

Feminism and Love

Editorial

Feminism and Love

Articles

Rethinking and Queering Relationships in the Age of Same-sex Marriage: Multiplicities, Intensities, and New Potentialities
Hendri Yulius

When Female Feminists Falling in Love: Ideology, Media, and Practices
Meike Lusye Karolus & Laili Nur Anisah

Romance and Femininity in Indonesian Teenage Dramas: A Transnational Post-Feminist Analysis
Aulia Rahmawati

In the Name of Love: Power Relation and Revictimization on Sexual Violence Case in Courtship (Case Study of Court Decision)
Nike Nadia

Love, Existential Project, and Truth Seeking
Bagus Takwin

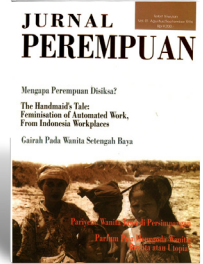
Patriarchal Relationships, Subordination and Glorification of Marriage: The Dilemma of Women across Generations in Living and Interpreting Love
Naufaludin Ismail

Published by:

YAYASAN
YJP
JURNAL
PEREMPUAN

Yayasan Jurnal Perempuan
Accreditation Number: 748/Akred/P2MI-LIPI/04/2016

Speak Up for the Indonesian Women through Your Support of Yayasan Jurnal Perempuan (YJP)!



While YJP has achieved much over the last two decades, contemporary Indonesia, facing many economic, social, political and cultural challenges continues to need us. Indonesian migrant workers are being discriminated against, illiteracy is still high among women, leadership positions are uncommonly filled by women, and women increasingly face extremism over issues of abortion, dress code, sex education, lesbianism, marital rape and inter-religious marriage. Your support is absolutely crucial in making a real difference in the lives of Indonesian women and gender minorities. Please read more below to see how you can support us – because, our unity is our strength – and you are needed!

Become Friends of Yayasan Jurnal Perempuan!

You can support us through our Indonesian language based *Sahabat Jurnal Perempuan* (SJP) and the English based *International Friends of Jurnal Perempuan* (SJP-International) membership programs offering you many benefits, such as receiving our newsletters and journals, invitations to workshops and networking events.

SJP Membership

Benefits:

- up to 4 editions of *Jurnal Perempuan* (JP) delivered to your doorstep annually
- invitations to SJP gatherings
- weekly newsletter on JP engagement delivered to your email
- possibility to speak/present during our networking and educational events
- space to voice your opinions on gender issues in our online blog

Annual Costs:

Individual Platinum : 1 000 000 IDR

Individual Gold : 500 000 IDR

Individual Silver : 300 000 IDR

Bachelor Level Student : 150 000 IDR

Corporate Sponsorship : 10 000 000 IDR

SJP-International Membership

Benefits:

- Indonesian Feminist Journal (IFJ) delivered to your doorstep or digitally to your email if living outside of Indonesia
- invitations to SJP-International gatherings
- monthly newsletter on JP engagement delivered to your email
- possibility to speak/present during our networking and educational events
- space to voice your opinions on gender issues in our online blog

Annual Cost:

Individual: 50 USD

Other Ways to Support Us

There are many other ways you can support our diligent work in the field of gender issues in Indonesia. You can volunteer or complete an internship with us. You can donate us money through PayPal or bank account. We also always need office equipment and other in-kind gifts. You can offer us your home or office as venues for our events. As an organization you can also sponsor us or collaborate with us on joint projects.

Payment Data

Bank Account:

Bank Mandiri Branch Jatipadang, No. Rek: 127-00-2507969-8

p.p. Indonesia Women's Journal Foundation (Yayasan Jurnal Perempuan Indonesia)

PayPal:

www.jurnalperempuan.org

www.indonesianfeministjournal.org

Contact

Yayasan Jurnal Perempuan

Email: yjp@jurnalperempuan.com

Websites:

www.jurnalperempuan.org

www.indonesianfeministjournal.org

Sincerely,

Gadis Arivia

YJP Founder



ISSN 1410-153X

FOUNDER

Dr. Gadis Arivia
Prof. Dr. Toeti Heraty Noerhadi-Roosseno
Ratna Syafrida Dhanny
Asikin Arif (Alm.)

BOARD OF SUPERVISORS

Melli Darsa, S.H., LL.M.
Mari Elka Pangestu, Ph.D.
Svida Alisjahbana

DIRECTOR

Atnike Nova Sigiro

EDITOR IN CHIEF

Anita Dhewy

EDITORIAL BOARD

Atnike Nova Sigiro (International Relations, Universitas Paramadina)
Dr. Gadis Arivia (Feminist Philosophy, FIB Universitas Indonesia)
Prof. Dr. Sulistyowati Irianto (Feminist Legal Anthropology, Universitas Indonesia)
Prof. Sylvia Tiwon (Gender Anthropology, University California at Berkeley)
Prof. Saskia Wieringa (Women's History & Queer, Universitaet van Amsterdam)
Prof. Dr. Musdah Mulia (Islamic Political Thought and Gender, UIN Syarif Hidayatullah)
Dr. Nur Iman Subono (Politics & Gender, FISIPOL Universitas Indonesia)
Mariana Amiruddin, M.Hum (National Commission on Violence Against Women)
Yacinta Kurniasih, M.A. (Literature and Women, Faculty of Arts, Monash University)
Soe Tjen Marching, Ph.D (History and Women's Politics, SOAS University of London)

PEER REVIEWER

Prof. Mayling Oey-Gardiner (Demography & Gender, Universitas Indonesia)
David Hulse, PhD (Politics & Gender, Ford Foundation)
Dr. Pinky Saptandari (Politics & Gender, Universitas Airlangga)
Dr. Kristi Poerwandari (Psychology & Gender, Universitas Indonesia)
Dr. Ida Ruwaida Noor (Sociology of Gender, Universitas Indonesia)
Katharine McGregor, PhD. (Women's History, University of Melbourne)
Prof. Jeffrey Winters (Politics & Gender, Northwestern University)
Ro'fah, PhD. (Religion & Gender, UIN Sunan Kalijaga)
Tracy Wright Webster, PhD. (Gender & Cultural Studies, University of Western Australia)
Prof. Kim Eun Shil (Anthropology & Gender, Korean Ewha Womens University)

Prof. Merlyna Lim (Media, Technology & Gender, Carleton University)
Prof. Claudia Derichs (Politics & Gender, Universitaet Marburg)
Sari Andajani, PhD. (Medical Anthropology, Public Health & Gender, Auckland University of Technology)
Dr. Wening Udasmoro (Culture, Language & Gender, Universitas Gajah Mada)
Prof. Ayami Nakatani (Anthropology & Gender, Okayama University)
Antarini Pratiwi Arna (Law & Gender, Gender Justice Program Director-Oxfam in Indonesia)
Prof. Maria Lichtmann (Christian Theology and Feminism, Appalachian State University, USA)
Assoc. Prof. Muhamad Ali (Religion & Gender, University California, Riverside)
Assoc. Prof. Mun'im Sirry (Islamic Theology & Gender, University of Notre Dame)
Assoc. Prof. Paul Bijl (History, Culture & Gender, Universiteit van Amsterdam)
Assoc. Prof. Patrick Ziegenhain (Politics & Gender, Goethe University Frankfurt)
Assoc. Prof. Alexander Horstmann (Asian Studies & Gender, University of Copenhagen)

MANAGING EDITOR

Andi Misbahul Pratiwi

EDITORIAL SECRETARY

Abby Gina Boangmanalu
Naufaludin Ismail
Bella Sandiata
Iqraa Runi Aprilia

SECRETARIAT AND FRIENDS OF JURNAL PEREMPUAN

Himah Sholihah
Andri Wibowo
Hasan Ramadhan

DESIGN & LAYOUT

Dina Yulianti

ADDRESS:

Jl. Karang Pola Dalam II No. 9A, Jati Padang
Pasar Minggu, Jakarta Selatan 12540
Telp./Fax (021) 2270 1689
E-mail: yjp@jurnalperempuan.com
redaksi@jurnalperempuan.com

WEBSITE:

indonesianfeministjournal.org

First published in February 2018



FORDFOUNDATION

Contents

Editorial

Feminism and Love iii

Articles

- Rethinking and Queering Relationships in the Age of Same-sex Marriage: Multiplicities, Intensities, and New Potentialities 1-9
Hendri Yulius
- When Female Feminists Falling in Love: Ideology, Media, and Practices 11-17
Meike Lusye Karolus & Laili Nur Anisah
- Romance and Femininity in Indonesian Teenage Dramas: A Transnational Post-Feminist Analysis 19-27
Aulia Rahmawati
- In the Name of Love: Power Relation and Revictimization on Sexual Violence Case in Courtship (Case Study of Court Decision) 29-34
Nike Nadia
- Love, Existential Project, and Truth Seeking 35-42
Bagus Takwin
- Patriarchal Relationships, Subordination and Glorification of Marriage: The Dilemma of Women across Generations in Living and Interpreting Love 43-53
Naufaludin Ismail

Feminism and Love

Love is one of the most talked about topics and we are surrounded by various representations of love in our daily lives. Several works of art and literature as well as music, movies, soap operas and commercials have love as main theme. Love, as it is often narrated in romantic tales, is considered as indefinable, mysterious and beyond rational discourse. The meaning of love is held to be knowable only intuitively, at the level of feeling, and cannot be communicated in precise terms (Jackson 1999). Therefore, love is often seen as a unique personal need and a desire which is placed in the private realm. The idea of this kind of love is widely believed by society thus things that are part of social and cultural construction of love tend to be taken for granted. Meanwhile, social and cultural constructs are influencing and determining the meaning and definition of love. It can be said that there are two dominant readings of love (Grossi 2014). On the one hand love is seen in close relationship with patriarchy and heterosexuality. This is because the narrative of love is mostly associated with procreation, family, marriage and the household, as well as with monogamy and / or polygamy and loyalty. Thus for women, love is easily translated as being a wife or mother. On the other hand love is seen as not to be bound by social imperatives and constraints; on the contrary, it is related to the idea of freedom, equality and ones capability to act. In other words love is seen as a force capable of overcoming existing social barriers. Therefore for women love is considered to be liberating and empowering.

In feminist thought, the issue of love has been studied by early thinkers such as Simone de Beauvoir, Shulamith Firestone and Ti-Grace Atkinson, feminists who criticize the role of love in perpetuating patriarchal relationships. In the 1980s, this was followed by feminists such as Luce Irigaray, Julia Kristeva, Audre Lorde and bell hooks who viewed love in more productive ways. According to Jackson (1999), feminist criticism of love is related to the notion that love is seen as an ideology that legitimizes women's oppression and which keeps them trapped in exploitative heterosexual relationships. In addition,

love is also seen to make women vulnerable, *not only to exploitation, but also to being hurt by men*. Feminists also see romantic love critically. This is because romantic love is central to heterosexuality and contributes to gender inequality and violence against women.

On the other hand there are also a number of feminists who view love as a form of resistance and transformation which can give women the capability to act. Lynne Pearce and Jackie Stacey who study the narrative of romance, argue that love retains its ability to free women from the patriarchal grip because of its "narrative" power. According to them the fusion with the love narrative allows women to facilitate the "rewriting of other spheres of life" (Grossi 2014). Moreover, the idea of queer thinkers who try to move beyond a conventional understanding of love, is also important in the discourse of love. This idea, for example, is related to dismantle the definition of love that is often associated with heterosexual sex or associated with human nature. The same goes with the dismantling of the relationship between love with marriage, family and procreation. Also important to note is that love sometimes correlates with concepts such as work, care, desire, and romance. Although often associated with romantic romance, the meaning of love is actually very broad.

Today's society has a tendency to view love as a profit-generating commodity or as a means to obtain pleasure and even subjugation and domination. Here, it is important to study feminist views on love, to look at it as an important ethical, social and / or political power with an interdisciplinary approach. Therefore, JP96 discusses love in homosexual relationships, feminist experiences in romantic relationships, existence of popular culture in introducing patriarchal love values, violence in dating relationships, philosophical meaning of love, and how women experience the meaning of love. This issue encourages the deconstruction of ideological work that subordinates women in love and hopes to sharpen the feminist theoretical framework on the issue of love while finding mechanisms for change. **(Anita Dhewy)**

Abstracts Sheet

Hendri Yulius (Department of Gender and Cultural Studies, University of Sydney, School of Philosophical and Historical Inquiry, New South Wales, Australia)

Rethinking and Queering Relationships in the Age of Same-sex Marriage: Multiplicities, Intensities, and New Potentialities

DDC: 305
Jurnal Perempuan, Vol. 23 No. 1, February 2018, pp. 1-9, 1 image, 20 ref.

This essay presents a theoretical discussion, analysis, and formulation to reconfigure new meanings, potentialities and multiplicities of homosexual relationships. After a brief discussion on the rapid popularization of marriage equality as the primary goal of queer movements, an overview of queer critiques of marriage is provided. Special attention will be given to the discussion about homonormativity and the sharp criticism from queer negativity/anti-social queers. For these critiques, the subjects are encouraged to occupy an abject position, which I argue, only further depoliticize queer politics. After a critical overview of this political stance, I offer the accounts of Foucault and Deleuze to explore multiple forms of relationships beyond marital institution, focusing on the ways in which relationships are to be understood in terms of potentialities, intensities, and emergent forms and functions beyond the existing language capacities and formalized forms. This essay should, however, is not meant to be masterly or prescriptive, but rather is a modest effort to spur more critical concerns, discussions, and debates among queer Indonesians.

Keywords: queer, homosexual, marriage equality, Foucault, Deleuze, potentialities, multiplicities, relationship

Meike Lusye Karolus¹ & Laili Nur Anisah² (¹Center for Southeast Asian Social Studies, Universitas Gadjah Mada, Yogyakarta, Indonesia & ²Jejer Wadon, Boyolali, Jawa Tengah, Indonesia)

When Female Feminists Falling in Love: Ideology, Media, and Practices

DDC: 305
Jurnal Perempuan, Vol. 23 No. 1, February 2018, pp. 11-17, 20 ref.

Falling in love is a universal experience that cannot be limited by racial, religious, ethnic, or even ideologies. Female feminists also experience falling in love and being in a relationship. When falling in love, female feminists often face the tension between their consciousness holding on to feminist ideology, and their collective experience influenced by patriarchal culture. Therefore, female feminists often have to compromise and negotiate in their relationships. This paper examines the contemplative experiences of female feminists falling in love in the context of patriarchal culture by focusing on three main areas: feminist ideology, the influence of patriarchal media, and relationships in everyday lives. This research is a descriptive-qualitative paper which uses in-depth interviews with female feminists of different backgrounds in Yogyakarta, Surabaya and Jombang. Findings show that female feminists' concept about love cannot be separated from the existence of their partners, the experience and media reproduction towards the concept of love, and the practice of female feminists relations formed before a formal relationship.

Keywords: love, feminism, media, female feminist, patriarchy

Aulia Rahmawati (Department of Communication Studies, Faculty of Social dan Political Sciences, Universitas Pembangunan Nasional Veteran Jawa Timur, Surabaya, Indonesia)

Romance and Femininity in Indonesian Teenage Dramas: A Transnational Post-Feminist Analysis

DDC: 305
Jurnal Perempuan, Vol. 23 No. 1, February 2018, pp. 19-27, 25 ref.

Even after the rise of Indonesian feminist film directors like Nia Dinata, Mira Lesmana, Mouly Surya, Nan T Achmas and Lola Amaria, Indonesian moviegoers still flock to the cinemas to watch teenage romance dramas, many of which are badly written. This paper examines the way romance and femininity have been shaped in cinematic representation in the movies *London Love Story 2*, *Promise* and *Dear Nathan*. This paper concludes that Indonesian romance teenage dramas are entrenched with masculine power and heavily dominated spectacles in which the feminine heroines are treated as passive objects of desire whose agency and subjectivity are being stripped away. Using feminist literature on post-feminist romance cinema, the heroines in these films have mostly been constructed as independent, smart and seemingly capable to act at first, but nevertheless pursue romantic, traditional, heterosexual relationships saturated with masculine control and dominance. This paper shows that the awareness of post-feminism has become transnational, crossing geographical borders between West and East, and has influenced the production and consumption process of the popular entertainment industry, including in Indonesia.

Keywords: love, romance, teenage dramas, post-feminism

Nike Nadia (Gender Studies Program, School of Strategic and Global Studies, Universitas Indonesia, Jakarta, Indonesia)

In the Name of Love: Power Relation and Revictimization on Sexual Violence Case in Courtship (Case Study of Court Decision)

DDC: 305
Jurnal Perempuan, Vol. 23 No. 1, February 2018, pp. 29-34, 1 table, 11 ref.

This paper aims to explain the dimensions of the imbalanced power relations and revictimization that occur in rape cases by the victim's partner. Using the case study of court decisions and radical feminist theory as a tool of analysis, the author argues that the narrative 'in the name of love' used by perpetrators of sexual violence in personal relationships is another manifestation of the inequality of power relations and becomes the site of subjugation of the female body. Therefore, forms of exploitation that use a 'proof of love' narrative in cases of forced sexual intercourse in personal relationships should be identified as part of sexual violence.

Keywords: sexual violence, rape, violence in relationships, seduction, partner by consent

Bagus Takwin (Faculty of Psychology, Universitas Indonesia, Depok, Indonesia)

Love, Existential Project, and Truth Seeking

DDC: 305

Jurnal Perempuan, Vol. 23 No. 1, February 2018, pp. 35-42, 19 ref.

This paper explains what love is by referring to the philosophical thoughts of several philosophers and the results of empirical research that have been done on the phenomena of love. It also discusses the tendency to extend love on one side, as well as narrowing and even negating love on the other. This paper takes the position that love is an existential project. Philosophically, love is seen as the continuing search for truth. As the fruit of will and sincerity of human endeavor, love has real and concrete results. In its concrete form, love is the embodiment of a mutual promise in reality; a step-by-step process presents the concrete manifestation of the statements made in that promise. This philosophical thought is corroborated by empirical studies of love that love differs from sexual passion or lust. Love can last long time, can be eternal and stay intense through a couple's efforts to care for, nurture and develop each other.

Keywords: love, existential project, commitment, influence of love

Naufaludin Ismail (Jurnal Perempuan, Jakarta, Indonesia)

Patriarchal Relationships, Subordination and Glorification of Marriage: The Dilemma of Women across Generations in Living and Interpreting Love

DDC: 305

Jurnal Perempuan, Vol. 23 No. 1, February 2018, pp. 43-53, 1 table, 13 ref.

This paper focuses on the experience of women across generations living and interpreting love as part of their lives. Their experiences in living and interpreting love will be seen from two points of view, namely their romantic relationships and the institution of marriage or their family. Based on the data of six subjects of research with different backgrounds like age, marital status and sexual orientation, this paper shows that there are different perspectives on love and marriage or family institutions compared to mainstream society. The six people in question assume and believe that love or romantic relationships have a close relation with patriarchal cultural values, like men's domination, subordination and ownership if they'd agree with mainstream society's thoughts about love. They also believe that marriage is an institution that produces patriarchal cultural values that will disadvantage women if the marriage is not built on equality and fairness. These six subjects of research agree with the grand narrative of feminism that love shouldn't always be related to ownership, men's domination but instead must be liberating for women to become independent and autonomous.

Keywords: love, romantic, marriage, oppression, subordination

In the Name of Love: Power Relation and Revictimization on Sexual Violence Case in Courtship (Case Study of Court Decision)¹

Nike Nadia

Gender Studies Program, School of Strategic and Global Studies, Universitas Indonesia
Gedung Rektorat Lt.4, Jalan Salemba Raya Nomor 4, Jakarta 10430, Indonesia

nikenadia@gmail.com

Manuscript Chronology: received December 15, 2017; revised January 16, 2018; accepted for publication January 31, 2018

Abstract

This paper aims to explain the dimensions of the imbalanced power relations and revictimization that occur in rape cases by the victim's partner. Using the case study of court decisions and radical feminist theory as a tool of analysis, the author argues that the narrative 'in the name of love' used by perpetrators of sexual violence in personal relationships is another manifestation of the inequality of power relations and becomes the site of subjugation of the female body. Therefore, forms of exploitation that use a 'proof of love' narrative in cases of forced sexual intercourse in personal relationships should be identified as part of sexual violence.

Keywords: sexual violence, rape, violence in relationships, seduction, partner by consent

Introduction

In 2015, a court decision in Indonesia caused a public uproar. It sentenced a perpetrator who raped his partner through seduction and the 'proof of love' narrative. The consideration of the judges to include persuasion as part of the wider means of a rape crime was a legal breakthrough in the recognition of the imbalanced power relations, illustrating it as the root of sexual violence in personal relationships. It was a reminder that Indonesian laws concerning rape require violence or threats as an element of crime, while persuasion is not considered to fall in either category. As a result, many cases of sexual assault including rape that occur in the private realm often can not be processed by law because they do not meet the existing elements of criminal acts. The victim is often even further removed from access to justice because the law neglects to acknowledge the complexity of imbalanced power relations that often occur in cases of sexual violence in personal relationships.

Through this exposure, it becomes clear that 'in the name of love' is a phrase that is often used by the offenders to achieve the goal of sexual violence towards their partners. Persuasion is often misunderstood as a manifestation of love and actually opens the room for submission of the female body. Like the classic notion Brownmiller stated about rape, 'It (Rape) is not a crime of lust, but of violence and power', rape is not a crime of lust,

but a representation of violence and power (Brownmiller 1976). In this case, sexual violence committed by one's partner is often regarded as a matter of love and lust alone, while in many sexual violence cases it is actually the complexity of the imbalanced power relations that it is the source of uprooting a woman's integrity and self-autonomy. By reflecting on the juridical facts and the judges' considerations in the courtroom, this paper seeks to illustrate the imbalance of power relations that often hold back victims of sexual violence in personal relationships, especially couples who are dating. To get a complete picture of the situation, I will take a closer look at sexual violence in the personal realm in Indonesia.

The National Commission on Violence Against Women (Komnas Perempuan) documents sexual violence as the second highest form of violence after physical violence in the personal sphere, at 34% or 3495 cases (Komnas Perempuan 2017a). Rape is the most documented form of sexual violence in the personal realm, in 1,389 cases or 39.7% of all cases, followed by abuse in 1,266 cases or 36.2% (Komnas Perempuan 2017a). Another finding is that the highest number of perpetrators of sexual violence in the private realm is the victim's partner, ie as many as 2,017 people (Komnas Perempuan 2017b). These numbers are in line with the findings of a survey conducted by Lentera Sintas Indonesia in 2016 that 69% of the perpetrators of rape are people who are close to the victim (Lentera Sintas 2016).

The documentation of cases handled by the Legal Aid Institute Lembaga Bantuan Hukum APIK Jakarta provides more interesting data to look at. In 2013, LBH APIK Jakarta has handled 62 of violence in a relationship (Yayasan LBH APIK Jakarta 2013). In line with data compiled by Komnas Perempuan every year, it is mostly cases of sexual violence in a relationship that LBH APIK Jakarta handles. LBH APIK Jakarta divides the forms of violence in a relationship in the following categories:

Table 1. Cases of Violence in a Relationship Handled by YLBH APIK Jakarta 2013

No	Type of Case	Number	Percentage
1	Sexual violence	48	77,42 %
2	Economic exploitation	1	1,61 %
3	Broken promise	4	6,45 %
4	Physical	3	4,84%
5	Psychological	6	9,68%
Number		62	100%

Source: Annual Report LBH APIK Jakarta 2013

Through the table above, it can be concluded that the highest number of perpetrators of sexual violence in the private sphere are the partners in the relationships, and sexual violence is one form of violence that often occurs in a relationship, especially when considering the phenomenon of the iceberg that often occurs in cases of sexual violence. The absence of laws that accommodate the complexity of a woman’s experience is one major obstacle, coupled with many other problems for female victims of sexual violence in the private sphere, such as the responsibilities that society imposes on women to protect their virtue, and the culture of victim blaming that makes many victims of sexual violence decide to stay silent.

The complexity of the above conditions demonstrates how disparities in power relations in the construction of the sex/gender system have left women vulnerable to violence, including sexual violence. To that end, this paper seeks to examine a court decision issued by the District Court in Sumatra in 2015. The use of a case study of a court decision is aimed at getting a clearer picture of the complexity of imbalanced power relations in cases of sexual violence in relationships where perpetrators use the ‘proof of love’ narrative as a justification for the crime of rape committed on the victims.

The verdict actually questioned the Public Prosecutor’s demands on the alleged criminal act of rape in accordance with article 285 of the Criminal Code with the perpetrator who is a policeman (Putusan Pengadilan Nomor ... 2015).

When the incident happened, the offender, Adi (not his real name), was in a relationship with the victim, Ina (not her real name). At that time the two went on a date, and Adi raped Ina, using persuasion to have sexual intercourse as proof of love (Putusan Pengadilan Nomor ... 2015). The Panel of Judges then declared that Adi was legally and convincingly proven to have committed the criminal act of rape because persuasion and false promises are considered to be included in the threat of violence in the criminal act of rape in accordance with the provisions of Article 285 of the Criminal Code (Putusan Pengadilan Nomor ... 2015).

This ruling is interesting to examine because the substance of the judges’ consideration has identified the inequality of power relations as the root of the vulnerability of women experiencing sexual violence. To that end, the formulation of the problems raised in this paper is how the ‘in love’ narrative, which is actually a manifestation of the imbalance of power relations in a relationship, makes women vulnerable to various forms of sexual violence and other forms of revictimization.

The approach to this study is a qualitative research with a feminist perspective, while the research method is a case study. This paper uses an analysis of radical feminist theories. The presentation in this paper has its limitations because it will only specifically explain how the individual experiences of women who experienced sexual violence by their partners are projected in the context of a court decision, without being able to directly hear the voice of the surviving woman in this case. Nevertheless, the author hopes that the exposure in this paper may explain another picture of the complexity of imbalanced power relations in cases of sexual violence in relationships experienced by women through the narrative of love and seduction. The author is of course fully aware that the experience of sexual violence of each survivor or victim is diverse, whether documented by law or not.

The ‘In The Name of Love’ Narration as Another Form of Body Control

To further explore the problem, it is important to understand that the sex/gender system has determined biological sexuality as a product of human activity (Tong 1998). The use of biological facts then becomes a justification for gender roles attached to women and men. Millett (1970) as quoted by Tong (1998) stated that men always play a masculine and dominant role, while women are burdened with the subordinate role. Within the framework of the sex/gender system, oppression of

women often occurs because of the social construction of women's femininity (Tong 1998).

Based on the explanation above, it can be understood that the context of power in feminist analysis is manifested in the form of power relations, and therefore the dynamics of violence in personal relations are considered to be closely related to the control and unequal power by one party (Kelly 1988). In the case of sexual violence as a form of control over the female body, the vulnerability experienced by women occurs due to the construction of femininity attached to women. Female sexuality becomes synonymous with violence because the construction of the sex/gender system lets men to have control over female sexuality (Kelly 1988). It is because of this that violence in personal relationships continues to happen.

The concept of femininity in a patriarchal culture often leaves women vulnerable to violence. When it comes to sexual violence in heterosexual relationships, the construction of the sex/gender system explains how the decision-making process involving the female body is often determined by the dominance of male power. This causes women to be vulnerable to different and repeated forms of violence in their relationships, including sexual violence. One of the contributing factors to the pattern is that the 'in the name of love' narrative is sometimes not identified as another manifestation of the partner's control and power efforts over the victim.

When reflecting on this court decision, it becomes clear that the construction of the sex/gender system leaves women and men shackled in dualistic gender roles. The concept of femininity in a patriarchal culture can be seen in the decision-making process of the female body that is often determined by male dominance in the process of dating. Based on the juridical facts of the verdict, it can be seen how Adi initiated contact with Ina from the beginning of the relationship, for example, talking on the phone and through social media, he was the first to express his love and to initiate sexual contact (Putusan Pengadilan Nomor ... 2015). The sequence above shows how the construction of the gender roles of men who are 'expected' to behave predominantly manifests in the interaction between victims and perpetrators.

Besides the main argument—that there was no consent—it looks like the sexual violence experienced by Ina in this case truly happened because of the deep roots of patriarchal ideology. According to Lloyd in his manuscript "The Darkside of Courtship: Violence and Sexual Exploitation", it is explained that patriarchal culture

leads to the ownership of female sexuality as determined by their male partners (Lloyd 1991). As a result, women are vulnerable to sexual violence in relationships, including pressure to engage in sexual relations through seduction and promises.

The juridical facts in this Court Decision also explain how the relations in a courtship in fact perpetuate the double standard of the female body, where men play a dominant gender role to take decisions and initiations on their partner's body, while women are charged by society with the task of always being 'pure' and protect their honor. Therefore, it can be understood why the inequality of power relations in personal relationships does not always manifest in the form of physical injury alone, but can occur in the form of invisible violence such as the pressure to have sexual relations to 'prove one's love'.

Furthermore, another reflection that can be questioned in this case is about how the narrative of love through persuasion and false promises are often used by perpetrators to engage in sexual violence. Reviewing the arguments offered by Lloyd, exploitation occurring in relationships happens for two reasons: (1) the difference of internalization between men and women is about the true meaning of the relationship. Compared to women, men generally feel more in control in a relationship. (2) The factor of romanticism in a relationship causes people to stay despite negative patterns in their relations (Lloyd 1991). In the context of the case study discussed in this paper, the form of exploitation by Adi occurred through persuasion as proof of love (Court Decision Number: 4xx / PID.B / 201x / PN. Bgl 2015). By internalizing his gender roles, Adi felt entitled to Ina's body and then deliberately ignored the absence of consent that should be the main prerequisite when it comes to consensual sex. Adi then used the narrative of love through persuasion and false promises to achieve his goal, sexual intercourse.

Based on the analysis above, it can be concluded that the dynamics of power relations in a personal relationship can break the assumption that persuasion in coercion of sexual intercourse is not a crime, but merely an act of mutual sympathy. This assumption is incorrect, since the inequality of power relations has rendered women into subordination and vulnerability of such violence, so that acts of sexual violence in personal relationships may occur even without prior violence. Furthermore, the various narratives in the name of love as part of the false promise and the perpetrators' persuasion in real nonconsensual sexual cases can be understood as another form of female body domination. This is in view of the exploitative actions by the perpetrator on the victim,

and the absence of the affirmative and sustained consent of the victim during sexual contact. This condition will then have a negative impact on the victims, including the deprivation of integrity and self-autonomy of the victim.

Revictimizing Victims in Cases of Sexual Violence in Relationships

The findings in the previous section have shown us how disparities in power relations leave women vulnerable to potential violence. But more than that, victims of sexual violence in personal relationships actually are also vulnerable to being revictimized after their experience of violence. The forms of revictimization that specifically target women like this cause the true victims who are in the middle of trying to survive to experience continuous violence, be it in the private sphere, the community or the state. Through reflection on the juridical facts of the court decision, I identified at least six conditions of victimization experienced by Ina, as a survivor who has experienced sexual violence in the form of rape in her relationship. Here are my findings:

a. **The Repetition of Stereotypes and Stigmas Aimed at the Victims:**

Looking at the testimonies during this trial, many revolved around Ina's hobby of playing billiard. Testimonies like how Adi first saw Ina playing billiard or how Ina played billiard during the day or in the evening became a separate subject of discussion during the trial. Furthermore, even the question if Ina likes to play billiard alone or with friends became a subject of the trial (Court Decision Number: 4xx/PID.B/201x/PN. Bgl 2015). In fact, the trial was not far from focusing on the sexual profile of the woman who became the victim, including a debate with whom and when she went out. This finding shows how Ina was in a vulnerable position exposed to revictimization in the trial, when she was portrayed as a certain stereotype. Furthermore, this continuous stereotyping potentially not only happened to Ina in court, but also in her community.

Besides stereotypes, the stigma of not being a good woman is often used as an accusation of the victim by the perpetrator. In this case, the woman – as the guardian of morality in the constructed sex/gender system – is often considered responsible for the violence she experiences. This is in line with Kelly's findings, stating that the threat of sexual violence makes women limited in scope, so women are responsible themselves for not becoming victims of violence (Kelly 1988). Finally, when a woman

is portrayed as a figure who is moving outside the construction of standard femininity, like going out and willing to meet her boyfriend at night, she will be labeled as 'bad woman'. This is certainly a form of revictimization for female victims, not only because of the constant negative stigma, but also because of the potential for escaping the actual case in question, namely the act of rape the perpetrators committed on their victims.

b. **Peace Efforts in Cases of Violence in Personal Relationships**

The following reflection is a portrayal of the many peace efforts in cases of violence in personal relationships. For example, in the context of this case, Adi has been reported to the police for a similar case but was released because the victim decided to make peace (Court Decision Number: 4xx / PID.B / 201x / PN. Bgl 2015). In many cases of violence in personal relationships, the victims decide to make peace with their partners for various reasons, but often the perpetrator repeats his actions. This is closely related to the dominance and control that the offender has against his partner, and therefore peace is often seen as the only way out. Meanwhile, in the context of this case, the peace offer became an opportunity for Adi to repeat his crime against other women.

c. **The Lack of Legal Framework and the Pattern of Repeat Offenders**

As a result of the absence of legal framework for sexual assault cases occurring in the personal sphere with adult victims, the possibility of perpetrators to repeat the crime to the same victim or other women is wide open. In this case, it can be identified that the pattern of repetition occurs due to the absence of strict legal sanctions in punishing the perpetrator in previous cases. In the legal context in Indonesia, the marginalization of female victims is seen in the legal vacuum when it comes to rape, particularly for cases of nonviolent rape and/or the threat of violence in adult relationships. As an illustration, Article 285 of the Criminal Code explains that rape has elements of violence and/or threats of violence outside of marriage as a precondition for the perpetrators to be punished. On the other hand, in the case of rape in a personal relationship, many perpetrators do not use violence to be able to have sexual intercourse with their victims, for example through promises, cajoling and deceit. In the absence of a legal framework that includes the complexity of the women's experience, victims of sexual violence often re-experience victimization

because they have been kept away in their efforts to access justice and recovery.

d. The Excuse of Mutual Affection as Defense of the Perpetrator

In the context of sexual violence in personal relationships, most cases cannot be prosecuted due to the weakness of the legal framework in such cases, especially if the victim is an adult. The excuse of mutual affection becomes the most common justification by the perpetrator to escape legal prosecution. In fact, in the context of personal relationships, domination and control are closely connected to the access someone has to the person who is controlled. The access to have sexual contact with one's partner is often determined by how lax the power relations are established in a relationship (Kelly 1988). That means that the argument of mutual affection becomes irrelevant when there is an imbalance of power relations as well as an imbalance of bargaining power between two partners.

In the context of this ruling, Adi used the argument of mutual affection as basis for defending the allegations against him, even though at the time of the incident he didn't receive affirmative confirmation or approval from Ina (Court Decision Number: 4xx/PID.B/201x/PN. Bgl 2015). This picture shows the challenges that victims of sexual violence face in accessing justice when the 'utmost resistance' prerequisite becomes something that must be proven rather than considering whether the sexual intercourse has been approved by both parties. In this case, the judge's allegiance to the victims of violence is needed in deciding cases.

e. Persuasion, Layered Violence and Other Repetitions

Finally, persuasion as a form of inequality of power relations causes the perspective or value of truth of the victim to be very dependent on the person in control. According to Kirkwood, an inequality of power relations exists when one side has a greater influence on the behavior and perspective of the other (Kirkwood 1993). Persuasion as the embodiment of proof of love is the classic way of the perpetrator to control the body of the victim. In the context of sexual violence in personal relationships, domination and control make women experience violence that is not only repetitive, but also layered. In this case, the victimization of the female victim occurs when is vulnerable to experience a cycle of abuse. Not only sexual violence, a victim of violence in a relationship may not only experience sexual violence, but also other forms of violence by her partner.

f. Minimizing the Actions of the Sexual Violence Perpetrator by Framing 'Playboy'

Outside the courtroom, it is often the media coverage and the public's assertion that the perpetrators of sexual violence act solely as a playboy. In the case study in this paper, the framing of the news that later surfaced precisely revolved around the use of the word 'playboy' to represent the crime the perpetrator committed. For example, search engine Google shows various headlines called "Police Playboy Gets Five Years" or "For the First Time in Indonesia, Playboy of the Police Squad is Subject to Rape Article" as news related to the case study in this paper.

It is not only in the courtroom that sexual assault committed by a man to his partner engaged in courtship or friendship is often discounted as the act of a 'playboy'. This kind of framing clearly positions the victim of sexual violence in another potential of revictimization, because it tends to downplay the crime committed by the perpetrator. In this regard, it is interesting to examine Brownmiller's (1975) idea, as quoted by Humm (1992), which states that society should be able to distinguish which ones are cases of masculinity and which ones are cases where biological needs are able to reject biological explanations that are often used to justify a particular gender construct. The ability to distinguish between these two things can actually help us understand that the qualities of men who are considered to have a biological impulse and are considered fair to initiate sexual contact without consent are wrong.

Conclusion

In the case of sexual violence by means of persuasion, the decision-making process involving the female body is often determined by the dominance of the male partner. Therefore, relationships can potentially turn into a space that perpetuates the double standard of the female body, in which men are considered to have a dominant gender role to make decisions and initiations on their partner's body, while women are charged by society with the task of always being 'pure' and protecting their honor.

The 'in the name of love' narrative then becomes a justification that is often used by the offender to achieve the goal of sexual violence against his partner. Persuasion is often misunderstood as a manifestation of love by one's partner, while it is actually another submersive space for the female body. This is in view of the exploitative actions on the victim by the perpetrator, and the absence of the

affirmative and sustained consent of the victim during sexual contact. As a result, victims of sexual violence are not only vulnerable to various forms of violence, but also to revictimization. The complexity of this condition then leads the victim to the various negative effects of sexual violence, including deprivation of integrity and self-autonomy.

Furthermore, in my attempt to reflect on this verdict, I found that the victimization of the victim of sexual violence was manifested in various aspects, such as the stigma of being a 'bad woman', the framing of perpetrator to merely act as a playboy, the effort to marginalize the case through the argument of mutual affection, the peace effort as a way out for the perpetrator, the pattern of repeat offenders due to the weakness of legal sanctions and the absence of a legal framework, the potential cycle of abuse, as well as persuasion as one form of an imbalance of power relations are identified as an integral form of sexual violence.

As a whole, it can be concluded that forms of exploitation using the 'in the name of love' narrative in cases of forced sexual relations in personal relationships should be identified by society and law enforcement as part of sexual violence. In this case, a thorough understanding of the concepts of an affirmative, positive and sustained agreement should become a focal point in understanding whether a relationship is consensual or not. Perhaps this is the way that the allegations for victims of sexual violence in personal relationships can be realized.

List of References

Brownmiller, S 1976, *Against Our Will: Men, Women, and Rape*, Bantam Book, New York.

Humm, M 1992, *Feminism: A Reader*, Harvester Wheatsheaf, Great Britain.

Kelly, L 1988, *Surviving Sexual Violence*, University of Minnesota Press, Minneapolis.

Kirkwood, C 1993, *Leaving Abusive Partners: From The Scars of Survival to the Wisdom for Change*, Sage Publications, London.

Komisi Nasional Anti Kekerasan Terhadap Perempuan (Komnas Perempuan) 2017a, *Catatan Tahunan Komnas Perempuan 2017*, viewed 27 Januari 2018, <https://www.komnasperempuan.go.id/reads-catatan-tahunan-kekerasan-terhadap-perempuan-2017>

Komisi Nasional Anti Kekerasan Terhadap Perempuan (Komnas Perempuan) 2017b, *Lembar Fakta Catatan Tahunan Komnas Perempuan 2017*, viewed 18 Maret 2017, <http://www.komnasperempuan.go.id/lembar-fakta-catatan-tahunan-catahu-komnas-perempuan-tahun-2017-labirin-kekerasan-terhadap-perempuan-dari-gang-rape-hingga-femicide-alarm-bagi-negara-untuk-bertindak-tepat-jakarta-7-maret-2017/>

Lentera Sintas Indonesia 2016, *Survei Kekerasan Seksual di Indonesia*, viewed 4 November 2017, <http://change-id.tumblr.com/post/149358763760/hasil-survei-kekerasan-seksual-terhadap-25-ribu>

Lloyd, S 1991, "The Darkside of Courtship: Violence and Sexual Exploitation", *Family Relations*, vol. 40, no. 1, hh. 14-20, viewed 23 Maret 2017, <http://www.jstor.org/stable/585653>

Putusan Pengadilan Nomor: 4xx/PID.B/201x/PN. Bgl 2015, Pengadilan Negeri Bengkulu, Bengkulu, viewed 17 Desember 2016, <http://putusan.mahkamahagung.go.id/putusan/1fcf25ca9d357dbabfc4037c6534532>

Tong, RP 1998, *Feminist Thought: A More Comprehensive Introduction*, Trans. Aquarini Prabasmoro, Penerbit Jalasutra, Yogyakarta.

Yayasan Lembaga Bantuan Hukum APIK Jakarta 2013, *Catatan Tahunan LBH APIK Jakarta 2013*, YLBH APIK Jakarta, Jakarta.

Endnote

- 1 The court's decision reflected in this article has been legally binding. The court decision numbers are disguised based on the principle of careful writing.

Expression of Gratitude to Reviewers

1. Dr. Pinky Saptandari (Universitas Airlangga)
2. Dr. Kristi Poerwandari (Universitas Indonesia)
3. Dr. Ida Ruwaida Noor (Universitas Indonesia)
4. Ro'fah Makin, Ph.D. (UIN Sunan Kalijaga)
5. Antarini Pratiwi Arna (Oxfam in Indonesia)
6. Dr. Wening Udasmoro (Universitas Gadjah Mada)

AUTHOR GUIDELINES

Jurnal Perempuan (JP) is a quarterly interdisciplinary publication in the English language that aims to circulate **original ideas in gender studies**. JP invites critical reflection on the theory and practice of feminism in the social, political, and economic context of Indonesian society. We are committed to exploring gender in its multiple forms and interrelationships.

The journal encourages practical, theoretically sound, and (when relevant) empirically rigorous manuscripts that address real-world implications of the gender gap in Indonesian contexts. Topics related to feminism can include (but are not limited to): sexuality, queer, trafficking, ecology, public policy, sustainability and environment, human and labor rights/ issues, governance, accountability and transparency, globalization, as well as ethics, and specific issues related to gender study, such as diversity, poverty, and education.

JP welcomes contributions from researchers, academia, activists, and practitioners involved in gender advocacy in any of the areas mentioned above. Manuscripts should be written so that they are comprehensible to an intelligent reader, avoiding jargon, formulas and extensive methodological treatises wherever possible. They should use examples and illustrations to highlight the ideas, concepts and practical implications of the ideas being presented. Feminist theory is important and necessary; but theory — with the empirical research and conceptual work that supports theory — needs to be balanced by integration into practices to stand the tests of time and usefulness. We want the journal to be read as much by stakeholders as by academics seeking sound research and scholarship in women's study.

JP appears annually and the contents of each issue include: editorials, peer-reviewed papers by leading writers; reviews, short stories, and poetry. A key feature of the journal is appreciation of the value of literature, fiction, and the visual narrative (works of art, such as paintings and drawings) in the study of women's issues

Submissions

To discuss ideas for contributions, please contact the Chief Editor: Anita Dhewy via anitadhewy@jurnalperempuan.com. Research papers should be between 5000-10000 words. Please make sure to include in your submission pack an **abstract outlining the title, purpose, methodology and main findings**. It is worth considering that, as your paper will be located and read online, the quality of your abstract will determine whether readers go on to access your full paper. We recommend you place particular focus on the impact of your research on further research, practice or society. What does your paper contribute? In addition, please provide up to **six descriptive keywords**.

Formatting your paper

Headings should be short and in bold text, with a clear and consistent hierarchy. Please identify **Notes or Endnotes** with consecutive numbers, enclosed in square brackets and listed at the end of the article. **Figures** and other images should be submitted as .jpeg (.jpg) or .tif files of a high quality. Please number them consecutively with Arabic numerals and mark their intended location within the body of the text clearly. If images are not the original work of the author, it is the author's responsibility to obtain written consent from the copyright holder before using them. Authors will be asked to confirm the status of images, tables and figures in the journal submission pack. Images which are neither the authors' own work, nor are accompanied by the necessary permission, will not be published.

Please Note: The wide availability of an item on the internet does not imply that it is not subject to copyright restrictions. Please supply evidence that the item is legally available to use. For example, it may be posted online with a "Creative Commons" attribution, or it may be taken from one of your earlier works, for which you hold the copyright. Please provide evidence. If you do not have permission, it must be sought as a matter of priority. Otherwise we cannot publish, and the content will have to be removed. If required, the editor will provide guidance on identifying and approaching the copyright holder. If you are currently seeking permission but are yet to receive it, please indicate this next to the relevant content in the permissions section of the journal submission pack. Please note that the process of seeking permission can take several months. **Tables** should be included as part of the manuscript, with relevant captions. **Supplementary data** can be appended to the article, using the appropriate form and should follow the same formatting rules as the main text. **References** to other publications should be complete and in Harvard style, e.g. (Jones 2011) for one author, (Jones & Smith 2011) for two authors, (Jones, Smith & Jackson 2011) for three authors, and (Jones et al. 2011) for four or more authors. A full reference list should appear at the end of the paper.

- For **books**: Surname, Initials year, *Title of Book*, Publisher, Place of publication. e.g. Author, J 2011, This is my book, Publisher, New York, NY.
- For **book chapters**: Surname, Initials year, "Chapter title", in Editor's Initials Surname (ed./eds.), *Title of Book*, Publisher, Place of publication, pages.
- For **journals**: Surname, Initials year, "Title of article", *Title of Journal*, volume, number, pages.
- For **conference proceedings**: Surname, Initials year, "Title of paper", in Initials Surname (ed.), Title of published proceeding which may include date(s) and place held, Publisher, Place of publication, Page numbers.
- For **newspaper articles**: Surname, Initials year (if an author is named), "Article title", *Newspaper*, date, pages.
- For **images**: Where image is from a printed source – as for books but with the page number on which the image appears.
- Where **image is from an online source** – Surname, Initials year, Title, Available at, Date accessed. Other images - Surname, Initials year, Title, Name of owner (person or institution) and location for viewing.

Copyright Notice

All written material, unless otherwise stated, is the copyright of the Jurnal Perempuan. Views expressed in articles and letters are those of the contributors, and not necessarily those of the publisher. If you wish to use any content appearing in JP, please contact redaksi@jurnalperempuan.com for guidance.

YAYASAN
YJP
JURNAL
PEREMPUAN

Jl. Karang Pola Dalam II No. 9A
Jati Padang, Pasar Minggu,
Jakarta Selatan 12540
INDONESIA
Phone/Fax: +62 21 22701689



FORDFOUNDATION

