

## 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*

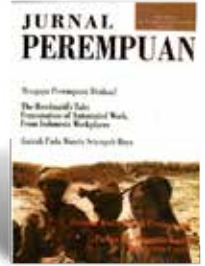
Recognizing the Needs and Challenges in Handling the Victims of Sexual Violence:  
Learning from the Experiences of 'Forum Pengada Layanan'  
*Atnike Nova Sigiro & Bagus Takwin*

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](http://www.jurnalperempuan.org)

[www.indonesianfeministjournal.org](http://www.indonesianfeministjournal.org)

#### Contact

Yayasan Jurnal Perempuan

Email: [yjp@jurnalperempuan.com](mailto:yjp@jurnalperempuan.com)

Websites:

[www.jurnalperempuan.org](http://www.jurnalperempuan.org)

[www.indonesianfeministjournal.org](http://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](mailto:yjp@jurnalperempuan.com) redaksi@  
[jurnalperempuan.com](http://jurnalperempuan.com)  
Twitter : @jurnalperempuan  
Facebook : Yayasan Jurnal Perempuan

**WEBSITE**

[www.jurnalperempuan.org](http://www.jurnalperempuan.org)  
[www.indonesiafeministjournal.org](http://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 &amp; 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 &amp; 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 &amp; 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

---

**<sup>1</sup>Atnike Nova Sigiro & <sup>2</sup>Bagus Takwin**

<sup>1</sup>Jurnal Perempuan & <sup>2</sup>Fakultas Psikologi Universitas Indonesia

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

<sup>2</sup>Kampus 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 Political Personal Realm in the Draft Law on the Elimination of Sexual Violence in Indonesia

**Risna Desimory Tambunsaribu & Ikhaputri Widiyantini**

Departemen Filsafat, Fakultas Ilmu Pengetahuan Budaya, Universitas Indonesia  
Kampus UI Depok, Jawa Barat, 16424, Indonesia

risnadesi03@gmail.com & ikhaputri.w@gmail.com

Manuscript chronology: received 19 July 2021, revised 27 July 2021, accepted 28 July 2021

### Abstract

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 the 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 over women. The existence of sexual politics maintained 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 the 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 (RUU PKS). 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

### Introduction

The battle to enact Elimination of Sexual Violence Bill (also known in Indonesian as RUU PKS) in Indonesia started in 2016. In partnership with LBH Apik, Derap Warapsari and Pusat Kajian Wanita dan Gender of Universitas Indonesia, and Komnas Perempuan has conducted several programs for legal and policy reform with human rights and gender-perspective. One of the results of their program is their effectiveness in integration of elimination of violence against women through policies, hence it will be included in the National Legislative Program (Prolegnas) of the Parliament for 2015 to 2019. This initial step continues and the bill is now in the legal drafting process as of October 2016 (Elimination of Sexual Violence Bill).

The magnitude of sexual violence cases that continue to happen even after the bill has entered into deliberation process does not trigger State's response (in its legislation) to make a decision. In the year 2016 alone, there are 259,150 reported cases of violence, in 2017 the figure increased to 348,446, in 2019 there are 431,471 cases, and in 2020 the cases reported are 299,911 (Komnas Perempuan 2020). Considering the increasing trend of cases of sexual violence, the reinterpretation on the

importance of legal framework that prevents the sexual violence and protect the victims of sexual violence is very important. This measure is very important considering that 2019 was the last year for the bill to be included in the National Legislation Program.

"Definition of sexual violence is any action that degrades, insults, assaults, and/or other action perpetrated against one's body, sexual intention, and/or reproductive functions coercively, against one's will, which makes the person unable to consent in free will, due to imbalance/unequal power relation and/or gender relation, that may lead or affect one's suffering or misery physically, psychologically, sexually, experiencing economic, social, cultural, and/or political loss." (Elimination of Sexual Violence Bill, 2016, pg. 6)

Based on the definition of sexual violence in the bill of ESV, the boundaries and justification on the act of sexual violence is now more measurable. The definition serves as the foundation that would cement our perception on what constitutes sexual violence. However, after three years of in the deliberation process, the legislative body does not show significant measures to enact the bill immediately. Government's snail response shows just how women's rights and victims' rights continue to be marginalized. Komnas Perempuan's data emphasizes on

the urgency of the enactment of ESV bill, as reflected in an increasing trend of sexual violence against women and children from time to time. The bill's presence is very important, as lenient sanctions and existing regulations do not bring the expected significant deterrence effect to the perpetrators of sexual violence. One of the reasons why this bill is not enacted is a contradiction from religious values and dogma.

The efforts to understand the reason and cause of sexual violence might be executed through tracing back women's ideas and movement. Referring to feminism perspective, the cause of sexual violence stemmed from inequality between men and women. It began in personal domain, and expanded to public domain. Many feminism scholars have detected that biological characteristics are used as grounds for dominance over women's sexuality (de Beauvoir 1949; Millet 1970; Firestone 1972). Nevertheless, since patriarchy dominance remains strong in Indonesia's society, sexual violence that women experience is not perceived as an urgency and emergency that requires immediate action to eliminate. Measures to push for enactment of Elimination of Sexual Violence bill face multifaceted difficulties in Indonesia, as in patriarchal society men are in decisive position for any decision and public policy making process. As the consequences of patriarchal society the number of female Indonesian legislator is relatively very few, which is less than 30 percent of total number of legislators. This situation reflects imbalance representation of women's interests and/or voices in government arena. Furthermore, most legislators have strong patriarchal perspective, hence the urge to enact policy on the justice for women and victims is still hampered with challenges.

Shulamith Firestone (1972) mentioned that sexual and gender realities are constructed by patriarchal dominance. In many feminism theories, discrimination against women in political domain is linked with discrimination against women's sexuality in personal domain. The impunity towards sexual violence in political domain is an extended arm of impunity towards sexual violence occurring in personal space. In personal context, domestic violence and/or dating violence occurs in the name of one's love.

In general, society still perceives that violence happening in the personal domain is something that should not be discussed in public. Sexual violence in personal domain is often seen as personal issue, hence it would be perceived as irrelevant to be discussed from legal perspective, which is a public domain. Domestication of women's body and dichotomy between private and

public domain have long been scrutinized by feminism scholars. In the context of sexual violence, for instance, the separation of these two domains has deprived victims' rights to justice especially for the victims of sexual violence.

Using the frequent occurrence of sexual violence against women as the entry point, this article will use sexual politic theory from radical feminist theorists especially from the context of political personal space. The author uses theories from radical figure Shulamith Firestone (1945-2012). The objective of using this theory is to analyze personal (private) problems—in this context related to women's sexuality—that are being politicized in the public sphere. This article specifically supports Indonesia in enacting legislation on anti-sexual violence in order to guarantee women to enjoy life as citizens in the country. This article would like to show that patriarchal culture affecting the societal thinking in Indonesia contributes to the difficulties of enacting the Elimination of Sexual Violence bill.

### Research Methodology

This article uses feminist critical approach using praxis feminism method. In feminism criticism, the feminism method is used to deliberate power, state, and social domination over women (Given 2008, p. 334). The idea is then developed in the praxis feminism method that emphasizes on integration of the existing data analysis of field research with the theory. The method is unique as it integrates theoretical discussion on feminist methodology with detailed elaboration on practical research process. The integration between practical and theoretical will sharpen analytical blades especially in developing feminist epistemology (Stanley 2014). We base this integration with sexual political theoretical framework in radical feminist thinking especially borrowing from Shulamith Firestone's (1972) idea. This theory helps in amplifying analysis in politicized personal space in patriarchal society.

As the basis of problem definition, the research uses the result from Komnas Perempuan's annual research data (2020). The data are then analyzed using critical approach from praxis feminist method in order to find the philosophical foundation of personal issues and the requisite of legal foundation for women citizens. There were already preceded researches on ESV bill by Komnas Perempuan (2020) and Jurnal Perempuan (2016).

The articles cited as the source of reference for this article among others are: (1) "*Politik Seksualitas*

*dan Pengabaian Negara Terhadap Kekerasan Seksual di Indonesia*" by Diah Irawaty, published in *Jurnal Perempuan* (2016) in its 89<sup>th</sup> edition. This article highlighted the oppression against women in the New Order regime using the Gerwani issue. In conclusion, the article placed the state as the perpetrator of violence as it created an image of submissiveness in women. (2) *Narasi "Perempuan" dan Kekerasan Seksual dalam Hukum Indonesia* by Soka Handinah Katjasungkana in 2016. This article highlighted the exploitation against women's bodies in pornography that the state should regulate. (3) *Rancangan Undang-undang Tentang Penghapusan Kekerasan Seksual: Akses Keadilan, Kebenaran dan Pemulihan bagi Korban* by Asma'ul Khusnaeny in 2016. This article contained analysis on the regulations contained in the bill of ESV, which includes types of sexual violence, as well as the analysis on women's positions in the respective articles. (4) *Kekerasan Seksual dan Simbolis: Studi Kasus di Jakarta* by Gadis Arivia and Abby Gina in 2016. The article contains information about research on women and their perception and experiences of sexual violence and how the state ignores discrimination against women in public sphere—physical and verbal violence. (5) *Hukum yang Ada tidak Berjalan Maju Secepat Perkembangan Kasus Kekerasan Seksual* by Anita Dhewy in 2016. The article interprets the increasing trend of sexual violence until 2015 towards an alarming state. Nevertheless, the state takes no aggressive measure to curb the figure.

The difference with this article from previous research is the philosophical root of sexual politics as the embryo of patriarchal culture. Sexual politics in this article highlights the shift in biological role in discriminatory relations of women in public space.

### **Feminism and Women's Sexual Politics**

Many women figures have demanded equal recognition between men and women starting from the ancient Greek era (Patu & Schrupp, 2017, p.1). The struggle to attain equality for women continues to evolve, following the changes in era. Every era will have its own characteristic. Like with Christine de Pizan (1364-1430) did in her book *The Book of the City of Ladies* (1405), Olympe de Gouges (1748—1793) criticizing Declaration of Human Rights during French Revolution, Mary Wollstonecraft (1759—1797) who was inspired by Olympe de Gouges' work and published *A Vindication of the Rights of Women* (1792), Flora Tristan (1803—1844) who wrote *The Workers' Union* (1843) five years before Marx and Engels published *The Communist Manifesto*, to

contemporary thinkers such as Julia Kristeva (1941— ) and Judith Butler (1956— ), and other women scholars. Feminism theory and waves have become reactions of knowledge penetrating to all aspects of life—especially women's private bodies and their experiences (Tong 2018).

The same valor was also shown by women heroines in Indonesia fighting against oppression—long before the era of independence. In her book *The Indonesian Woman*, Cora Vreede-De Stuers (1960) mentioned that the first women's movement in Indonesia aimed to assist the fight for Indonesian independence, hence the movement is very intimate and close (de Stuers 1960). Aside from the fight for independence, the women in Indonesia are also active in fighting for women's empowerment in education. This could be seen in women's involvement in organizations that organized the first women conference in Indonesia in 1928 (Blackburn 2007, pg.6). The big issues brought up in the conference were on marriage, polygamy, and children. Justification against women due to their biological characteristics have made women's movement and thinking entered sexual political discourses. There seems to be an effort to marginalize women's need in public space. Women are stereotyped in private domain in political analysis object.

The roots to oppression against women stemmed in biological distinction to social constructions that specifically highlighted by radical feminist thinkers. The characteristic of this radical feminist thinking is their suspicion on division of personal and public domain (personal is political) that leads to oppression against women (Arivia 2003). The jargon "the personal is political" is made known by Carol Hanisch writing in the pamphlet of *Notes from the Second Year: Women's Liberation* published in 1970 (Hanisch 2006). Hanisch stated that discrimination against women stemmed from the negligence of facts that personal are not political. She argued the idea that sex, appearance, abortion, child bearing, and division of work in domestic sphere are just personal problems without any political interests (Hanisch, 2006). To overcome this issue, Hanisch offered collective measures from women (as organized power) to fight against men's dominance in a society. Her main argument is that women should not be perceived as apolitical. For Hanisch, women's life is very political, which is reflected in how public life affects women's personal life—systematically (Hanisch 2006). Hanisch also said that the jargon came from collective discussion and is underlined by Firestone and Anne Koedt in their published pamphlets.

Based on the interpretation of women's personal space politicization, the author used the theory from Shulamith Firestone, a Canadian-American radical feminist. In the context of relation between state and policy for the life of women citizens, this requires further deliberation. Firestone offered a strong theory and helped us in understanding how the patriarchal system works comprehensively in oppressing women's lives. Firestone wrote in her book called *The Dialectic of Sex: The Case for Feminist Revolution* (1970) on the effort of tracing back sexual violence against women using sexual class history's lenses (Firestone 1972). We can use this theory to see the main reason why women experience comprehensive oppression both in personal and public spaces.

Firestone affirmed that the sexual class system is the root cause of other oppressions. Therefore, she advised on the deconstruction of the prevailing system in the society. The effort to eradicate sexism can only be executed when we radically reconstruct our society (Firestone 1972). In her article, Firestone argued that the impact of division of sexual classes has made it difficult for women to rebel when they fight alone. Women then meet within the framework of shared misery. Unfortunately, this effort is not followed by public awareness on sexual oppression. Firestone was then aware that this oppression has blended into the culture and history of thinking—especially western thinking.

Firestone analyzes the problem of sexual dichotomy (biologically). Biological differences between men and women have carved the way for sexual dominance against women in society. In her book *The Dialectic of Sex*, Firestone started with a statement that sex classes are invisible ones (Firestone 1972, p.6) as it has embodied with culture. Firestone perceived that men's dominance over women's private bodies came from the differences of biological (reproductive) roles of each sex. The initial step was to oppose biological classification that would only hindrance women. Firestone argued that gender classification is different from economic classification—which does not underline biological differences. However, in the discourse about class often the reason for inequality between men and women stems from biological classification (Firestone 1972).

Firestone had more radical analysis from Marx-Engels dialectic materialism approach. From her point of view, the economic class issue failed to understand the sexual layer in historical dialectic (Firestone 1972). Men's dominance came from familial biological interference—especially in patriarchal surroundings. As a consequence,

women are made to be dependent on men. In this context, Firestone combined psychoanalysis analysis that also aims to criticize Freud's opinion. If Marx-Engels' dialectical materialism is perceived to have failed in assessing the very basic problem—the emergence of sexual classes—, hence, Freud's psychoanalysis has manipulated women's psychosocial understanding. Freud did not place distinction on sexual class as a basic problem and make biological function as the answer to all problems of repression that women experienced (Firestone 1972). These two approaches have affirmed Firestone's position in perceiving the problems of women's sexual politics.

The oppression against women, which stemmed from undermining women's body and reproductive function that leads to prevailing stigma in the society which automatically placed women in a submissive position. One of the causes of this is negligence of sexual violence that happened against women. This is especially pronounced in more intimate relations with women's daily life: love and family relation (dating). Patriarchal culture has made the issue around "violent love" a personal issue that many think it is appropriate to discuss in public. This results in injustice that women experience as citizens. When sexual violence occurred in private sphere is not acknowledged and accommodated as public issue, women are deprived from the enjoyment of their rights as citizens in equal position as men. To borrow the term popularized by Simone de Beauvoir in *The Second Sex*, women are placed as the second sex (1989). This is something that we can understand as the impact of undermining sexual class in society. Women came in second and their existence is ignored in family and public-political relations.

Our sexual class system is not only perceived as an oppressive act coming from individual acts. If we look even further, there is indeed a role of the state in sustaining the perception of the sexual class system. When women's experiences are not recognized and accommodated in the public sphere, the state also contributes to sexual and gender injustice that happens to women. One of the problems that we can take from Indonesia's experience is how the state's policy does not take women's side, especially in sexual violence cases. Many cases of sexual violence that many institutions found, such as the ones found by Komnas Perempuan, showing how there is systemic presence of sexual class difference. The state should not ignore its women citizens' demand for their rights and protection. Firestone highlighted a concept of sexual revolution that emphasized on the meeting between esthetics and technological modes (Firestone, 1972). These modes merge the comprehension in the

intuitive area and legal aspect working in society. The Elimination of Sexual Violence bill is one of the examples of feminist' revolution as elaborated by Firestone. This policy will show state's involvement in guaranteeing changes in regulation as well as society's attitude towards sexual violence cases. If this continues, then the state only sustains gender discrimination and ignore any human rights violation against women citizens. Therefore, we need to continuously demand for the enactment of this ESV bill as a guarantee of women's involvement in the sexual political domain.

### **High Prevalence of Sexual Violence Against Women in Indonesia**

Komnas Perempuan (2021) in their annual report of 2020 recorded that the sexual violence against women had increased steadily since 2015—there were a lot of cases that did not even get any resolution. In reality, Indonesia is already in a state of emergency for sexual violence. Sexual violence happens in all places such as home, school, public transportation, workplace, and other public spaces. Considering the urgency, these cases require special attention from the government, as the state bears the obligation to facilitate protection and ensuring that victims of sexual violence are treated fair.

According to the data collected by Komnas Perempuan, the fight for enactment of the Bill on the Elimination of Sexual Violence has started since 2006. However, the progress could not catch up with the increased prevalence of sexual violence in Indonesia. The prevalence of sexual violence has increased 16 times within 12 years since the discourse on the EVS bill started.

In the feminist theories, biological function—especially women's reproductive function—could be used as the ground for undermining women's value in compared to men. Feminist' theory perceives the logic in operating in patriarchal system has generated binary opposition. Binary opposition distinguishes private and public experiences. We are made to think that every context will have an opposite hierarchically. One of them is the impact of thinking that excludes the experience of the women's body from the political realm. The women's body which is identified with the reproductive role is interpreted as the other's body, the body which is interpreted as an inhabitant of the personal-domestic realm. As a result, the concrete experience of women who are close to the issue of sexual violence is considered an irrelevant issue in public discussion. When there is violence against women's bodies, it is not considered a

crime but merely a violation of decency. Thus, the solution to this presumably private matter is sufficiently resolved through a more kinship approach. It does not stop there, discrimination against women's bodies is also reinforced by religious values and norms that are deeply rooted in the society. The perception that women's private bodies and experiences as a taboo that should not be exposed.

*"Patriarchal ideology exaggerates biological distinction between men and women, ensuring that men are always more dominant, or masculine and women are always in subordinate or feminine role." (Tong 2018)*

Kate Millet (1970) views that patriarchal ideology is based on biological differences between women and men. Men's dominance is shown through the masculine side while women with the feminine side are seen as inferior (Millet 1970). As a result of this sexual domination, women unconsciously "accept" oppression as "destiny" or natural. The impact of naturalization of sex and gender differences has an impact on the acceptance of discrimination as a normal thing in society. Men feel that committing violence and/or degrading women's bodies is a common and natural thing, while women as victims also accept the injustices they experience as natural. The naturalization of women's inferiority for the reason of their bodies makes it increasingly difficult to realize the injustice and violence in the private sphere that women experience.

The impact of discrimination on women's experience in private sphere is reflected on the difficulty of documenting reports and cases of violence against women as experienced by Komnas Perempuan. Even though Komnas Perempuan has collected hundreds of thousands of reports on violence cases against women, this figure is merely the tip of an iceberg, which means that only a small proportion are reported and documented, while most of these experiences remain hidden and ignored.

In their annual report, Komnas Perempuan always emphasizes that it is difficult to collect data on victims of sexual violence. There are many reasons why women do not come forward with their sexual violence experiences including: the existence of a patriarchal ideology that discourages women from reporting; there is no awareness that the violence they experience is part of the violence; the weakness of the legal system related to the protection of the rights of victims of sexual violence, and the difficulty of reporting and processing cases of sexual violence. At least in the midst of challenges and limitations in the reporting system for cases of violence in

Indonesia, the number of reports in Komnas Perempuan shows an increasing trend of prevalence of violence against women from year to year (Komnas Perempuan 2020).

To understand further how sexual class emerged in Indonesia, we need to look at how the myths and history of women in Indonesia were formed. The history and background of the women's movement in Indonesia is also an important factor in criticizing the patriarchal culture in Indonesia. In the history of the role of women in Indonesia, women's role was restricted only in the domestic and personal sphere since the New Order regime with the idea of "Iboe Bangsa", or the mother of the nation, which must be carried out by all women (Annisa 1997). Attaching women as "iboe", or mother, in the New Order era was an attempt to limit women's movement in the public sphere by using pseudo-religion. With the definition of "mother" again (the body of) women are domesticated and ideologically removed from public life – politics. Discrimination based on different roles and positions of men and women is the root of violence against women (Chandrakirana 2009, p. 24). This historical condition has made patriarchal culture take root to this day.

The state's effort during the New Order era to attach the term "iboe" to women was a form of state intervention in the personal sphere of women based on their biological characteristics, namely giving birth and caring for children. The state has succeeded in discriminating against women's personal sphere by limiting their role as a mother, so that women's space for movement in the public sphere is very limited.

In her book *The Indonesian Women*, Cora Vreede De Stuers wrote that even before the independence, women in Indonesia united themselves in groups, but these groups still aimed to help the struggle for independence (de Stuers 1960). Then, the women's emancipation movement emerged, which was pioneered by R.A Kartini who raised the issue of equality in education for women, thus, the first Islamic women's school in Indonesia was established. After independence, Indonesian women played less important roles, except for women's groups engaged in religious activities. Furthermore, during the Old Order, the Gerwani (Indonesian Women's Movement) emerged, which focused a lot on women's and children's issues. Gerwani was made into a myth of women's cruelty by the New Order until its existence was banned by the state. This is one of the successes of the state in playing sexual politics against women who are members of Gerwani. They are depicted as evil women who dance

and participate in killing and mutilating the generals' penises (Irawaty 2016, p. 78).

The myth of Gerwani has succeeded in building the stigma of women in Indonesia. The activism of the women's movement was restricted. The New Order increasingly closed the opportunity for women to voice their rights and bodies. The New Order government used pseudo-religion as a tool to attack Gerwani (Irawaty 2016, p. 78)—which in turn had an impact on the view of women in society. In fact, many women who were labeled as Gerwani became victims. They live in impunity of state injustice, sacrificing women with propaganda. Women are considered to play a role for the state if they are able to carry out their roles domestically. In the patriarchal ideology that continues to domesticate women's bodies, they are increasingly losing their voice in the public sphere over the authority of their bodies.

The history of the incapacitation of women's position in the public sphere has an impact on the way current era in terms of responding to sexual violence. The reasons for the pros and cons over the process of legitimizing the ESV bill come from the same approach, namely the sexual politics of women's bodies. The deliberation and development of the ESV bill has triggered disputes between religious radical groups and women activists. Ironically, most of the opposing arguments of ESV bills took the same approach as in the New Order era, pseudo-religion. People are made to forget the dark history of the Indonesian women's movement. Instead of protecting women, the counter arguments against the ESV Bill have actually worsened the inferiority of women in society. With the argument of patriarchy hidden in religious norms and values, sexual violence is not seen as an issue that threatens woman citizens, but as a domestic matter. Women are silenced for the violence that befell them. Argument of destiny (Chandrakirana 2009, p. 107) which is used in the argument against the ESV Bill.

One of the reasons for the rejection of the ESV Bill is the possibility of punishing a husband who rapes his wife. Using religious argument, a number of party representatives stated that it is natural for women to serve the sexual needs of their husbands, so that rape related punishments in a household are considered in contradiction with religious values (Nathaniel 2020). In the patriarchal ideology that is shrouded in various aspects including religion, the reproductive function of women is perceived as natural in their gender role. Women's sexuality becomes men's object of sexual satisfaction in which the meaning is regulated and determined based on their perspective. The experience

of women's bodies as well as their autonomy as human beings are not considered. With the objectification framework of women's bodies, violence against women's bodies is considered a natural and justifiable thing.

The placement of sexual class hierarchies that emerge from the myths and history of Indonesian women confirms what Firestone says about impact of the absence of sexual dialectics. Gender segregation, which is based on different biological roles, does not provide space for women to be actively involved in the public sphere. Like men, women also have the right to demand to be treated equally as individuals. However, in social life, women are required to show feminine behavior and accept the meaning and gender roles that are perpetuated by society. This context, however, is only based on people's lack of understanding of the difference in biological functions—not on the social context. This is the separation of aesthetic mode and technological mode described by Firestone (1972). The patriarchal society is used to understanding that the feminine in aesthetic fashion has nothing to do with technological fashion in the public sphere. Some feminine traits that women "must do" in their daily lives include: being kind and polite in speaking, walking, smiling, dressing, taking care of the body, beauty, face, cleanliness, neatness, and orderliness. These examples generally become the standard for the myth of "good" women in patriarchal societies. Meanwhile, in the technological mode in the public sphere, there are norms and laws that seem to regulate aesthetic mode issues (private issues). Whereas these two things in practice in a patriarchal society are clearly separated due to systemic sexual class distinctions.

The myth of women's femininity is also perpetuated in the patriarchal culture in Indonesia. Women's nature is no longer perceived biologically. There are (patriarchal) norms perceived by society in regulating women. When there is sexual violence against women, women are actually looking for faults that make them experience violence (victim blaming). Many women are actually cornered and made unable to fight. They are blamed for the way they dress, the activities that are being carried out (when sexual violence occurs), until they are considered "bad" women by the society. Women are considered responsible for men's lust for their bodies.

"Women's quality, their femininity, is something that is socialized to women, and this has promoted their eternal oppression" (Mrmysz 2012, p. 380).

The perception of women since they were born makes the feminine elements inseparable from the stereotypes

given by society. This oppression has repetitively moved with history. Women's bodies seem to be attached to social values that out women in the corner. Victims of sexual violence are often objectified by the way they are at the scene (Arivia & Gina 2016, p. 170).

The sexual hierarchy is clearly visible in understanding cases of sexual violence. There is a prevailing assumption that men dominate women sexually at all levels from grass root to decision-making level. This also makes it difficult for arguments supporting the ESV Bill to convince the state legislature to immediately ratify the law. The strong patriarchal point of view in Indonesian society makes sexual violence considered an unimportant case to be considered. This is also reinforced by the mindset of blaming the (women) victims.

The issue of sexual hierarchy that arises in the attitude of victim blaming on women has been perpetuated since in the family setting. Firestone (1972) sees that the politicization of women's private space begins when children learn anything from the family. The perception that women must respect norms makes women never have authority over their bodies. In the private sphere, the definition of female sexuality is determined by men. That is why the presence of the ESV Bill is important because it will serve as a legal basis so that women do not experience victim blaming in cases of sexual violence. However, if the group opposing the bill and the state are not aware of the politicization of women's private space, then they would cease to understand and accommodate the enactment of the law. When this condition continues, the perpetuation of sexual politics of women's bodies in Indonesia will persist.

### **ESV BILL: Guarantee for Personal Body in Public Space**

Shulamith Firestone's sexual politics stem from the perception that men created culture to construct it based on their assumption (Firestone 1972, p. 172). Men's awareness is often used as the culture constructed perception. Men's perception in social reality sustains the patriarchal culture—hence it tends to be men's culture. On the contrary, women's political issues seem to be ignored and neglected. The issue around sexual domination is ignored and neglected including sexual violence. Patriarchal culture always justifies the different power between men and women, and confirms men's domination over women (Firestone 1972).

Women are situated to have lost awareness of their own oppression. The internalization of patriarchal culture, which starts from the family, religious context, up to

educational institutions have accustomed women to be in submissive situations. As a consequence, subordination against women sustains and women would feel they are inferior from men. Men's perspective is also reflected in the law in Indonesia. The enacted policies have trapped women and made it difficult for them to move freely over their own bodies and activities.

Patriarchal culture envisions a mechanism that allows men to have authority over women's bodies. State's injustice prevails in their absence in providing legal certainty and guarantee on women's authority over their own bodies. Patriarchal culture also opens the door for exploitation against women's bodies and even violence against them. Social contract in patriarchal society is based on the regulation that comes from men's interest—through masculine lenses. Women are made into passive sexual objects, hence men's lust and desire are considered to be the active and have their dominance acknowledged in the society.

Women who are structurally positioned as the less competent group—physically, psychologically and in terms of strength—are in vulnerable situations and responsible to protect themselves from men's lust. Women are not only responsible over their own bodies and desires, but also over men's lust and desire (of women), hence when sexual violence occurs, women are not in the position to be victims who are entitled to protection. As of now, Indonesia still does not have legal instruments that provide strong prevention measures, sanctions, definition, and protection of victims of sexual violence.

Family is one of that private space where sexual violence often occurs. Marriage should be the initial step to loving family—as a peaceful home for the inhabitants. Sexual violence perpetrated in the name of love has turned "home" into place where terror and oppression often occur. Most of the cases recorded by Komnas Perempuan are usually coming from home. Domestic slavery has objectified women to their husbands' authority and turned them into domestic servitude situation. Husbands are considered to be the sole holder of power in a marriage institution legally. Often when divorce happens, women are in less fortunate situations. This is due to regulations that place the husband as the highest holder of authority in a marriage (Millet 1970, p. 99).

In Indonesia, women's role is more restricted since the new order regime enacted the Marriage Law in 1974. Women's movement is far restricted by this law as they

are defined as a mother who is responsible to take care of domestic issues, and the husbands are defined as the head of family (Chandrakirana 2009, p. 105). In its development, the law has been amended several times. However, the perception of women's role as "housewife" persists. From this stereotypical perspective, we could see how the state legalizes patriarchal culture in family and personal domains.

There are several pronounced cases including marital rape, reports of incest (most perpetrators are fathers and uncles), dating violence reported to state agencies, and increasing reports of direct complaints to Komnas Perempuan regarding cyber crime cases gender based (Komnas Perempuan 2020). The objectification of women's bodies as victims of violence in the private sphere is mostly perpetrated by fathers, uncles, and brothers. The domestic domain as a personal sphere actually contributes to the number of sexual violence against women. Kate Millet said that marriage is at the center of the wounds, doubts, oppression, and domination of male power over women.

Shulamith Firestone in her writings also views that even in the personal realm, love can be one of the tools to perpetuate patriarchal culture. The feelings and pressures of being loved by another are the clearest clues to the political significance of love. In her writings, Firestone states that "*Women and love are the foundations against which to test and you will threaten the very fabric of culture*" (Firestone 1972, p. 126).

Women are attached to the emotion of love in understanding the structure of culture. The patriarchal culture exploits these emotions with the excuse that women are "loved". Women are encouraged by this understanding to become family supporters from within. In his analysis, Firestone also discusses the statement that "*behind every man there is a woman, and women are the power behind the throne*" (Firestone 1972, p. 127). This statement reinforces the notion that women are the power behind men, and then the task is to encourage these men to become "great men". This expression is popular in society and causes women to fall into the trap of patriarchal culture: "loved" and willing to wait behind men—as "supporters"

Parasitic culture of men that manipulates women's emotion (Firestone 1972, p. 127)—constructively shaped in such a way that this leads women to believe that they are overpowered by emotion. Women are attached to the stereotype of sincerely loving without asking for anything in return—which is then associated with the "mother

role". Women's willingness to sacrifice for "love" is often misinterpreted as a woman's sacrifice. In fact, it opens the possibility of sexual violence that women are not aware of. Data on sexual violence that women experience as collected by Komnas Perempuan are mostly coming in women's private domain, in dating setting or in marriage setting.

The patriarchal ideology shrouded in the concept of love has become the reason for making women submissive to men. The number of cases of sexual violence in the name of love confirms the analysis that even in Indonesia, love is a strong medium for working patriarchal culture. Returning to Firestone's theory, women as victims of sexual violence are actually made to doubt the case they experienced because there is an illusionary distortion of the emotion of love. In this situation, women as victims of sexual violence are increasingly being oppressed politically. Neither the actors nor the state (as guarantor of the rights of women citizens) do not provide space for women's bodies. They actually make the victim's body as an object.

The number of cases of sexual violence that occurred in Indonesia proves that the state does not fully provide guarantees for female citizens to live safely. Victims of sexual violence should receive guarantees in public policy. Policies should be made by recognizing and accommodating the attraction between the personal and public domains. The personal sphere cannot be separated from the public sphere (Rogan & Budgeon 2018). The separation and neglect of women's personal experiences shows that the state has excluded women's

involvement in public life. Based on data compiled by Komnas Perempuan, in this emergency situation of sexual violence, women need a legal umbrella to guarantee their protection and rights. Therefore, it is necessary to have a state legal policy to prevent and deal with the domination of women in both the personal and public spheres. However, the challenges faced in the New Order when the marriage law was passed from extremist Islamic parties (Chandrakirana 2009, p.105) are still challenges faced by Indonesian women thinkers to date—including in pushing for a new law on the elimination of sexual violence.

As a reactions to the Elimination of Sexual Violence bill, many pros and cons opinions emerge. The opposition to ESV bill was mostly initiated by groups in the name of Islam, although of course this group did not represent Islam as a whole. This is because various progressive Islamic circles are actively pushing for the enactment bill. In patriarchal Islamic groups, the reasons raised are the assumption that the ESV Bill contains interpretations that tend to support adultery, prostitution, LGBT, and absorb liberal culture. This reason is interpreted in an extreme way in the argument against the ESV Bill.

Both groups for and against the ESV Bill have signed the online petition. Groups supporting the ESV Bill have created a petition signed by 254,100 people (Change.org 2019) and groups opposing the ESV Bill have created a petition against 44,600 signatures (Change.org 2019). The data was obtained as of May 08, 2019. The conflict between the arguments for and against the ESV Bill can be seen in Table 1.

**Table 1. Arguments on pros and cons of ESV Bill**

Arguments in favor of ESV Bill	Arguments opposing the ESV Bill
Rape victims will be protected even though the perpetrator claimed it was consensual, this does not acquit the perpetrator from sanction. In addition, adultery has been included in the penal code, hence the bill on elimination of sexual violence does not include adultery	It may open the door to legalizing adultery, since it would not be considered as violence if it is consensual.
The bill does not protect one particular group, but it protects everyone regardless of who they are (women, men, persons with disability, minors, and other vulnerable groups) from sexual violence.	The Bill will only be permissive to LGBT behavior
Protect anyone from coercive prostitution and abortion. Keep in mind that the sanction against coercive abortion is not the same as legalization of abortion. The rule on abortion has been stipulated in the penal code.	May lead to legalization of prostitution and abortion if it is done under one's free will

Arguments in favor of ESV Bill	Arguments opposing the ESV Bill
The bill defines rape, sexual slavery and other forms of sexual violence to fill in the existing legal gaps that do not render any protection of victims and tend to sustain impunity for perpetrators. The definition on the type of sexual violences in the bill, based on the facts and real cases that happened in Indonesia's society	Rape, sexual slavery and other forms of sexual violence in this bill are defined using liberal lenses and multiinterpretation.
The bill may penalize legal sexual relation as it is deemed coercive	The bill protects every person who is experiencing rape in any domain

Source: compiled from multiple sources; the table is made by author

Table 1 summarizes arguments from both opposite groups' petition to the ESV bill. The arguments of the two groups show an attempt to infiltrate women's personal/private space, especially issues around women's experiences. The politicization of the women's private sphere as proposed by radical feminism is evident in the ESV Bill along with the pros and cons that emerged. The arguments of the groups who reject the ESV Bill actually show how the stigma of submissive women is getting stronger and more perpetuated. The strong patriarchal culture makes the argument against the ESV Bill synonymous with oppressive values against women. Meanwhile, the group's arguments that support the ESV Bill actually show how criticisms of the sexual politicization of women are presented. The ESV Bill is not a tool to justify myths about norms in the name of religion, but as a guarantee for the authority over women's bodies.

The high prevalence of sexual violence against women in the personal sphere is an issue that requires critical analysis. In addressing this issue, we would need the state's role in achieving feminist revolution as proposed by Firestone. The state is responsible for providing guidelines that would react against sexual violence in society through the availability of strict laws and regulations. The state must take serious steps to address sexual violence against women. The state should not delay the enactment of the Bill on the Elimination of Sexual Violence. Thus, Indonesia can provide guarantees to female citizens, especially in efforts to eliminate sexual violence and as a guarantee for women to have authority over their bodies.

**Conclusion**

The patriarchal system is rooted in the history and culture of society—even globally, not only in certain regions. Women thinkers have critiqued thoughts and movements in every era. This inequality starts with sexual politics. Sexual politics sees that the difference in

biological characteristics between women and men is the beginning of the domination of sexuality. In sexual politics, the personal sphere, in this case the body, women's experiences, especially in the family and love, are the first areas that dominate women. This domination then developed into the public sphere. Sexual violence is one of the effects of this domination.

The results of research on victims of sexual violence in Indonesia conducted by Komnas Perempuan show that the violence that has arisen as a result of sexual politics also follows the same pattern, namely developing in the personal sphere first, then towards the public sphere. The justification is based on the fact that the highest number of sexual violence in Indonesia every year is in the personal realm. In the history of Indonesian women, there has been a problem due to the separation of the personal and public spheres regarding the role of women. State intervention in regulating women in the personal sphere further perpetuates the patriarchal culture in Indonesia. Femininity which is demanded to be inherent in women becomes the justification for the act of domination. Related to sexual violence, women are vulnerable to be victims who are also blamed. We need a revolutionary breakthrough in overcoming the problem of sexual politics, especially in eliminating the oppression experienced by women because of sexual discrimination. Therefore, the role of the state is also needed to provide rules that protect all citizens—especially in this case female citizens. The Draft Law on the Elimination of Sexual Violence (RUU PKS) is a way out to provide rules that protect women in the personal and public spheres. Thus, we can make radical changes in thinking and behavior (which have a strong legal basis), in eliminating violence against women.

**Bibliography**

Annisia 1997, *Gagasan "Iboe Bangsa" dalam Masa Orde Baru Berubah menjadi Kewajiban Negara yang Wajib Dijalankan oleh Semua Perempuan*, Caricature in a Newspaper, Jakarta.

- Arivia, G 2003, *Filsafat Berperspektif Feminis*, Yayasan Jurnal Perempuan, Jakarta.
- Arivia, G and Gina, A 2016, "Kekerasan Seksual dan Simbolis: Studi Kasus di Jakarta", in *Jurnal Perempuan* 89, p. 162-181. Yayasan Jurnal Perempuan, Jakarta.
- Blackburn, S 2004, *Women and the State in Modern Indonesia*, Cambridge University Press, Cambridge.
- Chandrakirana, K 2009, *Kita Bersikap: Empat Dasawarsa Kekerasan Terhadap Perempuan dalam Perjalanan Bangsa*, Komnas Perempuan, Jakarta.
- de Beauvoir, S 1989, *The Second Sex (trans)*, Vintage Books, New York.
- de Stuers, CV 1960, *The Indonesian Woman: Struggles and Achievements*, Mouton, France.
- Dhewy, A 2016, "Hukum yang Tidak Berjalan Maju Secepat Perkembangan Kasus Kekerasan Seksual" in *Jurnal Perempuan* 89, p. 196-213, Yayasan Jurnal Perempuan, Jakarta.
- Draft Rancangan Undang-Undang tentang Penghapusan Kekerasan Seksual, DPR version per 12 October 2016.
- Firestone, S 1972. *The Dialectic of Sex: The Case Of Feminist Revolution*, A Bantam Book.
- Given, LM 2008, *The Sage Encyclopedia of Qualitative Research Methods*, Sage Publication, USA.
- Hanisch, C 2006, *The Personal is Political*, accessed on 24 July 2021 at 09.00 WIB, on <http://carolhanisch.org/CHwritings/PIP.html>.
- Irawaty, I 2016, "Politik Seksual dan Pengabdian Negara terhadap Kekerasan Seksual di Indonesia" in *Jurnal Perempuan* 89, p. 65-84. Yayasan Jurnal Perempuan, Jakarta.
- Komnas Perempuan (KP) 2021, *Catatan Tahunan Kekerasan terhadap Perempuan Tahun 2020*, accessed on 10 July 2021, at 10.00 WIB, <https://komnasperempuan.go.id/uploadedFiles/1466.1614933645.pdf>
- Millet, K 1970, *Sexual Politics*, Garden City, New York.
- Mrmysz, J 2012, *The Path of Philosophy: Truth, Wonder, and Distress*, Wadsworth, USA.
- Nathaniel F 2020, *Tirto*, "RUU PKS Bukan Perkara Sulit, tapi DPR Tak Punya Kemauan Politik", accessed on 9 July 2021, <https://tirto.id/ruu-pks-bukan-perkara-sulit-tapi-dpr-tak-punya-kemauan-politik-fNwi>.
- Petisi Kontra RUU PKS 2019, accessed in April 2019 at 21.00 WIB, on <https://www.change.org/p/ketua-dan-para-wakil-ketua-dpr-ri-petisi-penolakan-ruu-penghapusan-kekerasan-seksual-ruu-p-ks>.
- Petisi Pro RUU PKS 2019, accessed in April 2019 at 21.00 WIB, on <https://www.change.org/p/dpr-ri-sahkan-uu-penghapusan-kekerasan-seksual-mulaibicara?signed=true>.
- Rogan, F and Budgeon, S 2018, "The Personal is Political: Assessing Feminist Fundamentals in the Digital Age" in *Social Sciences* 7, no. 8: 132, accessed on 18 Agustus 2018 at 09.00 WIB on <https://www.mdpi.com/2076-0760/7/8/132#cite>
- Schrupp, A and Patu 2017, *A Brief History of Feminism*, Cambridge, UK.
- Stanley, L 2014, "Feminist Praxis and The Academic Mode of Production", in L Stanley (ed), *Feminist Praxis*, p. 3-17, Routledge, New York.
- Tong, RP & Botts, TF 2018. *Feminist Thought A More Comprehensive Introduction (fifth edition)*, Routledge, New York.



## 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](mailto: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](mailto: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

