POLITICAL PORN AUTONOMY MEANS REPRESSION AGAINST WOMEN

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Reformasi promised to unravel the New Order and its legacy of state control, social repression and intermittent violence. One of the key mechanisms for this was, of course, decentralization and the grant to the regions of various levels of autonomy.

The wave of local elections through to late 2005 has brought with it some of the most radical change Indonesia has experienced in decades. Of the 219 local elections conducted to date, some 40 percent or so resulted in the removal of incumbents and the rise of new elites, cementing a broader social process that has been underway across the archipelago since 1998.

We say "new" elites but in many cases they are, in fact, the old elites redux, that is, traditional leaders pushed to one side under the New Order, reasserting themselves three decades later. Often they are male and often they draw their authority from traditional local sources, including adat and religion.

In other words, new local leaders tend to look for their legitimacy to conservative and socially-regressive value systems linked to local identity. In many regions these groups have begun to replace the old Jakarta-endorsed bureaucrats, most of whom had a strongly secular nationalist bent and some level of commitment to a modernizing agenda.

These old-for-new elites are influencing local policy right across the country, even where they haven't won office.

In realpolitik terms, many local heroes want to differentiate themselves from the past and to strengthen their local support. One way to achieve this is to support or even lead local agendas sponsored by conservative social groups, often religious in nature.

The result has been a wave of attempts to introduce conservative interpretation of adat (custom) or, more often, syariah-derived moral norms through regional regulations (Perda). This has occurred most obviously in Aceh, but social disruption has not been so significant there, as many of the norms underpinning that province's new Qanun (Islamic law) were long ago internalized by most Acehnese.

It is more disruptive in other areas with greater religious and social plurality such as Tangerang, Cianjur, Padang and South Sulawesi, to give just a few examples of regions where "Islamising" Perda have been proposed or introduced.

That some of these new regulatory regimes are inspired to some extent by Muslim hard-liners is clear. The drafting of the Acehnese Qanun, for example, drew inspiration from the radical and very controversial codes introduced by PAS in Kelantan and Trengganu, Malaysia.

Undeterred by failure at the national level, hardliners renewed efforts to introduce legal grounds for shariah.
implementation at the local level, with some success. But regional moral conservatism is now no longer isolated, if indeed it ever was. Its reflection at the national level is the huge controversy over the Anti-Pornography Bill (RUUAP). This is, in a sense, the Perda writ large

Like the Perda, the RUUAP seeks to ban modern behavior that offends traditional and religious cultural norms. If it is passed in its original form it would prohibit forms of expression that its supporters consider pornography or pornoaksi and is very focused -- like most of these Codes -- on the expression of sexuality and women's behavior

The pornoaksi ban (which may now be dropped by the Bill's supporters) would prohibit people from public displays of affection (such as kissing and holding hands), or exposing "sensitive" body parts such as breasts, thighs, belly, but also hair, shoulder and legs

The Anti Pornography Bill is thus not really about pornography. It is about denying women and sexuality public space. It uses pornography as an excuse, equating expression of sexuality outside the marriage bed -- even the very presence of women outside the home -- with obscenity and criminality. And it would lock up artists and writers who present these themes, as do many artists in most societies, including Indonesia

The irony is thus that reforms intended to give democracy and the right to a voice to millions of Indonesians silenced for decades under Soeharto may now strip away from half of them some of the few rights they enjoyed under his rule -- take for example, the recent case of three Christian women teachers jailed in West Java for proselytizing to Muslims by teaching at a Sunday School. While decentralization may deliver political democracy to the regions it may also deny social democracy -- at least for women and non-Muslims

In a broader sense, although created by some of the key beneficiaries of the end of the New Order, that is, legislators and Muslim leaders (both tightly controlled groups under Soeharto), the new laws now threaten to strip away much of the freedom of ideas, expression and political participation fought for so hard by the opponents of Soeharto

If the RUUAP is passed, will that mean that Art. 28 of the (amended) Constitution and Law no. 7/1984 on the Elimination of all Forms of Discrimination Against Women, with their guarantee of rights against discrimination -- including on gender grounds -- become dead letters? We think that this is a question that will eventually end up in the Constitutional Court, just as some of the Perda will surely eventually face formal review as well, but few would have much faith that the courts or government will be the solution

The real fate of these laws will most likely be decided in the streets, as demos and protests continue unabated. The last time the question of private morality, religion and the state was debated in the legislature with this degree of public response was in 1974, when the secularizing Marriage Bill sparked huge demos that forced a major backdown on the Bill's content. The RUUAP may go the same way

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