but also that lacks a clear definition, which undermines the

²⁰ Farida, Fanani; 140-142

²¹ Sherlock; 33

²² Farida 2009: 15-17

²³ Farida 2009: 9

²⁴ UU RI no. 44 2008

comprehensiveness of the two laws combined and makes the scope of the pornography law puzzling and a possible source of conflicting interpretation.²⁵

Arguments have been put forward that the pornography bill can be used against anyone “who does not conform to conservative Muslim interpretations of culturally acceptable dress codes, behaviour in public and private” as well as artistic expressions and educational literature.²⁶ Grace Poore from the Non-governmental organisation *International Gay and Lesbian Human Rights Commission* argues that this is another way of punishment and “provides another reason for singling out people who do not conform to notions of “true Indonesian values”.²⁷ The various religious, ethical and regional and cultural streams in Indonesia make the law controversial. Debates surrounding the pornography bill, focuses on the Islamic law’s influence on the regulations made to control public behaviour. The bill is accused of criminalizing women, limit the freedom of expression and that it will lead to censorship. It is argued that the law “applies a single moral standard upon social, political and cultural realities of Indonesia which is very plural and thus, it is a sad setback”.²⁸ Even two years after the passing, the Bill causes controversy. The 29th of March 2010, a juridical review was presented at the constitutional court in Jakarta. Suits from individuals, objections from scholars and NGO’s among others Komnas Perempuan (the National Commission Against Violence Against Women), and recommendations from the CEDAW Committee (Convention on the Elimination of all forms of Discrimination Against Women) were discharged in favour of a continued implementation of the Pornography Bill.²⁹ The current pornography law has a maximum of twelve years of imprisonment and up to €403,000.³⁰

2.3 International Law Commitments

Indonesia has ratified the Convention on Elimination of All Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC) and signed its Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. Indonesia has also signed the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. This means that Indonesia has assumed an obligation to guarantee an internationally set

²⁵ Chapter XIV, art. 289, Penal Code of Indonesia

²⁶ iglhrc.wordpress.com/2009/03/12/fundamentalism-in-indonesia/,

²⁷ iglhrc.wordpress.com/2009/03/12/fundamentalism-in-indonesia/,

²⁸ Farida 2009: 11

²⁹ <http://www.thejakartapost.com/news/2010/03/27/commission-slams-court-supporting-porn-law.html> + observation

³⁰ <http://www.bbc.co.uk/news/10412951>

minimum standard for women's rights, for children's rights and has criminalised sexual exploitation of women and children. The National Commission on Violence against Women (Komnas Perempuan) recommends, in reference to the CEDAW committee's recommendations, that the government take appropriate measures to address bills (i.e. the pornography law) at the national levels, which could constitute discrimination against women.³¹

2.4 State of Field: The Indonesian Pornography Law

Kathryn Robinson starts a chapter on new sexual identities and contemporary expressions of gender, in her book *Gender, Islam and Democracy in Contemporary Indonesia*, with reviewing the Indonesian pornography bill. She means that Indonesia has very contradictive expressions of femininity, ranging from the hip-grinding superstar Inul to jilbab-dressed young girls. She means it is a part of a populist strategy from the revived Islamic parties to connect women's freedom to pornography. She points at the double morals of the law: no dress codes for men or regulations about hiring prostitutes are mentioned.³² She shows on the diversity of personal expressions and gives a nuanced picture of the Indonesian society. Kate O'Shaughnessy argues that conservative Muslims in Indonesia in recent years have discussed numerous revisions to Indonesian law dealing with the regulation of marriage and morals. Proposals to criminalise adultery and de facto living arrangements have been made. She puts the pornography law in this category.³³ Sharyn Graham Davis comments on the pornography law in her book *Gender Diversity in Indonesia: sexuality, Islam and queer selves* (2010). She writes that the law indicates a move towards enforcement of more conservative forms of dress and behaviour³⁴, and fears that it may bring restrictions on gendered enactments.³⁵ Rachel Rinaldo discusses the Islamic revival in relation to the increasing participation of religious women in Indonesian politics. She argues that female Muslim activists should be seen as participants in the re-negotiation of the Indonesian nation-state, shown in their involvement in national debates, such as that over the pornography law.³⁶ The writings of the above-mentioned writers have given valuable insights to the pornography law and/or the Indonesian society and have served as either background knowledge or as explanations to parts of the empirical material.

³¹ http://www.iwraw-ap.org/resources/pdf/39_shadow_reports/Indonesia_SR_Komnas.pdf; art 13, 14

³² Robinson; 119, 120

³³ O'Shaughnessy; 39

³⁴ Graham ; 152

³⁵ Graham Davies; 210

³⁶ Rinaldo; 1781-1804.

3 Theoretical Framework

Discourse theory is used in this thesis as a framework for an understanding of the social, and theorises concepts and statements by the usage of theoretical positions concerning gender, sexuality and nation in the empirical analysis. In this section theoretical standpoints are elaborated and explained. Firstly, scholars with relevance for the analysis are presented. Secondly, a theoretical platform of premises for the thesis is explained.

3.1 Gender, Nation and Sexuality

This thesis applies theoretical models of explanation regarding gender, sexuality and nation from Nira Yuval-Davis, Craig Calhoun and Kate O'Shaughnessy, and conclusions concerning affective politics from Sara Ahmed in order to explore the empirical material and put it in relation to an understanding of a system of social processes, i.e. discourse theory.

3.2 Discourse theory

Ernesto Laclau's & Chantal Mouffe's discourse theory is an inspiration to the theoretical framework of this thesis. Their understanding of how the social is created, which includes the concept of "struggle", constitute the settings of this thesis. This is emphasised through the explorative position this thesis takes in relation to the empirical material.

3.2.1 Platform of Premises

Discourse analysis is focused on power and power relations through language. The question about who has the right to speak, to define and produce knowledge is seen in terms of power.³⁷ Language is formed in a social context, at the same time as it works as constitutive, because social phenomena such as identities, relations and different religious views are formed by and through the language. In that part of language that is oriented towards the political, there are many controversial concepts through which we interpret the world. Politics can therefore not be seen as something separate from language. It is through the language the political and social reality is constructed. The language is productive and creates meaning. To conclude this, it means that

³⁷ Bergström & Boréus; 328

politics is about creating meaning. The social existence, the politics, is not fixed. The context of the human is constantly produced and constructed.³⁸ Putting it in relation the subject of this thesis, i.e. the political discourse on body politics and pornography in Indonesia, pornography is constituted through this discourse. It creates conditions for which thoughts concerning pornography that can be thought, and thereby what actions, material or behaviour that constitute pornography. This becomes constituted in double sense, because the political discourse is embodied in a legal. It is a law that makes the pornographic material, or actions to pornography and also criminalises them.

This paper takes its starting point from what can be called an anti-foundationalist and anti-essentialist position. This encompasses an understanding of people as historical and cultural beings and society as socially and discursively constructed. Due to historically and culturally situated subsistence, our knowledge and understandings of the world are different. How we represent and view the world is thus also historically and culturally specific, and also depending on whom we are and where we happened to exist. Characteristics are not pre-given, and people do not possess a certain essence.³⁹

As often said, there is no objective truth, and we should not treat our knowledge of the world as true or objective. Our knowledge and representations of the world are not simply a reflection of an objective reality, but are rather products of our ways of categorisation, that is products of discourse.⁴⁰ There is a link between knowledge and social processes, since our ways of understanding the world is created and maintained by social processes. Knowledge is created through social interaction, in which we construct common truths and compete about what is false and true.⁴¹ Therefore, there is also a link between knowledge and social actions. We, human beings, all live in a particular worldview, and within this worldview, we create some things and actions as “natural” and others as “unnatural”, or even unthinkable to perform. Different social understandings of the world therefore lead to different social actions. The construction of knowledge and truth therefore has social consequences.⁴²

To further elaborate the system of discourse, language is structured in patterns or discourses in what can be mentioned as domain; however, there is not just one general system of meaning, but a series of systems i.e. discourses. Because of this, meanings change from discourse to

³⁸ Bergström & Boréus; 326

³⁹ Jørgensen & Phillips; 5

⁴⁰ Jørgensen & Phillips; 5

⁴¹ Jørgensen & Phillips; 5

⁴² Jørgensen & Phillips; 6

discourse. These discursive patterns are maintained and transformed in discursive practices, and should therefore be explored through analysis of the specific contexts in which language is in action.⁴³

A discourse is understood as fixation of meaning within a particular domain. Signs in a discourse are moments, set in meaning because of the difference from other signs. However, the fixation of meaning can never be stable, because the discourse can always be undermined and changed by the multifarious order of the field. Laclau and Mouffe argue that a discourse attempts to transform these signs without fixed meanings into a sign with fixed meaning.⁴⁴ Floating signifiers are signs that different discourses tries to fill with meaning in their own particular way and belong to a continuous struggle between different discourses to fix the meaning of signs that are important.⁴⁵ The attempted fixation of signs can in relation to this thesis be understood as the hegemonic definition of pornography.

A discourse does not have a life and goal of its own, even if it may sounds so, but there is an inherent struggle to establish the meaning of things. We persistently attempt to fixate the meaning of signs by placing them in particular relations to other signs, *as if* there were a stable structure to language. That implicates that the creation of meaning as a social process is about the fixation of meaning⁴⁶ and that there is always room for struggle on what the signs should be ascribed.⁴⁷ That means that everybody, all people in every-day life, create discourses and compete about the hegemonic denotation of things.

Cautiously using the concept *order of discourse* from Fairclough's critical discourse analysis, we accept that there is a limited range of discourses, instead of using what Laclau & Mouffe refers to as field of discursivity, where the discourse in question compete with all other discourses on fixating meaning.⁴⁸ Accordingly, this analysis understands the discourse of the interviewees as one of several, but not indefinite, numbers of discourses on body politics surrounding the pornography legislation.

Inherent in the discussion around discourse theory is the power dimension that gives an analysis a critical perspective on the process of defining, producing and reproducing the knowledge of the legislation.

⁴³ Jørgensen & Phillips; 12

⁴⁴ Jørgensen & Phillips; 26

⁴⁵ Jørgensen & Phillips; 28

⁴⁶ Jørgensen & Phillips; 25

⁴⁷ Jørgensen & Phillips; 29

⁴⁸ Jørgensen & Phillips; 27

4 Methodology

Firstly, methodological reflections on the conduction of the study are discussed. Secondly, methodological reflections on the processing of the material are described.

4.1 Field Study

To find out what preconceptions and convictions that lays behind the pornography law, my fellow student Emma Ebintra and me conducted interviews on six politicians and members of influential social organisations. We also conducted interviews with six women in prostitution, which Ms. Ebintra wrote her thesis about.⁴⁹ Only persons who are promoting the law were of interest to this study. This section reflects over the experience of doing a field study and the relation between the researcher and the interview person. It also describes the practicalities of conducting the interviews.

4.2 The Strength of Collaboration

This study is a result of a close cooperation. Due to our method of interviewing and the new unfamiliar environment we encountered along with the comprehensiveness of the study, it was a great advantage being two. The preparation for the field study, the interviews and the structure of this entire thesis has, therefore, been done together. Being two in a country on the other side of the planet, in a country and city we never been to, was a precondition of actually getting anywhere with the study. Conducting a field study requires not only the aspects of finding interviewees, a contact person and other crucial aspects connected with the study. It is also about finding a place to stay, to learn how to get around and what customs foreigners are expected to adapt to. We stayed in Jakarta for four months, got Indonesian friends, followed current debates, went to the constitutional court where the review of the pornography law was held, in other words tried to integrate and live a life as close to the society of Jakarta as we could.

⁴⁹ Pornography – a Social Norm: A Human Rights Approach to Reflections on the Indonesian Pornography Legislation of Women in Prostitution, 2011.

4.3 Conduction of Interviews

This section describes the practicalities around the interview, such as finding and selecting interviewees, working together with an interpreter, interview guide was created, used and how the interviews were documented.

4.3.1 Interviewees

The interviewees from the political parties, PKB, PKS, Golkar, and PAN, have all been part of the special committee, Panita Khusus, which drafted and discussed the pornography law. Three of the original parties of the committee were not included in this study, due to the passing of the respective engaged member, and the dissolving of another party. The third party representative, Mr. Balkan Kaplale, who also was the chairman of the special committee, accused us of being CIA spies and refused to talk to my colleague and me. The interviewees representing the organisations MUI and DDII are known for their commitment in the issue.

My fellow student, Emma Ebintra, and me also interviewed a representative from the party PDI-P, Mr. Agung Sasongko, who was in the special committee but walked out and refused further cooperation. We additionally interviewed Mr. Ulil Abshar-Abdalla, from the religious organisation NU. Since the official standpoint of PDI-P is against the pornography legislation, and the representative from NU was against the legislation too, they did not belong to the target group for this thesis, i.e. influential actors *promoting* the law. However, the conversations we had with Mr. Abshar-Abdalla and Mr. Sasongko gave us valuable insights of the legislation from other points of views.

Mr. Daniel Awigra, who works for the NGO Aliansi Nasional Bhinneka in Jakarta, called up and booked all meetings for us. He presented us as students from Sweden who conducted a study on the pornography law. The organisation ANBTI (meaning “the National Alliance for Unity in Diversity”) is an alliance that has more than 300 organization networks all over Indonesia, working with civil rights issues. At the launching of the Pornography Law in 2006, they organised a well-attended demonstration against it.⁵⁰

Thanks to Mr. Daniel Awigra and the local office of the organisation ANBTI in Jakarta, there was no problem getting in touch with the politicians we wanted to interview. The interviewees chose the places where the interviews were conducted.

⁵⁰ <http://anbti.org>

4.3.2 Interpreter

The study also included a third party, our interpreter Ms. Nanda Febriani Munundar. Ms. Febriani Munundar is a woman in her late twenties, who has two masters from Italy and France, one in Communication – Media and culture, and one in Intercultural Communications. She was of great help to us both in regard to the study and in general. We worked as a research team of three, conducting all interviews together.

In order to answer the research question, the interviews focused on the content of the central concepts of sexuality, gender and pornography. Conceptual analysis is a way to examine preconceptions on what is normal, accepted or appropriate.⁵¹ Thus, the interviews were organised into the themes gender, sexuality, pornography, the pornography legislation and finally human rights. The questions were slightly altered for each interview, since we realised they had to be asked differently depending on the interviewee.

As a part of the preparations for the study we decided to be two interviewers at all interviews. Only Mr. Zahir Khan's interview was made without interpretation since he preferred to speak in English. Interviews can be unpredictable and despite a very perceptive interpreter, who knew in which way to direct the interviews, the system of asking questions in turns enabled us to make the most out of the interviews. Being two asking questions also allowed us to be slightly more spontaneous in attendant questions, since we could cover up for each other and make sure that we did not miss to follow up unclear answers. After conducting the interviews, Ms. Febriani Munundar was interviewed about how she had translated and asked questions to the interviewees. She said that she sometimes has to elaborate and explain concepts the interviewees did not understand. This entails that we do not know when the interviewees understood our original question and when they did not. The word-for-word meaning of what the interviewees said is not available, as in all situations when using a third party to translate.

4.3.3 Documentation of Interviews

The interviews were recorded with a recording device, and subsequently transcribed by Ms. Ebintra and myself. All transcriptions were looked through by both of us to discover any possible mistakes. That the interviews are recorded allows us to return to the material and listen to the conversation over and over and also helped us to discover our weaknesses in our interview technique.

⁵¹ Kvale, Brinkman; 167, 168

There is a difference between spoken and written language, and when transcribing an interview literally there is many repetitions, “hums” and “uhms” which can make the interview person, and the interviewee for that matter, seem incoherent and confused.⁵² The quotes by the interviewees are therefore slightly edited, but word order and grammar is kept as the original transcription.

4.4 Ethical Aspects of Field Work and Interviews

This thesis is trying to give a correct image of the material both to the reader and to the interviewees, by using and analysing quotes that can be regarded as representative for each interview.

The interviewees are not made anonymous, but have an own chapter were they are presented in the way they presented themselves. The interviewees agreed to the interviews as official representatives for their organisations and knew they were participating in a study, i.e. there was an informed consent.⁵³ The interviewees are given the opportunity to reject this thesis' interpretation of their opinions if it is clear who said what, which would not have been the case if they were anonymous.⁵⁴ If they would have been anonymous, the selection of the interviewees would have to be opaque, and the purpose of this thesis reformulated.

Self-reflexivity, in relation to the interviewees and in relation to the knowledge this thesis produces, is a part of conducting a field study. To constantly question my relation to the interviewees and my understanding of them, in matters of race, class and gender is important to understand reactions and answers. For example, being a foreigner, white and obviously Western attributed me with a higher class than my economy and background actually entitles me to in Sweden. Ms. Ebintra, Ms. Febriani Munundar and me are all young and female, which might have influenced the interviews with women and men differently. One interviewee told me I looked like her daughter, while others gave me the impression of a female collusion (the “you know...”-situation). Thus, as researcher I am located in body and a situation, which will be reflected in the questions asked and the answers received. I would like to acknowledge the notion of feminist objectivity, where knowledge is regarded as situated. The disembodied, transcendent and unmediated researcher does not exist, but is a body located in a context relating to certain scientific standards.⁵⁵

⁵² Kvale, Brinkman; 204

⁵³ Esaiasson, et al.; 285

⁵⁴ Kvale, Brinkman; 89

⁵⁵ Haraway; 584-596

4.5 Reliability and Validity

To ensure the reliability of this study, all material was transcribed and looked through by both Ms. Ebintra and me. The coding of the transcribed material was arranged under the themes of the questions, and is presented in the context of the conversation. I construe the validity of the study as high, since interviewing influential actors that has been promoting the pornography law about pornography, gender and sexuality and the legislation, seems to be a reasonable way of finding out what kind of preconceptions that boosts it.

4.6 The Limitations of Method

This thesis does not make a claim to represent all politicians within respective party or whole organisations based on the six interview persons. A quantitative method of standardized questions would have been able to give a general overview, but the result would have lacked the depth of the interviews conducted in this study. The report between interviewers, interpreter and interviewee cannot be exchanged with a questionnaire without losing complexity in the analysis and result.

The method of documentation could have been exchanged to a video camera, which would have allowed an analysis of the interviewees' body language, clothes, laughs and silences. It could possible have given a more comprehensive picture and opened up for more empirically close methods of analysis.

4.7 Method of Analysis

The analysis of the empirical chapters is made by qualitative content analysis with both the aim to clarify the interviewees' thoughts and put them into context and to examine the image of pornography they give, and hence what lies behind this view. The conclusions of the analysis are understood in relation to the premises of discourse theory discussed in the chapter on theoretical framework.

The first two empirical chapters focus on interpreting and putting the interviewees' statements on concepts into context. The analysis of chapter seven and eight are built from the notions of "threat" and "protection", which are fundamental in laws in general but as the analysis show, this in particular. Those chapters focus on what norms and conceptions the interviewees connect to the concept of pornography, and hence which connotations they struggle to fill "pornography"

with. This will answer the research question about what preconceptions that lies behind the promotion of the pornography law.

5 Presentation of Interviewees

In this section an introduction to the interviewees and how they present themselves in their professional role is given. Even if the interview persons are representatives of their association, and have central political views in common and share fundamental values with their organisation does, they are still individuals with own opinions. This chapter aims to give a chance to understand the context of the interview persons.

Ms. Yoyoh Yosroh, deputy chairman of the special committee.

Ms. Yosroh is the first secretary of the president of PKS, and has 9 sons and 4 daughters. She was the deputy chairman of the special committee on the pornography bill.

Ms. Chairun Nisa, Golkar

Ms. Chairun Nisa describes herself as a full time parliament member, with responsibility for culture and tourism. However, her interest lies mostly in issues concerning women empowerment, poverty and religious affairs. She says Golkar is nationalist, but very plural and religious at the same time.

Ms. Badriyah Fayumi PKB

Ms. Badriyah Fayumi is a teacher at her own school, where she teaches children and elders in the teachings of the Qur'an. In 2005 she was elected Vice Secretary of the Decision-making committee in the parliament. Her field of interest are religious affairs, women empowerment, social affairs and children's protection.

Ms. Latifah Iskandar, PAN

Ms. Iskandar describes herself as a member of parliament 2004-2009 with responsibility of religion, social affairs and children. She has a background in the female branch of Muhammediyah, called Aisha, in which she became active as young. She wants to increase women's empowerment in politics and to increase the welfare of the citizens in terms of education and health. She also wants to increase the quality of women's lives.

Mr. Kholil Ridwan, Majelis Ulama Indonesia (MUI)

Mr. Ridwan is one of ten heads of the MUI, and he has been active in MUI for four years. Mr. Ridwan explains that he is not in charge of the pornography legislation and the field of gender roles according to Islam. He is concerned with “an organisation of lesbians and homosexuals”, because homosexuality is contradictory to all culture in Indonesia, and to religion. He was happy he managed to stop a conference in Surabaya organised by this organisation. Mr. Ridwan describes the main goals and aims of MUI as being an organisation for all Muslim scholars in Indonesia.

Mr. Zahir Khan, Dewan Dakwah Islamiyah Indonesia (DDII)

Mr Khan describes himself as a former diplomat who has been living in Australia. He has been lecturing at two universities in Indonesia. He is a chairman in DDII and explains his commitment as an urge to help people through charity.

6 Figuring out Pornography, Gender, and Sexuality

To apprehend the interviewees' promotion of the pornography legislation, it was found it necessary to ask them about what pornography was. Also, their understanding of sexuality and gender is important in order to understand their views on pornography. Pornography is not sexless, nor gender neutral, but rather a practice where genders are accentuated as biological sex through the display of bodies. Therefore, gender and sexuality is also crucial for the understanding of the role of pornography and is subsequently elaborated in order to make it an analytical tool in the coming empirical chapters.

Firstly of the sections below, the views on gender and sexuality from the interviewees are presented and analysed in order to understand gender and sexuality in their to context. Thereafter, their understanding of pornography is outlined.

6.1 Sexuality

When the interviewees were asked about sexuality they all, except for one, immediately referred it to sexual action. Ms. Chairun Nisa states:

It should be conducted in accordance to the social values and it should be conducted safely.

When asked to elaborate "social values", she takes marriage as an example. After another question, when she realises that we perhaps did not mean sex, she brings up gender roles, saying that there is gender equality in Indonesia and refers to the public role of many Indonesian women. The mix of sex practice and gender is interesting, especially when she mentions social values along with sex, because it pinpoints a moral view on sexuality as something that is not simply private, but a matter of society.

Ms. Yoyoh Yosroh explains that sexuality is a normal thing and it is "arranged by the religion and government" since "most of the population is Muslim". Hence, sex is only allowed within marriages and it is religion that decides if somebody is suitable for marriage or not. Religion

mediates one of the keys to the nation building - the marriage, Kate O'Shaughnessy says.⁵⁶ And in Indonesia, marriage actually is a matter of the state in a more direct way. The Marriage Law regulates with whom you can marry in regard to sexuality and religion. O'Shaughnessy argues that the institution of marriage plays a central role in many societies, not just the Indonesian, for individual, cultural and religious identity formation. It is therefore viewed by states as integral to the national identity formation.⁵⁷ In this sense, marriage is contributing to the construction of national identity. Ms. Yosroh's additional remark on Muslim population confirms that marriage has a reciprocal relation to religion. For Muslim communities on Java, writes O'Shaughnessy, marriage fulfils a duty to God. The colonial state, the Sukarno regime and the New Order regime have all understood marriage as the foundation of family, community and subsequently the nation. The New Order regime, for example generated an enormous amount of propaganda regarding women and marriage.⁵⁸

Mr. Zahir Khan, as Ms. Yosroh, means that sex is normal, as long as "a legal couple" conducts it. Ms. Badriyah Fayumi sees sexuality as dependent on one's identity and not as connected to having sex. But she also says that sexuality is equal between men and women, since they both should "safeguard their reproductive tools before marriage", showing how sexuality for her too is a matter of society and heterosexuality.

Mr. Kholil Ridwan also interprets the question on sexuality in terms of sex, and relates it to a hierarchy between men and women. He says:

So men a little bit higher position than women in family according to sexuality, because [...]the wife have to, to obey their husbands want to have sex [sic].

However, he adds, men cannot force their wives to have sex. Thus, sexuality seems to be understood as sexual desire and as a category of power related to the sexual act, as in who has the right to demand sexual services. He also makes a reference to culture and religion when we ask about sexuality: "Indonesian culture is, ah...dominated by the religion and most notably Islam. And Islam is against free sex". Again sexuality is reduced to sex, and sex and society, or societal values, becomes inevitably interconnected.

Ms. Iskandar refers to sexuality as different body functions between men and women:

Functionally the sexes are different between men and women.[...] the fate of women, sexually, is to give birth and to have periods[...]men[...] can't get pregnant[...] and its related to their sexual fate.

⁵⁶ O'Shaughnessy; 169

⁵⁷ O'Shaughnessy; 160

⁵⁸ O'Shaughnessy; 161

The statements above show how sexuality is being reduced to sex and immediately related to “good” and “bad” conditions for sex.

6.2 Gender

Gender is according to the Oxford Dictionary: “The state of being male or female (typically used with reference to social and cultural differences rather than biological ones)”.⁵⁹ It is used both as an every-day concept and as an analytical tool in the academic world.

Ms. Latifah Iskandar believes at first that:

Gender is the difference between men and women from the social construction, it comes from social constructions.

She exemplifies with toy cars that are made for men only and that women still take main responsibility for domestic work at the same time as they work professionally. However, her standpoint on gender at this point can be seen as contradicting what she said earlier in the interview when we asked about sexuality:

[...] genders are different. Functionally the sexes are different between men and women. [...] the fate of women, sexually, is to give birth and to have periods [...]

However, this standpoint can be completely coherent, looking at the concept of gender in Indonesian policy. Between 1999 and 2001, a presidential instruction on “Mainstreaming the Gender in Development” was released. This policy document instructed government departments to include gender as a factor in all future programme planning and implementation. It defined gender as a concept relating to roles and responsibilities of men and women, which could be changed by social conditions and culture.⁶⁰ Also, NU branches has successfully organised education on gender equality, with reference to the Islamic principle of non-discrimination.⁶¹

It was striking that everyone, although some had essentialistic and conservative views on women and sexuality, had an understanding of the concept “gender”. But, if the concept of gender has been mainstreamed into Indonesian national politics for a decade, it surely explains the interviewees’ familiarity with it. It is noteworthy that the biological sex is not ruled out due to the seemingly competing idea of gender, but coexists with “gender”. Ms Yosroh explains that sexual relation is “between two opposite sex”, and thus referring to a notion of biology by the words “opposite” (as if there only exists two stabile counterparts – men and women) and “sex”

⁵⁹ http://oxforddictionaries.com/view/entry/m_en_gb0330800#m_en_gb0330800

⁶⁰ O’Shaughnessy; 37

⁶¹ Masruchah and Bridget Keenan; 174

(not a social, changeable gender, but something determined). The notion of biological sex is mostly applied when explaining body functions and marriage while “gender” is used when explaining roles of women and men in society. According to Yuval-Davis, a separation between “sex” and “gender” is necessary, or the concepts would just replace each other, and biology would be constructed as determining the moral and political discourse.⁶² However, that the interviewees make a distinction and use the social constructivist “gender” does not mean that they necessarily have the view of a social constructivist. Some of them might be, but from what is outlined above, the usage of the concept is a recognition of a public political discourse on public roles of women and men, that was triggered when we asked questions about gender. There is an underlying notion of discussing gender as women’s rights.

Ms. Fayumi stated that gender is a construction, created by culture, traditional understandings and religion. According to her interpretation of Islam, there are no differences between men and women. She did not refer to biological sex, but instead to her background in Islamic studies and gender studies. The answer seems to be an ideological answer based on faith, and in that sense quite similar to Mr. Ridwan’s, but with completely different conclusions. According to him, Islam has appointed gender roles, and men and women cannot take each other’s places. As he says:

[...] according to Islamic law that women who follow their husbands words, they will be rewarded by having their fathers sins erased in heaven.

That is why, he says, women are not allowed to be leaders in Islam. It becomes apparent that the Indonesian society does not conform to his interpretation of Islam, when Mr. Ridwan compares Indonesia to the USA in terms of governmental rule. He says that if gender equality was a measure of democracy, Indonesia is more democratic than the USA, since they have not had a female president yet. His purpose of this statement is ambiguous and can be interpreted in two ways: Although he rejects the idea of female leadership, he believes that it is an important feature of democracy. Or, he simply says that gender equality is not a measurement of democracy, since the USA can do well without a female president. Whichever alternative, he connects gender roles to positions of power, and dislikes women holding such.

Gender is closely related to gender roles, and the tension between the public and the private. Ms. Nisa means that there is gender equality between men and women in Indonesia today. She, in conformity with Ms. Fayumi and Ms. Yosroh points at a development for women to take part in the public life and hold any profession:

[...][women] become working partners for the males and they are active in the public spheres. They work for the family, but there are also some that stick to the patriarchal culture. That women should stay at home, they cook etc.

⁶² Yuval-Davis; 9

There is a touch of feministic influence, signalled by the word “patriarchal culture”. Ms. Fayumi says that men who did domestic tasks were scolded 20 years ago, but that it is accepted today: “Now it’s more common for both sexes to do similar roles domestically.” Ms. Yosroh thinks that the development in gender equality has reached its goal.

Regarding the gender, women has a better position in comparison to men but there are some groups here in Indonesia, they are not satisfied yet with that fact.

Mr. Khan reflects on Islam and gender, and rejects the idea that women are subordinated in Islam. In fact, he means that women are “more equal” than men:

So the paradise lies under the feet of a mother. So it means in Islam, we respect women knows more than men. More gender equality for women.

Mr. Khan also explains the tradition in some Arab countries of letting women walk behind their men, with the respect for women.

The husband should protect the wife, the woman. This is the main principle in Islam. She should be protected no matter the context. Some might be [walking] in the back, some might be [walking] on the side, right or left depend on the culture. [...] But the main thing is - protected.

When we ask why she needs to be protected, he answers:

A mother, women will give birth, we have to protect. Not men to give birth. One of the reason, good or bad children depend on mother. So the mother plays a very important role! [...] A woman is half of that a country will depend on. So better woman. If they are good, the country will be good.

According to O’Shaughnessy, women, as mothers and housewives, had a role filled with national significance and symbolism during the New Order regime. The family planning program propagated that mothers are the heroes of the family and of the development of the state.⁶³ This national symbolism is not specific for Indonesia. Yuval-Davis notes that women usually have an ambivalent position within the collectivity of nation. They both symbolise the unity of the nation, and the *raison d’être* for national projects, such as the pornography legislation. It is accordingly a part of the protection of women, which corresponds to a nationalistic ideology of women’s roles.⁶⁴

Mr. Khan sees the development in gender equality as bad for women, since it has loosened the control over women in urban areas:

[...] but of course in the cities they are more introduced to what we call a modern life, so sometimes they act, you know, I mean outside the teaching and custom.

⁶³ O’Shaughnessy; 162, 163

⁶⁴ Yuval-Davis; 47

This implicates, he argues, “freedom of sexual relation” which lies outside Islamic teachings and traditional customs and from which women has to be protected. Mr. Khan connects development in gender equality to “modern life”. O’Shaughnessy confirms this connection to the “modern” when she argues that modernity in Indonesia implicitly was understood as a condition that pressures society. This imposed an obligation from the state to protect the community from the excesses of modernity. Also in the post- New Order, the disruptive effect of modernisation is prevalent. Modernisation is claimed to lead to promiscuity, high divorce rates and a breakdown of marriage.⁶⁵

6.3 Pornography

In the two above sections on gender and sexuality, the interviewees’ understandings of respective concept have been analysed in order to use them as analytical tools in understanding the conceptions behind the pornography law. This section will analyse their understanding of pornography in order to further explore why the interviewees call for the pornography legislation. The interviewees were asked what pornography is and thereafter we followed up with other questions exploring the theme. It is notable that the interviewees preferred talking about the impacts of pornography, rather than what actually constitutes pornography. However, this section will only treat their descriptions of what pornography is.

Because of the width of the concept, the answers are divided into three analytical themes: pornography as material, as actions and as phenomenon.

6.3.1 Pornography as Material

Most of the interviewees referred to the definition of pornography quoted above at first, but Ms. Fayumi and Mr. Ridwan also offered personal examples of what it could mean. Mr. Ridwan said it is

[...] portraits nudity like if a painter paints a woman with nude breasts which rise desires from the opposite sex.

Ms. Fayumi exemplified pornography with the Playboy Magazine to elaborate what she meant with “pictures and written text that is deliberately created to stimulate sexual desire.” Ms. Nisa said it “could be animation. Or probably a, a text.” and

When there is a visual view of genital parts of the body, in general, something that is visual on topic.

⁶⁵ O’Shaughnessy; 189

Ms. Yosroh said that “pictures or written articles that could entice desire” are pornography. Ms. Iskandar says it could be comic strips. Mr. Khan talked about DVD’s and VCD’s with pornography and the impacts of easily accessible pornography, but did not elaborate how he knew if something was pornographic or not.

The interviewees’ description of pornography this far corresponds with the pornography law’s definition. Nudity, pictures of genitals and text can be interpreted as pornography. Mr. Ridwan’s description is interesting if connecting the wording “nude breasts” in combination to “opposite sex”, since it reveals an assumption that it is women who are being depicted and men that are being aroused sexually.

6.3.2 Pornography as Actions

The pornography legislation includes so-called porno-actions, which refers to various body movements. This element of the law was present in the interviewees’ reflections on pornography. Mr. Ridawan referred to “sexual activities that is published and then people could see”, and “the one you have in Amsterdam - sex striptease” as pornography.

Ms. Fayumi meant it could be telephone sex and “nakedness with the intention to stimulate others sexually for profit”. Also she says that pornography is:

[...] all pictures, all voice or sounds and probably like performances and, what else, anything that is produced, depict sexual stimulation to the person.

It is a rather wide range of practices that can be said to constitute pornography according to Ms. Fayumi. However, she exempts pictures of naked people in e.g. biology classes and people in Papua that wears traditional clothes. Ms. Iskandar thought it perhaps could be a way of moving and dressing. She thinks it is difficult to judge what pornography is, because it is controversial. But still, she says some people think that pornography could be “singers and actresses who perform provocatively in public”. Ms. Nisa explains that pornography “could be sexual intimacy between man and a woman.”

There are different focuses in the interviewees’ descriptions. Ms. Fayumi emphasises intention and the economic aspect on pornography, while Ms. Iskandar and Mr. Ridwan sees the publicity of sexual actions as crucial for defining pornography. Even though Ms. Nisa did not explicitly say so, she probably also thinks of pornography as defined by heterosexual “sexual intimacy” that potentially can be public, since she in the section above said pornography is something visual, i.e. someone is intended to watch. Pornography as actions includes all kinds of actions, and the interviewees do not seem to agree on what features of such acts that are decisive.

6.3.3 Pornography as Phenomenon

Even if the above categories do cover the definition set out in the pornography law, the interviewees' explanations required yet another one.

Mr. Ridwan has an impressive definition, which covers all three analytical categories:

Pornography is a portrayal of nudity that attract desire of the opposite sex that leads to free sex and prostitution and in the end it leads to AIDS.

This causal relation gives pornography an exceptional position as spreader of disease, as undermining marriage and contributor to women ending up in prostitution. This is an fascinating view on pornography, where the aspect of agency of women and men i.e. their actions and their decisions, is disregarded and pornography determines the depravation of a moral society.

Ms. Nisa thinks that pornography is "all of the values that are not typical for the society." When we asked which these values were she said:

All the social values that exist in the society. All values, not only religious, anything that exist in the, eh society, that has a bad effect on the society. Bad influence.

Pornography seems in this case not to be something concrete, like striptease or a comic strip, but instead anything that has to do with good and bad morals and values both religious and non-religious. The connection with "values in society" to pornography also connotes a monolithic societal set of norms, which pornography opposes and is excluded from. Ms. Fayumi has a slightly different approach to pornography. She defines pornography from something that could be labelled as a feminist Marxist analysis: "pornography is a mix between global consumerism, capitalism and patriarchal culture". She also explains what is central in her definition:

The important element of pornography is that there is a deliberate action, there is a conscious thought to stimulate other sexually. And to get profit out of it.

Global consumerism and capitalism can be traced as the demand and cause, while patriarchy is the oppressing system taking advantage of and objectifying women. The element of profit puts pornography into the context of being an industry, and not just individual actions or single pornographic pictures. Also in Ms. Fayumi's definition the intention behind the act or the material is crucial, but here it is the intention of a combination of sexual stimulation of others and profiting that is decisive.

The reasons for the interviewees' promotion of the law now start to appear in their definition of pornography. They think of it as something thoroughly bad, that encompasses everything from fatal diseases, prostitution, sex outside marriage, bad influence on society in general and a capitalist and patriarchal exploitation.

6.4 Conclusion

The interviewees' conceptions on gender and sexuality reflect the New Order culture of marriage and motherhood as builder of the nation and reproducer of the state. Marriage is the normal and good condition for sex, while everything outside marriage is bad. Sexuality is connected to the marriage, which in turn constitutes the solid basis for society, and both marriage and society is seen as inseparable from religion. Arrangement of sex, as in the marriage institution, becomes central for their understanding of sex, as well as sex as something morally wrong if it is not within marriage. Marriage is understood as a duty to fulfil, and as a function connected to the state and society.

The views on gender in the group of interviewees vary, but they all connect gender to the negotiating of gender roles in the public and private. Most interviewees have a perception of progression or development embedded in the concept of gender, which they refer to when discussing roles of men and women. As sexuality, gender is understood in relation to marriage and reproduction, where women should take the classic nationalist role of bearer of the country. Thus, the role of women seems to be compared to the New Order regime's ideals of women. There is an underlying notion of gender politics as politics concerning women and women's liberties and equality as such, at the same time as there is an implicit understanding of gender roles as a matter of power. While most interviewees see progression in gender equality as good for women and society, two interviewees believe the opposite, with reference to religious dogmas and the dangers of modernity.

The interviewees' description of what constitutes pornography is elusive and can be encompassed by anything from concrete objects as magazines to actions, for example a way of moving, to phenomena as social values, or as inception of a dangerous chain of causality. However, it can be concluded that pornography is depraving and threatening, and the concept carries various connotations of consequences for the interviewees.

Behind the interviewees' conception on pornography lies a very strong norm of protecting the heterosexual marriage, marriage as a state business, and gender equality as a part of a sometimes wanted, sometimes unwanted, modernity. The discourse of modernity is gendered, O'Shaughnessy concludes, and female marital behaviour and sexual conduct becomes point of anxiety and focus at times when national stability and identity are perceived to be in flux.⁶⁶ The interviewees' thoughts of progression and development mirror this.

⁶⁶ O'Shaughnessy; 190

Gender and sexuality are concepts that cannot be understood apart from marriage, but always exists in relation to it, and thus always in relation to a state protected hegemonic (hetero)sexuality.

There seems to be a tendency to make pornography the scapegoat for “immoral” behaviour in general, such as sex outside marriage. Since it is women’s bodies that are the implicit object of pornography, it is their bodies that are in need of control.

This tendency of ascribing “pornography” things that are unfavourable to the interviewees challenges me to ask if pornography is a contested concept, which soars between endeavours from various groups with moral politics on their agenda, to fill it with their specific meaning for their own purposes. In order to answer the research question about what preconceptions that lies behind the promotion of the pornography law, the definition of pornography must be worked around and explained from what values it is connected to, which values it allegedly abuses and what or whom the interviewees actually think the law is protecting.

7 The Threat

To further explore the concept of pornography and why and how prominent actors in Indonesian politics perceive pornography as a threat, this chapter will look at the interviewees' explanations of consequences of it, since the consequences of pornography highlights the actual or experienced threat.

7.1 The Lost Future

The interviewees share stories of boys that have been corrupted to commit horrid crimes or to “lose productivity”, as consequences of pornography. Only boys and men figure, explicitly or tacitly, as consumers to pornography.

Ms. Nisa thinks that pornography produces rapists among children and tells us an example:

There is a case, there, it is a under aged kid and immediately after he saw a movie on that thing [pornography], he just went out and practiced the act on his fellow classmate.

Ms. Fayumi enhances Ms. Nisa's story:

[...] children who are addicted to pornography. They will not be productive anymore in school for example. There are also children who become aggressive because of pornography.

The interviewees ascribe the boys who watch pornography a huge lack of critical and moral thinking, as if they are forced by pornography to commit violent and criminal acts. Pornography is seen as addictive to children, and in accordance with the quote above, they become violent and lose their judgement. The interviewees agree that boys are victims of pornography because it makes them ruin their lives. The lost productivity is important in this matter. Even if the boys do not become rapists, they lost their ability to be productive and contribute to society. Both the boys own future is at risk, but also the future of the society of Indonesia that cannot survive without productive citizens.

The young boys are not “bad apples” but simply naïve. Mr. Ridwan's example below supports the image of the innocent curious male perpetrator:

There are some cases like rape by elementary school children towards others, and then there was also a case when five kids of elementary school they rented a pornographic film, like a DVD, and they practiced it on a goat. Because they wanted to do what they just saw.

The boys committing these crimes, whether they actually have happened or not, are to some extent excused, as if they are innocent and simply acting out of naïve curiosity under the dangerous influence of pornography. Mr Khan exemplifies with a case and, in the same spirit as Mr. Ridwan, victimises the consumers of pornography, as unknowing and simply curious young men:

With this development of technology[...]Last time the students from primary school, watch this. He told his friends that, then have sexual relations and then rapes the goat. So then they rape each other. So when they all got to the trial then they where asked, why did you do this? Then, they were pretty young, answered openly, they said [...]they saw a VID, a porn DVD. Easily sold everywhere. For just 10 000 [rupiah] you can get DVD, pornography.

The easy access to pornography, through internet and vendors in the streets, is a component of the influence. The young and openhearted does not have the responsibility for the actions they perform under the influence of pornography, and their watching of pornography is simply because it can be too easily accessed. But pornography is not only dangerous to those who come in direct contact with it, Ms. Iskandar tells us: “there are researchers [that] says that the pornographic victims are morally dangerous.” When asked if she could give an example of what kind of morals that is affected by pornography, she says: “underage children who watch pornography films and it’s obviously disturbing for their moral.” What morals are not elaborated, but it is definitely not compatible with pornography. Good moral is what pornography is not, and the other way around. The norm of behaving morally right can never include anything or anyone that has to do with pornography.

Mr. Ridwan likewise means that the morals of the young generation of Muslims are in danger if they come in contact with pornography:

In Indonesia, because 90% of the population are Muslim, so nudity is contradictory to our values, and it could erase the morals and it makes the young generation to lose their ability to be productive.

The “young generation” and “lost productivity” recurs as a worry for the future, because of the problem that pornography poses today. But it also implies that it is not the youth that are important as such, but the productive ability of the young. The productive ability is closely connected to public welfare and to contributing to society. It is subsequently the society that is in danger if morality is threatened. Yuval-Davis stresses the nationalist element of “common destiny”, that is oriented towards the future, rather than the past. This explains commitment of people to collectives as the nation, even if there is no myth of a common origin, and also the dynamic nature of processes to reconstruct boundaries that take place within them.⁶⁷ Whose

⁶⁷ Yuval-Davis; 19

morality and what it consists of is difficult to tell, but Mr. Ridwan's views on gender and sexuality can perhaps give us an idea of some of his aspects of morality.

Pornography is perceived as a real threat to a coming future. Ms. Nisa is convinced about the risk of a lost future:

[...]the pornographic material in the market like a mass, an uncontrollable mass distribution then there'll be rape, there be criminal, crime[...] There will be chaos because of that.

The picture of what happens if pornography is "free" to buy and sell is a nightmare scenario for her. It will be an uncontrollable situation of chaos, she fears. The threat of this chaotic situation is imminent if pornography is not restrained.

The interviewees see how good moral, ethical thinking, women's safety and children's innocence are under threat from pornography. Pornography is depicted as having a negative, forcing power over its consumers that turns normal and talented children and men into addicted, mindless criminals, which will lead to a situation of chaos. A frightening scenario of the future is inherent in this image; if pornography is not stopped now, the young generation of today will become the immoral and unproductive citizens and leaders of tomorrow. When ascribing the phenomenon of pornography this power over people, it is likely to be seen as a threat to society. However, the lack of subjectivity and own judgement that the interviewees attribute their citizens should be questioned.

Sara Ahmed argues that emotions are relational. The object of feeling, in this case pornography, both shapes and is shaped by emotions.⁶⁸ The object of feelings is created by cultural histories, which allow the object of feelings to be apprehended as fearsome. Ahmed shows how fear, love, disgust and shame works as different kinds of orientation towards objects and others which shape individuals as well as collective bodies as the nation.⁶⁹ That is, feelings can never be excluded from any sphere of life, even less the political. The feeling of fear is not necessarily rational, but still experienced as well founded due to social, cultural and historical processes. Ahmed describes how fear works as glue for maintaining a collective; through announcing crisis in security, new forms of security become justified. What the interviewees do, as politicians and influential and respected actors in society, is to announce a crisis in security for men, women and children by claiming that pornography is going to cause "chaos", rapes and immoral sexual behaviour. Ahmed argues that narratives of crisis are used within politics to justify a return to values and traditions that are perceived to be under threat. To declare a crisis is

⁶⁸ Ahmed; 8

⁶⁹ Ahmed; 15

not to make something out of nothing, but often work with real events, facts or figures, such as the examples the interviewees bring up with child rapists. But the declaration of crisis interprets facts/events and transforms it into an object that obtains a life of its own. The ascriptions of pornography as having a power of its own, e.g. to wash away moral obstacles for men to rape, is a part of making pornography an object and the source of the threat to morality. In other words, Ahmed says, to announce a crisis is to produce the moral and political justification for maintaining the current situation e.g. in relation to traditional values, in the name of future survival.⁷⁰ The pornography law can in accordance be interpreted as a moral and political mean to maintain “what is”, in the name of the welfare of the nation.

7.2 Contesting victims

The interviewees agree on that young boys, as consumers, are victims of pornography and that their decline is the decline of the nation. The interviewees consider men as consumers of pornography, while women are considered as participants *in* pornography. However, the women’s role is contested.

Ms. Fayumi expresses her concern for women and children who have fathers and husbands that watch pornography.

Women and children become the victims of this [pornography]. For example, the husband is addicted to pornography the woman gets affected because probably the husband will be attracted to something that is beyond reality. S&M for example and that would create domestic violence.

She also believes that pornography causes other abuses: “There are incest inside of the family. Rape.” Pornography is seen as influencing men’s sexuality, turning them into brutal beasts that practice sadomasochistic sex on their wives and rape their daughters. Ms Yosroh believes that women also are victims of the industry:

[...] women are objects and sometimes they are forced to do that against their will. They have to perform or they have to model before pornographic publications.

The consumers, if they are men and not boys, do not occupy a victim status, according to Ms. Yoyoh. Instead the focus lies on the woman and what she has been forced to. Ms. Fayumi gives an explanation to why women are victims and not perpetrators:

Even though they [women] look like actors for example but they are victims of it because they are the community of the investors. That’s why they are victims in this case.

⁷⁰ Ahmed; 76, 77

Apart from defending women and accusing the pornography industry, Ms. Fayumi touches on the complex notion of female subordination and the willing woman. The industry of pornography, “community of investors”, lives off the idea and depiction that women are sexual and want to have sex. Therefore, they are forced to look like actors in order to appeal to the consumers. This argument can be problematic; it limits the space for women’s agency, as will be elaborated below. However, the female actor does exist, Ms. Fayumi says:

Well we have to see their influence that makes her do that. If there is no influence at all if it’s her initiating she is the actor. If there is an influence from an investor or someone [...] she is the victim.

The influence of a third part is crucial to decide if a woman is a victim or not, that is the presence or absence of agency. However, Ms. Fayumi stresses that to work with sex (including pornography) is always a last resort and a result of a patriarchal culture. She believes that pornography including children always constitutes a violation no matter influence or not:

So children are always the victim, because they cannot think for themselves, they can’t rationalize themselves. So there are always, almost always, the influence from an outsider. So it is not their own decision and they were made to do it.

Ms. Nisa believes that women always become the “object of pornography.” Ms. Iskandar has a similar thought and connects pornography to a wider perspective of gendered violence:

They become the object of pornography. It’s in part of violation against women. Because therefore by their economic situation there’s they become the object of that [pornography].

She, in line with Ms. Fayumi, believes that working with pornography is a choice made out of unfavourable circumstances. Ms. Yosroh thinks that some women are forced, and some like it:

She believes that there are a small portion of women in this country who enjoy being models like that [in pornography]. But she believes that there is a, a larger party that don’t enjoy being models like that. And she believes that those women could actually channel their energy and their productive activities into something more useful.

Those working with pornography are wasting their time and energy, which could have been used for something beneficial for society. It seems like the waste of human resources is irritating to Ms Yosroh. She means a different way of earning a living would be more constructive, but she does not acknowledge the obstacles for women in doing so, as Ms. Iskandar does. The naming of women as objects without agency, as victims without control over their situation, reproduces women as in need of protection. In order to make the law the protection of women the interviewees want it to be, they have to create a hegemonic image of women as victims. This struggle to make women victims is contested by others, who want to criminalise women with the same law. According to Mr. Ridwan, women are the real perpetrators of pornography.

Okay, so women have, are the highest contributors of pornographic activity because they are the actors and the object of the, the material. And it's that men are the target of this pornographic product. And women are the actor. So it's the women who act and then there are the men who are seduced by those materials.

Women are by Mr. Ridwan seen as the actors in pornography, and men as consumers are their preys. Once again, he victimises the consumers, as they are suffering under their irrepressible sexual need and women take advantage of that. Women become guilty of the decay that pornography brings.

Mr. Khan apprehended the question in a different way when we asked about women and pornography.

[...] they [women] are doing a lot to prevent this pornography here. [...]So there are also prevent organisations for women here and NGO and other organisations. Especially we are Muslim quite concern with this.”

He gives the impression that there is a joint force of religious women and men behind the prevention of pornography. However, he thinks that the responsibility of not being subjected to the effects of pornography belongs to women.

We just inform them to be decent, I mean, dress properly, not to arouse sexual, you know...then other people will be protected from rape for instance. [...]Because they [pornography, pornography industry] show women in a certain way, so to take other people then they will rape. And if that is right to treat a woman in such a way, you know. Walking all sexual and doing that, inviting other, bad people of course! Good people will never be tempted. But some of the people will do, they will take it like a thief.

Women have to be watched and controlled, or the marriage institution would diminish. The fault for eventual decline in morals is, also in this case, the women's. The dichotomy good versus bad in relation to behaviour in the above quote shows that bad for women is to invite, to tempt, to “walk sexual”. “Bad” for men is to rape, which they do because the bad women tempt them. The origin of the bad act, the rape, is the indecent women. Good women dress decently, do not arouse sexual desires and do hence not get raped. The role of pornography is rather unclear, but obviously is a source of inspiration for bad men and bad women. This is contradictive to what Mr. Khan said before, that religion is not a protection against pornography. In that context he said nobody could resist pornography and that “it” can happen even to good children, while he in another discussion says that only bad people can be corrupted by pornography. Judging from all of Mr. Khan's statements, he seems to believe in a power of pornography that cannot be resisted by anyone but very few like himself. However, the conception of pornography is that it creates good and bad people, and the boundaries between them are shaped through sexual gendered practices and behaviour.

Ah this is also the sexual breeding, yeah, for actually eh this is quite problemish, because the problem with people. Especially the woman. The women of course especially, because they are sometimes easily, you know.

To hold women responsible for sexual violence and for undermining societal values shows a distinct fear for women's sexuality. Apart from that, Yuval-Davis writes that proper women, in clothing and behaviour, embody the boundaries of the collective. In situations where collectives feel threatened, culture and (re)invented traditions are used as ways of legitimizing control and oppression of women.⁷¹ Pornography signalises a threat that makes control over women legitimate. The importance of impeccable and controlled women expressed by the male interviewees can also be explained by Yuval-Davis. She argues, along with many feminist scholars, that women are often seen as cultural symbols of collectivity, of the collective's boundaries, as carriers of the collective's honour and its intergenerational reproducers of culture.⁷² The concern over the future generation also becomes comprehensible with the notion of women as intergenerational reproducers, since they are not just reproducers in biological meaning, but also in a cultural sense. This is in accordance with Mr Khan's statement that the country depends on the women, and implicates that women are the outermost responsible for the reproduction of cultural values and morals. Thus, if the moral of the country is in decline it is they, the women, the Other, who have deviated from their national responsibility and duty. Hence, for the politicians that say their main interest lies in empowerment of women, the objective of protection of women has to be cemented in the hegemonic discourse of the pornography law, or it could just as well result in the criminalisation of women. The struggle over meaning is not, as mentioned before, always a conscious process, but is expressed in struggles over legitimacy.

7.3 Conclusion

The interviewees create "victims" as one of the main arguments. The discourse on victim status is important to possess in order to push the law in wished direction. The interviewee's common support for the pornography law does not exclude some fundamentally different conceptions on pornography and on the consequences of the same. All interviewees see boys as victims of the consumption of pornography, because it leads them to ruin their future and the future of a productive Indonesian society.

For the interviewees from the political parties, who all are female, pornography is a violation of women in itself, due to its objectification of women's bodies. If it is this objectification that

⁷¹ Yuval-Davis; 46

⁷² Yuval-Davis; 67

leads men to think rape and incest is acceptable and is the cause for a lowered enthusiasm for contributing to the society is not clear. However, there is something about pornography that makes men think that sexual crimes are acceptable, according to the politicians.

For the interviewees from the MUI and DDII, pornography was not so much a violation of women as of men, male children or against society in general. They tended to see the perpetrator of for example rape as the original victim of pornography, and those subjected to the original victims' crimes as "secondary" victims. They also connect pornography to sexual behaviour in larger extent, where women are those who have to protect themselves by being "decent" and be controlled by other men. Women are held responsible for pornography as well as for being subjected to its effects. In this way women symbolises a sexual and gendered code of conduct for behaviour and appearance that must be maintained.

The different preconceptions of pornography shows how the struggle between discourses exist also within the group that are promoting the pornography law. There is space for all these different opinions within the frame of the law, due to its vagueness of definition, and the establishing of the meaning of pornography is still ongoing. O'Shaughnessy argues that conservative Muslims in Indonesia in recent years has discussed numerous revisions to Indonesian laws dealing with the regulation of marriage and morals. She puts the pornography law in this category of regulations. She proposes that this shows that different interest groups have a stake in inserting their values into the legal framework of the state, as this legitimizes the group's political and social weight. She also suggests that these struggles over gender order are in fact struggles over power.⁷³ O'Shaughnessy points as a crucial thing: The law can be a way of imposing a notion of the "right" values. That is, the pornography law is not sprung from a neutral, objective and disembodied justice, but from interest groups competing over political influence.

The interviewees have in common that pornography is experienced as threatening and calls on the law as a protection of the young generation and of the country's morals. The moral is seen as going through the female body, but the differences in their opinions on victims and the underlying notions of guilt are significant. Even though the "announcing of crisis" works to glue this diverse group of people together for a common promotion of the pornography law, the intentions of what the interviewees want to accomplish are not compatible. The norms of sexuality and gender and the conceptions behind pornography are constructing women as either victims without agency or as seductive perpetrators, but always as the entry of moral decay.

⁷³ O'Shaughnessy; 39

8 The Protection

Chapter seven discussed the effects of pornography, and made us come to the conclusion that pornographic images are not the real problem. It is the envisioned effects of pornography, partly made up by the existing norms of gender and sexuality that is experienced as a threat. Pornography is defined by its capacity of consequence, which leads us to explore what consequences that provides pornography with its power and what other conceptions that lies behind the law. This chapter will analyse what the interviewees' hope that the pornography legislation will protect them from, in order to see what needs the pornography law is expected to meet, and hence, what the experienced threat is directed at.

8.1 The Vulnerable

The interviewees have different meanings of what the law should protect. The law has a wide scope with room for interpretation, which become apparent when the interviewees present their views.

Mr. Ridwan hopes that the law can: “frame of any free sexual activities or any abnormal like homosexuality.” This might seem far-fetched for a pornography law, but article 4 states that homosexuality is a deviating form of sexuality, along with e.g. sex with animals and dead bodies. By looking at the chapter above on how the interviewees understand sexuality, we can conclude that homosexuality must be seen as an act. Mr. Ridwan's extremely conservative view on women and men, also explored in the chapter on sexuality, can explain why he believes that homosexuality can be forbidden and why. Ms. Fayumi believes that one aim of the pornography law is to protect women and their privacy:

For example if your videotape with your husband is out there somewhere, but you don't have any intention to spread it, you cannot be caught by the law. [...]but the person who distributes it can, he will be caught by the law. It still protects privacy. So if it comes public, there is protection for your privacy.

The law is merely to criminalise exploitation, she means. Ms. Fayumi says she and her party strive to make sex more sacred than it is today through the law, because pornography “makes it [sex] dirty”, and “there is no dignity in it”. The pornography law will hopefully contribute to a less “pornographic society”, she hopes. Ms. Nisa has a similar apprehension of the law:

So actually this is for commercial purposes, the protection is the same women she did that for personal reasons if she doesn't want to make it public [a pornographic video],

then it's her right and not against the law. But if she was forced to do that for public and commercial purposes, then if she was forced it was not her fault, but it's the person that made her, forced her, who got the blame.

As Ms. Fayumi and Ms. Nisa thinks that women's rights are put in jeopardy by pornography and that women should enjoy expanded protection of their privacy. The law gives women space for rehabilitation and respect as an individual. It is a liberal thought about the rights of the private and the individual and that the state should not interfere with her private preferences. The commercial industry is to be held responsible, not the individual. Comparing the preconceptions on gender and sexuality, Mr. Ridwan's and Ms. Fayumi's view on the pornography law appears with having deep ruptures. While Ms. Fayumi assumes that the law should protect privacy, Mr. Ridwan hope that it can prohibit sexual behaviour that deviates from the approved form of heterosexuality, which is to severely violate personal privacy.

Ms. Fayumi thinks that the main objective is to protect women from being exploited by the industry or a "third part". She rejects the idea that the law can criminalise women:

[...]if a women is portrayed in a magazine, for example, with, against her own will then she is free from the legal affection because there is a third party behind her.

It is interesting to note that the agency of women is absent if a third party is involved, and thus she cannot be held responsible for her actions. Ms. Fayumi means that capitalism that is the villain behind the women in pornography.

Actually it is protecting women and children from the evil capitalism.
They are always the victim of the production and the exhibition of pornography[...]this is to protect them from being an object of pornography industry.

To fight pornography is to fight capitalism, but also to protect women and children. Capitalism is connected to modernity or outside influence, and thus to the threat to the experienced fixed set of traditional values. The notion of women as objects, as mentioned in the chapter on victim status above, is recurring, which emphasizes the position of women as a victim without agency. The four politicians, whereof three explicitly said they have female empowerment as one of their main political interest, presuppose women as victims. Ms. Fayumi recognises that there can be an own initiative, but as soon as there is a "third part", the agency of women disappears. It is easiest just to ignore their agency with reference to that if a woman is treated like an object in pornography, she is an object and hence has not acted, and can therefore not be held responsible. This is similar to how boys are considered victims. Women are to some extent equated with children. Ms. Nisa states that: "main protection are for women and children", and then adds:

The whole nation. It means protection for all Indonesian[...]it protects all the citizens in Indonesia.

She elaborates what she means with the protection of all Indonesian citizens:

People's welfare, and the well-being of Indonesian citizens for the future. Specially children because they are the assets for the future.

Ms. Yosroh says “most of the victims are women and children” and Ms. Iskandar says that while children are the victims of the production and the material of pornography, women are the objects of it. The expression “womenandchildren”, introduced by Cynthia Enloe, observe this notion of women and children as a helpless entity, which has to be protected by the state. Womenandchildren are a signifier for the collective's honour and future and their vulnerable position is invoked as a security issue.⁷⁴

The objectives of the law are described as being a prohibition of homosexuality, a protection of women's rights and their privacy, a protection against capitalism and as a protection for the nation as whole. The exploration of the pornography law leads to various explanations of its actual goal, such as protection of women, moral, and children, but there is one objective that all interviewees share: the protection of the nation.

8.2 The Nation

The pornography law is promoted with the underlying notion of a protection for Indonesia's future. Children as assets are important to protect. Ms. Iskandar thinks that the law can curb “pornographic violence”. She firstly describes it as protection of women “to prevent them for being the victims of pornographic violence.” However, when asked if there is protection for men, she says, “the law doesn't specify protection of women and men” and elaborates the scope of the law:

So it's not that it's [the law] only for women, but it says that it protects every citizen in Indonesia from pornographic violence. So this law protects the nation's morality. And to make us not being the victim of liberalism and capitalism.

I interpret pornographic violence in this quote as sexual violence on screen, in pictures or live for commercial purposes. The nation's morality is explicitly said to be protected by the law, which leads us back to a conclusion in the previous chapter; morality is seen as threatened by pornography. Ms. Yosron “wish that publications and video materials are more educating instead of distracting the morals of the country.” That Indonesia has only one set of norms and morals is naturally to give a wrong picture. Apart from that Indonesia is famous for its diversity (and the national motto is “unity in diversity”), no country with a homogenous set of values and morals exists. Capitalism is returning as a threat to Indonesia, together with liberalism. Indonesia are not

⁷⁴ Sjoberg; 5

in any way exempted from the global capitalism or from liberalism, and Ms. Iskandar does indeed have a so-called liberal view on gender and women's rights, but still uses the terms in order to voice an experienced threat. The words of liberalism and capitalism are normative concepts, used as a way of manifesting a critique of modernity, outside influence or "the West". Mr. Ridwan is suspicious towards liberal values in Europe:

[...]there is a dark side on democracy and human rights[...]If We follow democracy and human rights too freely and too diplomatically, then it would lower human dignity.

He believes that Europe is godless and he has seen the effects of godlessness there:

[...]went to Europe three times and was in UK from one month and notice that there is a lot of fatherless child, children. And that's because they didn't reply to any religion they have in Europe, so the victims are the children. Because probably they don't even know who their father is. So they become abandoned and people should go back to religion as well and religious thinking to avoid that to happen.

Mr. Ridwan seems to harbour a concern for Indonesia to become like Europe. It is the "free sex" that is the cause for children being born out of wedlock and pornography is, judging from Mr. Ridwan's previous definition of pornography, leading to free sex. The prohibition of pornography is thus important to limit free sex in Indonesia. His normative understanding of sexuality and gender and the "West" creates an image of social decline as related to pre-marital sex. The "West" is somehow the paragon of a derailed liberalism and capitalism that has abandoned family and religion and lost respect for human dignity. According to O'Shaughnessy, many see immorality and out-side influences as originating from the cultural space of "the West" and globalisation and Westernisation is often perceived as the same thing. When modernity and globalisation is conflated with Westernisation, it calls for a return to religious values for example through bureaucratic systems such as laws.⁷⁵

Ms. Iskandar mentions in a quote above, in compliance with Ms. Nisa earlier, the nation as the object of protection. The law has greater potential than to protect women; it will protect the nation as a whole from the threats of liberalism and capitalism. Mr. Khan's argument for the law confirms the view on the nation as central and returns to youths as the main subjects of protection:

It's because we are a big nation we want to also create good citizens, for future leaders, so we have to protect, protect the young generations. Otherwise it will be a problem because now you can see it's [pornography] free everywhere.

Ms. Fayumi also explains the overarching aim of the law as the protection of the nation:

There is also the aim to productivity of our nation, for the future[...]if teenagers get addicted to pornography then they are not productive in life.

⁷⁵ O'Shaughnessy; 190

The protection of the nation is crystallised as the reason for the concern over the threat to the morals of the “young generation”. The protection of youth is a good thing, but it is to some extent invoked instrumentally – it is the perpetuation of the nation that is the aim. Future leaders and good citizens, a productive population that holds traditional values and women’s rights high, resists the temptations of liberalism and fights capitalism emerges as the ultimate goal of the legislation. The pornography law is thus a law that has its roots in ideological issues in relation to the nation. Pornography as such seems not as a main objective of the law anymore, rather it seems to be invoked to be anything that the respective interviewees consider to constitute a threat to the society they want. Also, a revulsion against capitalism appears to affect the picture of the threat. Ms. Iskandar does not think that pornography’s spread in Indonesia is a matter of coincidence:

As a developing country we are attacked by other countries who are capitalism, yeh, capitalist, capital systems. All the countries who are capitalist and liberal, and liberalism. They attack the young generation here.

She thinks that Indonesia, as a developing country, is under attack. It appears like a deliberate strategy from developed liberal and capitalist countries, or “the West”, in order to conform it to a capitalist and liberalist system by targeting young people in order to make them unproductive. The law can be understood as an effort to protect the nation against “the West” and the ruin of values that will follow. Mr. Khan also believes that pornography is due to foreign influence.

It [pornography] is sent from outside so the challenges are becoming the modern age. Before there were no such problem[...]Do you, make, eh, make, an understanding of this modern? Maybe for some people it’s good, but some people misuse. Do you think that this is called modern? This is not modern! In Islamic it’s called Jahilia; the dark age before Islam came, we were all naked[...]Many peoples, women are going for this.

The outside influences are forming the conception of what Indonesians think of as “modern”, he says, but modernity is merely godlessness. It is a backlash that people become less concerned about decent dressing and it takes us back to Jahilia. Pornography is a manifestation of the godlessness and especially women, he points out, “are going for this”. Similarly to “capitalism” and “liberalism” modernity becomes a normative concept, containing elements such as godlessness and frivolous sexual behaviour. O’Shaughnessy argues that modernity is depicted as the cause of the improper sexual behaviour, such as pre-marital sex and means that public representations of modernity cast modernity in terms of its impact upon male control over female sexuality.⁷⁶ Mr. Khan further explains a more concrete foreign influence, in the shape of primarily Australian tourists:

⁷⁶ O’Shaughnessy; 190

In Bali where many foreigners come, people didn't know those diseases like HIV. But when the foreigners came there, they have free sex with the local[....]Many Australians who did it and this also caused bad influence. Before there were no such problem. So a lot of, you know, information from outside also, movie, they are so free, and some people imitate that.

Mr. Khan expresses a view on how “the bad” entered the nation, and that Indonesia in its original form did not have any sexual deviations or diseases. However, Ms. Nisa does not have the same outlook on foreign influence, on the contrary she points at the existing prohibitions of child pornography in Europe and the USA, “including the website, pornographic website”.

According to Craig Calhoun, nations are built partly as a by-product of contests over economic distributions and control of the government and are integrated for a range of purposes, for example from trade and capitalist production to state strengthening and religious fanaticism. However, nationalist ideologies often make efforts in producing and ensuring conformity to an authoritative vision of the nation.⁷⁷ Putting this in relation to a small conclusion above, where we established that the ultimate goal rather seems to be, among other things, a productive population that cherishes traditional values and resists capitalism, the pornography legislation would be one of these efforts. This does not, as Calhoun points out, rule out the discrepancies in the interviewees' ideas of pornography, it simply shows a surface of homogeneity in the form of nationalism.

Mr. Khan traces the influence not only to foreigners but also to technological development, such as Internet and TV. He gives an example of the problematic nature of the Internet:

And now it's really easy you can get from Europe, Internet. This is a problem. With all this modern new development of technology it's really difficult problem to solve.

The biggest problem with Internet seems to be the European pornography that now can spread to Indonesia's youths. Mr. Khan talks about the pornographic VCD's and DVD's that are sold everywhere in the streets of Jakarta:

In terms of real pornography TV you get not very far from here [the DDII office]. All from outside influence. Influenced Indonesian people. That's why I'm very concerned about this for the younger generation.

Pornography is sold in Indonesia, but it is not the Indonesian people that are to blame. It is because of “outside influence” that young Indonesians are watching pornography. According to Mr. Khan and Ms. Iskandar, new technology is seen as a propaganda machine for the West. This perception of influence enhances the image of the foreign threat to the nation's future. Ms. Yosron says that the law is culturally specific:

We made the law according to our culture. For some people who don't understand our culture probably it's a bit weird, but actually it's, because it's accordance again with the

⁷⁷ Calhoun; 79

Pancasila, with the religious values, with our Eastern values, with the morals of the country.

Those who oppose the law simply do not understand the Indonesian culture, the moral of Indonesia and “Eastern values”. “Eastern values” connotes a tension between East and West, and creates “the East” as something “the West” can never understand. The pornography law is indeed an attempt to upgrade traditional values, and to prevent the cultural imperialism from the West.

8.3 Conclusion

The chapters have shown the fractures in the seemingly united perceptions of the pornography law. While at first sight, the image of pornography is similar as well as many of the effects, the view on sexuality, gender and women are fundamentally different. The views the interviewees present are in a struggle between norms of gender, sexuality and their relationship to the nation.

The legislation has very different meanings for the interviewees; some put women as the perpetrators of this national menace, while others try to free women from an industry that seemingly threatens the nation through women’s bodies. There is a political effort to promote the law as monolithic, while it is interpreted as protecting many different things depending on who is asked. These views are not compatible, yet they unite in the pornography legislation under the flag of nationalism. The law is promoted with arguments of a protection for Indonesia’s morality and thus future, that is threatened by pornography. The protection of youth is partly invoked instrumentally, as they are the future assets for Indonesia and the pornography law aims to perpetuate the nation. Pornography is seen as manifestation of a normative modernity and Western influence. The interviewees refer themselves and Indonesia as parts of “the East”. Technology is seen as involved in a campaign of deluding the young men of Indonesia into the shadow of pornography in order to make Indonesia weak.

Hegemonic cultures present a specific view about the meaning of the world and the nature of social order. Yuval- Davis means that the relationship between men and women are crucial for such a perspective and therefore also in most societies the control of women by men. The normative perception of the pornography law makes elaborates what social order and meaning of the world that the interviewees would like to see concerning women and men. Even if some interviewees like to see women as equal to men in society, there are still special regulations for women, since women’s bodies stand for vulnerability of the nation. It is through women’s bodies

that the “outside”, e.g. capitalism and bad moral can penetrate the nation and cause its fall to Western values.

9 Conclusion

The research question this thesis set out to explore what norms and conceptions that could be found amongst politicians and influential actors promoting the Indonesian pornography law.

The research shows that the concept of pornography involves more than just pictures or films. Behind the word, there is a frightening universe of possible causes, consequences and future scenarios. Pornography is conveyed through politics of emotion to appeal to the cause of the perpetuation of the nation. Pornography is defined rather as a phenomenon than actual materials and actions. This phenomenon is ascribed an almost compelling power over boys, which make them lose interest in activities productive for the society and instead become rapists. Thus both the boys committing these crimes destroy their lives and the lives of the girls and women subjected to the sexual violence. Even though all interviewees share the opinion that boys are victims, the interviewees' views differ on crucial points in their perception of the victims of pornography. Their understanding of who is a victim is based on norms and conceptions of gender and sexuality that are embedded in a social norms of marriage, which in turn constitutes an important brick in the construction of the nation. Either women are equalled with children and created as lacking agency or they are depicted as seductive perpetrators. These views are not compatible, yet they unite in the pornography legislation because they encompass women as the embodiment of boundaries and entry of moral decay. The struggle over the rightful perception of victims is important for the interviewees to define in the hegemonic discourse of the pornography law, since the elusiveness of the law can criminalise as well as protect women. The interviewees all refer to the nation as overarching goal of the pornography law and show a surface of homogeneity in the form of concern over the nation, and over an undefined and putatively harmonized morality. However, behind the common objective of forbidding pornography and perpetuate the nation, are additional goals; prohibition of homosexuality, restrictions on women's freedom and attempts to ensure the sacred position of sex in society.

The use of "pornography", this thesis argues, in the political space is not innocent, but connected to agendas on repressive body politics as well as on claims for acknowledgement of women's rights. This does not disqualify that the interviewees experience pornography as threatening, or imply that they had a secret agenda when they were interviewed. Instead, it is explained in connection to the discourse theory presented in the theory chapter. I read the

interviewees' contradictory arguments as well as their contradictory uses of the pornography law as acts upon a discursive struggle. It is in the "nature", so to speak, of discourses to compete about the hegemonic denotation of things, as well as concepts' connotations. The pornography legislation has been criticised for a lack of coherent definition of pornography, and the vagueness of the definition actually do allow for a filling of meaning by the court trying it, from political interest campaigns and from public opinion. That is, pornography is a term that is open to reinterpretations, negotiations and slips away the fixed meaning, not simply because of an inherent elusiveness, but more so due to social processes. This means that none of the organisations or larger associations the interviewees belongs to actually control the pornography law. The struggle to define who is the victim is salient, because it is an attempt to control the law, since the definition of victimhood is a critical interpretation that will reflect on the implementation. The struggle over meaning is also a struggle over political legitimacy. So not just do the politicians and influential actors in Indonesian society struggle with their fear and contempt for what they perceive as a threat, but also with directing its prohibition to not strike back at their own political agenda.

Pornography is a threat to the nation through women's bodies, and hence it is pornography and women's bodies that must be controlled. The interviewees uses terms as modernity, liberalism, "West", Europe, and capitalism to describe where the threat from pornography originates. These terms are normative concepts, used haphazardly as an externalisation for non-Indonesian values, such as godlessness, pre-marital sex and a generally vacant sexual moral. Technology, in form of Internet and television, is perceived as a spreader of these non-Indonesian values.

These conceptions do not just reflect the interviewees but should be understood as a socially embedded understanding originating from one's context that vents itself in the individual reading of a concept.

The struggle between groups about the concept, or rather category, of pornography enables change and renegotiation. But at the moment, the category of pornography is in the service of ensuring conformity to a vision of the nation and makes way for irrational fears that are triggered by the social upheavals that comes with a more integrated world. The main and common conception behind the promotion of the pornography legislation from influential actors in Indonesia is a perceived threat from the West against the Indonesian nation, embodied by the sexual politics of women. The legislation hence opens up for an arbitrarily limitation of the most basic rights of women, when women are seen as wards of men and their physique as an embodiment of national moral. Pornography is constituted through this discourse, and is

subsequently constituted in double sense, because the political discourse is becoming the legal. The Indonesian pornography law is a legalised way of fulminate deviators of a hegemonic moral.

9.1 Discussion and Further Research

To invoke women's bodies in nationalist projects like the pornography law comes with severe consequences for women's rights movements. The pornography law is a nationalist project, trying to maintain traditional religious structures of sexuality and gender. The law risk becoming a weapon in the hands of religious fundamentalists and legitimising retrenchments of women's, HBTQ's and religious minorities rights. The interviewees' description of the pornography law's goal correlates back to the nation, enhancing the significance of gender relations in the creation of the political. The pornography law is one way of establishing new boundaries and norms in the search for an Indonesian democratic society, which makes it even more important that the potentially abusive power of the law is put under the loupe of human rights scholars. Recent cases of prosecution before the pornography law has shown the harsh sentences for the accused with support from religious hard-liners. The case law that will develop should therefore be of concern for activists and academic scholars pursuing human rights and freedoms.

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