

Sexual Violence and Gender Inequality

Editorial

Sexual Violence and Gender Inequality

Articles

The Political Personal Realm in the Draft Law on the Elimination of Sexual Violence in Indonesia
Risna Desimory Tambunsaribu & Ikhaputri Widiyantini

LPSK-Establishing State Presence in Protection of Witnesses and Victims, Inclusive of Sexual Violence Crimes
Livia Iskandar

The Hidden Blackbox: Corrective Rape Against Lesbian, Bisexual (Women) and Male Transgender
Sri Agustin

Sexual Violence at University Level: A Philosophical Feminism Overview
Ikhaputri Widiyantini

Denial Narratives of Five Incestuous Fathers
Titiek Kartika Hendrastiti & Noeke Sri Wardani

Power Relations and Sexual Violence on the Campus
Sulistiyowati Irianto

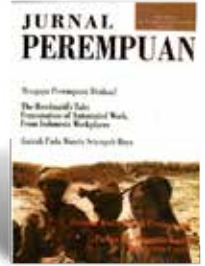
Recognizing the Needs and Challenges in Handling the Victims of Sexual Violence:
Learning from the Experiences of 'Forum Pengada Layanan'
Atnike Nova Sigiro & Bagus Takwin

Published by:



Yayasan Jurnal Perempuan
Accreditation Number: 36/E/KPT/2019

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

FOUNDERS

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

BOARD OF SUPERVISORS

Dr. Gadis Arivia
Prof. Dr. Toeti Heraty Noerhadi-Roosseno (Alm.)
Prof. Mari Elka Pangestu, Ph.D.
Svida Alisjahbana

DIRECTOR & EDITOR IN CHIEF

Dr. Atnike Nova Sigiro, M.Sc.

EDITORIAL BOARD

Prof. Dr. Sulistyowati Irianto (Antropologi Hukum
Feminisme, Universitas Indonesia)
Prof. Sylvia Tiwon (Antropologi Gender, University
California at Berkeley)
Prof. Saskia Wieringa (Sejarah Perempuan & Queer,
Universitaet van Amsterdam)
Prof. Dr. Musdah Mulia (Pemikiran Politik Islam &
Gender, UIN Syarif Hidayatullah)
Dr. Nur Iman Subono (Politik & Gender, FISIP Universitas
Indonesia)
Mariana Amiruddin, M.Hum. (Komisi Nasional Anti
Kekerasan terhadap Perempuan)
Yacinta Kurniasih, M.A. (Sastra dan Perempuan, Faculty
of Arts, Monash University)
Soe Tjen Marching, Ph.D. (Sejarah dan Politik
Perempuan, SOAS University of London)
Dr. Andi Achdian (Sejarah & Sosiologi, Universitas
Nasional)

PEER REVIEWERS

Prof. Mayling Oey-Gardiner, Ph.D. (Universitas
Indonesia)
David Hulse, Ph.D. (Former Regional Representative
Ford Foundation Jakarta)
Dr. Pinky Saptandari (Universitas Airlangga)
Prof. Dr. Elizabeth Kristi Poerwandari (Universitas
Indonesia)
Dr. Ida Ruwaida Noor (Universitas Indonesia)
Katharine McGregor, Ph.D. (University of Melbourne)
Dr. (Iur) Asmin Fransiska, S.H., LL.M. (Universitas Katolik
Atma Jaya)
Dr. Irene Hadiprayitno (Leiden University)
Prof. Jeffrey Winters (Northwestern University)
Ro'fah, Ph.D. (UIN Sunan Kalijaga)
Tracy Wright Webster, Ph.D. (University of Western
Australia)
Prof. Kim Eun Shil (Korean Ewha Womens University)
Prof. Merlyna Lim (Carleton University)
Prof. Claudia Derichs (Universitaet Marburg)
Sari Andajani, Ph.D. (Auckland University of
Technology)
Prof. Dr. Wening Udasmoro (Universitas Gadjah Mada)

Prof. Ayami Nakatani (Okayama University)
Dr. Antarini Pratiwi Arna (Indonesian Scholarship and
Research Support Foundation)
Dr. Widjajanti M. Santoso (Indonesian Institute of
Sciences)
Dr. Lidwina Inge Nurtjahyo (Universitas Indonesia)
Dr. Bagus Takwin (Universitas Indonesia)
Dr. Sri Lestari Wahyuningroem (Universitas
Pembangunan Nasional Veteran Jakarta)
Francisia Saveria Sika Seda, Ph.D. (Universitas
Indonesia)
Ikhaputri Widiyanti, M.Si. (Universitas Indonesia)
Ruth Indiah Rahayu, M. Fil. (Sekolah Tinggi Filsafat
Driyarkara)
Prof. Maria Lichtmann (Appalachian State University,
USA)
Assoc. Prof. Muhamad Ali (University California,
Riverside)
Assoc. Prof. Mun'im Sirry (University of Notre Dame)
Assoc. Prof. Paul Bijl (Universiteit van Amsterdam)
Assoc. Prof. Patrick Ziegenhain (President University)
Assoc. Prof. Alexander Horstmann (University of
Copenhagen)

EDITORIAL STAFFS

Abby Gina Boangmanalu, M.Hum.
Hendrik Bolitobi, S. Hum.
Triana Dyah, S.S.
Elisabet Repelita Kuswijayanti, M.Si.
Octania Wynn
Nada Salsabila
Agnes Diana Wahyuni

SECRETARIAT & FRIENDS OF JURNAL PEREMPUAN

Himah Sholihah
Gery Andri Wibowo

DESIGN & LAYOUT

Dina Yulianti

ADDRESS

Jalan Tanah Manisan No. 72, RT 07 RW 03, Kel. Cipinang
Cempedak, Kec. Jatinegara, Jakarta Timur
Telp: (+62) 812 1098 3075
E-mail : yjp@jurnalperempuan.com redaksi@
jurnalperempuan.com
Twitter : @jurnalperempuan
Facebook : Yayasan Jurnal Perempuan

WEBSITE

www.jurnalperempuan.org
www.indonesiafeministjournal.org

First published in August 2021



include | protect | engage

Expression of Gratitude to Reviewers

1. Yacinta Kurniasih, M.A.
2. Dr. Widjajanti M. Santoso
3. Dr. Bagus Takwin
4. Ruth Indiah Rahayu, M.Fil.
5. Mariana Amiruddin, M.Hum.
6. Soe Tjen Marching, Ph.D.
7. Dr. (Iur) Asmin Fransiska, S.H., LL.M.

Contents

Editorial

Sexual Violence and Gender Inequality	V
<i>Atnike Nova Sigiro</i>	

Articles

• The Political Personal Realm in the Draft Law on the Elimination of Sexual Violence in Indonesia	79-89
<i>Risna Desimory Tambunsaribu & Ikhaputri Widiyantini</i>	
• LPSK-Establishing State Presence in Protection of Witnesses and Victims, Inclusive of Sexual Violence Crimes	91-101
<i>Livia Iskandar</i>	
• The Hidden Blackbox: Corrective Rape Against Lesbian, Bisexual (Women) and Male Transgender	103-108
<i>Sri Agustin</i>	
• Sexual Violence at University Level: A Philosophical Feminism Overview	109-116
<i>Ikhaputri Widiyantini</i>	
• Denial Narratives of Five Incestuous Fathers	117-128
<i>Titiek Kartika Hendrastiti & Noeke Sri Wardani</i>	
• Power Relations and Sexual Violence on the Campus	129-135
<i>Sulistiyowati Irianto</i>	
• Recognizing the Needs and Challenges in Handling the Victims of Sexual Violence: Learning from the Experiences of 'Forum Pengada Layanan'	137-152
<i>Atnike Nova Sigiro & Bagus Takwin</i>	

Sexual Violence and Gender Inequality

Feminism frames sexual violence not merely as aggressive actions such as rape, sexual assault, sexual harassment, or other physical attacks that target a person's sexuality. Rather, it puts these actions into the context of a more complex relationship of gender and structural inequality. Essentially, a hierarchy of sexuality allows women to be one of the groups that are vulnerable to violence, including sexual violence. Sexual violence closely relates to power relation; thus, it can happen to children, gender minorities, students, persons with disabilities, domestic workers, subordinates in industrial relations, and any kinds of subordination and other hierarchies in society.

Sexual violence is socially recognized as a problem, but it tends to be seen as a matter of morality, public decency, honor, or as a crime against family and society. The essence of sexual violence as a violation of one's bodily integrity is often negated. This perspective imposes a moral burden and stigma on a victim and even her family. Therefore, the victims often feel reluctant to talk about their experience of violence. When a victim talks about the sexual violence she has experienced, her morality and sexual history tend to be judged by her family, community, and the officers of law enforcement.

Another problem of sexual violence is the fact that the legal positivism paradigm is not able to see sexual violence more broadly. This paradigm imposes the burden on legal evidence - such as penetration, evidence, witnesses; to the victim. As a result, the law often fails to dispense justice and remedies fairly to the victims, let

alone to make people aware that sexual violence is a crime.

Legislation to eliminate and prevent sexual violence is a political action to voice the issue of sexual violence. Furthermore, if sexual violence is recognized as a social problem, the opportunity to assert the position of women and other marginal groups as equal citizens is possible. It is one of the main principles of women's struggle against The Elimination of Sexual Violence Bill (RUU PKS).

In other countries, the legal definition of sexual violence has evolved. For example, rape and sexual assault are defined as acts imposed by force or coercion with a lack of consent. In addition, legal thinking on sexual violence has emphasized the dimensions of protection and support for the victims/survivors needed during the process of unveiling sexual violence, the legal process, and also after the legal process.

The number of cases of sexual violence recorded by Komnas Perempuan (The National Commission on Violence against Women) and various women's organizations for the last ten years or so has actually shown the tip of the iceberg from the depths of the situation of violence against women in Indonesia. Therefore, suspicion of attempts to position sexual violence as a social problem is a patriarchal tactic to perpetuate the status quo of gender inequality and the hierarchy of sexuality towards women. (Atnike Nova Sigiro)

Abstracts Sheet

Risna Desimory Tambunsaribu & Ikhaputri Widiyantini
Departemen Filsafat, Fakultas Ilmu Pengetahuan Budaya,
Universitas Indonesia

**The Political Personal Realm in the Draft Law on the
Elimination of Sexual Violence in Indonesia**

Jurnal Perempuan, Vol. 26 No. 2, August 2021, page. 79-89, 1 table, 22 references

This article is using a critical interpretation based on radical feminist theory to analyze the issue of sexual violence against women in Indonesia. Based on data from Komnas Perempuan in 2020, the number of victims of sexual violence is increasing. The root of sexual violence comes from the biological differences between women and men that has been constructed in society. Men are considered to have sexual dominance on women. The existence of sexual politics maintains by the state have taken away women's authority both in private and public spheres. Using the critical and praxis feminist approach, this article assesses the data research from Komnas Perempuan, especially related to cases of sexual violence. The analysis and criticism of sexual politics in this article also highlights the Draft Law on the Elimination of Sexual Violence. The analysis proves the importance of state involvement in ensuring the lives of Indonesian female citizens, especially concerning protection from sexual violence.

Keywords: personal, public, RUU PKS, sexual politics, sexual violence

Livia Iskandar

Komisioner LPSK-Lembaga Perlindungan Saksi dan Korban

**LPSK-Establishing State Presence in Protection of
Witnesses and Victims, inclusive of Sexual Violence Crimes**

Jurnal Perempuan, Vol. 26 No. 2, August 2021, page. 91-101, 2 grafik, 4 tables, 12 references

The Indonesian Witness and Victim Protection Agency (LPSK in Indonesian) was established based on Law No.13/2006 Protection of Witness and Victims, which was later amended by Law No 31/2014. It is an independent non-structural agency headed by seven commissioners for 5-year terms. One of the Agency's priority crimes is sexual violence. The Agency protects witnesses, victims, whistleblowers, justice collaborators, and experts. For the years 2019-May 2021, the Agency has given protection to a total of 984 victims of sexual crimes, consisting of 67% children and 33% adults. Out of that, 78% are female victims compared to 22% male victims. Based on Law No. 31/2014, there are 16 types of witness and victims' rights. The three most sought-after protection programs for victims of sexual violence are Procedural Rights, Psychological Rehabilitation, and Restitution Facilitation. For prevention programs, we need to learn who are sexual violence perpetrators.

Keyword: LPSK, sexual violence, witness and victim rights

Sri Agustin
Ardhanary Institute

**The Hidden Blackbox: Corrective Rape Against Lesbian,
Bisexual (Women) and Male Transgender**

Jurnal Perempuan, Vol. 26 No. 2, August 2021, page. 103-108, 10 references

This article discusses about the corrective rape against lesbian, bisexual (women), and male transgender that is performed by the perpetrator with aim to correct the LBT's (lesbian, bisexual, and transgender) sexuality. Such sexuality that are deemed bad, abnormal and cursed, therefore must be corrected. Corrective rape is perceived as a form of punishment, and it is everyone's responsibility to undertake correction. Corrective rape has rarely been revealed. In order to reveal the facts about corrective rape against LBT in Indonesia, this article writes the stories of four LBTs that would open up our conscience, that any form of corrective rape must be abolished, in line with our hope to abolish sexual violence against women through the legislating of the draft law on the abolition of sexual violence (RUU PKS).

Keywords: corrective rape; LBT; power relation; sexual orientation; gender identity

Ikhaputri Widiyantini

Departemen Filsafat, Fakultas Ilmu Pengetahuan Budaya,
Universitas Indonesia

**Sexual Violence at University Level: A Philosophical
Feminism Overview**

Jurnal Perempuan, Vol. 26 No. 2, August 2021, page. 109-116, 11 references

This paper highlights the philosophical issues related to sexual violence cases at the university level. Many reports were found related to the sexual violence cases at the university level, but did not come to a solution that take sides to the victim. This is not just a problem about the unstrict law to handle the cases. There is a basic problem that underline in the mindset and behavior. Rape culture in society failed us to understand that this is a form of violence against humanity. The basis of patriarchal logic also affirms the condition. Based on the standpoint feminism method, also supported by data on sexual violence reports, I pointed the importance of using the feminist logic approach in viewing this issue. I aim to restore the point of view on siding the victim which can provide justice in handling the sexual violence cases at the university level.

Keywords: sexual violence at university level; rape culture; feminist logic; standpoint feminism

Titiek Kartika Hendrastiti & Noeke Sri Wardani

Jurusan Administrasi Publik, Fakultas Ilmu Sosial dan Politik,
Universitas Bengkulu

**Narrative of Denial from Five Cases of the Incestuous
Fathers**

Jurnal Perempuan, Vol. 26 No. 2, August 2021, page. 117-128, 2 pictures, 1 table, 20 references

Various data from the society show the tendency of increasing number of incest's cases. This study aims to analyze the narratives of five cases of fathers who become perpetrators of incest. This study was conducted in 2016 to five fathers of incestuous perpetrators, who inhabited two Correctional Institutions in Bengkulu. This study was conducted using feminist narrative analysis and found that incestuous perpetrators rationalize their crimes based on their sexual identity and history to the victim. The history of the victims' sexuality, which represents corrupted, dirty, wild, and naughty bodies, became a justification for incest. Persons with disabilities faced multiple vulnerabilities, not only being humiliated through the rape by their fathers, but they were also being blamed for their inability to participate in the investigation process and court hearings. The research has found linkages between incest and early marriage, troubled marriages, and early divorce. The construction of hypersexuality and the objectification of the perpetrators towards child sexuality had failed to guide the perpetrators towards a sane relationship.

Keywords: incest narrative, feminist narrative analysis, incest rationalization, disabled incest victims

Sulistiyowati Irianto

Guru Besar Fakultas Hukum, Co-founder mata kuliah Gender dan Hukum, Fakultas Hukum, Universitas Indonesia

Power Relations and Sexual Violence in the Campus

Jurnal Perempuan, Vol. 26 No. 2, August 2021, page. 129-135, 11 references

Sexual violence on campus is a crime against humanity that is difficult to uncover because of professors' power relations and domination over students. Power relations also manifest at the structural level so that sexual violence is often dismissed and silenced by the administrators. The campus environment's hierarchy of status and positions makes sexual crime cases go on for years without any accountability. On the other hand, there are efforts such as the collective action of lecturers

across faculties to protect victims from the perpetrators and bring the perpetrators to justice. This study describes the author's experience in dealing with sexual violence on campus and using a reflexive approach in addressing sexual violence in Indonesia.

Keywords: Keywords: sexual violence in campus, power relations, crimes against humanity

¹Atnike Nova Sigiro & ²Bagus Takwin

¹Jurnal Perempuan & ²Fakultas Psikologi Universitas Indonesia

¹Jalan Tanah Manisan No. 72, RT 07 RW 03, Kel. Cipinang Cempedak, Jatinegara, Jakarta Timur 13340, Indonesia

²Kampus Universitas Indonesia Depok, Jawa Barat 16424, Indonesia

Recognizing the Needs and Challenges in Handling the Victims of Sexual Violence: Learning from the Experiences of 'Forum Pengada Layanan'

Jurnal Perempuan, Vol. 26 No. 2, August 2021, page. 137-152, 3 tables, 5 grafik, 17 references

This article will describe a research on the experiences of the members of 'Forum Pengada Layanan' or Service Provider Forum (FPL), a civil society initiative, in handling the victims of sexual violence. Through FPL's experience, this article will analyze the importance of legal protection and the availability of financial and human resources, in handling and protecting victims of sexual violence. This research was conducted using mixed methods, namely quantitative methods using surveys and qualitative methods using in-depth interviews. This article concludes that the legal umbrella regarding the elimination of sexual violence with victims' perspective would provide stronger foundation for protection, legal processes, and the availability of resources in handling cases of sexual violence in Indonesia.

Keywords: sexual violence; victim's perspective; abolition of sexual violence; legislating sexual violence

The Hidden Blackbox: Corrective Rape Against Lesbian, Bisexual (Women) and Male Transgender

Sri Agustin

Ardhanary Institute, Jakarta Selatan, DKI Jakarta

ardhanaryinstitute@gmail.com

Manuscript Chronology: received 17 July 2021, revised 26 July 2021, accepted 26 July 2021

Abstract

This article discusses about the corrective rape against lesbian, bisexual (women), and male transgender that is performed by the perpetrator with aim to correct the LBT's (lesbian, bisexual, and transgender) sexuality. Such sexuality that are deemed bad, abnormal and cursed, therefore must be corrected. Corrective rape is perceived as a form of punishment, and it is everyone's responsibility to undertake correction. Corrective rape has rarely been revealed. In order to reveal the facts about corrective rape against LBT in Indonesia, this article writes the stories of four LBTs that would open up our conscience, that any form of corrective rape must be abolished, in line with our hope to abolish sexual violence against women through the legislating of the draft law on the abolition of sexual violence (RUU PKS).

Keywords: corrective rape, LBT, power relation, sexual orientation, gender identity

Preliminary

Corrective rape against lesbian, bisexual (women) and transgender men (LBT) is an act of sexual assault by one or more persons against an LBT in the form of rape aimed at "repairing" or correcting the LBT sexual orientation and/or gender identity, so that the victim becomes heterosexual or adheres to certain gender norms and identities. According to Silvio (2011), this corrective rape is seen as a form of punishment for LBT.

This paper presents four stories of corrective rape experienced by LBT in order to provide an overview of how LBT sexuality is systematically repressed through the necessity of heterosexuality. Quoting Derrida, Al-Fayyadi (2005, pp. 87-88) states that in logocentrism heterosexuality is not only differentiated but also considered to have a higher degree (privileged) over the practice of non-heterosexual sexuality. Hence, people who feel they have the privilege, build the power to control LBT sexuality with sexual punishment.

Alimi (2004, p. 38) says that in this procedure, heterosexuality is not actually based on the inherent qualities attached to it, but is based on negative labeling of non-procreative sexual practices.

From the four stories raised in this paper, it is very clear how the "body" of an LBT is controlled so that he loses what should be his "self". He must be traumatized

throughout his life, because of a bitter experience that can never be erased from his memory, even though he has hidden it so neatly in a hidden black box inside himself. The black box is a symbol of their hidden deep grieves.

In the context of power relations, the pressure (oppression) faced by LBT victims of corrective rape becomes multilayers. LBT who experienced corrective rape experienced inequality in gender relations and at the same time experienced inequality in sexual relations.

Clarification of Terms Context of Corrective Rape against LBT

LBT refers to the use of the following terminology: 1) lesbians are women who have physical, romantic, and/or emotional attraction to women; 2) (Female) bisexual is someone who has physical, romantic, and/or emotional attraction to people of the same or different sex/gender. These interests can be at the same time, it can also be in different periods of time; 3) male transgender is someone who is assigned as female at birth but identifies himself and his life as men. Other terms commonly used in Indonesia are *priawan*, *transpria*, and transgender (Arivia & Agustine 2017).

Sexual orientation is a scientifically accurate term to express a person's physical, romantic, and/or emotional

attraction to another. A person may be attracted to people of the same sex or gender, of a different sex or gender, or attracted to both (Arivia & Agustine 2017).

Gender identity is how a person identifies himself; man, woman, transgender man, *priawan*, *transpria*, *waria*, transgender woman, *transpuan*, queer, or others. Gender identity is not “binary” (only male and female). Gender identities vary greatly (Arivia & Agustine 2017).

Gender expression is the way how a person shows his self-expression, whether he appears masculine, feminine, androgynous (masculine-feminine), queer, or other designations. Gender expression is displayed through act, dress, behavior, or when interacting socially. Gender expression is fluid, it can change at any time depending on their comfort (Arivia & Agustine 2017).

SOGI (Sexual Orientation, Gender Identity, Expression) is an international term used to raise discourses on the diversity of sexual orientations and gender identity (Arivia & Agustine 2017).

Heteronormativity is an ideology about the necessity to be heterosexual or the view that heterosexuality is the only normal and natural form of sexual relations, between a man and a woman, indisputable. Heteronormativity rejects other sexual orientations that are not oriented to hereditary reproduction such as *onani*, masturbation, or homosexuality. There is also a need for conformity between gender identity and birth-assigned sex. If he has a male anatomy, he is required to be masculine, and conversely if she has a female anatomy, she is required to be feminine (Arivia & Agustine 2017).

Corrective rape against LBT is an act of sexual assault committed against a lesbian, bisexual (woman) and transgender with the aim of “fixing” or correcting the sexual orientation and or gender identity of LBT to become heterosexual or confirm with gender stereotypes.

The History of Corrective Rape Term

The term corrective rape was first used in South Africa in the early 2000s by human rights organizations when rapes against lesbians were on the rise. Corrective rape is when one or more lesbians are raped to make them heterosexual. Men (perpetrators) revealed that “repairing or healing” lesbian women is part of their duty as men in a community. Corrective rape is seen as a form of “punishment” for lesbians. On the other hand, men who commit sexual violence believe that raping them will make them the “real African women” (Mochtar et al. 2016, p.41).

Simphiwe Thandeka is one of the victims of corrective rape. She was raped three times at the age of 13 by her uncle. His uncle plans to marry him off to his friend in order to cure her sexual orientation. Before marriage, Simphiwe was forced to have sex by her future husband. The next day, her future husband returned Simphiwe and some money to her uncle and said that even though Simphiwe had been raped, Simphiwe was still a lesbian and her uncle’s friend could not marry her. She became pregnant and was detected to have HIV. Simphiwe and her uncle’s friend contracted HIV from his own uncle who at that time also raped her. However, Simphiwe’s parents never told her that her own uncle had contracted HIV and passed it on to Simphiwe. After giving birth to a son, she was raped again by a priest (Mochtar et al. 2016, p.41).

From the long list of corrective rape cases that occurred in South Africa, the term corrective rape became more global when a lesbian named Eudy Simelane (11 March 1977 – 28 April 2008) made world news. Simelane was a South African footballer who played for Springs, Gauteng and the South Africa women’s national football team. Eudy Simelane was seen as very accomplished, so she was entrusted with coaching four women’s soccer teams and at that time she was also studying to be a referee. She was openly lesbian and was actively involved in LGBT organizations. Simelane was raped and killed in her hometown of Kwa Thema, Springs, Gauteng by three men. Her partially clothed body was found in a small river in Kwa Thema. According to police statements, Simelane was kidnapped, raped, beaten, and stabbed 25 times in the face, chest and legs (Smith 2009).

In the report of the International NGO Action Aid supported by The South African Human Rights Commission, it was stated that the rape and murder of Eudy Simelane was a hate crime because of her sexual orientation, therefore, in one of the recommendations of the report, it was stated that the South African government should include corrective rape as part of hate crimes (Smith 2009). Although the South African constitution specifically prohibits discrimination against LGBT people, crimes against LGBT are not yet categorized as hate crimes. This makes data on corrective rape against lesbians undocumented (Hughes 2009), whereas the data could help the government in analyzing and finding solutions to this corrective rape problem. The absence of regulations regarding corrective rape in existing legal instruments makes it difficult for state officials, especially the judiciary and police, to decide and punish suspected perpetrators (Mochtar et al. 2016, p. 44).

In 2009, The Lesbian and Gay Equality Project built a mini bridge in Kwa Thema, Springs, Gauteng as a tribute to Eudy Simelane, and a warning that once a corrective rape happened (Khupiso 2009). A tribute to Eudy Simelane was also given by the South African Football Association (SAFA). This incident has also stirred up many LGBT people in South Africa as well as LGBT people from other countries speaking out to tell their own stories about corrective rape.

South Africa was the first country in the world to include the term sexual orientation in its country's constitution in 1996 after breaking away from apartheid politics. South Africa also initiated a resolution entitled "Resolution on Sexual Orientation and Gender Identity" in 2011, at the United Nations (UN) in referring to cases of discrimination based on sexual orientation and gender identity. This resolution gave birth to the term SOGI (an acronym for Sexual Orientation and Gender Identity) which is now the world's term in discussing the issue of gender diversity and sexuality. South Africa is also the fifth country in the world and the only country in Africa that legalizes same-sex marriage.

The Need to be Heterosexual

Social and legal structures play a role in establishing the intimate sexual relations of the community with heterosexual domination, which is based on a gendered sex system. Furthermore, the relationship must be in the form of a family, legal, legally certified issued by the state under the name of marriage. In this marriage, the gendered sex system works by building a family structure consisting of a biologically male father and a female mother who must live a happy life with children as their offspring who will continue their ideal life and teach it back to the next generation. With this habitus (Bourdieu & Wacquant 1992), the subsequent families that are formed follow a pattern according to the values and systems that have been built, then taught and internalized in their minds. So that everything runs automatically, as something natural. As Gayle Rubin said in her writings *Thinking About Sex* (2006), this process is a naturalization of heterosexuality.

This naturalization of heterosexuality gives birth to the belief that heterosexuality is a good, normal, and God-blessed sexuality, while other sexualities, especially those that are not procreative oriented, such as lesbians, women (bisexuals) and transgender men, are seen as having bad, abnormal, and condemned sexuality (Rubin 2006, p. 14). From this framework, the belief in society

that punishing and correcting people whose sexuality is considered bad, abnormal, and condemned is a must, was born. The community also builds power that the task of punishing and correcting is a shared task, everyone in the family and community has this obligation.

The doctrine of the obligation to punish and correct people whose sexuality is considered bad, abnormal and condemned is reflected in the corrective rape cases against lesbians that occurred in South Africa, where the perpetrators told the police and judges in court, that the rapes were committed to "fix or cure" lesbian women to be heterosexual, as part of their duties as men in a community.

Punishment practices to correct or cure lesbian, (female) bisexual, and male transgender (LBT) sexuality in the form of corrective rape, also occur in Indonesia where the perpetrators are both men and women. From several studies that have been conducted by the Ardhanary Institute, since 2000, related to situations of violence against LBT, the findings of corrective rape data are revealed from the stories of several respondents. In this paper, the author will present 4 stories from respondents that were told and written by the author in the form of data in 2009. Here are the 4 stories of LBT respondents who are the victims of corrective sexual violence.

Eliot Who Lost His Pride in Himself

Eliot is a male transgender, from Jakarta, he is now 50 years old. He experienced corrective rape by his own biological father who resented Eliot's gender identity as a transgender male. When the incident happened, Eliot was 24 years old, at the time Eliot was enjoying his life very much. She had a job and a beautiful girlfriend. Eliot had many dreams about his future, one of which he dreamed of one day owning his own house so he could build a home life with his girlfriend. The dream was destroyed, when his father, who actually lived at his second wife's house, returned to his mother's house. Eliot's father practiced polygamy. His mother was the first wife he left when his father fell in love and remarried to a woman younger than his mother's age. Before moving to his second wife's house, his father often did domestic violence to his mother. Eliot's father's temperament was very harsh, angry easily, and he was also lazy. His mother was the breadwinner of the family.

After his father returned home, Eliot's appearance began to be questioned. His father did not like Eliot to look like a man. Eliot was forced to dress up like most women. Eliot of course refused. His father was angry. That

was the starting point of Eliot's bitter experience. He was raped by his father as a warning to Eliot, to acknowledge himself that he was a woman. Eliot's suffering did not stop there. Eliot's father betrothed and forced Eliot to enter into a marriage he did not want, in order to become a real woman. The man who was betrothed by his father was a close relative of his father.

"Every time I had to have sex with my husband, I drank alcohol until I get drunk, so I did not remember the man entering my body. When I got sober, I was disgusted and angry with myself, I sliced my hands with razor." (Eliot 2005, July interview)

During his four years in the marriage, it was also the four years Eliot felt raped. He gave birth two times, to a boy and a girl. Entering the beginning of his fifth year, Eliot finally had the courage to decide to run away from his husband's house with his two children. Eliot lives at his girlfriend's house. Eliot's two children were adopted by Eliot's girlfriend, who was economically more secure so that he could pay for their daily needs and school. Eliot has also continued to take care of them.

Eliot's bitter story, has made him angry to this day. He is furious with his father. He had lost all pride in himself. Eliot always thinks, one day he wants to kill his father.

July Who Keeps Her Story in a Concealed Hidden Black Box

July is a lesbian, now 42 years old from Sangir Talaud and moved to Jakarta. July feels she has lost ownership of her body after being raped by the most respected important person in her extended family. As the most respected person hence the perpetrator is the highest authority in the house where she lives.

"I was raped by my uncle because he considered lesbians as a disgrace to the family, I had to be corrected into a real woman. That incident hurts my soul to this day. It happened when I was 18 years old, I had to live with my aunt (mother's sister) because my mother and father got divorced. I have had a girlfriend since middle school who looks tomboyish. Every weekend she visited me. My uncle did not seem to like what he saw. My uncle asked me repeatedly whether I am a lesbian. At first I was silent, my aunt often calmed him down whenever he was angry because I never answered him. However, since he asked me almost every day, I finally answered that I was a lesbian. My uncle was furious, I was scolded harshly. I didn't know how many times the word abnormal is mentioned. One day, when my aunt was not at home, he came into my room and raped me. My uncle said, "Lesbians must be raped in order to heal!" I was very angry and hated the incident, I finally ran away from my uncle's house. I went to my father's house and complained to my father about what my uncle had done. But how did

my father respond? He was not angry nor defended me, instead he forced me to have sex with him and threatened to kill me if I dared to report this incident to my mother. My father said, not only you are a lesbian, but also you are not a virgin anymore!" (July 2005, July interview)

After the incident, July decided to stay away from her uncle and father. Living with her mother, a few months later July found out she was pregnant, when her child was born, her uncle and aunt took the baby and took care of it. July and her mother then agreed to closely keep this as a secret from other relatives and neighbors. Like Eliot, July keeps it in a hidden box. July began to have the courage to open the hidden box a little when she joined as a member of an LBT organization and met friends who had the same experience. Her uncle and father are now dead, but July lives on in fear and anxiety that the nightmare will happen to her again.

The Perpetrator Is My Mother

The perpetrators of the corrective rape of lesbians in South Africa are male. Unlike in Indonesia, the gender of the perpetrator can be male or female. This happens because the hateful sentiment towards LBT is internalized in both men and women. Therefore, the power to punish is also exercised by women. As experienced by Dewi, a 30-year-old lesbian who lives in a city in the province of Banten. The mother was the perpetrator who initiated the corrective rape incident against her. Dewi's mother paid a male sex worker and forced Dewi to have sex. Dewi's mother believes that lesbians can be cured if they have sex with men.

"I was 17 years old at the time. Initially I was brought for consultation with a sexologist, where I was sexually abused. My body was groped without my consent. Even though I said I didn't want to, I was still touched and asked if I can feel it. I felt really uncomfortable. A week later, my mother had a young male guest around my age named FG, who was introduced to me. Mother said FG would cure me from lesbian disease. She asked me to have sex with FG in the room, and the door had to be open. She got angry when I refused to have sex. I had to accept rude insults and slaps. Finally I followed my mother's will to have sex with the man. That incident really scared me, how could my mother had the heart to do that to me. Since I was afraid it would happen again, I ran away from home. I lived in my girlfriend's boarding house. Then my girlfriend took me to the LBT organization to seek help. I stayed at the shelter for a while. After I received psychological counseling, I felt strong again. However, I couldn't bear to report my mother to the police. Finally, I decided to keep this incident just for myself and my mother. Until now, I don't know if I can forgive what my mother did to me." (Dewi 2011, interview August)

Dewi is now back home, living with her mother. Dewi is also now taking on the role as the family's backbone, because her mother has retired and is also a single parent. Dewi herself is an only child. Living with the perpetrator of corrective rape is not easy for Dewi. Because of that, she choose not to talk about it, and so does her mother.

Santi's Forced Marriage

Another corrective rape occurs in the form of forced marriage. This is experienced by Santi, a 24-year-old bisexual who lives in Semarang. Santi was forced to marry by her father with one of her close relatives when she was caught dating a woman. Santi also experienced physical violence when she refused to marry. Santi uploaded a photo of her bruised and swollen face due to her father's slaps and beatings on the LBT social media group. All group members panicked and tried to help Santi by reporting this violence to the police. However, Santi refused. She said by uploading this photo, at least she felt she had a story to tell. Santi finally married a man of her father's choice. Five months later, Santi ran away from her husband's house to the town where her girlfriend lived. Santi also asked for legal assistance from a legal aid institution (LBH) specifically for assisting women victims of violence to get a divorce from their husbands after contacting an LBT organization which then gave a referral to the LBH.

"I was tormented for 5 months in my marriage because I had to have sex with the man who became my husband. My body refused. I felt disgusted. I thought about committing suicide instead of having to endure this suffering. But my girlfriend gave me strength, she said there must be a way out. She then contacted an LBT organization, which connected me to a legal aid agency for women. The LBH through its lawyer mediated between me and my husband so that I could get a divorce, especially since my husband knew that I had a girlfriend. At first my husband was adamant that he didn't want to divorce me. He said that over time my feelings for women would disappear. He believed that being married to him could heal me. However, thankfully I can finally end the marriage prison. Another unresolved issue was my angry father because I was divorced. But now I have the courage to fight back. If I am forced to marry again, I will report it to the police." (Santi 2013, interview September)

Closing

The four corrective rape stories raised in this paper are some of the stories from a long series of corrective rape incidents that happened to LBT in Indonesia. The respondent's courage to open the lid of the hidden box of corrective rape experiences was an extraordinary big

step. Steps that not only have exposed the root layers of corrective rape against LBT, but also the fact that corrective rape against LBT occurs and must be stopped in the future.

Therefore, recognition of gender diversity and sexual orientation is an important issue in Indonesia, given that discriminatory and intolerant attitudes towards various gender and sexual identity (LGBT) groups are manifested in various forms of violence, one of which is corrective rape against LBT. The privileges of society and even the state over non-heterosexual groups (which are seen as wrong so that their sexuality must be corrected), give rise to irrational prejudices on LBT sexual orientation and gender identity. These irrational prejudices against the sexual orientation and gender identity of LBT are the root causes of corrective rape crimes.

Crimes that are motivated by prejudice in some countries are part of hate crimes. In corrective rape, the motive for the crime is very clear: out of hatred for the sexual orientation and gender identity of the victim. The word hate crime implicitly contains two words: hate and crime. The hatred itself, according to Gaylin (2003, p. 28) is born from a belief in a distorted or pseudo-perception of another person or a group that is considered not the same as himself, giving rise to irrational prejudices or suspicions. It is stated by Jacobs & Potter (1998) that prejudice/suspicion of other people/groups creates distance between groups, which further sharpens and triggers hate crime acts, and fosters confidence that their actions are the truth.

In Indonesia, hate crimes do not receive adequate criminal punishment from the state, due to the absence of adequate rules to ensnare perpetrators of crimes with "hate" backgrounds. The existing regulation is only limited to hate speech, which is regulated in the multi-interpreted article and in the author's view is not appropriate, namely in Law Number 11 of 2008 concerning Information and Electronic Transactions (UU ITE) as amended by Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions (UU 19/2016) article 28 paragraph (2) and criminal charge in Article 45A paragraph (2) of Law 19/2016, while in the Criminal Code (KUHP) refers to Article 157.

With the complexity of corrective rape against LBT, the laws and regulations governing corrective rape as part of a sexual crime will protect and prevent sexual threats due to gender-biased prejudice against LBT. This is where the urgency of discussing and ratifying the draft of law on the abolition of sexual violence (RUU PKS).

Bibliography

- Al-Fayyadi, M 2005, *Derrida*, LKIS, Yogyakarta.
- Alimi, HY 2003, *Dekonstruksi Seksualitas Poskolonial*, from *Wacana Bangsa Hingga Wacana Agama*, LKIS Pelangi Aksara, Yogyakarta.
- Arivia and Agustine 2017, *Panduan Media Meliput LGBT*, Yayasan Jurnal Perempuan, Jakarta.
- Bourdieu P and Wacquant LJD 1992, *An Invitation to A Reflexive Sociology Chicago*, University of Chicago Press.
- Gaylin, Williard 2003, *Hatred, The Psychological Descent Into Violence*, Public Affairs. New York.
- Huggess, D 2009, *Being Gay in South Africa: Lesbian fear "corrective" rape*. ABC News May 29, 2009. <http://abcnews.go.com/international/story?id=7577169&page=1>
- Jacobs, JB and Potter, K 2002, *Hate Crime: Criminal Law and Identity Politic*, Oxford University Press.
- Khupiso V 2009, "Eudy Simelane Corrective Rape South Africa", *The Times*, accessed on 16 July 2021, <https://web.archive.org/web/20090430133922/http://www.thetimes.co.za/News/Article.aspx?id=988107>
- Mochtar, YH, Indriastuti S & Elinda DL 2016, "Ancaman Fenomena Perkosaan Korektif terhadap Human Security di Afrika Selatan", *E-SOSPOL* Volume 3, 1st Edition, January – April 2016; p. 41 - 47
- Rubin, G 2006, "Thinking Sex: Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality." *Culture, Society, and Sexuality*, edited by Peter Aggleton and Richard Parker, Routledge.
- Silvio, L 2011, "Correcting Corrective Rape: Carmichele and Developing South Africa's Affirmative Obligations To Prevent Violence Against Women". *Georgetown Law Journal*. 99.
- Smith, D 2009, "Life for man in rape and killing of lesbian South African footballer" *The Guardian*, accessed on 10 June 2021, <https://www.theguardian.com/world/2009/sep/22/eudy-simelane-gangrape-and-murder>

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

Jalan Tanah Manisan No. 72,
RT 07 RW 03, Kel. Cipinang
Cempedak, Kec. Jatinegara,
Jakarta Timur
Telp: (+62) 812 1098 3075

