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# Challenging Diversity?: Indonesia's Anti-Pornography Bill

PAM ALLEN\*

*University of Tasmania*

By the time this article goes to press, Indonesia's Anti-Pornography Bill [*Rancangan Undang-Undang Antipornografi dan Pornoaksi*, known in Indonesia as RUU APP] may well have become law. My discussion here, however, goes beyond the details of the various versions of the Bill to its wider symbolism. I argue that the rhetoric both for and against the Bill is symbolic of a deep concern about the future of the nation. The stated articles and clauses of the Bill are of less concern to most Indonesians than what is "unstated" in it. For many, the "unstated" is the influence that a growing Islamic conservatism can wield on those in power. Indonesia may have the largest Muslim population in the world but resistance to this Bill sends a message that there is widespread alarm in the country at the prospect of a religious hegemony in which Islam not only sets moral standards but also drives state policy.

While newsmakers in Indonesia are rarely short of material to draw on – the economy, regional terrorism, natural disasters – it was an issue of public morality that captured the media's attention and galvanised public debate in 2005–06, resulting in what some have dubbed a "culture war" (Bayuni, 2006). I refer here to the Anti-Pornography Bill that, at the time of writing, is being re-worked by a special committee of the Indonesian parliament.

The February 2006 draft of the Bill covered both pornography and what the lawmakers called "pornoaction" [*pornoaksi* in Indonesian]. Pornography was defined as "a substance [*substansi*] in the media or a tool of communication that is made for the purpose of conveying concepts that exploit sex, obscenity and/or erotica", and pornoaction was defined as "an action, in public, that exploits sex, obscenity and/or erotica" (DPRRI, 2006). As reported in *Kompas* (13 March 2006), lawmakers subsequently began to redefine pornography in line with the Greek meaning of the word, while pornoaction was simplified to "the attempt to gain profit by marketing or displaying pornography". Article Three of the Bill sets out its twofold aim:

- "To uphold and revere the dignity and values of a faithful and devout people in order to create a society that honours God Almighty";<sup>1</sup>
- "To protect, guide and provide moral and ethical instruction to society"<sup>2</sup> (DPRRI, 2006).

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\*Correspondence Address: School of Asian Languages and Studies, University of Tasmania, Private Bag 91, Hobart, Tasmania, Australia, 7001. Email: pam.allen@utas.edu.au

A lengthy document, about a third of the Bill's articles were devoted to listing the prohibitions, which covered material and behaviour in books, newspapers, magazines, videos, CDs, DVDs, cassettes, film, radio, television, SMS, telephone, multimedia messaging service, the Internet, letters, pamphlets, leaflets, booklets, posters, song lyrics, poetry, illustrations, photographs and paintings.

While most Indonesians support legislation that controls the production and distribution of pornographic materials (legislation that is in fact already in place in Indonesia's Criminal Code and in laws governing the press, the film industry, broadcasting, domestic violence and child protection, albeit with some articles vaguely worded (Galingging, 2006b) and not effectively enforced or implemented (Fitri, 2006a), the Bill caused considerable controversy because of its broad definition of what constitutes pornography and, in particular, pornoaction. For example, as well as banning activities such as depicting or selling products that depict necrophilia and paedophilia, the Bill banned the depiction of and public engagement in a wide range of considerably less sinister activities, including kissing on the lips and erotic dancing in public. It was Article Twenty-Five, which prohibited revealing "certain sensual parts of the body"<sup>3</sup> (defined as genitals, thighs, buttocks, navel and any part of a woman's breasts) (DPRRI, 2006), that caused the most controversy, being widely interpreted as restricting what a woman may wear in public.

If the Bill passes, the penalties to be imposed include:

- up to twelve years imprisonment and a fine of up to Rp 2 billion (approx. A\$288,000) for public nudity
- up to five years imprisonment and a fine of up to Rp 500 million (approx. A\$72,000) for kissing on the lips in public
- up to seven years imprisonment and a fine of up to Rp 750 million (approx. A\$108,000) for erotic dancing in public
- up to fifteen years imprisonment and a fine of up to Rp 2.5 billion (approx. A\$361,000) for distributing material depicting sexual activity (DPRRI, 2006).

There are mixed reports about the extent to which the Bill will be further revised. On 5 June 2006 the *Partai Demokrasi Indonesia Perjuangan* [PDI-P, Indonesian Democratic Party of Struggle] threatened to walk out of deliberations on the Bill, demanding that it be revised to focus on the production and distribution of pornographic materials, rather than dictating public behaviour, a call that was strongly rejected by Islamic organisations such as the *Aliansi Ummat Jawa Barat* [West Java Muslim Alliance]. While conceding that in its original form the Bill was "rife with inconsistencies" and "denied people's basic human rights" and stating that the revisions would focus on the production and distribution of pornographic materials rather than on restricting individual behaviour, *Partai Kesejahteraan Sosial* [PKS, the Prosperous Justice Party], the strongest supporter of the Bill in parliament, nonetheless insisted that the proposed changes would be merely an "amendment, not an overhaul" (Taufiqurrahman, 2006a). Whether the changes in fact amount to an amendment or an overhaul is of little importance to the argument of this paper, though. However much it may be revised and modified, and regardless of whether it ever becomes law, the societal rifts caused by the Bill have revealed deep polarities about the future direction of the Indonesian state. Those polarities, rather than the Bill itself, are the main focus of this paper.

The Bill was in fact drawn up and subsequently shelved in the 1990s.<sup>4</sup> It is difficult to pinpoint with any accuracy the motive behind its rather sudden resurrection and tabling in August 2005. Needless to say, theories abound, a popular one being that President Susilo Bambang Yudhoyono requested that the Bill be put back on the table after he became disturbed by the sight of women's navels and erotic dancing on television. Indeed many Indonesians, not entirely tongue in cheek, trace the genesis of the Bill to the infamous antics of the popular *dangdut* singer and dancer Inul Daratista, whose gyrating hips and scanty attire have shocked and delighted the nation in equal measures since the early 2000s (see Figure 1 below). In 2003, at the height of – and in direct response to – the Inul scandal, the Muslim scholar and activist Solahuddin Wahid (brother of former President Abdurrahman “Gus Dur” Wahid) called for a “special law regulating pornography”<sup>5</sup> (Liputan6TV, 2003). Hence the view of some that Inul’s “pelvic gyrations are propelling Indonesia’s anti-pornography Bill” (Seneviratne, 2006), a view that has even reached as far as the House of Representatives, where, as reported in *The Jakarta Post* (11 February 2006), her arch rival (male) *dangdut* star, the devout Muslim Rhoma Irama, held the floor for fifteen minutes, criticising Inul’s erotic dance moves.<sup>6</sup>

The official government line has been that the Bill is designed to protect women, an argument that has been greeted with considerable scepticism, however, from many women’s groups.

Some cynics suggest that the reappearance of the Bill was merely a distraction from the main game, the parliamentary committee’s declaration that the nation is in “moral decline” (Harvey, 2006) being simply a diversionary tactic to attempt to cover up the government’s failure to deliver on election promises to clean up corruption, improve the nation’s health and education services and address poverty and unemployment.

Perhaps the most widely-held view is that the re-emergence of the Bill, instigated by Muslim members of parliament, was driven by militant Islamic interests such as the *Front Pembela Islam* [FPI, Islamic Defenders’ Front], which campaigns for Islamic law and mobilises protestors against perceived violators of Islamic rules. Many non-Muslims agree with the view of Balinese I Putu Gede Indriawan Karna that the Bill “appears to be an effort to include Islamic law in the Constitution” (Suardana, 2006) – a view challenged by Yoyoh Yusroh, deputy chairman of the parliamentary committee overseeing the Bill, who pointed out that “the Bill does not privilege any one religion. Nowhere in any article in the Bill [is there] anything that instructs Indonesian women to wear a Muslim headscarf”<sup>7</sup> (Kusumaputra, 2006). Others see the revival of the Bill as a strategy by sitting members of parliament to win the hearts and minds of Muslim voters in the lead-up to the 2009 election.



**Figure 1.** Rhoma Irama and Inul Daratista

Picture: <http://www.kompas.com/photo/hiburan/inul-rhoma.jpg>

While the Bill has prompted debate across a wide spectrum of Indonesian society, a number of key stakeholders can be identified. In this paper I analyse the responses of a number of them – Muslims, women, artists and religious and ethnic minorities.

### Muslims

In addition to the FPI, Muslim groups, including *Majelis Mujahiddin Indonesia* [MMI, the Indonesian Mujahiddin Council, headed by Abu Bakar Ba'asyir], *Majelis Ulama Indonesia* [MUI, the Indonesian Ulama Council], *Hizbut Tahrir*, *Forum Betawi Rembug* [FBR, the Betawi Brotherhood Forum], *Gerakan Pemuda Islam* [GPI, the Youth Islamic movement] and *Muhammadiyah*, support the Bill in a call for a “more serious and systemic” movement against pornography and indecent acts, behaviour that they claim has the potential to damage the moral fibre of the nation. The publication in January 2006 of the first edition of Indonesian *Playboy* (dubbed by Hasyim Muzadi, chairman of *Nahdlatul Ulama* [NU], as the “global trademark of pornography”) was regarded by MUI as a “turning point in the morality movement”. The MUI subsequently issued a *fatwa* condemning pornographic media (Guerin, 2006). Speaking at a demonstration in Bandung, West Java, on 6 June 2006, Harry Moekti of *Hizbut Tahrir Indonesia* called for the creation of a caliphate to counter the trend towards liberalism in Indonesia (Faiq, 2006). The demonstration attracted around 10,000 Muslim supporters of the Bill, representing thirty-seven Islamic organisations under the banner of *Aliansi Ummat Islam Jawa Barat* [West Java Muslim Alliance].

It is worth pointing out the similarities between the current ideological debates in Indonesia and those that occurred in Pakistan in 2005, where a bill tabled by a coalition of religious parties in the North-West Frontier Province called for a new government department to “discourage vice and encourage virtue”, to be policed by a “moral police force”. The Pakistani Bill would “ensure adherence to Islamic values in public places”, including, like the Indonesian Bill, discouraging dancing (BBC News, 2005). As in Indonesia, the Bill proved divisive and led to a heated and emotionally charged debate about the role of the state in policing morality.

The rhetoric of much of the Islamic support of the Bill has been couched in highly charged warnings about the dangers of anarchy, hedonism, free sex, obscenity, globalisation and the degenerate West, from which the Indonesian nation must be protected. According to MMI official Fauzan al-Anshari, pornographic and indecent acts are “okay for Western countries but not here”. Vice-President Yusuf Kalla added his voice, objecting to the publication of *Playboy* on the grounds that “This is not America”, while President Susilo Bambang Yudhoyono warned Indonesians against blindly imitating foreign cultures (Guerin, 2006). (A counter to such rhetoric is the comment by University of Indonesia law professor Harkristuti Harkrisnowo that “Indonesia has no tradition of covering all of the body; it’s a tradition of the Middle East” (Anjani and Ghosh, 2006), implying that the Bill in fact proposes a blind imitation of orthodox Muslim culture.)

Muslims do not speak with a unified voice, however, and moderate Muslim groups in Indonesia have moved to distance themselves from the rhetoric and activities of hardline organisations. Fatayat, the women’s wing of NU, has stated that the Bill is aimed at “domesticating” women (Koeseomawira, 2006), while, as reported in *The Jakarta Post* (22 March 2006), former President Gus Dur has condemned the Bill as disregarding freedom of expression and violating the constitution. Gus Dur, who set up the Wahid Institute to promote religious tolerance and who has recently written a book titled *Kala Fatwa*

*Menjadi Penjara [When Fatwa Becomes a Prison]*, was denounced for his views by the FPI, which led in turn to a call from NU to have FPI disbanded (Sijabat and Nugroho, 2006; Honoris, 2006). Gus Dur found himself further out of favour with hardline Islamic groups when, during a radio talk show on Jakarta's FM Radio 68H in May 2006, he argued that pornography was a subjective phenomenon and that even certain passages in the Koran could be interpreted as pornography. Conservative Muslim clerics reported both Gus Dur and the radio show's producer to the police, claiming that they had violated Article 156A of the Criminal Code. However, Gus Dur's role in opening up a public debate on the Bill was praised in August when he and feminist Gadis Arivia were named winners of the Suardi Tasrif Award for freedom of expression by *Aliansi Jurnalis Independen [AJI, Alliance of Independent Journalists]*.

Another Islamic group opposing the pornography bill is *Jaringan Islam Liberal [JIL, Liberal Islam Network]*, whose website states, "The healthy form of state for the religious and political growth is a state where both authorities are separated"<sup>8</sup> and whose director, Hamid Basyaib, while disapproving of pornography, is a firm believer in the "right of individuals and their ability to make decisions informed by faith" (Dart, 2006).

## Women

International Women's Day 2006 was marked in many Indonesian cities by protests against the Bill (see Figure 2 below). There is a widespread view among Indonesian women (including many Muslim women) that the Bill is part of a growing tendency to



**Figure 2.** Protesters shout slogans during an anti-pornography rally in Jakarta, Indonesia, 11 May 2006

Picture: AP, 16 May 2006.

introduce systematic state discrimination against women; some even go so far as to speak of the Talibanisation of society (echoing protests in Pakistan in 2005 that dubbed the proposed new morality law “Taliban-style extremism” (BBC News, 2005). Despite the purported government aim to protect women, Indonesian feminists fear that the Bill will in fact increase violence against women, and are angry that implicit in the Bill is the notion that women are the prime cause of national moral decay. Nuraini, from the women’s organisation *Srikandi Demokrasi Indonesia*, has expressed the view that the Bill has at its heart the commodification of women as objects that need to be legally contained (cited in *Kompas*, 14 March 2006). This view seems to have been strengthened by the condemnation by the FBR of a rally against the Bill. In a live broadcast on Metro TV and cited in *The Jakarta Post* (2 May 2006), FBR chairman Fadloli el Muhir declared that women participating in the rally (who included Sinta Nuriyah Wahid, wife of Gus Dur) were “evil, wretched women who did not have good morals”. (Sinta has since filed a lawsuit against the FBR.)

It has been pointed out too that the Bill is degrading to men in its implicit assumption that they are incapable of controlling their animal desires when in the presence of a woman who is not fully covered up.

Despite the fact that the Bill is yet to be passed as law,<sup>9</sup> as many as seven cities and local governments have already introduced their own bylaws, widely viewed as *sharia*-inspired, regulating how women should behave and dress in public. For example, in the industrial city of Tangerang in Banten province (near Jakarta), the local council has implemented laws (under regional autonomy provisions) banning prostitution and the sale and distribution of alcohol. Specifically, the article on prostitution states that “Anyone who by virtue of their suspicious attitude or behaviour creates the impression that he/she<sup>10</sup>/they are prostitutes are forbidden from being in public streets, squares, places of accommodation, hotels, boarding houses, rental accommodation, coffee shops, places of entertainment, performance venues, street corners or alleys or other places in the Region”<sup>11</sup> (Soekirno, 2006). Considerable press coverage has been given to the cases of women who were arrested while buying bottled tea at a roadside stall and another who was arrested while she waited for her husband at a hotel. Media commentary pointed out the fact that most residents of Tangerang are in fact women who work night shift (Fidrus, 2006) and incredulity has been expressed that “a community’s morality and crime rate hinge so crucially on the appearance and decorum of women, that they must be placed under a curfew and their attire regulated” (*The Jakarta Post*, 2006a). The case that garnered most public attention was that of Lilis Lindawati, the pregnant wife of a local teacher, who was arrested (by five “public order officials”) at about 8 pm as she boarded local transport on her way home from her waitressing job. She was subsequently charged with being a prostitute (the clinching evidence being that she was carrying lipstick in her handbag), fined Rp 300,000 (about AUD50) and detained for four days.

Regulations that seem to derive from *sharia* law, many of them directly affecting women, have also been passed in other areas of Indonesia. A bylaw similar to the Tangerang one is being planned in Depok, in Jakarta’s south, and city councils in Padang Pariaman (West Sumatra), Bengkulu (South Sumatra), Batam (Riau), Aceh and Tasikmalaya (West Java) already have similar bylaws in place. In South Sulawesi, female civil servants must wear Islamic attire, female high-school students must wear long skirts (Galingsing, 2006b) and government employees must be able to read and write Arabic. In West Sumatra, the municipal administration in Padang has issued a



**Figure 3.** Former Indonesian first lady Sinta Nuriah Abdurrahman (in wheelchair), *dangdut* singer Inul Daratista (left front) and Sukmawati Soekarnoputri (far left, wearing sunglasses) join hundreds of activists, artists and cultural communities in a rally to protest against the endorsement of the pornography bill.

Picture: JP/Muikan Salmona.

bylaw requiring all schoolgirls, regardless of religion, to wear the Muslim headscarf (Galingging, 2006a).<sup>12</sup> The province of Aceh has been using *sharia* courts since it was granted special autonomy in 2002, and there is support for the Islamic court being used for non-Muslims as well.

But the Bill also has the support of many Muslim women, who began to go public with their support in mass demonstrations such as the following in May 2006, attended by thousands of Muslims from a wide range of Islamic organisations (see Figure 4 below).

### Artists

While the Bill has the potential to have a devastating impact on the print media and the publishing industry, the sanctions against pornoaction drew the harshest criticism from the artistic community. Nearly all traditional dances in Indonesia feature sensual



**Figure 4.** Protesters march through Jakarta calling for an anti-pornography law  
Picture: AP, 22 May 2006.

movements, bare shoulders and tight-fitting costumes, and many traditional visual art works allude to fertility and physical beauty. In the domain of contemporary art, action has already been taken against the organisers of an installation in Jakarta entitled 'Pinkswing Park' (see Figure 5 below). Reminiscent of Adam and Eve in the Garden of



**Figure 5.** Pinkswing Park <http://www.universes-in-universe.de/islam/eng/2005/032/img-02.html>  
Picture: FX Harsono.

Eden, the installation depicts a woman and a man striking a variety of poses in an idealised jungle. Both figures are naked, with white circles covering the genitals and breasts. In this case it was not a government body that took action but rather the FPI, which in September 2005 sued artist Agus Suwage, photographer Davy Linggar, model Izabel Yahya and soap opera star Anjasmara for blasphemy, and forced the closure of the CP Biennale exhibition, at which the installation was displayed.

A number of artists and artistic communities have responded to the Bill through activities or performances that either seek to directly challenge the tenets of the Bill or to reveal its hidden agenda. In Jakarta in April 2006 a group of feminist performers, led by poet and academic Toeti Heraty, staged the well-known legend of *Calonarang*, a tale about an evil tenth-century sorceress who caused disaster and disease throughout Bali and East Java. This legend has become a sort of “master narrative” for contemporary feminists in Indonesia, who have reinterpreted it as a story exemplifying male fear of female power and have retold the story from the point of view of the sorceress. The April performance conveyed the message that the Bill is being driven by the notion that women are seducers who must cover themselves up (Suryana, 2006). In June 2006, a dance performance at the Bali Purnati Centre for the Arts titled *Open*, a collaborative work by the well-known Balinese poet and performer Cok Sawitri and New York-based choreographer Dean Moss, depicted, among other things, the religious fundamentalism that is seen to be driving the Bill, ending, however, on a hopeful note about the possibility of peaceful dialogue (Sudjatmiko and Juniarta, 2006).

### **Ethnic and Religious Minorities**

While, as exemplified in the Tangerang case, regional autonomy legislation has been the driver of some “pre-emptive” interpretation and implementation of the Bill, there has been widespread condemnation of the Bill on the grounds that its implementation as a national law would in fact undermine the discretionary powers and diversity that regional autonomy has delivered to the regions, and in doing so would stoke ethnic, religious and cultural tensions across the archipelago. I Putu Gede Indriawan Karna, head of the Balinese National Youth Committee, for example, has stated bluntly that the laws would “create the possibility of national disintegration” (Suardana, 2006), and Nia Syarifudin from *Gerakan Pemberdayaan Suara Perempuan* [Movement for the Empowerment of Women’s Voices] has stated that the price of implementing the Bill, with its many “unclear agendas”<sup>13</sup>, will be the “destruction of the nation”<sup>14</sup> (cited in *Suara Merdeka*, 10 May 2006). The response was particularly heated in Bali and Papua, where traditional attire includes bare breasts, penis gourds and grass skirts, dress that would violate the pornography articles of the Bill.

Formal responses to the concerns about regional marginalisation include the “Say No to Zero Culture” campaign, orchestrated by ABTI, the *Aliansi Bhinneka Tunggal Ika* [Diverse but One Alliance], whose members include playwright and activist Ratna Sarumpaet, singer Franky Sahilatua and writer Rieke Dyah Pitaloka, which argues that the Bill threatens the integrity of the Republic of Indonesia and forces cultural homogeneity, and *Aliansi Mawar Putih*, the White Rose Alliance, founded by feminist Gadis Arivia, whose high-profile supporters include writer Ayu Utami, film-maker and actor Christine Hakim, and public intellectual Goenawan Mohamad, and whose full-page advertisement in *The Jakarta Post* on 21 April 2006 reminded the lawmakers that “Indonesia is a home for all

religions". The "Say No to Zero Culture" campaign organised the colourful *Pawai Budaya Bhinneka Tunggal Ika* [Unity in Diversity Cultural Parade] in Jakarta on April 22 2006 (see Figure 3 above). In a challenge to the call by a prominent Muslim cleric that traditional clothing that exposes the *aurat* [private parts]<sup>15</sup> should be "stored in a museum, and not preserved, because it does not accord with the values of the nation"<sup>16</sup> (cited in *Suara Merdeka*, 10 May 2006), organisers urged participants to wear traditional costume in the parade, which was enlivened by traditional dances and musical performances from throughout the archipelago, including a Chinese lion dance, as well as a provocative performance from Inul Daratista. While the rally itself was a colourful, peaceful affair, a number of participating artists and activists reported being harassed in the days afterwards. As mentioned above, the FBR condemned the rally and demanded an apology from organiser Ratna Sarumpaet because its members were offended by a bare-breasted transvestite who took part. Members of the same group went to the homes of Inul Daratista and Rieke Dyah Pataloka and demanded that they leave Jakarta (Fitri, 2006b).

In Bali, the first province to formally lodge a rejection of the Bill, it has been dubbed the "third Bali bomb" because of potential damage to the island's tourist-based economy (a concern also expressed in Batam, with its tourism-dependent economy). In addition, as in a number of other regions in Indonesia, naked statuary and bare flesh in paintings and dance are part of Balinese culture and religious tradition (Bandem, 2006). Fears have also been expressed that even bathing in rivers would be outlawed, as such an action would violate the letter of the law (Subagja, 2006). The opposition to the Bill in Bali has been so deeply felt that there have been calls for the island to secede from the Republic if the law goes ahead (Suardana, 2006).<sup>17</sup>

Coinciding with a visit from government legislators, protesters staged a day-long rally in Denpasar in early March 2006, at which a female dancer performed the erotic *joged* dance bare-breasted and a poet removed an item of clothing with each stanza he read. Moving beyond the specific prohibitions of the Bill, Cok Sawitri voiced concerns about the spirit in which it was formulated, predicated on the notion that sensuality and sexuality are phenomena that are impure and morally reprehensible rather than natural aspects of the lives of human beings.

In March 2006 the MMI issued a *somasi* [legal grievance] to the Governor of Bali and the island's community leaders because of their opposition to the Bill. In the *somasi* the MMI described the Balinese objection to the Bill on cultural grounds as "irrational", declared that tourism had "given birth to various vices, including prostitution and drug abuse" and that the industry "has enslaved the Balinese", and called the "Bali Independence" issue "a form of tyranny by the minority" and "a statement of war against the Republic of Indonesia".<sup>18</sup> A week later Vice President Kalla, who admitted that there were inherent difficulties in defining pornography and obscene acts, assured the Balinese tourism industry that the Bill would not criminalise sunbathing or sacred elements of Hindu culture. Indeed, Article Thirty-Six of the Bill sets out exemptions to the prohibitions on pornoaction, permitting clothing and/or behaviour that is customary according to ethnic traditions and/or culture, as long as it is associated with

- the performance of religious or spiritual rituals
- artistic activities (only in a designated arts venue)
- sporting activities (only in a designated sporting venue)
- health education (DPRRI, 2006).

For the Balinese opposed to the Bill, however, these exceptions do not guarantee freedom from “hegemonic restraint” once the Bill is ratified.<sup>19</sup> (“We will be considered a strange nation if our swimmers wear a sarong and *kebaya* to cover their thighs when competing in the Southeast Asian Games. Or a country that has lost its senses if our beach volleyball players demand to compete in a securely closed venue so that their buttocks are not visible to the general public.”<sup>20</sup>)<sup>21</sup>

The Catholic Church, too, has openly rejected the Bill on the grounds that morality is a religious matter and religion should be kept separate from state legislation.

At the heart of the grievances expressed by these ethnic and religious minorities is the fact that, as Chandra (2006) points out (drawing on Hannah Arendt’s *The Origins of Totalitarianism*), homogeneity is the ideal condition for a successful nation-state. It was the driver of both the Sukarno and the Suharto regimes, and presidents in post-Suharto Indonesia have had to grapple with how to genuinely achieve unity in diversity. When the MUI, which continues to be an advisory council to the government on religious affairs (Gillespie, 2006), issues a *fatwa* on pluralism, secularism and mixed marriages (as it did in 2005), advises the police on “standards of decency” (Galingging, 2006b) and seeks to carve a place for itself as the “moral force . . . for social rehabilitation” of modern Indonesia” (Gillespie, 2006), and when even the generally moderate NU is considering issuing a *fatwa* on TV celebrity gossip shows and warns that viewers of such programs could “end up in hell”, as reported in *The Jakarta Post* (18 August 2006), homogeneity begins to take on the shades of hegemonic Islam, and minority groups face the dilemma of finding their place in the nation-state.

### **And the Winners are . . .**

Whatever the final outcome, two institutions have gained ground during the course of this ideological debate: the national ideology *Pancasila* (“an overarching umbrella for a pluralistic nation” (*The Jakarta Post* 2006b) and democracy.

Resistance to the Bill has frequently been expressed through appeals to the first principle of the *Pancasila*, which guarantees choice and diversity in religion by stating that Indonesian citizens must believe in “one God”, without specific reference to any one religion. Arguably, one of the reasons that this principle is held dear by many Indonesians is that in its original form, in the draft of the 1945 Constitution known as the Jakarta Charter, the principle included the words “with the obligation to implement Islamic Sharia by its adherents”. These words were removed only on the eve of the proclamation of Independence, meaning that Indonesia became a secular rather than an Islamic state at the stroke of a pen and at the eleventh hour.<sup>22</sup> Subsequent efforts to have the deleted words re-inserted have consistently failed.

However, since its adoption as the foundation of the Indonesian state, the *Pancasila* has often been hijacked by political interests, particularly during the 32-year regime of Suharto, who manipulated the *Pancasila* so that he could use it to silence opposition. Under Suharto, dissenting voices were frequently deemed to be anti-*Pancasila* (code for “subversive” or “Communist”). For this reason, perhaps, and despite (or perhaps because of) the fact that the *Pancasila* was a compulsory school and university subject, and mandated professional development for public servants during the New Order regime, many Indonesians became cynical about the *Pancasila*, regarding it as little more than rhetoric (or even a “laughing stock”, according to a recent *Jakarta Post* editorial

[2006b]). Some commentators, including the political analyst Daniel Dhakidae, have linked recent tensions and conflict in Indonesian society to this rejection of the *Pancasila*.

Suddenly, it seems that the *Pancasila* has a real function, as a rallying point for those who see the Anti-Pornography Bill as a threat to the secularity of the state. As Mochtar Pabotinggi points out, the real transformation in the *Pancasila* in its current revivification is that it is not being imposed top-down, but rather is now in the hands of civilians (cited in *The Jakarta Post*, 3 June 2006), many of whom, during the New Order regime, would undoubtedly have dismissed it as propagandist rhetoric and would have found it unimaginable that they themselves would one day be invoking the *Pancasila* to further the cause of pluralism and secularism.

Allied to the emergence of the *Pancasila* as a weapon in the resistance to the Bill is another common point of reference, the Indonesian national motto *Bhinneka Tunggal Ika* [Unity in Diversity], which makes explicit the fact that the nation comprises many races, ethnic groups and religions. A petition to the House of Representatives, for example, in addition to emphasising the need to differentiate the public and private domains, also stated that “Nobody has the right to impose his/her values on others who come from a different system of values”.<sup>23</sup> According to the *Aliansi Bhinneka Tunggal Ika*,<sup>24</sup> “*Bhinneka Tunggal Ika* is the cement that holds a wide range of ethnic groups together”<sup>25</sup> and “it is the *Pancasila* and the Unity in Diversity motto that unites the nation”;<sup>26</sup> threats to either “endanger the very existence of the Nation and State of Indonesia”.<sup>27</sup> Since June 2006 moderate Muslim groups, too, have been calling on the government to revitalise *Pancasila* as the state ideology, as a counter to the adoption of *sharia*-style bylaws by local councils.

It is worth standing back for a moment from the emotive arguments to dwell on what those public expressions of opinion actually represent in a nation long used to silencing and censorship of dissenting voices. It can be argued that the very fact that the Bill is being publicly debated at all is evidence of democratic governance in action. “Everyone is playing by the democratic rules of the game,” writes Bayuni (2006), while Adi Kusuma (2006) points out that the debates prompted by the Bill “could be considered an exemplary model of public participation”.

### Concluding Remarks

By the time this article goes to press, the Bill, perhaps in a revised form, will probably have been through parliament. The outcome of that process is neither here nor there as far as the key points of my discussion go. I argue that resistance to the Bill is symbolic of a nation that is fearful of its future. While it is possible to read that resistance in a number of ways, there is a clear sense that many Indonesians, including Muslim Indonesians, are alarmed at the prospect of an increasingly Islamised state. For them this Bill is not just about morality or even about pornography; it represents the substitution of religious diversity with religious homogeneity. Ratna Sarumpaet bluntly sums up this view, stating that the Bill is “more about instituting *sharia* law and fighting secularism than controlling pornography” (Sijabat, 2006a).

The stated articles and clauses of the Bill are of less concern to most Indonesians than what is “unstated” in it. Whether or not the Bill is in fact being driven by hardline Islamic interests has almost ceased to be relevant, but resistance to it has provided a space for the voicing of a growing concern in Indonesia about the influence of a perceived increasing

Islamic conservatism. However much it may be revised and modified, for many the Bill has become a potent symbol of religious and cultural hegemony. The controversy surrounding the Bill goes well beyond a “debate about freedom of expression” as Bayuni (2006) has described it. While Bayuni argues that this debate is not about Muslims versus non-Muslims, but rather about conservatives versus liberals, the rhetoric of the opposition to this Bill sends a strong message that many people are alarmed at the prospect of a nation in which the *Pancasila* and *Bhinneka Tunggal Ika* are sidelined by a hegemonic Islam that sets moral standards and drives state policy.

## Notes

1. *Menegakkan dan menjunjung tinggi harkat dan martabat manusia yang beriman dan bertakwa dalam rangka membentuk masyarakat yang berkepribadian luhur kepada Tuhan Yang maha Esa.*
2. *Memberikan perlindungan, pembinaan, dan pendidikan moral dan akhlak masyarakat.*
3. *bagian tubuh tertentu yang sensual.*
4. See for example Powell (2006), Anjani and Ghosh (2006)
5. *sebuah undang-undang khusus yang mengatur soal pornografi.*
6. In 2003, Rhoma Irama issued a *fatwa* on Inul because of her erotic “drilling” dance moves. See Liputan6 TV (2003).
7. *Tidak ada dalam satu pasal pun dalam undang undang ini yang memerintahkan perempuan Indonesia mengenakan kerudung atau jilbab.*
8. *negara yang sehat bagi kehidupan agama dan politik adalah negara yang memisahkan kedua wewenang tersebut* <<http://islamlib.com/id/tentangkami.php>> .
9. As of January 2007.
10. In Indonesian, the third person singular pronoun “*ia*” is gender-neutral – it can mean either “he” or “she”. However the context of the by-law implies that these are behaviours engaged in by women. To my knowledge no man has been arrested for violating this by-law.
11. *Setiap orang yang sikap atau perilakunya mencurigakan, sehingga menimbulkan suatu anggapan bahwa ia/mereka pelacur, dilarang berada di jalan-jalan umum, di lapangan-lapangan, di rumah penginapan, losmen, hotel, asrama, rumah penduduk/kontrakan, warung-warung kopi, tempat hiburan, gedung tempat tontonan, di sudut-sudut jalan atau di lorong-lorong jalan atau tempat lain di Daerah.*
12. However, this move has been described as a return to Minangkabau *adat* [custom], rather than an adoption of Islamic practice. See Parker (2005).
13. *agenda tidak jelas.*
14. *perpecahan bangsa.*
15. While generally understood to mean “genitals”, the Islamic word *aurat* in fact includes all parts of the body that must be covered while performing a ritual.
16. *disimpan saja di museum, jangan dilestarikan, karena tidak sesuai dengan martabat bangsa ini.*
17. Over the next few months the dust settled somewhat and in July the Governor of Bali, Dewa Made Beratha, informed a parliamentary committee that Bali did not in fact want Special Autonomy, but nonetheless urged the committee to reconsider the Bill in light of Bali’s particular circumstances (Suharsiningsih, 2006).
18. “Summons” of Bali Leaders. <<http://www.indonesiamatters.com/175/summons-of-bali-leaders>>. Accessed 15 August 2006.
19. *pengekangan hegemonis.*  
(*Rumusan hasil seminar pembahasan Rancangan Undang-Undang Antipornografi dan Pornoaksi (RUU APP) dari perspektif budaya, hukum dan seksologi.* Denpasar: Universitas Udayana, 21 February 2006.
20. *Yang pasti, kita akan menjadi bangsa aneh, kalau para perenang kita menggunakan kain kebaya agar pahunya tidak tampak ketika bertanding di SEA Games. Atau dianggap bangsa yang tidak waras, kalau pemain voli pantai kita menuntut bertanding di ruang tertutup rapat agar bokongnya tidak dilihat orang banyak.*  
(*Rumusan Hasil Seminar Pembahasan Rancangan Undang-Undang Antipornografi dan Pornoaksi*

(RUU APP) dari Perspektif Budaya, Hukum dan Seksologi. Denpasar: Universitas Udayana, 21 February 2006.

21. In October 2006 the Bill was revised to include articles that “protected the sartorial preferences of people from indigenous cultures”, allowing the wearing of the tight-fitting Javanese *kebaya* and the Papuan penis gourd. Catwalk models would be exempted from the Bill, and artists would be allowed to display certain works of art to a limited audience. See Taufiqurrahman (2006b).
22. In a recent article, political analyst J. Soedjati Djiwandono points out that there was never a national debate about whether Indonesia should be a secular or a religious state, until the 1955 Constituent Assembly, which voted against the re-institution of the “seven words”. See Djiwandono (2006).
23. <http://www.petitiononline.com.ruuapp.petition.html>. Accessed 14 March 2006.
24. [http://jakarta.indymedia.org/newswire.php?story\\_id=731&print\\_page=true](http://jakarta.indymedia.org/newswire.php?story_id=731&print_page=true)
25. *Bhinneka Tunggal Ika adalah semen yang merekatkan berbagai suku bangsa yang tersusun membentuk negara kita.*
26. *Adalah Pancasila dengan semboyan Bhinneka Tunggal Ika yang mempersatukan kita semua.*
27. *membahayakan eksistensi Bangsa dan Negara Indonesia.*

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