Gender, Progressive Islam and Islamism in Indonesia

Analysing the Political Attitudes of PKB and PKS

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This thesis is my own original work. To the best of my knowledge, it contains no material previously published or written by another person, except where due reference is made in the text.

Signed ....

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Azka Husein, who always cheer me up during the difficult times of completing this thesis. Finally, I dedicate this thesis to my late parents, who would undoubtedly have been proud that I had the opportunity to pursue postgraduate study abroad.

Abstract

This thesis investigates the attitudes of two of Indonesia's main Islamic parties, National Awakening Party (PKB) and the Prosperous Justice Party (PKS), towards gender and women's issues. There has been an assumption that PKB is more liberal than PKS due to the progressive religious backgrounds of many of its parliamentarians and leaders. While PKB has strong roots in the reform-minded Cultural Islam movement, which tended to support gender equality, PKS has its origins in the Tarbiyah movement, which was heavily influenced by the thinking of Egypt's Muslim Brotherhoodand was socially conservative and Islamist. This study examines whether the contrasting backgrounds of these parties produces markedly different policies and actions on gender and women's issues. It analyses the two parties' attitudes during deliberations in parliament on two controversial items of draft legislation: the Anti-Domestic Violence and the Anti-Pornography bill. This thesis argues that despite their differing doctrinal and intellectual origins, PKB and PKS had similar views on these bills. I contend that the interaction with non-Islamists and activists from women's NGOs enabled PKS to moderate its attitude on gender and women's issues. PKB supported the Anti-Pornography bill though in some ways, the party failed to serve as a champion of gender equality in parliament, belying its reputation for pro-women's activism.

Glossary and Abbreviations

Affirmative Action	Policies that that take into account sex, race, religion, or colour or national origin, particularly to improve opportunities for disadvantaged groups.
Central Axis	Alliance of Islamic parties in 1999-2001.
CLD-KHI	Counter Legal Draft-Compilation of Islamic Law, issued by the Ministry of Religious Affair's Research and Development Unit.
Closed-list system	Voting system which only allows electors to vote for a party, not for individual candidates on that party's list of candidates.
Cultural Islam Movement	A progressive movement that arose in the 1970s which aimed to revitalize Islam through intellectual, cultural, and social means, rather than political activism.
Da'wa	Islamic preaching
DDII	Indonesian Council for Islamic Predication
Equality Champion	Key individuals who promote gender equality issues in parliament
Fatayat NU	Young women's wing of NU
Fatwa	Non-binding religious ruling
FK3	The Forum for Study of Traditional Islamic Texts
FPI	Islamic Defenders' Front
Gerakan Dakwah Kampus	Campus Preaching Movement
HMI	Indonesian Student Association
HTI	*Hizbut Tahrir Indonesia*
IAIN/STAIN	State Institute for Islamic Studies
JIL	Islamic Liberal Network. A liberal-minded organisation founded by activists of the younger generation of NU
IPB	Bogor Institute of Agriculture
ITB	Bandung Institute of Technology
NGOs	Non-Government Organisations

MMI	Majelis Mujahiddin Indonesia or Indonesian Fighters Council
MPs	Members of Parliament
Muhrim	Blood relative (spouse)
Murrabi	Head of *usrah*
Nahdliyin	Members of NU (*Nahdlatul Ulama*)
PAN	National Mandate Party
PBB	Star Moon Party
PD	Democrat Party
PDI-P	Indonesian Democratic Party of Struggle
PDS	Welfare Peace Party
Perempuan/Wanita	Indonesian for " woman".
Pesantren	Islamic Boarding School
PGN	Practical Gender Needs
PKB	National Awakening Party
PKS	Prosperous Justice Party
PPP	United Development Party
Rahima	Jakarta-based women's advocacy organisation
Reform Faction	The joint fraction of PK (now: PKS) and PAN
Return to the 1926 Charter	1984 decision by NU to withdraw from party politics and return to the organisation's original apolitical stance.
SGN	Strategic Gender Needs
Tarbiyah Movement	A campus-based movement that emerged in the early 1980s whichemphasised personal piety through education and proselytization, and supports conservative agendas.
UI	The University of Indonesia
Ulama	Islamic scholars
Ummah	Arabic for "Muslim community"
Usrah	A weekly basis meeting among peer groups
Zipper system	System requiring alternating male and female candidates on a party ballot lists with the purpose of improving the prospects of women being elected to parliament.

Chapter I: Introduction

A. Background

The post-1998 Reform Period saw the rise of public religiosity in which the interconnection between state's morality and women's bodies and behaviour became a heated political debate. When the regional autonomy law was implemented in 2000, many local and district governments applied regulations that limited women's movement and behaviour in the name of upholding public morality and social stability. These regulations were popularly described as Islamic law (*shariah*)-inspired local regulations as the stipulations were considered to be based on an Islamic approach. The District Solok Regional Regulations, for instance, obliged female local government employees to cover their heads, and in Gorontolo, a regulation prohibited women from going out of their houses without being accompanied by close male relatives (Fealy et al., 2006). In 2003 the issue of women's freedom of expression caused public debate when Inul Daratista, a *dangdut* singer who was famous for her "drilling" style dance (*goyang ngebor*), was condemned and described as "pornographic" by religious authorities. Debate intensified a year later with the introduction of the Anti-Pornography and Porno-Action Bill, which proposed tight regulation of women's dress and public behaviour, rather than the control of pornographic materials. These women's issues, along with others--such as polygamy and abortion—have attracted often sharply differing views in contemporary Indonesia.

Muslim community attitudes on these issues range from highly conservative to liberal. Islamist groups, such as *Hizbut Tahrir Indonesia* (HTI), Islamic Defence Front (FPI), Prosperous Justice Party (PKS), Council for Islamic Predication (DDII), and Muslim Student Action Union (KAMMI), take a literal approach to Islamic teachings, wanting Islamic teachings applied strictly as set out in scripture and the example of the Prophet Muhammad. They emphasise moral rectitude and support the implementation of *shariah*. Aiming at Islamising Indonesian public sphere, these groups are notably

conservative on gender relations and women's issues. They strongly support *shariah*-inspired local regulations and theAnti-Pornography and Porno-action Bill. The standpoint of mainstream Islamic groups, such as Nahdlatul Ulama and Muhammadiyah[1], differs from the conservatives and progressives, and in general both organisations can be considered as "moderate" (Hefner, 2001, Wichelen, 2010).[2] While the more conservative elements of the mass organisations embrace views similar to the Islamists', the more progressive sections hold to the idea that Islamic doctrines should be reformulated to promote gender equality and women's rights. Operating within a more contextual approach to Islamic teachings, this camp rejects the formalization of *shariah* and support women's rights.

This thesis examines the attitude of Islamists and progressive Muslims in Indonesia towards gender and women's issues. Islamists are defined as those who seek the formal application of *shariah* and Islamic norms in public life, whilst progressive Muslims are those involved in promoting cultural and intellectual means of realizing Islamic aspirations and support democratic values such as tolerance, pluralism, and gender equality. There are indeed many studies on the way in which progressive Muslims and intellectuals contribute to the spread of democratic values such as pluralism, tolerance and gender equality in the society,[3] but little attention is given to the study of Islamism and gender outcomes in Indonesia. This research fills that gap and provides analysis and comparisons between progressive Muslims' and Islamists' ideas.

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[1]NU and Muhammadiyah are the two largest Muslim organizations in Indonesia. NU members are traditionalists who adhere to the Syafi'i school of legal interpretation. They are predominantly rural and less educated, and concentrated in Central and East Java regions. NU claims 50 million memberships throughout Indonesia, which make up the largest traditional Muslim organization in this country. Muhammadiyah members, on the other hand, are modernists, living mainly in urban areas and well-educated. Unlike NU members, they reject classical school of jurisprudence and prefer to directly read the Quran and Hadith (sayings attributed to the Prophet Muhammad). Muhammadiyah claims to have 35 million members who mainly concentrate in Yogyakarta and West Sumatra.
[2]The term "moderate" here describes both organizations as heterogeneous, tolerance,inclusive, supportive to constitutional democracy and accommodating local cultures.
[3]*See* Hefner (2001), Barton (1997),and van Doorn-Harder (2006)

B. Aim and Scope of Study

This study focuses on two Islamic parties, the National Awakening Party (PKB) and the Prosperous Justice Party (PKS), in terms of their attitudes towards gender and women's issues. PKB gains most of its support from members of Nahdlatul Ulama (NU), the largest Muslim organisation in Indonesia. This link--between PKB and NU-- makes PKB interesting for two reasons. First, while its main constituencyis traditional Muslim voters, it does not base its ideology on Islam but rather on the religiously neutral ideology of Pancasila, the first principles of which belief in Almighty God. Secondly, many PKB members of parliament (MPs) have organisational backgrounds in the Cultural Islam Movement that, from the 1960s, produced progressive discourses on Islam and the state.

PKS, on the other hand, is exceptional in Indonesian politics. Unlike its Islamist counterparts—the United Development Party (PPP) and the Crescent Moon and Star Party (PBB)--PKS's ideology and belief are mainly inspired by the Muslim Brotherhood of Egypt. PKS cadres were mostly active in the Tarbiyah Movement, which emerged as a powerful religious and political force on state tertiary campuses from the 1980s. PKS has also been (at least until recently) the only party in Indonesia that stresses upholding public morality, has a wide-ranging network of social service and is serious in formulating its ideology and policy (Fealy, 2005). Accordingly, there has been an assumption that PKB is more liberal than PKS due to the progressive religious backgrounds of many of its members. While PKB has strong roots in the Cultural Islam Movement, which tended to support gender equality, PKS Tarbiyah origins gave it socially conservative and Islamist orientation.

The study of Indonesian Islam in the mid-to late 1990s tends to have binary conceptions regarding the role of Islam in Indonesian politics. Some scholars either from Western or Indonesian academic backgrounds produced a simplistic dichotomy between Muslims who supported secular views of Islamic role in the state, and those who promoted a puritan view of establishing an Islamic state and a formalization of *shariah*. They often refer to Muslim leaders of the large mass organisations, such as NU and Muhammadiyah, and regard them as genuine representatives who preserve democracy

and promote democratic values, such as tolerance, pluralism and gender equality. Barton (1997a) and Hefner (2000), for example, denote Nurcholish Madjid and Abdurrahman Wahid as leaders and intellectuals who support the idea of tolerance and stress cultural and intellectual means of realizing Islamic aspirations. They are indeed leaders of the Cultural Islam Movement with Wahid having an NU and Madjid having unusually roots in both NU and Muhammadiyah. Referring to these mass organisations, Hefner (2000 p.6) describes Indonesian Islam as "the world's largest movement for a democratic and pluralist Islam". Mujani and Liddle (2004 p.110), additionally, contend that NU and Muhammadiyah are "significant obstacles to the further growth of Islamism. Not only are their leaders tolerant and pluralistic…but their broader memberships seem immune to Islamism's allure". These scholars suggest that the roles of Islamic liberalism in Indonesian public space are more acceptable than Muslims who support an Islamic state and *shariah*, and imply that Islam is legitimate if it accepts democracy and abandons Islamist agenda.

These scholars criticise the American political scientist, Samuel Huntington's dichotomy of "West" and "Islam". Their stands on political Islam, however, fall into equally reductionist and rigid divisions between Islamic liberalism and "anti-liberal Muslims". It is influenced particularly by US-based views on Middle Eastern studies in the 1980s and early 1990s that placed Islam in Western-derived categories, such as classifying Islamic movements as either compatible with or hostile to democratic values (Platzdasch, 2009b). While these scholars greatly support Islamic liberalism, they "condemn" anti-liberal Muslims without providing equal and proportional arguments. Hefner, for example, in his book *Civil Islam*, gives negative assessments of what he called "uncivil Islam" or "anti-liberal Islam", accusing it of lacking strong basis in Islamic sciences, compared to liberal Islam (Aspinall, 2001, Fealy, 2001). These scholars assumed that the behaviour of the liberals and the Islamists is immutable; the liberals remain liberal and the conservative remain conservative.

By contrast, some scholars argue that people and parties do change, particularly as they encounter new circumstances. In order to achieve their goals Islamists have to compromise and negotiate with other parties and groups that hold different views from their own. Within the parliamentary context, Islamist parties need to cooperate with

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secular parties to pass their policies because they lack a majority in their own right (Chernov-Hwang, 2009, Sidel, 2007). In Indonesia, for example, PKS and other Islamist parties had to unite with secular parties, such as Democratic Party and PKB, in introducing the Anti-Pornography and Porno-action Bill to the parliament. They are pushed to accommodate the logic of power sharing in which negotiations and compromises are the dominant game (Brumberg, 2002). Accordingly Islamist parties tend to adapt to the demands of a democratic system in order to be politically viable. Instead of influencing non-Islamists, Islamists involved in practical politics may be more likely to be influenced by democratic processes (Sidel, 2007).

In some cases, this leads to moderation in Islamists' attitude. Studies by Wickham (2004) and Schwedler (2006) show how political inclusion of Islamists in the Middle East results in a generally moderate political sphere.[4]The *Wasat* party of Egypt, for example, revised its ultimate goals and championed democratic values in order to contribute to the development of an inclusive political system (Wickham, 2004). In Indonesia, studies by Platzdasch (2009a), Permata and Kailani (2010) indicate a similar trend in which Islamist parties move to the centre by leaving behind signs of Islamic ideology and taking up secular issues. PKS, for example, transformed its Islamist goals and declared itself to be an inclusive party in 2010 (Haryanto, 2010). While these studies indicate behavioural changes and moderate tendencies among Islamists, they do not examine Islamists' and progressive's changing positions in their relation to women's rights issues.

This thesis will, therefore, investigate whether the involvement of PKB and particularly PKS in Indonesia's parliamentary system and their interactions with other parties bring about changes in their attitude, especially on gender and women's issues. Gender and women's issues here refer to issues related to gender equality and women's rights. Gender equality and women's rights are indeed contested concepts. This study, though, defines gender equality as a social order, in which men and women and girls and boys have equal rights, responsibilities and opportunities (UN Women, 2013), while women's rights are entitlements and freedoms claimed for women in many societies.

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[4]Further discussion on moderation theory see Mulligan (2012), Schwedler (2006), and Wickham (2004).

Entitlements and freedoms are linked to the ten Central Human Capabilities, including Life, Bodily Health, Bodily Integrity, the Development and Expression of Senses, Imagination and Thought, Emotional Health, Practical Reason, Affiliation (both personal and political), Relationships with Other Species and the World of Nature, Play, and Control over One's Environment (Nussbaum, 2007). So gender and women's issues in this study are defined as issues that relate to men and women's equal access to freedoms and opportunities or capabilities in all aspect of life. By examining PKB and PKS's platforms and behaviour, this study examines whether the contrasting backgrounds of these parties actually produces markedly different policies on women and gender.

Specifically this study explores these parties' stance on some controversial issues such as gender roles in the family, women's participation in politics, polygamy, and early marriage. It also analyses debates among the parties and their MPs during the passing of the Anti- Domestic Violence law and the formalization of the Anti-Pornography law. The selection of these two laws is due to the fact that they sharply polarised opinions between progressive Muslims and Islamists. The Anti-Domestic Violence law was proposed by women activists, including Muslim women activists who were involved in the Muslimat NU and the Fatayat NU, and was criticised by some Islamists. The Anti-Pornography law was proposed by the Islamists, with PKS as the strongest supporter, and was challenged by women activists including some Muslim women activists. Finally, this study explores how the process of deliberation in parliament results in political compromise among the parties and whether this substantially changes PKB and PKS' attitudes on gender and women's issues.

C. Key Questions

There are three main questions that this study addresses. First, do the different cultural religious backgrounds of PKB and PKS produce markedly different policies and opinions on gender and women's issues? Secondly, do PKB and PKS views change when they engage in political deliberation in parliament? And finally, does involvement in legislative deliberations with non-Islamists have a moderating effect on

PKB and PKS leading them to revise their previous positions in order to achieve broader political agendas?

D. Research Methodology

This study uses a qualitative approach combining literature analysis with semi-structured in-depth interviews. It reviews number of relevant books, journals, articles, theses, dissertations and documents including *Risalah* DPR (in effect, the Hansard records of parliamentary debate), parties' platforms and pamphlets as well as print media (newspaper and magazines) and online media.

I carried out in depth-interviews with PKB and PKS parliamentarians using a semi-structured format that allowed me flexibility in responding to the answers and background of each respondent. I interviewed thirteen members of the 2004-2009 parliament--six MPs from PKB and sevenfrom PKS—seven were females and five males. Interviews were conducted in Jakarta, Bandung and Tangerang from June to August 2009, and the interviewees were selected based on one of these two considerations: 1) Involvement in deliberations of the Anti-Domestic Violence law and the Anti-Pornography law; and 2) Participation in women's organisations.

Some MPs who were active in women's organisations were inclined to speak with greater familiarity on gender equality and women's issues, than those who lacked this experience. It is noteworthy that only a few MPs with gender equality credentilas were involved in the discussion of the two draft bills. Accordingly, their opinions were barely heard and often did not win their parties' support. Nevertheless, there are indications that these women acted as agents who might have influenced MPs in other parties through their interaction and lobbying inparliament. This is because all female MPs are members of Female Parliamentarian's Caucus that discusses a range of women-related policies.

E. Findings and Arguments

This study finds that the difference in cultural and religious background of PKB and PKS, as well as their MPs, has indeed produced different attitudes on gender and women's issues. PKB has the more progressive platform on gender and women's issues than PKS. Additionally, some PKB MPs are active in women's NGOs, which are greatly influenced by the Cultural Islam Movement. This has made them more familiar with and open to the concept of gender equality than PKS MPs. In line with the party's platform, PKB MPs adopt a contextual reading of Islamic texts in order to produce interpretations that support equal relations between men and women. On the other hand, while PKS' platform on women and gender is more specific, it tends to encourage women roles in the family and does not attempt to change the traditional gender roles, which its says are justified by Islamic texts. In this manner, PKS' agenda is more conservative. Yet it is noteworthy that some female PKS MPs have also shown progressive opinions on some controversial gender and women's issues, such as women's political participation and early marriage.

Interestingly, while the socio-religious background has greatly influenced PKB and PKS platforms, it has not been so in parliament. Discussion of The Anti-Domestic Violence bill and The Anti-Pornography bill in parliament reveals that both parties have had largely similar stances. Indeed, PKB is more progressive than PKS on some issues discussed in the Anti-Domestic Violence draft bill, yet it has almost similar views to PKS when it comes to issues relevant to the Anti-Pornography draft bill. PKB together with PKS rejected proposals to remove some of the terms and articles which women groups found objectionable, as will be discussed in detail in Chapter Four. In this case, PKB gave up its progressive views and could not maintain its role as strategic supporter for women's causes like it did with the Domestic Abuse bill.

On the other hand, involvement in parliamentary deliberations has had a moderating effect on PKS. The conservatism of PKS MPs is relatively less when they engage in legislative debates and re-drafting of bills. In deliberations of the Anti-Domestic Violence draft bill, for instance, PKS often reconsider its views on certain issues, leading it to agree with secular parties' positions. After the enactment of the bill, PKS

even included anti-domestic violence messages in its election campaign. Moreover, unlike other Islamist parties, PKS accommodated changes in the Anti-Pornography draft bill. It accepted amendments, and--even the removal--of controversial articles, including stipulations regarded as controlling women's clothing and public behaviour. The shift in attitude of this Islamist party is influenced by the interaction between Islamist and non-Islamist MPs as well as women's NGOs.

F.   Literature Reviews

1. Islamist Discourse of Gender and Women

There are a number of studies dealing with Islamist discourses on gender and women. This literature tends to focus on Egypt's Islamist movement, particularly the Muslim Brotherhood's discourse on gender relation. Wickham's *Mobilizing Islam: Religion, Activism, and Political Change in Egypt* (2002) examines how the Islamist movement in Egypt attracted educated young people to follow their ideology. Using a social movement approach, she tries to explore the ways in which mobilizing agents, structures and ideas reconcile individual grievances and enable collective action. Although the topics of gender and women are not her main focus, she draws out the Islamist attitude towards some gender issues. As she attended an Islamic lesson in a mosque, she saw how the religious scholars (*syaikh*) stressed issues concerning what pious Muslim women should do and not do. This *syaikh,* for example, emphasised the importance of women's role in creating "the Muslim home", which is "the foundation of Islamic society". She also pointed out that women's voice is *aurat* (a physical adornment or attraction capable of arousing male desire) and, therefore, women should avoid talking to men; if a woman has to speak to men she must deepen and roughen her voice. In practice, Wickham saw how in the question and answer session, the women in the congregation did not ask questions but wrote them on notepaper and passed them under the curtain to the *syaikh* (Wickham, 2002 p. 133-134).

According to Wickham, "correct" Islamic behaviour on the part of women is seen by the Islamists as a solution to what some Egyptians believed to be a moral crisis; a crisis which was presumably influenced by Western values and reflected in decadent Western

societies that demonstrated high rates of crime, sexual promiscuity and teen pregnancies, drug use, and the breakdown of the family (Wickham, 2002 p.245). Wickham's study provides a lens through which to view Islamist attitudes on gender discourse, and she analyses how Islamists deploy conservative gender ideas to attract younger, well-to-do educated people. Wickham's study has relevance for my research into how PKS attracts recruits from campuses and the middle classes. Her study also raises the question of whether the Islamist's gender discourse in Egypt has influenced the Islamist gender discourse in Indonesia.

Marcotte (2005) sees an intertwining of traditional and modern values towards gender roles. She shows that modernity has contributed to the change of the Islamist's discourse on gender role in Egypt. The Islamist discourse on gender forms a new contemporary ideological discourse that includes both religious and political discourses about the interconnection between tradition and modernity. "Its ideological discourse structures the way it exercises power, for instance, through its definition of space, gender roles, and women's social, political, and legal rights" (Marcotte, 2005 p.74). She challenges a common perception that modernity does not impact the Islamist views on gender roles. In fact, according to her study, Islamists attempted to bridge the gap between tradition and modernity by first, reiterating traditional concept of gender equality inherited from Scriptures and theological, social, and legal interpretations; and secondly, by reinterpreting traditional gender roles in accordance with new social and political realities.

However, as Marcotte acknowledges, the Islamists do this not for the sake of gender equality but for their goals of realising Islamist agendas. She shows, for example, how the Islamists' discourse under Hasan al-Banna's leadership of the Brotherhood supported women's social and political activism in the public arena with the argument that the chances of success of achieving Islamist goals would increase if Muslim women struggled side by side with men for Islamic goals. Meanwhile, the Brothers imposed restrictions on women, requiring them to give priority to their family as a fundamental social unit of society. Additionally, under Qutb's leadership, girls had equal access to education with emphasis that girls' education was aimed at bringing about knowledge for them to become better wives, companions, and mothers. Marcotte's study suggests

that women's role in public and in education are the Islamist's central political agenda of re-Islamising Muslim society.

Marcotte's study is relevant in two ways. First, it gives a picture of how the Islamists played out their discourse on gender and women in order to achieve their agendas. As the Tarbiyah Movement's thinking was mainly inspired by the Muslim Brotherhood of Egypt, it is important to see whether the Tarbiyah's discourse on gender and women gained much inspiration from that source. Secondly, her study has shown that the Muslim Brotherhood does accept changes in their discourse on gender and women, though politically driven. To a certain level, the changes moderated their position on gender roles in which women were able to participate in public and obtained equal access to education as men; opportunities unavailable for Muslim women within the discourse of radical Islamist movements such as the Taliban. However, the Islamists' ideological perceptions on gender and women's issues did not change. This begs the question of whether PKS cadre also experienced such transformations when it needs to comply with the exigencies of democracy.

The Islamist discourse on gender and women's issues in Indonesia has gained less attention than that of the progressive Muslim. This is presumably due to the common perception that Islamists have ideologically conservative opinions, so their discourse on gender and women's issues is stagnant and unshifting. There are some articles written by Rachel Rinaldo on PKS' attitudes towards women's issues in comparison with those of women activists from other Islamic organisations. These articles are part of Rinaldo's dissertation on Islam and women's rights activists in Indonesia. In the first article entitled "Contesting Womanhood in Two Indonesian Islamic Organisations" (Rinaldo, 2006a), Rinaldo investigates the different gender ideologies of PKS, which was represented by the Women's Division, and Rahima, a Muslim NGO prominent in gender discourses and activism. The second article "Envisioning the Nation: Women Activists, Religion and the Public Sphere in Indonesia" (Rinaldo, 2008a) examines debates between PKS and Fatayat NU on *shariah*, abortion and pornography.

The main points that can be drawn from Rinaldo's articles are first, PKS' gender ideology is more conservative than other Islamic organisations' such as Rahima and

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Fatayat NU. The different conceptions of gender and women's roles between those organisations have shaped their different focuses of women's rights activism. PKS, for example, has concentrated on personal morality and sees no problem with the way Islam treats women; it accepts practices such as polygamy, a gender division of labour, and rejects abortion. In contrast, Fatayat NU and Rahima promote religious reform and attack older traditions of female difference and male authority as well as ideas resultingfrom literal approaches to understanding Islamic texts. They promote a reinterpretation of Islamic texts regarding the acceptance of polygamy and the prohibition of abortion (Rinaldo, 2006b, Rinaldo, 2008a). Secondly, feminization and democratization of the public sphere in Indonesia do not necessarily lead to gender equality as not all women activists shared this goal. Yet debate on Pornography bill in 2006 had given space for Muslim women, of both conservative and liberal Islamic organisations, to voice their concerns in national discourses. PKS and Fatayat NU have a significant opportunity to re-imagine what Indonesian nation would be (Rinaldo, 2008a p.1798).

Rinaldo's study disregards PKS' support of the Anti-Domestic Violence law as will be further discussed in Chapter Four. It is noteworthy that this law was rejected by conservative Islamic organisations, such as HTI and the Forum Umat Islam (FUI). Additionally, Rinaldo makes no clear distinction between two groups: PKS, as an Islamist group, and Fatayat NU and Rahima as progressive Islamic organisations. She puts the distinct two groups "under the rubric of Islamism", arguing that "their beliefs are profoundly influenced by the Islamic revival and the new emphasis of piety and Islam as a way of life" (Rinaldo, 2006bp.5). She overlooks the contrasting backgrounds of the two groups in which the Islamists are influenced by the Tarbiyah Movement and that the progressive Muslim groups are rooted in the Cultural Islam Movement.

This thesis thus examines whether PKS and PKB have the capacity to moderate their ideology and attitudes towards gender and women's issues. Covering the lapses in Rinaldo's study, I will analyse whether the different backgrounds of the two parties' origins represent diverse attitude to those issues and how this affects their political standpoint in the parliament.

2. Progressive Muslim Discourse of Women in Indonesia

Many studies have been conducted on progressive Muslim's discourse on gender and women in Indonesia (see Arnez, 2010, Machrusah, 2005, van Doorn Harder, 2006, Syamsiyatun, 2008). For the purpose of this study, the review of this theme focuses on organisations affiliated with NU.

Safira Machrusah (2005) examines the relation between Muslimat NU, the autonomous women's body of NU, and the main NU leadership from the 1940s to the post-Soeharto era. Using a historical perspective she investigates the way in which gender issues developed among the two organisations, how Muslimat NU evaluates traditionalist Muslims' views on women's issues and negotiates a new perspective among them, and how political factors influence this negotiation. She argues that an equal gender relation could be developed among traditionalist Muslims only if internal religious negotiations, which include a reinterpretation of Islamic texts, and external political conditions such as national politics, support the project. Her study finds that gender relations between the two organisations fluctuated. From 1940s to 1970s, traditionalist Muslim women were active participants of NU's political movement. Their first involvement in public sphere was when they had to provide food and nursing for the army during war against Dutch settlement.

After independence, in the 1955 general election, NUparty had some women elected to national parliament. However, in the New Order era, the situation changed. Women's participation in politics waslimited by state's ideology which supported women's domestication. During this period, only small number of NU women became parliamentarians.Machrusah suggests that this influenced gender relations between NU and Muslimat NU. NU, for instance, no longer recruited women to its board. The gender relations improved in late New Order period. Muslimat NU became more independent in terms of its political stand. It also started to get involved in international agendas that focused on women's issues. During post-Soeharto era, an attempt to enhance better gender relations came from male members of NU. They issued a fatwa promoting women's roles in the public sphere in the 1999 Congress, supported women's political participation and introduced a contextual interpretation of Islamic textbooks. In this

period, Muslimat was also involved in the Syuriyah religious boardthat oversees the executive and policy making.

Machrusah's study does not sufficiently give the readers in depth feminist and political analysis of why gender relations between NU and Muslimat NU fluctuated. However, as a study that undertakes historical analysis, Machrusah's research providesvaluable chronological information and events of how gender relations improved within the two organisations. Furthermore, in relation to my project, her study showed Muslimat NU's political roles throughout Indonesian history and the influence of NU, as the parent organisation, to create better gender relations in the community.

Pieternella Van Doorn-Harder (2006) in her book *Women Shaping Islam: Indonesian Women Reading the Qur'an* examines theroles in NU and Muhammadiyah in the development of Islamic and women discourses in Indonesia. She offers a new perspective of analysing Muslim women's activism, particularly in Indonesia, which is to some extent different to that of Western feminism. She defines it as Islamic feminism of which "at the most general level encompasses the work of Muslim scholars and leaders for whom Islamic teachings form the frame of reference for their discussion about women's rights and role in Islam"(van Doorn Harder, 2006 p.8).

Her book is useful for its analysis of the way in which Muslim women activists ofMuslimat NU andFatayat NU in particular, develop a progressive interpretation of Islamic teachings relating to gender and women's issues. The Muslimat NU leader, Ibu Ismawati, for example, criticises some teachings contained in the widely used classical commentary text, *Kitab 'Uqud*,[5] on the grounds that they marginalise women's position in the family. As quoted by van Doorn Harder, the book obliges "a wife to obey her husband's order, be silent when he speaks... When she trespasses any of the rules mentioned, the angels will curse her until she becomes aware (of her bad behaviour), (she must obey these rules) even when her husband is abusive."(2006 p. 228). Van Doorn Harder's study shows that Muslimat NU women are involved at the grassroots

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[5]*Kitab 'Uqud* is one of the primary texts on Muslim spouses' rights and obligations, written by Syaikh Nawawi al-Bantani, and widely used by students of Islamic boarding schools (*pesantren*).

level, which is the hardest part of society to reach due to lower level of education, and in which misconception and prejudice are kept alive by oral transmission. Their roles are thus crucial in changing conservative paradigms in society.

Van Doorn Harder's study provides a historical view of the activism and how it has changed across time. Her study is also important in tracing back the progressive attitude of Muslim women activists of Muslimat and Fatayat NU to seminal gender trainings and workshops held by NU-affiliated NGOs such as P3M. This gives a broader picture of the connection between attitudes and activism on gender and women's issues within NU communities. However, van Doorn Harder's study does not closely analyse the roles some members of the Muslimat NU and Fatayat NU have played when they became politicians. A short section entitled "Muslimat NU in Politics"covers the Muslimat women's roles as campaigners and supporters of particular women's issues but not as insiders within political institution. She did mention Khofifah Indar Parawansaand Aisyah Hamid Baidlowi, the former Muslimat NU chairs, but does not further elaborate their contributions in promoting gender and women's issues within a parliamentary context. Accordingly, her study does not sufficiently provide information on how Muslimat NU and Fatayat NU members who turn to politics defend women's causes in the parliament, and how they negotiate their positions *vis a vis* conservative politicians during political debate on women-related policies.

3. The Interrelationship between MPs' Attitude towards Gender Issues and Background

A study by Wahidah Siregar (2007) does not particularly focus on the connection of personal background and political attitude of an MP on women and gender issues. She examines the strategies employed by women activists in the 2004 elections to boost their numbers in national and regional parliaments and analyses the impact of the campaign in the national, provincial and local levels of parliament with the study case in East Java Provincial Parliament and Sidoarjo local parliament. She discovers whether or not the campaign leads women legislators to provide substantive representation and whether there has been any correlation between supporting women's issues and the MPs social background.

Her study shows that there is no correlation between the number of women in parliament and their substantive representation of women's interests. Besides different views of women's interests, it also depends on personal backgrounds of the MPs, their party's platforms, the electoral system, democratic atmosphere of the country and within parliament, and the availability of facilities in the parliament. In the Sidoarjo legislature, Anik Maslahah, the only female MP, was successful gaining support from women's activists outside parliament in order to initiate domestic violence regulations. This suggests that personal connections and background of women MPs influences the way in which they conduct their tasks in the legislature. Siregar's study strengthens earlier studies by Weldon (2002) and Chaney (2006) that individual experiences of a legislator in women's activism plays a significant role in bringing and defending women's causes in the parliament. Weldon (2002) contends that the number of female MPs alone in parliament does not guarantee they will support women's issues. According to her, what matters in the making of womenfriendly policies are MPs' individual experiences and their linkages to and support from women's groups. Furthermore, Chaney (2006) argues that, MPs who have experiences in gender equality advocacy tend to be sensitive on policies related to gender and women's issues than their counterparts who have no previous involvement in women activism. MPs' experience in women activism and their interaction with women activists, thus, greatly shape their policy contributions on women's rights in parliament.

Siregar's study, which focuses on East Java and Sidoarjo, cannot be juxtaposed to analyse thewomen'srepresentation in national politics. However, the strength of her study is the detailed data she provided from her fieldwork, such as issues raised by the candidates during their campaign and whether or not the candidates support women's issues in their speech. Supporting Siregar's finding on the link between legislators' support for women causes in parliament and their personal backgrounds, this thesis investigates if PKS and PKB MPs' contrasting backgrounds have influenced their support for gender and women's issues. In particular, it questions if their past and/or current experiences in women's activism bring them in defending women's causes in the parliament.

G. Thesis Outline

Chapter Two describes the cultural and social background of PKB and PKS. It explores the PKB's origins in the Cultural Islam Movement in the late 1960s and the PKS' in the Tarbiyah Movement in the1980s. I also demonstrate the contrasting backgrounds of PKB and PKS MPs. Overall PKB is more progressive than PKS. PKB parliamentarians have backgrounds influenced by the Cultural Islam movement, while PKS parliamentarians are more socially conservative and much more influenced by the Muslim Brotherhood of Egypt.

Chapter Three analyses the platformof PKB and PKS and sees whether the two parties' platforms and agendas reflect their different backgrounds. It shows PKB and PKS MPs' opinions on some gender and women's issues, such as gender relations in the family, women's participation in politics, polygamy, and early marriage. This chapter argues that as theirsocio-religious backgrounds are different, so too are their platforms and agendas on gender and women's issues. PKB shows its more progressive outlook than PKS. However, it is important to note that some PKS MPs have also shown progressive views on certain issues. This is surprising given their previous views.

Finally, in Chapter Four, I examine the attitudes of PKB and PKS towards gender and women's issues, particularly their views during political deliberations on The Anti-Domestic Violence and The Anti-Pornography bills in the parliament. The chapter examines how PKB and PKS negotiate their stance on women's issues and how they reach compromise. The study concludes, in Chapter Five, that PKB and PKS tend to adjust their policies on gender and women's issues in accord with popular demands so they can boost majority support in the political contest.

Chapter II: The Genealogy of PKB and PKS: A Contrast Background

PKB and PKS were established in a similar political context. Both were born in the Reform era, which began with the fall of authoritarian regime Soeharto in 1998 and saw the rise of many new political parties. The two parties, however, are rooted in different cultural religious movements. PKB gained most of its support from the members of Nahdlatul Ulama (NU), the largest traditional Muslim organisation in Indonesia, which is greatly influenced by the progressive "Cultural Islam" movement of the 1980s and early 1990s. By contrast PKS is an Islamist party derived from the campus-based Tarbiyah Movement, which was inspired by the conservative Muslim Brotherhood of Egypt. Emphasizing personal pietism and social reform based on Islamic principles, this student movement emerged as a response towards the New Order's growing repression of political Islam and perceived degenerate secularism from the late 1970s.

This chapter examines the cultural and social settings of PKB and PKS as well as that of their MPs. The first part explores the origins of PKB and the emergence of young progressive activists within NU. The second part considers PKS' Tarbiyah origins and particularly the manner in which international influences contributed to its spread among Muslim students in state secular universities. Lastly the chapter studies the PKB and PKS MPs backgrounds including their education and organisational involvement. It argues that PKB members are more liberal minded on many social and religious issues than their PKS counterparts but that both parties are not monolithic and that each contains a diversity of views.

A. PKB and the Roots of Cultural Islam
1. The Rise of the Cultural Islam Movement

In the late 1970s and early 1980s Indonesia witnessed the rise of the Cultural Islam Movement, as young Muslim activists and intellectuals who rejected political Islam's agenda of establishing an Islamic state attempted to revitalize the relationship between

Islam andthe religiously neutral Indonesian state (Barton, 1995, Effendy, 1994, Fealy, 2003, Hefner, 2000). In this period Islamic parties had failed to achieve some of their goals, such as inserting a *shariah* clause[6] into the Constitution, unifying the Muslim community politically, gaining a majority of votes in general elections, and enacting *shariah*-inspired laws. For these reasons, the proponents of the Cultural Islam Movement argued that, first, Muslims should find non-political means to make society more Islamic and prosperous,[7] second, the tension between political Islam and the New Order was counter-productive and had resulted in further marginalization of the Muslim community by the state, and last of all, as Islamic leaders became pre-occupied with politics, they tended to neglect cultural aspects of religious life, such as strengthening the *umma's* faith and meeting the development needs of Muslims (Fealy, 2003).

According to the activists revitalizing faith through cultural, intellectual and social means was an answer to these problems. The establishment of an Islamic state and the formalization of Islamic law, they argued, were not the only means of making society pious. Instead, Muslims could be more devoted by deeply understanding Islamic principles through intellectual activism (Fealy, 2003). This new generation of thinkers offered a reinterpretation of Islamic teachings that underpinned the relationship between Islam and the state. They provided a new approach of incorporating Islamic-ness with Indonesia-ness---the two entities which had often been seen as contradictory in Indonesia's social and political realm---and used Islam as a basis of discussing and researching contemporary issues, such as the environment, human rights, gender equality, democratization, civil society and scientific innovation (Effendy, 1994, Fealy, 2003). With this approach they showed that Islam was not a conservative religion but in fact had a potential to be a progressive and transformative one (Fealy, 2003). Their activism was originally called the Renewal of Islamic Thought Movement but later became known as Neo-Modernism (Barton, 1995).

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[6]Known as the Jakarta Charter. This document was the proposed preamble to the 1945 Constitution. It contained a clause, which called for Muslims to uphold Islamic law. The *shariah* clause was then deleted and the Constitution was formalised on 18 August 1945.
[7]This is a broad definition of Muslim political aspirations and agendas. In fact, scholars believe there is no consensus on what constitute Muslim aspirations and Islamic agendas. *See*BASWEDAN, A. R. 2004. Political Islam in Indonesia : present and future trajectory. *Asian Survey* 44**,** 669-690.

The key figures of the Cultural Islam Movement are Nurcholish Madjid and Abdurrahman Wahid. Nurcholish Madjid was a chairman of the Indonesian Student Association (HMI) who popularized the dictum "Islam yes, Islamic Parties No", whereas Abdurrahman Wahid was a chairman of NU for the period 1984-1999 and one of the architects of "the Return to the 1926 Charter" movement within NU circles, as will be discussed below. Madjid has contributed to the dissemination of a non-radical Islam among elites and to the reduction of their wariness towards Islam. He called for a secularization—that is a separation between the divine (Islamic values) and the profane (ideology, state, political organization)---and emphasised its connection with the Islamic principle of monotheism (*tawhid*) (Madjid, 1970). In the early 1970s he found Paramadina, an institution focusing on the promotion of inclusive and tolerant Islamic values through research projects, publications, and seminars. These activities were aimed at middle-class and upper middle-class urban people including senior civilian and military officials offering them religious training courses of some selective schools (Barton, 1997a, Fealy, 2003).

On the other hand, the development of cultural and intellectual agendas of Islam within grass-roots Muslim communities was led by Abdurrahman Wahid (commonly known as Gus Dur). Together with other intellectuals and leaders of NU, such as Ahmad Siddiq and Mahbub Djunaidi, Gus Dur initiated the Return to the 1926 Charter movement (Barton et al., 1996). Established in 1926, NU is the largest traditionalist Muslim organisation in Indonesia and, as Martin van Bruinessen has observed, is a genuinely mass-based organisation under the leadership of *ulama* (religious scholars) (Barton et al., 1996). Based on its original constitution, NU was established as an organisation committed to a range of religious, social, educational, and economic activities. Yet its passion to engage in political activities came gradually in response to what it saw as hostile treatment of Islam by the colonial governmentin the 1930s and resulting in NU supporting the Indonesian Political Association (GAPI) and calling for the establishment of an Indonesian parliament in 1939. It was not until 1945 that NU entered formal politics and in 1952 it transformed itself into an independent party. At the 1955 general elections, it emerged as the third-largest contestant with 18% of the national vote (Barton et al., 1996). In that period NU claimed to be "the only true representatives of Muslim political interests" (Bush, 2009 p.92).

NU's political involvement did not produce the successes that it had expected. NU had to deal with state repression of political Islam during the New Order regime (1966-1998). In its early years, the regime carried on a program to depoliticise Islam. In 1967, it refused the re-establishment of Masyumi, the largest Islamic party in 1950s, but did allow the formation of Parmusi (Indonesian Muslim Party), on the condition that this new party did not put leaders of the banned party at senior positions in its internal structure. In 1973 the regime forced the four Islamic parties to merge into a single party called the United Development Party (PPP). The regime's containment of political Islam escalated when in the mid-1980s it obliged all organisations to adopt Pancasila as their sole ideological foundation (*asas tunggal*). This meant PPP was forced to replace its Islamic foundation with the secular Pancasila and remove Arabic language and Islamic symbols in its electoral campaign (Baswedan, 2004, Fealy, 2003). This situation led many people, who disillusioned with politics and the confrontation, to rethink the relationship between Islam and the state.

The NU's political fervour was then challenged with growing success by its younger reform-minded members. Consequently, in 1984, NU decided to withdraw from active participation in politics. This action was commonly called as "the Return to the 1926 Charter"-- a movement within NU community that supported a policy of returning to the organisation's original 1926 Charter which stipulated NU was a purely socio-religious organisation. This movement redirected, at least formally, much of the organisation's energy away from political practices and towards educational, spiritual, cultural and economic activities that, according to its proponents, would more directly help the Muslim community.

Gus Dur's election as NU chairman and the declaration of the Return to the 1926 Charter empowered the organisation's reform-minded activists and intellectuals. Discussion groups, non-government organisations and community development projects were set up to channel the progressive thinking and ideas to members and supporters. These activities were often conducted in cooperation with both foreign and local donors and community groups. Among the organisations, that are highly influenced by the Cultural Islam Movement were: Lakpesdam, NU's community development

unit;Muslimat NU and Fatayat NU, respectively NU's women's and young women's wings; and NU affiliates such as P3M, Rahima, Fahmina, and Puan Amal Hayati. These organisations attempted to contextualize Islamic teachings and offer reinterpretations of the Qur'an and the Hadith that were regarded as relevant for contemporary society.

2. The Emergence of Young Progressive NU

The emergence of the Cultural Islam Movement marked the beginning of a new type of Islamic intellectualism and a reform-minded thinking in the Muslim community. Many young Muslim activists involved in the Renewal Movement were inclined to have a more liberal understanding of Islam. This also applied to many of the youth affiliated with NU (Barton, 1997b, van Bruinessen, 1994).

In particular, many among the younger generation of NU members rejected the use of Islam as an ideology and for sectarian political purposes. They wanted a broader range of Islamic activities that focused more on intellectual, educational and religious development, as well as community empowerment. For them Islam should become a complementary element in establishing the cultural, social and political life. Islam as well as other religions, they pointed out, provides ethical and moral values that contribute to the development of the country. Thus claiming Islam as the sole ideology and positioning Islamic political parties as the only means of promoting Islamic interests is unjustified (Effendy, 1994). Dr. Machasin, a deputy head of the Yogyakarta Syuriah, for example, stated: "Those who say that Islam can only be promoted through an Islamic party are too arrogant. Islam is everywhere…" (Bush, 2009p.93).

In addition to proposing that Islam should contribute to the development of the country in an ethical manner, NU activists also advocated religious pluralism and tolerance. Sahal Mahfudh, a senior NU ulama, for example, argued that a collective decision of the Muslim community should reflect public interests and, in the context of Indonesia, should accommodate the interests of all communities regardless of their religion (Mujani, 2007). For this reason, Sahal claimed that, the establishment of an Islamic state in Indonesia could not be justified if the interests and rights of minorities were ignored (Mujani, 2007). The discourse of religious pluralism is also evident in local

communities, where NU leaders formed inter-faith dialogue groups as a response to sectarian violence. One example is in Cirebon, West Java, where a cleric (*kyai*) initiated a forum for intra-religious dialog as a response to church-bombing tragedies in 2000. He condemned the action arguing that attacking places of worship was violating Islamic teachings and against humanity (Wahid, 2010).

The progressive thinking among young NU activists was further developed when in 1990s they attempted to introduce a transformative Islamic discourse to a wider audience through the use of discussion groups, publications and training on various themes including religious tolerance, women's issues and human rights. They established some non-governmental organisations such as LKiS, an institution that promoted dialogue among progressive groups from both Muslims and non-Muslims groups (LKIS, 2010). Leftist writers and the Islamic liberation theology of Egyptian philosophers such as Hasan Hanafi influenced its early discourse. Evidence of this can be found in the translation and publication of "Between Modernity and Post-Modernity: The Islamic Left" by Kazuo Shimogaki and "Dr. Hasan Hanafi's Thought"(Bush, 2009). In this manner LKiS proclaimed themselves to be proponents of "critical Islam". It questioned two issues: a hegemonic interpretation of religious texts by religious scholars and a hegemonic power that curbed freedom of expression. This institution has since been publishingtranslations of and commentaries upon the liberal and progressive thinkers from the Middle East such as Nasr Hamid Abu Zayd, Mohammad Arkoun, Fatimah Mernissi, and Nawal Saadawi on issues related to Islam, gender and human rights.

The issue of Islam and gender became a major concern of the young generations of NU. Almost all non-government organisations affiliated with NU had activities dealing with gender issues. According to van Doorn Harder (2006), since 1980s these organisations started to address women's status in Islam but often placed it in an Islamic jurisprudential context, including frequent reference to *Fiqh* texts. By the late twentieth century a more progressive interpretation of women's issues took hold among NU's activists (van Doorn Harder, 2006). In 1990s the Centre for the Development of Islamic Boarding Schools and Society (P3M), for example, started to carry out workshops for women leaders and students to discuss issues related to reproductive health and rights,

women's status in Islam, and a women-friendly interpretation of Islamic jurisprudence. Many of the participants were female heads of Islamic boarding schools and the wives of *kiai*. These women brought back their understanding and knowledge of gender discourses to the boarding schools and passed on a new awareness about gender issues to their students.

Other organisations concerned with women's issues were NU's female organisations such as Muslimat NU and Fatayat NU, and some affiliated organisations such as the Forum for Yellow Book Studies (FK3), Puan Amal Hayati, Fahmina, and Rahima. These organisations ought to transform discourses on gender, Islam and women's rights into concrete activities such as advocating the issue of reproductive rights for women and domestic violence by providing training and counselling for the victims though their main activities were reinterpreting Islamic texts. In 1997 NU held a national conference on the status of women. In this conference, NU leaders pronounced that "women's rights within Islam are equal to men's and that women are not subordinated"(van Doorn Harder, 2006 p.243-244).

The dynamic of progressive thinking among NU intellectuals and activists has led them sometimes to have controversial viewson certain issues. Ulil Abshar Abdallah, a NU young intellectual and a coordinator of Islam Liberal Network (JIL), for instance, issued a controversial statement on religious pluralism. In his article " Refreshing Islamic thoughts (*Menyegarkan Kembali Pemikiran Islam*)" published by a leading newspaper, Kompas, he argued that every religion follows the path to truth and indeed shares the same path to find it (Abshar-Abdalla, 2002). Critics including those from within NU, point out that he has given all religions equal weight by saying that they are all valid. His detractors challenged this idea arguing that Muslims should believe that only their religion (Islam) is true, while they have to maintain tolerance among other religions (VOA-Islam, 2009).

Another liberal thinker is Musdah Mulia, a former deputy chair of Muslimat NU, who in 2004 with other young NU intellectualsaroused a storm of opposition by releasing the Counter Legal Draft-Compilation of Islamic Law (CLD-KHI) as a blueprint for reform of the Compilation of Islamic Law. The CLD-KHI, which triggered heated debate

among Muslim community and was withdrawn as an official document in February 2005 by the Minister of Religious Affairs, offered liberal ideas, including banning polygamy, accepting women as the head of a family, and allowing inter-faith marriages (Fealy and Hooker, 2006). In 2008 Musdah Mulia raised another contentious issue by defending lesbians, gays, bisexuals, and transsexuals (LGBT) and claiming that Islam recognises homosexuality (Khalik, 2008). The ideas of these liberal intellectuals cannot be claimed to represent the voices of NU's mainstream, yet the fact that they are NU members indicates that they live in a culture and community in which freedom of expression and differences are common.

The growing tendency for progressive and liberal thinking among young NU activists and intellectuals shows how the Cultural Islam Movement, in particular the decision to return to the 1926 Charter, has come into effect. This movement not only removed NU, as an organisation, from formal politics and gave its members autonomy to choose freely the political party that they support. Importantly, it also provided the organisation and its members freedom of expression to support democratic values including pluralism, religious tolerance, gender equality and human rights. In the late 1990s and early 2000s there were hundreds of programs across Indonesia that advocated such themes and were conducted by organisations affiliated to NU(Bush, 2009).

Calls for NU to return to party politics emerged soon after Soeharto resigned as president in 1998. In this year political circumstances greatly changed. Many younger generations of Muslim activists realized the possibility for fundamental transformation through political parties (Effendy, 2003). There were many young NU intellectuals and activists who criticised this idea, arguing that NU's affiliation with a party would emasculate the organisation's standing as a moral watchdog and as force for civil society(Bush, 2009). Yet the momentum for forming a new party was irresistible and eventually, on 23 July 1998, PKB was officially established at Ciganjur Jakarta with the blessing of NU's central board. Attended by three to four thousand NU members and sympathizers, PKB was declared to be an inclusive party and based on the state ideology of Pancasila (Bush, 2009). It should be noted that there are no exact figures on the number of progressive members of NU who entered politics. However, as student activism subsided after Soeharto's downfall, many NU young activists involved in

NGOs and became active in the NU's new political party, PKB (van Bruinessen and Wajidi, 2006).

In addition to the Cultural Islam movement, the New Order repression of political Islam led to the emergence of the Tarbiyah Movement that later founded PKS on 20th July 1998. The Tarbiyah members had a similar reaction to that of NU members on the forming of a political party. Many criticised the idea but the majority--according to the survey conducted among the Tarbiyah members, around 68% of members--agreed with the establishment of a political party (Damanik, 2002). Unlike the opposition within NU to forming a party, which was based on concerns about its civil society role, the more puritanical members of the Tarbiyah Movement argued that participating in democratic elections was problematic as the system was secular, not Islamic, and would also dilute the spiritual focus of the movement. This difference of argument between party opponents within PKB and PKS is telling. It deals with distinct elements that influence the flourish of the Tarbiyah Movement as outlined in the following section.

B. PKS and the Rise of the Tarbiyah Movement

1. Inspirations and Global Influences

The word *tarbiyah* is derived from Arabic meaning "education". The Tarbiyah Movement is thus a movement that focuses on education. Its members are mainly university students who meet in small mosques (*mushalla*) on campus and arrange *pengajian* (activities for reciting the Qur'an and listening to religious predication). This movement is sometimes more broadly known as *Gerakan Dakwah Kampus* (The Campus Preaching Movement) and *usrah* (Arabic: family) because the term Tarbiyah Movement was not recognized until the movement found its primary reference to the Muslim Brotherhood (*Ikhwanul Muslimin*) of Egypt in the early 1980s. The Tarbiyah Movement then became more popular than the term *usrah*(Damanik, 2002, Bubalo and Fealy, 2005).

The Muslim Brotherhood is an Islamic movement in Egypt founded by Hassan al-Banna in 1928. It was born as a response to the perceived decline of Islam, and particularly the corruption of Egyptian society. According to al-Banna, this crisis resulted from the

impact of Christian Western colonial civilization that occupied Egypt not only physically but also intellectually and spiritually. This was symbolized by the acceptance of a Western model of government and laws characterized by the separation of religion and political authority. Al-Banna stressed that Islam should cover all aspects of life and emphasised the importance of an Islamic state, particularly the implementation of *shariah.* To realize his ideals, he used a gradual reformist strategy by which an awareness of the need to establish an Islamic state started from changing the awareness of individual Muslims. Therefore the main step of his strategy was creating an Islamic society, a condition characterized by personal piety that could turn to be collective piety (Bubalo and Fealy, 2005).

For Tarbiyah activists, the Muslim Brotherhood offered them attractive ideas for making society more Islamic and pious. Using a peaceful approach to religious preaching, the Muslim Brotherhood emphasised personal piety, the provision of social services and the creation of close-knit groups. One of its strategies was disseminating Islamic teachings in government offices and secular universities(Bubalo and Fealy, 2005, Damanik, 2002). The most inspiring element of the Muslim Brotherhood was that it survived and succeeded in spreading its organisation and ideas despite repression from successive brutal Egyptian regimes, a situation analogous to Indonesia. The Muslim Brotherhood existed in an era of highly authoritarian regime of Gamal Abdel Nasser, who banned all opposition political parties and tried to create a single party system (Bubalo and Fealy, 2005, Damanik, 2002).

Aside from gaining inspiration from the Muslim Brotherhood, other international influences also contributed to the rise of the Tarbiyah Movement. The Iranian Revolution in 1979 inspired many young Indonesian Muslims to be more in touch with Islamic activism and moral values. It encouraged them to heighten personal and social piety in the community. At the same time many Indonesian scholars who studied in the Middle East returned home and brought their knowledge of the Brotherhood to spread among students. Some of these students were sent to study in the Middle East on scholarships from the prominent Islamic figure, Mohammad Natsir, of the Indonesian Islamic Predication Council (DDII), who had a close ties with Middle Eastern scholars and organisations(Bubalo and Fealy, 2005, Machmudi, 2006, Diederich, 2002). Not

only disseminating their knowledge by teaching and predication, these scholars also translated Arab scholars' works into Indonesian. This suggests that the access of young Muslim students to global information was increasingly great and that global events influence them more than local traditions.

Under the New Order's repressive system for political Islam, the Tarbiyah Movement became an alternative organisation for students to express their ideas. The New Order did not consider the movement to be a threat because it ran activities that appeared apolitical and non-threatening for the government. Focusing on disseminating Islamic teachings and moral values, the movement avoided criticizing the government's policies and focused its activities on creating better Muslims. It also gave attention to international issues and stageddemonstrations to stop Israeli oppression against Palestine and Serb aggression against Bosnia Muslims, rather than speaking out on domestic problems.

The Tarbiyah activists disseminated their ideas from small underground cells, such as *usrah* or *liqa'* (weekly meetings among peers), to large open organisations and activities. The group discussion and training were initially organized by students of Bandung Institute of Technology (ITB) at Salman Mosque, which then inspired Muslim students in other universities, especially secular state universities (van Bruinessen, 2002, Damanik, 2002, Machmudi, 2005).

In such activities, a conservative interpretation of gender roles was emphasised. The movement, for example, promoted an idea that pious male Muslims were those who served as leaders for their family. Besides providing for their family, men were also supposed to guide their wives and children to follow Islamic teachings. Pious female Muslims, on the other hand, were those who obeyed their husbands, protected their husbands' property and belongings, looked after their children, and watched over the family's moral wellbeing (Syuqqah, 1998).

In the 1990s as the political atmosphere became more favourable, the Tarbiyah community publicized its activities. It founded Nurul Fikri (an institution that provides study assistance for high school students), Yayasan al-Hikmah (an education and

preaching institution), *Sabili* magazine, and SIDIK (an institution that focuses on Studies and Information of Contemporary Islamic World) (Damanik, 2002). They also dominated the formal student organisations of some state secular universities. In the University of Indonesia, for example, the president of BEM (Student Executive Board) came from the Tarbiyah Movement activists for three consecutive periods 1994-1998. Major figures were the current PKS MPs, Zulkieflimansyah and Rama Pratama. Finally, when the economic crisis and resentment toward the New Order regime escalated, the Tarbiyah activists of various campuses across the country formed KAMMI (Indonesian Muslim Student Action Union) (Damanik, 2002). The increasing number of students joining the campus preaching activism and showing more exclusive attitudes in their daily life symbolically represented the transfer of personal piety into collective piety.

2. Seeking a New Islamist Paradigm: Contrasting Attitudes and Practices from NU

Different to NU members, who tend to adopt local cultures and traditions in their Islamic rituals, the Tarbiyah activists implemented a "purification" of Islam. They attempted to purify Islam from practices that they considered not to be based on the Quran andHadith. The purification focused on two elements: first, cleansing local cultures and traditions from Islam; and secondly, strengthening Islam role in politics, while cleansing Islam from foreign influences including Western (Machmudi, 2005). This view was strengthened by the fact that the Tarbiyah activists believed that Islam was a complete system (*kaffah*). As Islam was complete and superior, the Tarbiyah activists rejected systems deemed to contradict Islamic principles, including those from the West such as secularism, materialism, and capitalism. It also tried to eradicate Islamic rituals that were influenced by local customs such as *ziarah* (visiting tombs of holy men or sacred places for spiritual purposes), commonly practised by NU followers.

The Tarbiyah activists promoted "the return to the Qur'an and Sunnah" as a purifying movement that was based directly on Islam's main sources (Damanik, 2002). Unlike young NU activists who were inclined to combine classical Islamic methods and hermeneutics in reinterpreting Qur'anic verses in relation to social issues, Tarbiyah

members used a strictly scriptural and textual approach to the Qur'an and Hadith and avoided criticism towards these texts (Damanik, 2002).

As NU and the Tarbiyah Movement have different approaches to interpreting Islamic texts, both organisations' ideas were influenced by different contemporary Middle East scholars' works. As noted before, NU activists studied the works of progressive thinkers, whereas the Tarbiyah activists mainly used works of conservative Islamic scholars such as Hassan al-Banna, Said Qutb, and two other Muslim Brotherhood thinkers, Said Hawwa and Yusuf al-Qardhawi. These scholars provided the cornerstones ofTarbiyah teachings that greatly emphasised personal development and discipline as a way of making greater changes in the society (Bubalo et al., 2008). Their works also stressed conservative gender discourses in the society.

The use of a literal approach and conservative Islamic scholars' works resulted in the Tarbiyah activists'conservative attitudes towards gender relations. For example, based on their reading of the Quran and Hadith, the Tarbiyah members believed that shaking hands between men and women who are not family relations was not allowed. They argued skin contact between men and women could stimulate sexual desire (*syahwat*) (Dewan Syariah Pusat PK-Sejahtera, 2006). This also advised women to avoid eye contact with men when they meet or speak to each other. According to them, a good Muslim had to guard the purity of their sight, their hearing, and their heart and mind. For them, making eye contact with men or women who are not *muhrim* (blood relatives or spouses) would contaminate this purity. They based this view on Quranic verses (an-Nur: 30-31) mentioning that God had commanded men and women to look after what they see and to avoid something that might bring them closer to adultery (*zina*) (Era Muslim, 2009).[8] For this reason they disapproved of dating and sexual relations before marriage. The Tarbiyah activists used to ask for *murabi's* (head of *usrah*) assistance in finding a partner. The introduction is mediated by the *murabi* by exchanging pictures

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[8] In Islam sexual desire should be repressed and can only be fulfilled within a legal marriage. That is why, adultery (premarital sex) is unacceptable, and is considered one of the biggest sins. In conservative Islamic teachings, particularly, looking after own sight, hearing, heart and mind from something that might stimulate his/her lust is one way of repressing sexual desire and maintaining the purity of one's faith. For them, making eye contact/skin contact with opposite sex, for example, would pollute the purity of their faith.

and information. Betrothed couples usually would be allowed to date but always in the presence of others. They could not have intimate relationship until married.

Accordingly gender segregation is apparent in public events. When it comes to a wedding party, for example, the bride and groom and guests are seated separately, according to sex. While female guests may only congratulate the bride, male guests may only congratulate the groom. This also applies to other activities that require the involvement of men and women. Usually they put a cover (*tabir*) or a long curtain to separate men and women in a meeting hall. The Tarbiyah activists also considered women voices as something that might stimulate male's sexual desire. Therefore women were prohibited to speak in the forum that was attended by males. Women could only perform public speaking before their female audiences and children (Dewan Syariah Pusat PK-Sejahtera, 2006). This is also one of the reasons why women could not serve as a leader (*imam*) in prayer congregations involving men. While women as leaders of prayer groups (*imam shalat*) is a highly contentious issue in Islamic discourse and most Muslims leaders, including those from NU, reject it; only a few Muslim activists from NU support it.[9]

This kind of gender segregation is not something new for Indonesian Islamic culture as found in NU, Muhammadiyah, and Persis, and such organisations have upheld this view since the early twentieth century. Shaking hands between men and women, though, is usual practice in Sundanese or Javanese traditions. Within the NU boarding school (*pesantren*) community, it was also common for female students to hold and kiss their male teachers' hands and male students to do the same to their female teachers. Although the male and female students' dormitories were separated, in some NU boarding schools, boys and girls mingled in the same classrooms. Moreover wedding parties were usually held according to local customs and traditions in which men and

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[9]Among NU figures and activists, who support women as leaders of prayer groups, are K.H Husein Muhammad and Nur Rofiah. In 2005, in an interviewwith JIL, they argued that women can be leaders in congregation prayers attended by both males and females. They responded to the then-controversial event and polemics on female as *imam shalat* conducted by an African American Muslim feminist, Amina Wadud, in 2005. SeeJIL. 2005. *Perempuan Boleh Mengimami Laki-Laki* [Online]. Jakarta. Available: http://islamlib.com/?site=1&aid=768&cat=content&title=wawancara [Accessed 24 May 2010].

women mixed together. The bride and the groom used to wear local wedding costumes though the bride could keep her headscarf on.

Reacting to the perceived Western cultural hegemony and secularism, the Tarbiyah Movement also attempted to purify Islamic dress codes. The activists greatly emphasised Muslim garb, especially for female Muslims, which did not resemble Western culture. The male activists usually wore *baju koko* (collarless, long-sleeve shirt), whereas the female wore long veiling and loose outfit. While *baju koko* for male activists was not mandatory, veiling, for the Tarbiyah activists, was obligatory for female Muslims, endorsed by Islamic teachings (Rinaldo, 2008b). Indeed almost all NU female members were also veiling though they use colourful and various forms of head coverings, from tight ones to the loose veils which showed part of their hair (also called *kerudung,* which is usually worn by Sinta Nuriyah Wahid, Gus Dur's wife). Additionally, different to NU women, the Tarbiyah Movement's female members wore plain-coloured and simple veils. The veils were loose and long covering their chest and shoulders, and they preferred white in colour. While some NU women tied the veil around their neck and wore trousers and jeans, the Tarbiyah women avoided this believing that strapping the veil would show women's body curves and wearing trousers and jeans resembled men and Western culture--acts which were prohibited in a conservative Islamic teaching. In order to avoid showing their curves and being fully covered, they also donned loose-fitting tunics along with long skirts and heavy socks with their sandals.

The other apparent characteristic of the Tarbiyah activists was the way they interacted with each other and their use of Arabic. This relationship was established based on the principle of "brotherhood" (*persaudaraan*), that is helping and respecting each other as members of a large family. It was also indicated by greetings to one another when they meet, saying Arabic expression of "*Assalamu'alaikum, yaa akhi/ukhti* " which meant "peace be upon you, my brother/sister"; besides using Arabic terms "*antum*" for "you" and "*anaa*" for "I" during conversations. They also arranged social activities within their community in order to enhance their "brotherhood". This was actually reflected in the *usra*h system, which fostered the concept of "family" (Damanik, 2002). Compared to NU members who were more relaxed and flexible in their social interaction, the

Tarbiyah activists were stricter in their self-discipline and in practising what they considered as parts of *shariah* teachings. For example, they avoided smoking and laughing very loudly believing that both actions were despised by God (*makruh)* and by the Prophet Muhammad.

The Tarbiyah women's clothing, the close relationship among the Tarbiyah's members and their distinct social behaviour set the Tarbiyah activists apart from other Muslim groups and political parties in Indonesia but at the same time produce the perception that this movement is *eksklusif*, "a term that has connotations of class bias as well as ideological exclusivity" (Rinaldo, 2008bp.30, Damanik, 2002) The purification of Islam had thus been effective within the Tarbiyah Movement. As it was considered as part of its predication, the Tarbiyah's attempt to introduce the "true" *shariah* accelerated to a more structural and ordered system, that was through a political party, PKS, with Islam as its basis ideology.

C. PKB and PKS MPs' Background: Education, Organisation and Activism

It is reasonable to assume that the MPs' views on certain issues would always be influenced by their party's ideology and orientation. Yet education and social activism also contribute to the way individual MP participates in political deliberation. Examining MPs' backgrounds, particularly in relation to gender equality advocacy and experiences, is important in order to know whether they support gender and women's issues in parliament. A study of British parliament shows politicians who were previously involved in women's activism served as "equality champion"--key individuals who intervene repeatedly to advance feminist and gender equality concerns (Chaney, 2006). They usually draw upon their personal experiences and use their positions as elected representatives to promote women's causes in the parliamentary context (Chaney, 2006). Furthermore MPs' participation in social organisations that support democratic values could influence their way of thinking, as social organisations and activism are mediating arenas where public cultures are developed; the places where citizens cultivate the habits of free speech, participation, and tradition (Hefner, 2001).

1. Educational Background

Analysing PKB and PKS MPs' educational background, this study argues that the more progressive politicians come from the State Islamic Universities (IAIN) system and the more Islamist ones come from state secular system. As previously mentioned, the Islamisation movement was popular in state and secular universities, including the University of Indonesia (UI), Bandung Institute of Technology (ITB), and Bogor Institute of Agriculture (IPB). Meanwhile, Islamic universities became core to the Islamic reform movement. This phenomenon occurs because in the 1960s Islamic higher education institutions, such as IAIN and STAIN, significantly influenced the reform of Islamic thought. Initiated by IAIN Syarif Hidayatullah Jakarta and IAIN Sunan Kalijaga Yogyakarta, the system of Islamic higher education allowed *pesantren* graduates to pursue a tertiary education. These institutions combined traditional Islamic teachings with a modern approach to learning, resulting in liberal interpretations of Islam (Barton, 1997b, Hefner, 2000). Some of the staff, such as Harun Nasution from IAIN Jakarta and Mukti Ali from IAIN Yogyakarta, introduced the students to a critical understanding of Islam.

In late 1970s, as part of the government's program to reformIslamic institutions, the Religious Affairs Department encouraged many students from IAIN to study in Western universities. The government believed sending students overseas, particularly to Western countries, would stimulate Muslim intellectuals to have "an objective" way of thinking about religion's role in a modern and secular world (Latif, 2005). This had brought many graduates who are more progressive in interpreting Islamic teachings (Barton, 1997a, Hefner, 2000). These graduates later on became agents of Islamic reform who spread progressive ideas among Muslim communities throughout Indonesia. Nurcholish Madjid, a prominent figure of the Cultural Islam Movement is one of great examples of this.

Besides campus activities, disciplinary orientation also shaped students' inclination on political and religious issues. As Bruinessen (2004) argues Tarbiyah activists tended to enrolled in the science and technology faculty. Nur Machmudi Ismail, the first president of PKS, for instance, graduated from IPB and pursued his Masters and Ph.D in food

technology at the Texas A&M University of America. Zulkieflimansyah, obtained his bachelor degree from UI and Masters and doctoral degrees in economics from Scotland. In fact four out of seven PKS parliamentarians interviewed for this study enrolled in science faculties at secular universities.

It is noteworthy that many Tarbiyah activists also focused their studies on Islamic theology. Hidayat Nur Wahid, the second president of PKS, was a student *(santri)* of Gontor Islamic Boarding School who gained his doctoral degree in Islamic studies at the Islamic University of Madinah, Saudi Arabia (Tokoh Indonesia, 2004, Zaidi, 2007). PKS MPs interviewed for this study such as Djalaludin Syatibi, Hilman Rosyad Shihab, and Yoyoh Yusroh also enrolled in Islamic studies faculty of various campuses in Indonesia and Middle East. However, organisational activism was likely more significant than educational background in influencing these MPs' choice of their political ideology and outlook. These parliamentarians had been active in organisations that focus on personal and collective pietism, as will be further described in the next paragraph.

Table 1

PKB and PKS MPs Educational Backgrounds

	No.	Names	Bachelor Degree	Masters Degree
PKB	1.	Abdul Hamid Wahid	IAIN Sunan Ampel, Malang	IAIN Syarif Hidayatullah Jakarta
	2.	Anna Mu'awanah	Borobudur University, Jakarta	Trisakti University, Jakarta
	3.	Badriyah Fayumi	IAIN Syarif Hidayatullah Jakarta	Al-Azhar University, Cairo, Egypt
	4.	Ida Fauziyah	IAIN Sunan Ampel, Surabaya	-
	5.	Maria Ulfah Anshor	Institute for Qur'anic Studies, Jakarta	Women Studies, UI
	6.	Saifullah Ma'shum	Higher Education for Qur'anic Studies (PTIQ), Jakarta	-
PKS	7.	Aan Rohanah	Teaching and Learning Institute (IKIP), Jakarta	Imam Ibnu Saud University

	8.	Djalaluddin Assyatibi	Islamic University of Nusantara, Bandung	-
	9.	Hilman Rosyad Syihab	Islamic University of Madinah	-
	10.	Ledia Hanifa	Chemistry, UI	UI
	11.	Nursanita Nasution	Economics, UI	Economics, UI
	12.	Yoyoh Yusroh	IAIN Syarif Hidayatullah, Jakarta	-
	13.	Zulkifliemansyah	Economics, UI	University of Stratchclyde, Glasgow, UK

Source: Wajah DPR dan DPD 2004-2009 (Penerbit Buku Kompas, 2005)

2. Social Activism and Organisations

During 1990s the characteristics of social organisations affiliated with both the Cultural Islam Movement and the Tarbiyah Movement were noticeable. Although they shared general Islamic values as their reference, Cultural Islam organisationstend to link Islamic values with democratic values such as human rights, gender equality, and pluralism. This was also the case for organisations affiliated with NU. Indeed after the declaration to return to the 1926 Charter, the majority of NU-affiliated organisations were influenced by the Cultural Islam Movement. NU youth organisations including PMII (NU students association), Lakpesdam NU and Fatayat NU are among NU affiliates that are highly influenced by the reform tendency of the Cultural Islam movement. They support Pancasila as their basis of ideology and promote the ideas of tolerance, pluralism and gender equality.

Lakpesdam NU, for example, has an objective to increase the NU's human resources in order to create a prosperous, just, and democratic society. It works together with non-Muslims on certain events such as conducting intra-religious dialogues and advocacy for the victims of violence. It also focuses its activities on human empowerment by providing poor people with information on political participation and critiques of government policies. Fatayat NU focuses its activities on improving women's quality of

life. Following an NU's national conference on women's status in 1990s, this organisation ran progressive activities dealing with gender and women's issues (van Doorn Harder, 2006). It has since carried out workshops on controversial issues, such as female genital mutilation, abortion, women's reproductive rights including early marriage, and polygamy. The Fatayat NU activists attempted to challenge the status quo by offering a women-friendly interpretation of Islamic teachings. Theyarguedthat Islam and local cultures had contributed to women's subordinate position in society and contended that male-biased interpretation of Islamic texts has resulted in the increasing violence against women. For this reason, they called for the need to re-assess holy texts to favour of equality between men and women.

On the other hand, organisations influenced by the Tarbiyah Movement emphasise individual and collective piety, an attempt to enhance self-capacity to be a better Muslim. This is obvious especially if one investigates their activities and goals. Although the focus of these organisations ranges from, *inter alia*, education, publishing, and the media, their prime intention is predicationthat supports the idea of Islamic purification as mentioned previously. Therefore these organisations do not attempt to promote a critical or hermeneutical stance on Islamic teachings, but they do criticise practices that they believe contradict the holy texts. One prime characteristic of these organisations is their pietistic rather than intellectual orientation. Such organisations introduce what they see are *shariah* values based on a literal and textual approach. For example, Nurul Fikri, an organisation that focuses on education and provides study guidance (*bimbingan belajar*) for students who want to study at state universities, has extensive Islamic content in its curriculum. It promotes separate classes for boys and girls and requires female students to cover their hair and to wear "proper" clothes (Damanik, 2002). Al-Hikmah is another example of organisation that focuses on education and stresses Islamic doctrines. Established in late 1989, it initially provided training and courses on Islamic studies for state universities' students. Later on it became a predication institution that produced preachers for religious events (Damanik, 2002). Currently al-Hikmahnot only provides education from elementary level to higher education, but also offers programs that emphasise reciting and memorising the Qur'an.

As the following table shows, the majority of parliamentarians are involved in organisations affiliated with both the Cultural Islam and the Tarbiyah Movement. The majority of PKB MPs had participated in NU sub-organisations including PMII, IPPNU, GP Ansor, Muslimat NU, Lakpesdam NU and Fatayat NU. Three female PKB MPs, as the table shows, came from Muslimat NU and Fatayat NU, two organisations that mainly focus on gender equality. Conversely, PKS MPs were involved in more diverse organisations. While almost all of them were members of Campus Preaching Organisation (LDK) when they were students at universities, two MPs were active in the Tarbiyah-affiliate, al-Hikmah, and the rest was active in organisations that had similar activities to the Tarbiyah Movement. These organisations were less tolerant than NU-affiliated organisations. Regarding recent polemics on Ahmadiyah, for instance, the Tarbiyah-linked Centre for Islamic Studies and Predication (Pusdai), asserted that Ahmadis should withdraw from Islam and form a new religion. This suggests organisations in which PKS MPs had involved in do not support tolerance and pluralism and are more conservative than those of PKB MPs'.

Table 2

PKB and PKS MPs Organisation Affiliations

	No.	Names	Organisations
PKB	1.	Abdul Hamid Wahid	Lakpesdam NU
	2.	Anna Muawanah	Muslimat NU, Young Entrepreneur Associations
	3.	Badriyah Fayumi	PMII, Fatayat NU, Lakpesdam NU
	4.	Ida Fauziyah	IPPNU (NU Branch for Female students)
	5.	Maria Ulfah Anshor	Fatayat NU, Lakpesdam NU
	6.	Saifullah Maksum	PMII (NU-affiliated Students Association), GP Anshor (NU Branch for Young Men)
PKS	7.	Aan Rohanah	International Muslim Women Union, Yayasan al-Hikmah
	8.	Djalaluddin Assyatibi	Dewan Pakar Kajian Islam Pusdai
	9.	Hilman Rosyad Syihab	Hayatur Rasul Foundation
	10.	Ledia Hanifa	RETAS Leadership Center

	11.	Nursanita Nasution	International Muslim Women Union, Muslim Student Association (HMI), National Democratic Institute
	12.	Yoyoh Yusroh	International Muslim Women Union, Yayasan al-Hikmah
	13.	Zulkifliemansyah	Economic Policy Department of PKS

Source: Wajah DPR dan DPD 2004-2009 (Penerbit Buku Kompas, 2005)

Interestingly, some female PKS MPs had been active in international organisations. Three of four female PKS MPs were members of the International Muslim Women Union (IMWU). IMWU aims at uniting Muslim women throughout the world in a single platform. Established in Khartoum in 1996, it attempts to enhance the capacity of women in the world to achieve progress in all aspect of life in accord with Islamic values and to uphold justice, equality and tolerance, and to reject all kinds of discrimination (IMWU, 2009). Yet it is not clear whether or not this organisation has a critical approach to Islamic texts and how it deals with male-biased interpretation of Islamic teachings, since no recorded activities dealt with these issues. One apparent activity is its strong support to end Israeli occupation of and aggression against Palestine and its people.

Apart from tolerance and pluralism, PKB and PKS MPs also have contrasting activism related to gender and women's issues. Maria Ulfah Anshor of PKB, for instance, has a long concern over Islam and abortion. In 2006, she published a book entitled *Fiqh Aborsi* (Islamic Jurisprudence on Abortion) that examines Islamic scholars' opinions regarding abortion law in Islam. Based on her Masters research in the program of Gender and Women's Studies at the University of Indonesia, she argued that abortion is acceptable in Islam and can be conducted up to the 120th day of pregnancy (Anshor, 2006). Her interest in abortion began when she was involved in the advocacy of women's reproductive rights as parts of Fatayat NU's programs in 1989. From her experience, she recognized that millions of women in Indonesia have died every year

because of illegal abortions and that conservative Islamic teachings had contributed to this tragedy.[10]

While Maria attempts to reinterpret Islamic teachings in order to solve social issues that disadvantage women, PKS's Yoyoh, on the other hand, supports Islamic teachings that maintain biased gender roles in the society. She argues that women's activism in the public sphere should not make them avoid their main responsibilities at home as a wife and a mother. In her article on women's rights, she wrote:

> Women's role in domestic arena should be encouraged in order to preserve a harmonious family and produce children with good achievements. This is because women's public role is a choice, not a necessity. Women's role in public should fit their potential and capacities. They have to maximize their public roles while remaining responsible to their main roles in domestic arena. Women who do not have sufficient potential and capacities to be active in public, should not push themselves to do so. (Yusroh, 2010).

Overall PKB MPs tend to have more progressive affiliations and activism than PKS MPs. Organisations that the PKB politicians participate in are those which focus on the development of Islam and democracy, and how Islamic texts provide a basis for the spread of democratic values including tolerance, pluralism, and gender equality in society. On the other hand, organisations in which PKS parliamentarians participated tend to stress Islamic predication and the spread of Islamic teachings that is framed by the idea of Islamic purification and conservatism. Therefore these latter organisations tend not to reinterpret Islamic texts in accord with democratic values.

D. Conclusion

As the chapter shows the Cultural Islam Movement has produced a progressive generation of NU intellectuals and activists who used Islamic teachings to promote

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[10] In fact, Indonesia has regulation on abortion under Law No.23 year 1992 on Health, article 15 and Indonesian Law year 1946 on Penal Code article 346-349. Yet, these laws are not followed by specific regulations that help practitioners to conduct the service, resulting in confusion in the society and unclear status before legal institutions. Additionally, conservative Islamic teachings that prohibit abortions have contributed to the spread of illegal practice of abortions.

democratic values and a rights-based agenda. Many of these people were pivotal to the formation of PKB and subsquently became prominent figures in the party. This generation has been more familiar with issues such as religious pluralism, tolerance and gender equality as they engaged with the issues through their activism in some NGOs. Nearly all PKB parliamentarians were involved in the organisations that campaign on the development of democratic values, including those that focus on women's rights issues such as Fatayat NU. On the other hand, the Tarbiyah Movement that later transformed into PKS, can be categorised as moderately Islamist since it accepts democratic processes such as forming a political party and participating in elections with a wide range of other social and political groupings. Yet its ideological vision of Islamisation has brought conservative cultures that owe much to Middle Eastern thinking. The purification of Islam, therefore, does not only try to diminish various aspects of Islamic local cultures, but can also lead to intolerance and conservative gender relations. Chapter three will further examine PKB and PKS platforms and policies as well as their MPs' opinions on gender and women'sissues. It will question whether this contrasting background has significant influence in formatting the parties' platforms and agendas.

Chapter III: Questioning Commitment to Gender Equality:PKB and PKS Platforms and Attitudes

Many Western scholars have been sceptical about whether the Islamists could produce just gender outcomes. Roxanne D. Marcotte (2005), who analyses Islamist discourse on gender equality in Egypt for example, doubts that growing women's participation in public life haschanged the Islamist discourse on gender. In her study, Marcotte highlightsa transformation in the Islamist discourse on gender roles in Egyptian society, reinforced by a reinterpretation of Islamic texts by contemporary religious figures, such as Yusuf al-Qardhawi and Sayyid Qutb. The changes include the acceptance of women's participation in the public sphere, such as in politics and social activism and access to education and employment. This demonstrates a shift away from the earlier Islamist's position on gender roles that confines women to domestic sphere. Yet, according to Marcotte, this transformation is driven by the Islamist's political agenda of Islamising the nation, because in fact women's traditional gender roles are still emphasised along with their public roles. Islamists accept a greater public role for women, but still insist on the primacy of their domestic roles.

In Indonesia, Rachel Rinaldo (2008c)compared the gender platforms of PKS and Rahima[11], an NU-linked non-government organisation. She has similar doubts that Indonesian Islamists, such as those in PKS, have egalitarian views of gender relations. According to Rinaldo,Rahima promotes a reinterpretation of Islamic texts in order to correct patriarchal biases and produces a women-friendly interpretation of Islamic teachings. In contrast, she argues that female cadres of PKS tend to have a moralistic standpoint, obey to expected rules of conduct on individual and collective levels, and contribute to the Islamisation of Indonesia(Rinaldo, 2008c p.15). While the two organisations represent Muslim women's activism and a new form of piety, she suggests they have different positions on gender equality and women's issues. Rinaldo

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[11]Rahima is a non-government organization thatfocuses on women's rights in Islam. It was found in Jakarta in 2000.Rahima has a close relationship with NU. Many of Rahima's staff and its Muslim scholars are active NU members and NU *kyai*.

(2006a p.30) shows that Rahima accepts Western concepts of gender equality in Islam and rejects polygamy, while PKS avoids the use of such concepts and sees polygamy as "an ideological commitment". However, her statement about polygamy is not entirely correct. Polygamy is a contentious issue within these groups, as will be shown in this chapter.

Like Rinaldo, van Doorn-Harder (2006) examines potential progressiveness within NU members' activism. Calling them Islamic feminists, she argues that women leaders of NU are "feminists in the sense that they want to liberate women from the shackles of religious and cultural injunctions" (van Doorn Harder, 2006 p.7). These women were trained in activities run by NU-linked organisations, such as Lakpesdam and P3M, in 1990s. They interpreted Islamic textbooks to produce more just gender relations between men and women and had strived to distribute their gender-sensitive knowledge to female audiences (van Doorn Harder, 2006).

This chapter aims to investigate whether Marcotte's and Rinaldo's doubts about the Islamists' gender discourse and van-Doorn Harder optimism for Islamic feminism within NU, is valid. It questions the commitment of PKB, the majority of whose members have NU backgrounds, and PKS, to gender equality. In doing so, it highlights the extent to which the two parties' statutes and agendas reflect their commitment to gender equality, and whether or not these are realized in the parties' internal structures and parliamentary programs. It is noteworthy that initiatives to supportwomen's interests in Indonesian political history have never been a priority of government, parliaments and even political parties (Blackburn, 1994). Political parties from 1950s untill late 1990s did not specifically promote women's agendas in their campaigns. Although not dramatic, it is in the post-Soeharto era that change begins to occur. In 2003, the Electoral Reform Bill was introduced, mandating that women should constitute at least 30% of candidates for the 2004 General Election (Bessell, 2010). Moreover, the 2008 Law on Political Parties calls for every political party to implement the 30% quota for women in its internal structure. These regulations placed pressure on political parties to start addressing seriously women's issues. Interestingly, PKS, which is commonly regarded as a party that is less concerned with women's rights, has a more

detailed statute and platform on gender and women's issues than other parties, including PKB.

The second part of the chapter underlines the attitudes of PKB and PKS MPs on specific gender and women's issues, particularly gender roles in the family, women's participation in politics and their substantive representation, polygamy and early marriage. It examines whether their attitudes represent or differ from the party's platform and if this is linked to their cultural religious backgrounds. This chapter argues PKB and PKS attitudes on gender and women's issues represent their different cultural religious backgrounds, although some PKS MPs have shown more progressive views on certain issues.

A. Supporting Gender Quota and Raising Gender Awareness: PKB's Platform

PKB's support for women's rights is not clearly stated in its official vision and mission statement. The vision states that PKB abides by the 1945 Constitution and stresses the realization of a just and democratic society. One of the missions in the field of law is to uphold human rights. Despite not clearly articulating support for women's rights, PKB does have a progressive view on gender and women's issues. Its 2004-2009 platform promoted gender equality, emphasising the elimination of gender biased laws and policies, the socialization of gender awareness within society, and the provision of information and advocacy for female victims of violence (Kusumaningtyas, 2006, Dhakidae, 2004). PKB's view of gender equality refers to Western feminist concepts, as it is mentioned in its program for the provision of gender awareness training: "Victims of violence are provided with an understanding that violence against women and subordination is caused by a culture that places men superior as to women" (Dhakidae, 2004 p.268-269).

In 2005 PKB supported the national policy of affirmative action for women in Parliament by including the allocation of 30% quota for women in its internal structures. The second conferencein Semarang produced an official statue promoting 30% quota for women representation within all levels of both Religious Council and Executive Board management. Chapter four article 20 mentions "the need to accommodate women

at every level of Religious Council management by applying 30% quota". Chapter 21 refers to "the need to accommodate women at every level of Executive Board management by meeting 30% quota" (Wahid and Haq, 2006 p.43-48).

This commitment was fulfilled in PKB's structure for the period 2005-2010 with 12 out of 41 members of Central Board being female (Wahid and Haq, 2006). The Central Board is crucial because its composition increases the likelihood of quota being met at the regional and branch level. Yet of six women sitting in the Religious Council, only one holds a leadership position. On the other hand, three out of six women who sit in the Executive Board serve as deputy chairs, while the rest hold assistant general secretary roles. Regrettably, the support for women's representation in the party's structure is no longer specified in its official statue approved by the 2008 Congress in Jakarta. All articles mentioning the need to accommodate women by applying the 30% quota were deleted. Although there were no official explanations of this setback, it appears that the progressive voices within PKB members might have lost to the conservatives.

Like other parties, PKB has its own semi-autonomous women's organization called PPKB (*Pergerakan Perempuan Kebangkitan Bangsa*). As an integral part of PKB, it is in charge of carrying out the party's strategic programs, particularly developing female cadres' political capacities and mobilising female voters. The emphasis on promoting gender equality in all religious, political, economic, law, social and education programs shows its progressive orientation. The program includes seminars, discussions, advocacy, training for political education, and the economic empowerment of women. This organization is also committed to meeting the 30% quota of women in legislative and party structures. In 2003, it held a meeting among its leaders (*Musyawarah Pimpinan*) in Jakarta to develop recommendations for the party on the women's quota (PPKB, 2003). Badriyah Fayumi, the chair of PPKB for 2007-2012, said that women's involvement in the political arena is important in changing current political cultures, which are seen as predominantly "masculine" (GP-Anshor, 2008). PPKB, however, needs the approval of PKB's Central Board in selecting and discharging its staff members (PPKB, 2003). This means that PPKB does not have a complete autonomy in managing the organisation and has to abide to the party's policy.

PPKB's efforts to support women's representation in politics could be considered successful as there has been an increasing percentage of PKB female representatives in Parliament over the last three elections. In 1999 there were only three female (5.6%) out of 51 PKB MPs in Parliament. This number doubled in 2004 to seven females (13.46%) out of 52 seats. Finally, in 2009, the number stayed the same but the percentage increased to 25.93% as the size of PKB's fraction fell. In this last general election PKB's vote decreased significantly and it only gained 27 seats in the Parliament. Although those percentages do not meet the 30% quota for women, the rise shows that there has been an effort within the party to support the affirmative action project. Indeed PKB has the highest percentage of female representatives in Parliament among secular and faith-based parties, as shown in the figure below.

Table 3

Female Representatives in Parliament

The 2004 and 2009 Elections

Party's Names	2004		2009	
	Female Number	Percentage	Female Number	Percentage
Golkar Party	18	14%	16	14.95%
PDI-P	12	11%	19	20%
PPP	3	5.17%	5	13.51%
Democratic Party	6	10.52%	36	24%
PKB	7	13.46%	7	25.93%
PAN	7	13.46%	6	13.95%
PKS	3	6.66%	3	5.6%

The data processed from Cetro.or.id

The success of PPKB in bringing women into Parliament cannot be separated from PKB's role. The party has often put female candidates at the top of candidate lists and in

winning positions, in contrast to PKS, as we shall see later. It is noteworthy that in the closed-list system, which was operated before 2004 election, political parties are in charge of finalising the list of candidates who go into Parliament (Siregar, 2007). PKB has thus shown its commitment to support women's representation in politics.

PKB also has an excellent record in putting women in strategic positions in the parliament, a record exceeding that of other parties. Ida Fauziyah was appointed head of Kebangkitan Bangsa Fraction in the national parliament and Masruroh Wahid was appointed head of fraction in the East Java Parliament, where the PKB fraction is powerful (Siregar, 2007). Moreover, the party demonstrated its support for gender equality by implementing women-friendly policies during Gus Dur presidency (October 1999-July 2001). Khofifah Indar Parawansa, who was served as a Minister for Women's Empowerment at that time, introduced Zero Tolerance Policies toward violence against women and issued President Instructions on Gender Mainstreaming in 2000 (Dhakidae, 2004, Kusumaningtyas, 2006) The Gender Mainstreaming policy requires national and regional departments to include and prioritize gender equality and women's rights in their functional activities and development processes in general. These policies were a starting point for the Anti-Domestic Violence law in 2005.

However, PKB's commitment to women's issues is questionable when it comes to the party's internal gender programs. One PKB member admitted that a department within the party, called Department for Developing Gender Discourse, does not function properly due to lack of funds. Instead of financially supporting this department, the party fully funded activities run by Department for Winning General Elections (Kusumaningtyas, 2006). This indicates the party's commitment to gender issues is secondary to electoral priorities. In this case, the party has acted pragmatically by prioritizing activities that could boost its votes.

The commitment to women's issues must be further scrutinized when it comes to campaign activities. The PKB candidates, both male and female, seem to have little interest in raising women's issues in their campaigns. Instead they tend to focus on general issues such as fighting against corruption and improving economic welfare. According to a study conducted by Wahidah Siregar, no PKB male candidates included

women's issues in their campaigns, and only one in four PKB female legislature candidatesmentioned them in their public rallies in Surabaya and Sidoarjo in 2004 (Siregar, 2007). She raised issues such asequal access to education, employment and political representation, and the importance for women of being involved in democracy (Siregar, 2007). Yet the lack of interest in promoting women's agendas is a typical phenomenon happened in other parties and areas as well, since women's issues are still considered unpopular in political campaigns.

Overall PKB's has a very good record in enabling a high percentage of women to be elected to Parliament in comparison to both national and Islamic parties in 2004 and 2009 general election. It is also a leader in putting women in top positions in the Parliament. It is, however, noteworthy that half of PKB MPs interviewed are originally from *kyai's* families, indicating that many of PKB's female MPs have the advantage of elite kinship ties. Unlike PKS, which based on meritocracy, PKB to some extent still privileges connections to a *kyai's* family. A parliamentary candidate who has such privilege has easier access to NU's organisations and the party's circles and constituents. Thus his/her chances of being elected are far greater than those who have no relation to a *kyai's* clan. Thus, PKB's promotion of female legislative candidates may havean element of elite entrenchment rather than being truly egalitarian or meritocratic. Despite lacking commitment to promote women's agendas during political campaigns and within internal structure, PKB's support for gender mainstreaming during the Gus Dur period deserves appreciation. This policy has made every government institution consider gender equality in their programs and is a turning point for the improvement of women's rights in Indonesia.

B. **Strengthening Family and Improving Public Morality: PKS' Platform**

Unlike PKB, PKS has more detailed and specific guidelines on gender and women's issues. Its Basic Philosophy includes a section entitled "Indonesian women" and "Gender", stating that women's empowerment should be prioritized prior discussingthe concept of gender equality in the society. Criticizing a vocal NU Muslim women's activist, Musdah Mulia, a PKS MP, Zulkifliemansyah, argues it is be useless talking about gender equality in Islam while Muslim women's conditions are still poor.

"Muslim women's conditions are disadvantaged. Yet they don't need criticism but solutions, such as how to make education affordable and how to provide good health service for pregnant women. This way the empowerment process would be much easier". (Interview with Zulkifliemansyah, 11 July 2009)

The party's view on women's empowerment emphasises the provision of women's access to basic needs, such as education, health service, and employment. It is clear that the PKS' women agendas could be well described as welfarerather than women's empowerment.

The party perceives that women's problems include poverty, poor health, low education, high rates of violence, and exploitation by electronic media such as television. It suggests all of these problems result from a moral crisis that leads to the emergence of social illness in society. For this reason the party wants to develop five qualities in women: faithfulness, prosperity, educated, empowered, and enlightened. In contrast to PKB's view, which sees women's problems as complex and related to a patriarchal culture, PKS emphasises morality as a main cause of women's problems and so making women more religious and pious becomes the primary solution. Also, PKS typically sees this as a personal morality issue rather than a structural or cultural one. This indeed shows the party's conservative view on women's issues.

Moreover, the solutions offered for women issues that are mentioned in the statute seem to stress Practical Gender Needs (PGN) and neglect Strategic Gender Needs (SGN). Both terms are introduced by Maxine Molyneux (1985) who defines PGN as immediate needs which are significant for human survival such as health care and employment. In this regard PKS, for example, offers funds for poor families, especially widows, and conducts a program of providing nutrition for pregnant women. While these measures are important, PGN relates to women's socially accepted roles in society. That is why the meeting of PGN does not challenge gender divisions of labour(Molyneux, 1985). On the other hand, SGN relates to the structure and nature of relationships between men and women. Meeting SGN, such as education, will help women achieve greater equality since it challenges unequal gender relations (Molyneux, 1985).

Equal access to education for women is mentioned in the platform, yet there is a problematic statement regarding "the development of educational curriculum that is appropriate to women's nature". The use of the term "women's nature" indicates PKS' stress on the separation of public and domestic gender roles in which women belong to the domestic sphere and men to the public sphere. Nevertheless, this does not mean that PKS prevents women from participating in public roles. It supports women's constructive participation in public, as written in the platform, with the emphasis of "proportional" participation. The use of term "proportional", again, shows that PKS women are preferred to spend their times at home, and their participation in public is not essential. The party allows women to be active outside the home as long as they do not neglect their domestic roles.

PKS' support of women's involvement in the public sphere includes participation in politics. The platform says that it will "enhance women's roles in policy making bodies and ensure the distribution of women and family aspirations/interests". However, it is not clear how the party will increase women's participation, since none of its documents either the statute or platform, mention the means of boosting the number of women in its internal decision-making bodies and Parliament. When the policy of the 30% quota was applied in the 2004 general election, the party nominated women to as many as 40% of its legislator candidates, the highest number of any parties. Unfortunately, only five females (10.41%) were elected, and in the 2009 legislative election, this number even dropped to three females (5.26%) (Cetro, 2004).This is because most female candidates had un-winnable or low positions on the candidate list. Another reason is that most of them lacked money to compete against male candidates. Since the position of candidate on the list is determined by the party, the party's commitment to promoting women's representation in politics isquestionable and could be considered no more than lip service.

The under-representation of PKS women in Parliament is also influenced by the fact that there are few women holding strategic positions in its internal bodies. The leadership position of the Religious Council, a body which is authorized to make strategic and important party policies, has only one woman out of eight leaders; while the Central *Shariah* Supervisory Body, a body which is in charge of discussing and

issuing *fatwa* (Islamic legal opinions), has only two women out of 21 members. There are no women serving as a chairman of Regional Board (DPW). Thisshows that PKS women are marginalised in recruitment processes and in managing candidate lists for the legislative election. As their number in the party's structure is lacking, the party does not accommodate their interests. This also indicates that the national policy of the 30% quota for women is not effective unless each party applies the policy within its internal party structure.

Table 4

Women Representation in the PKS Decision-Making Bodies

No	Decision-Making Bodies	Female	%	Male	%	Total
1	Founder Board	6	12%	44	88%	50
2	Religious Council Leaders	1	11.11%	8	88.88%	9
3	Party's Advisory Council	3	18.75%	13	81.25%	16
4	Central *Shariah* Supervisory Body	2	8.69%	21	91.30%	23
5	Central Executive Board (DPP)	4	7.14%	52	92.85%	56
6	PKS Members of Parliament of DPRD I Jakarta	4	22.22%	14	77.77%	18
7	Chairman of Regional Board (DPW)	0	0%	32	100%	32
8	Board of Expert	5	18.51%	22	81.48%	27

Source: PKS Australia-New Zealand (cited in Muhtadi, 2009)

Ideology has contributed to the low representation of PKS women in politics. In a conservative Islamic interpretation, a woman cannot be a leader as long as there are men available to hold this position (Permata, 2008). Many members of the party do not agree to women holding higher level political positions, such as president or governor. According to a survey conducted by Indobarometer in 2009 regarding whether or not a woman could be a president in Islam, PKS cadres constituted the highest number (45%) among parties' members who rejected a female president, followed by PAN (35.3%) and PD (33.5%) and the lowest was PKB (18%) (Abde, 2009). Additionally, PKS applies a discriminatory rule for candidate recruitment, requiring female members to gain approval from their husbands to be parliamentary candidates. There is no similar

requirement for men to have their wives' approval if they want to run for the elections (Siregar, 2007 p.246).

It is publicly known that, in the 1999 general election when Megawati ran for Indonesia president, PKS was one of Islamic parties which refused to support her, not because of her capacity, but for her gender (Trotter, 2006, Permata, 2008). Even though it eventually supported her presidency in 2001--when the joint faction of Islamic parties (the so called Central Axis) and many other parties brought down Gus Dur administration and voted Megawati into power, PKS refused the cabinet position offered by her. This was ideologically driven, as according to a conservative Islamic interpretation to which PKS subscribes, a woman is inappropriate to be a leader as long as many capable men are still available (Permata, 2008). During this period, the party issued *fatwas* (religious edicts) advising women's participation in politics is not recommended (Permata, 2008). Also, in 2008, when Khofifah Indar Parawansa ran for the East Java governor from a coalition of PPP and PKS, many PKS members, particularly from the *Shariah* Council of the East Java branch, were hesitant to support her. PKS official Muhammad Siroj said "When I put forward her name I got a lot of SMS messages from PKS members [opposing it]" (Patung, 2008a). Nonetheless, the fact that PKS had nominated a female candidate for the local governorship needs to be recognized.

It is important to note that PKS has some positive achievements in supporting female candidates as head or deputy of local regions. In 2010 PKS, for the first time, supported a female candidate, Airin Rachmi Diany of Golkar party, as Mayor of Tangerang Selatan region. The support for Airin, according to Ruhamaben, PKS Head of the Local Representatives (DPD), was permitted by the PKS Central *Shariah* Supervisory Body, which means that the support for female leadership was accepted by the Central Board of the party (Politik Indonesia, 2010).[12] Previously, in 2007 local election, PKS supported Airin as a candidate of deputy Mayor of Tangerang Sub-District, with the Mayor candidate, Jazuli Juwaeni, was from PKS itself. In 2006, the party also backed

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[12]The fact that PKS local representatives need a permission of the *Shariah* Supervisory Body to support a female candidate shows that female leadership is a sensitive issue for the party's members.

Marrissa Haque, a politician from PDI-P, as a candidate for deputy governor of Banten Province, with Zulkifliemansyah as the governor candidate. Besides being non-PKS members, these female candidates are not typical PKS females. Airin was a beauty pageant contestant in 1996, while Marissa was a famous actress in 1980s and was seen as a "sexy" politician who attractedtitillating coverage from media. She played up to this and drew big male audiences. This made her seem an even less likely PKS deputy governor candidate.

Many political analysts see PKS' support for these female leaderships as pragmatic, rather than indicating support for female leaders. The pragmatism of PKS dates to2004 when local elections were set. The cost of contesting local elections is high. In a country where money politics is a ruling game, supporting candidates with their own funding sources is a potential means of generating income for the party. Electoral interests have thus trumped resistance to female political leaders and brought political expediency for PKS.

PKS has an autonomous female organization called Women's Division.[13]While many other female organizations choose the word *perempuan,* PKS prefers using the word *wanita*. For some women activists, *perempuan* is preferable to *wanita* since the former refers to women assubjects denoting that women have agency and freedom. Etymologically, *perempuan* is derived from the word *empu* (meaning: head, an expert, or the biggest) and *puan* (a respecting word to identify a woman like *tuan* for a man) (Sudarwati and Jupriono, 1997). From this definition, women are in charge of controlling themselves; women cannot be controlled by anyone including fathers, husbands, or brothers. This definition is in contrast to the word "*wanita*", whichdenotes women as objects. In Javanese it refers to *wani ditoto* meaning "like to be controlled" by men (Sudarwati and Jupriono, 1997). As quoted by AD. Kusumaningtyas, a female MP from PKS argued regarding this party's preference: " … this (the use of the word *perempuan* or *wanita*) doesn't matter for us. We do not use the formal term for this…".

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[13] Interestingly, the new featured PKS' website, which was launched in 2010, starts to use the word *perempuan* instead of *wanita*. For example, the webpage writes "perempuan" for women link and it also uses *perempuan* referring to Women's Division (Bidang Perempuan/ was Bidang Kewanitaan) and Unit for Women's Justice (Pos Perempuan Keadilan/ was Pos Wanita Keadilan).

(Kusumaningtyas, 2006p.358-359) This seems that PKS does not question a gender bias embedded in many aspects of life including language that many feminists have been so critical about. The reluctance shows PKS' stance of gender discourse that is different to what generally perceived as Western products.

Criticising liberal and radical feminist concepts, PKS emphasises that an equal relationship between men and women is already mentioned in the Qur'an. It points out that men's and women's relations are not in competition but are complementary and that the family is not a source of women's oppression, instead a place in which women could optimize their obedience to God. For PKS, women are indeed perceived as *mar'ah usriyah* (family women); a view of women which is highly influenced by the Muslim Brotherhood (Muhtadi, 2009). Women have to play their reproductive roles of bearing children and keeping them and the family well and healthy. Unsurprisingly, the majority of PKS members have many children. Yoyoh Yusroh, for example, has 13 children. For PKS, women are important actors who serve as the nation's moral guards and the symbol of religious identity (Kusumaningtyas, 2006, PKS, 2009). Accordingly, PKS women typically wear loose *jilbab* (head cover) and *jubah* (loose-fitting Muslim outfit) arguing that women's body, except face and palm, cannot be shown off since it would invite seduction.

Morality and family are major concerns of PKS programs dealing with women's issues. The party's programs for 2004-2009 cover three main areas: social culture, public health and welfare, and the resolution of in-conflict regions (Dhakidae, 2004). The attempt to improve public morality and family is clearly shown in the first two fields. For example, in the field of social culture, it tries to develop a culture and life style that complies with *Shariah* and public norms. In this regard, the party emphasises the importance of wearing *jilbab* voluntarily without coercion. This way, the party expects that the awareness among Muslim women will increase so they can practice this kind of religious obligation voluntarily. Furthermore, the area of public health and welfare focuses on the establishment of Unit for Women and Prosperous Families (*Pos Wanita Keadilan*). This unit is aimed at providing family services, particularly maternal and child health. It is also designed to offer empowering activities for womenand to enhance

the roles of family as a foundation of civil society (Kusumaningtyas, 2006, Dhakidae, 2004).

In general, PKS has a poor record on women representation in politics, as shown by the reduction of women number in the 2004 and 2009 Parliaments and the under-representation of women in PKS internal bodies. PKS's position on gender equality and women's agendas are ideological. Avoiding Western concepts of feminism, PKS defines women's agendas as pertaining traditional gender roles in the society and supporting its ideological goal of Islamisation. In this regard, PKS' discourse on gender equality resembles the Egyptian Islamists' which, according to Marcotte (2005), are driven by political agenda of Islamising the country. No wonder women's agendas focus on family and national morality, and stress on the provision of women's PGN. This suggests that PKS promotes gender equity rather than gender equality. Rinaldo (2008a) as quoting Foley (2004) defines gender equity as "a way for those who reject social construction to advocate women's empowerment, while not challenging conventional understandings of Islam". Gender equity and gender equality are thus different, with the former not recognising the need to challenge the existing gender paradigm, which the latter emphasises change. What follow is a discussion of PKB and PKS parliamentarians' opinions on some women's issues and analysis of whether their views differ from or are in line with their parties' platform.

C. Examining the MPs' Attitudes on Gender and Women's Issues

1. Gender Roles in the Family

While agreeing that men and women are equal before God, PKB and PKS parliamentarians admit that they have different functions which are based on sexual difference. This difference is based on their understanding of Islamic teachings suggesting that men are obliged to be breadwinners and women as the housewife. According to PKB and PKS MPs, women should play roles such as giving birth, breastfeeding, and looking after children and all the family members. These roles are women's priorities and therefore they need to stay at home (Interview with PKB and PKS MPs 10 July – 4 August 2009). They insist, though, that staying at home should

not be perceived as physically being at home. Instead it needs to be understood as "an orientation" (Interview with Ledia Hanifa, 21 July 2009). Therefore PKB and PKS MPs agree that women can participate in the public space, yet their main duties should be their domestic obligations.

Yoyoh and Aan, female MPs from PKS, argue that Islam does not prevent women from being active in public. However, they add, women should not neglect their primary roles as housewives and mothers, even if they are busy with their activities outside their homes. For these parliamentarians women are thus responsible for their household duties. They could have someone assisting them with their housework but they are still responsible to their husbands (Interview with Yoyoh Yusroh and Aan Rohanah, 14 July 2009 and 21 July 2009). Similarly, Ana, a female MP from PKB and a business woman, agrees with the idea that women should be more responsible towards their domestic work, adding that "I tend to feel guilty when my maidservant cooks too hot and spicy meal for my husband" (Interview with Ana Muawanah, 23 July 2009). Ana's opinion, however, is not typical of PKB MPs' opinions, which generally stress men and women have similar domestic responsibilities.

These parliamentarians' perceptions of a gendered division of labour in the family could be considered conservative. They emphasise that men and women should not abandon their sexual divisions of labour. In this regard, women suffer what women activists called as "double burden". While women have to do their jobs outside their home, they are still responsible with their housework. When asked about their perception of women's double burden, both Yoyoh of PKS and Ana of PKB reject this. Yoyoh dislikes the term because of its reference to Western discourse of feminism, and Ana prefers the word "role" to "burden" (Interview with Yoyoh Yusroh and Ana Muawanah, 14 July 2009 and 23 July 2009). Ana's preference is presumably psychological as the later denotes a negative meaning indicating that women have any objections of playing the required roles.

However, two out of thirteen MPs, both from PKB, support an idea that women could be the head of households. Saifullah agrees that women could be the head of household in certain circumstances, arguing that there should be flexibility in this case because

household is the responsibility of husbands and wives (Interview with Saifullah Ma'sum, 28 July 2009). Moreover, Maria argues that the 1974 Law of Marriage, which explicitly mentions that the man is a breadwinner and the woman is a housewife, has affected women negatively, especially in terms of workforce. Women consequently have lower income than men because their participation in the workforce is considereda sideline activity (*kerja sampingan*) (Interview with Maria U.Anshar, 24 July 2009).

A conservative discourse on gender roles in the family among PKS and PKB MPs draws on the New Order gender ideologies "which organised female citizens in a manner that emphasised their domesticated femininity, their secondary status to men" (Robinson, 2009 p.192). Yet it is also usedin an independent way from the state, "reinforcing male claims to religious authority as well as political power" (O'Shaughnessy, 2009 p.102). On the other hand, the progressive views among PKB parliamentarians could be traced back to long activism of NU's organisations in promoting gender equality. Fatayat NU for example, since the late 1980s, had started to develop an intensive dialogue on feminist issues within Islamic traditions. Whilst since the late 1990s, it has been using gender sensitive approaches in its activities, criticizing social construction of gender roles and calling for the need to reinterpret Islamic texts, which reinforce biased-gender relation among men and women (Arnez, 2010).

2.Women and Political Participation

For PKS MPs, political activities are part of worship as they include proselytization (*dakwah*), calling people for doing good things, and forbidding evils. This principle is also used by the mosque movement in Egypt and commonly referred to justify various activities "ranging from delivering a sermon or a mosque lesson to expressing a concern for the maintenance of pious comportment", for example that a Muslim woman should ask another Muslim woman to veil or to pray(Mahmood, 2005 p.59). In line with the Muslim Brotherhood idea of using a gradual approach, these activities should start from the self, the family, the people, the government and finally the state. Hilman argues that politics is a consequence of life and not merely a career, "It should be done throughout life" (Interview with Hilman R. Syihab, 10 July 2009).

As politics, for the PKS MPs, is a kind of *ibadah*, which is an obligation for all Muslims, women could participate in it. They have only to confirm, in line with the party's ideology, that family should be the priority. So it is impossible for both husband and the wife are involved in formal politics at the same time and at same level. When this happens, it is usually the wife who gives up her political career. This is, however, not the case for Nursanita, an outspoken female MP from PKS. She admits and feels lucky that her husband, who was also active in politics, dropped his political career and supported hers (Interview with Nursanita Nasution, 29 July 2009). According to Nursanita, being active either in homes or public space is a choice. Both men and women have the rights to choose what they think appropriate for them and for the family. Men and women should have freedom to make their own choice.

The priority given to women's reproductive roles is thus considered by the PKS MPs a reason for women's low representation in formal politics. Female members of PKS are mostly of productive age, between 25-45 years. Many still have young children (Interview with Zulkifliemansyah and Ledia Hanifa, 11 July and 21 July 2009). For Hilman and Ledia, local politics such as those at the level of province and district are thus more suitable for women because they can perform their political activities around their home (Interview with Hilman R.Syihab and Ledia Hanifa, 10 July and 21 July 2009). The political activities that women can do are establishing network and persuading people. They could take their children to school, while they could also meet other parents and people (interview with Hilman R. Syihab, 10 July 2009). This way, women could play their public and domestic roles together. Nevertheless, it is important to note that the percentage of PKS female representation at local Parliament is also fewer than other parties. According to the Centre for Political Studies of Indonesian University, in 2009 legislative elections, PKS gained the lowest percentage of seats for women (7.75%) in District Parliament, with the highest obtained by a new nationalist party, the Gerindra Party (15.17%) (Detik News, 2010).

While both male and female MPs of PKS agree that it is more appropriate for womento be active in local Parliaments, they have different opinions on whether women's issues could be effectively raised by men as well as by women in the Parliament. Hilman

argues that men are working for the needs of both males and females; what the men want is what the women want and *vice versa*. He further argues the absence of women in decision-making bodies is, therefore, not necessary because men and women, unlike in the West, are not enemies but they are partners (Interview with Hilman R. Syihab, 10 July 2009). In contrast, all female PKS MPs share the opinion that women are better than men at fighting for women's interests. Women know details of which men do not even think (Interview with Yoyoh Yusroh, 14 July 2009). Women also know better their needs and their family's and children's needs (Interview with Ledia Hanifa, 21 July 2009). A progressive-minded female PKS MP, Nursanita, argues that women representation in Parliament isimportant to eliminate any kind of discrimination against women (Interview with Nursanita Nasution, 29 July 2009). In a conference held by the National Democratic Institute (NDI) in 2008, she emphasised the importance of networking to build key partnerships and to ensure that there are women who support women's issues in the Parliament meetings (WMD, 2010) .

Similar to PKS MPs' views, all PKB MPs argue that they do not have any problems with women being active in public and politics. For them women's participation in politics is no longer an issue. Yet different to many of their counterparts in PKS, all PKB MPs believe that women could also sit in any level of political institutions. There is no restriction based on gender. The only consideration for women holding higher positions in any occupations or fields are capacity and capability (Interview with PKB MPs, 10 July-4August 2009).

All female PKB MPs agree that women's representation in politics and decision-making bodies is necessary to voice women's interests. According to Ida, who served as the head of fraction for the period 2006-2008 in national Parliament, she has more power to influence the Parliament on issues related to women's interests (Interview with Ida Fauziyah, 25 July 2009). For this reason, the female PKBpoliticians support the 30% quota policy for women, arguing that men and women have different start of being active in politics. In order for all parties to obey the regulation, Maria suggests that the policy should use strong words that have a binding effect such as "a political party is obliged to put 30% women in the top lists", and give penalty for the party that does not meet this requirement (Suara Fatayat, 2008 p.30). Contrarily a male PKB MP

challenges the 30% quota for women, arguing that men and women should compete in formal politics without privileges. He further contends that women's representation in politics does not necessarily lead to a greater acceptance of women's rights, as he admits that "Not all female politicians support women's issues" (Interview with Abdul H. Wahid, 4 August 2009).

PKB and PKS MPs, male and female, share the idea that women should participate actively in formal politics, with PKS emphasis' on the need for women to prioritize their family. Yet male and female politicians across the parties have different views on whether women's participation in politics, particularly in Parliament, could bring a change for women's life. Male MPs both from PKS and PKB tend to think that there is no attitudinal significant change for women to be involved in politics. In contrast, regardless their parties, female MPs tend to have more gender awareness than male MPs. The female MPs are aware that their representation in politics is beneficial to accommodate "women's interests", which are often neglected and unthinkable by male parliamentarians. Interestingly, it is in this particular case, opinion is not divided between parties' category, but actually between genders. Although what constitutes women's voices or interests might not be similar for Islamists and progressive Muslims, the female PKS parliamentarians' notion of women in politics represents a progressive move on gender issues. In effect, being a parliamentarian has indeed increased female PKS MPs' gender awareness.

Activism in Indonesian's Women Caucus (KPPI), a multi-party organisation, may influence the progressive tone of female parliamentarians, particularly PKS MPs. Within this organisation, female MPs across parties, discuss and share ideas on women's issues in Parliament. They also fight for the accommodation of women's interests in policies, such as the advocacy of the 30% quota for women in all legislative levels. Additionally, the involvement of female MPs in international trainings and workshops provides them networks and progressive ideas to enhance women's political participation. For example, Nursanita, a female MP of PKS, who served as a volunteer for NDI, gave female participants from Pakistan, Nepal, and Bangladesh training on how to do lobbying and negotiation in politics. This skill might also have been passed

on to other PKS female cadres in order to improve their representations in formal politics.

3.**Polygamy**

Polygamy has been a controversial issue in Indonesian history. Since 1920s this issue has been debated and rejected by many women's groups. Although it was discouraged during the Soeharto period, polygamy is allowed for non-civil servant Indonesians under the 1974 Marriage Law. It mentions that a man could have multiple wives under certain circumstances. In the mid 2000s, issue of polygamy escalated whena famous preacher, Aa Gym, took a second wife. Many women who intensely supported his preaching condemned his act and so did women activists. A Muslim woman activist who is also a member of NU, Musdah Mulia, introduced a Counter Legal Draft-Compilation of Islamic Law (CLD-KHI) in 2004, which includes banning polygamy. This CLD-KHI has been criticised, especially by some Islamic groups. In the 2009 election's political campaign, a women NGO, called Indonesian Women Solidarity (SPI), raised the issue of polygamy, calling on women not to elect polygamist candidates and arguing that they are prone to engage in corruption (Hidayati, 2009). They also noted that PKS had the highest number of its MP candidates who are polygamists. Didin Amiruddin, Anis Matta, Tifatul Sembiring and Zulkifliemansyah are some of them (Maslan, 2009).

All PKS MPs are of the same opinion that polygamy is not a problem, indicating that a man can have more than one wife at the same time. They also agree that polygamy can be conducted in certain circumstances. Two male MPs, Hilman and Djalaludin share the view that whether or not polygamy is harmful depends on different perspectives. For Hilman, polygamy is a kind of protection if it is seen in terms of material and this is actually the target of *shariah* because no one could act justly in terms of feeling (Interview with Hilman R. Syihab, 10 July 2009). Additionally, for Djalaludin, polygamy could be an obligation if the relationship between a husband and a woman outside the marriage leads to *zina* (adultery); it could be unlawful if it hurts the wife;

and it could be *sunnah* (recommended) if it pleases both husband and wife (Interview with Djalaludin Syatibi, 18 July 2009)

Furthermore, male PKS MPs see polygamy as a natural entitlement for a man. Hilman, for example, argues that naturally it is not a problem for men to have so many relationships, but it is for women because of pregnancy, menopause, and the fact that women's sexual reproduction organs are fragile to "sexual disease" (Interview with Hilman R. Syihab, 10 July 2009). Aside of those reproductive aspects, Hilman points out that a psychological factor has also contributed to the acceptance of polygamy. He remarks: "… because of their reproductive functions women have diversion, while it does not happen to men" (Interview with Hilman R. Syihab, 10 July 2009). Hilman's arguments are based on a clear assumption that polygamy is a way to accommodate male sexual desire. This assumption also hides behind polygamy supporters' and some clerics' argument that polygamy brings "social mission" of helping poor women and widows. These justifications clarify a biased-gender division of labour and maintain a male supremacy within a family.

Like their male counterparts, female PKS MPs agree polygamy is not a breach of Islamic teachings. However they admit there are some people who practice polygamy in ways that disadvantage women, although they also believe there are good polygamy practices. "It depends on the case", Ledia and Nursanita said (Interview with Ledia Hanifa and Nursanita Nasution, 21 July and 29 July 2009). Therefore, they disagree with the idea of prohibiting polygamy, as some women activists have proposed. They argue that those who try to ban polygamy do not fully understand Islamic doctrines. However, female PKS MPs believe that bad polygamous marriages, nowadays, outnumber the good ones. Ledia admits "I saw many men remarry because of prestige" (Interview with Ledia Hanifa, 21 July 2009). They concur that there should be a policy regulating the extent to which men could be considered neglecting their wives and children. They also do not agree with those who relate polygamy with women's piety, as many conservative Muslim clerics argue. For them, women who do not want polygamous marriage cannot be judged impious (Interview with Ledia Hanifa, 21 July 2009). Although all PKS politicians share the opinion that polygamy is allowed in Islam, the female PKS MPs tend to see polygamy as a public, rather than a private,

matter that needs to be managed by regulations which protect women's and children's rights.

A heated debate on polygamy started when in 2007 Cahyadi Takariawan, a member of PKS Religious Council[14], launched a book entitled "Make Yourself Happy with One Wife". This booktriggered controversy among PKS cadres as it reveals negative sides of polygamous marriage, such as a husband's untruths in remarring and financial matters in a polygamous marriage. For polygamists and those who intended to practice polygamy, this book had made them unhappy. A PKS vice general treasurer and polygamist with three wives, Didin Amiruddin, for example, felt worried as his second wife and her friend of a polygamous marriage planned to carry on a public discussion of the book (Irawati, 2007). Accordingly, those who reject the book called for its withdrawal from the market. Interestingly, many PKS female cadres were happy with the book and considered it as "a textbook". One of them admitted that she was pleased, because after reading the book her husband reconsidered remarriage (Irawati, 2007). Although this controversial book would not directly change PKS members' opinion on polygamy, it has indeed made them re-evaluate their stance of polygamy. Additionally, the fact that it was written by an influential insider shows the potential for change within this Islamist party.

PKB MPs' views on polygamy are also divided. One group agrees that polygamy is not a breach in Islam but should be regulated by the state. Another view, in line with women activists, advocates the regulation of polygamy. Idaand Saifullah are among those who share a view that polygamy should be controlled. They disagree with an attempt to ban polygamy because it is in fact allowed by the religion (Interview with Ida Fauziyah and Saifullah Ma'sum, 25 and 28 July 2009). Ida argues that polygamy should be restrictively regulated rather than fully banned, as it provides solutions for husbands with sick wives. She adds: "Instead of having an illegal relationship, a husband would be better to remarry if his wife could not fulfil him sexual needs" (Interview with Ida Fauziyah, 25 July 2009). She worried that by eliminating polygamy women contribute

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[14]Religious Council is the highest position in PKS internal structure. It has 99 members elected by million cadres of PKS.

to the spread of adultery in the society and that means a violation of religious norms. Moreover, Saifullah points out that there should be a rule providing guidelines on how to conduct a good practice of polygamy, such as how to act justly to the first and the second wife. He argues that the revision of the 1974 Marriage Lawshould not focus on the pro and cons of polygamy but on the mechanisms of regulating polygamy (Interview with Saifullah Ma'sum, 28 July 2009).

On the other hand, Ana and Maria support an idea that polygamy should be banned, and that the 1974 Marriage Lawshould be revised. Anna stresses that polygamy has only harmed women and children. "I positively could say there is only one out of a hundred women with similar educational and social backgrounds who supports a polygamous marriage. And that is because she has no choice" (Interview with Ana Muawanah, 23 July 2009). Furthermore, Mariaargues the context of a Quranic verse that mentions polygamy is actually about the protection of orphans' wealth, not marriage. She promotes a comprehensive reading of the Qur'an by looking at other verses mentioning that human could never act justly in polygamous relations. Therefore she believes that polygamy is unjustified and that the main principle of marriage in Islam is basically monogamous (Interview with Maria U. Anshar, 24 July 2009).

PKB MPs have a more progressive view on polygamy than PKS MPs. Some PKB MPs have put forward a more gender sensitive agenda of banning polygamy and amending laws that open access for polygamists. The issue of polygamy within the NU community has long been debated and progressive members have advocated a reinterpretation of Islamic doctrines, which are used to justify the practice. In 2002, Fatayat Welfare Foundation (YKF), an organisation set up by Fatayat NU in 1991, raised the contentious topic of polygamy in its journal *Mitra*. It rejects polygamy by arguing that it often brings families to financial ruin and causes children to suffer (van Doorn Harder, 2006) It also emphasises that polygamy, which was practiced by the Prophet Muhammad, should be seen within the context of caring for widows and orphans during war time; and the need for this kind of protection has now changed (van Doorn Harder, 2006). It is not only Fatayat NU that takes a position of rejecting polygamy; GP Anshor, the NU young male organisation, also promotes the need of rereading Islamic texts and supports women's rights in seeing this practice (Prasetyo,

2009). It is therefore obvious that PKB MPs' rejection of polygamy might have been influenced by the discourse that had taken place in their community organisations.

4.**Early Marriages**

The practice of early marriage in Indonesia has never been as high as in India (Blackburn and Bessell, 1997). Yet this is an issue about which there is much concern. It relates not only to children's rights but also to women's reproductive rights as the incidence of early marriage is in fact more common among girls than boys (Blackburn and Bessell, 1997). This issue rose to prominence when in August 2008, Syeh Puji, a politician and cleric, informally married (*nikah sirri*) a 12 years old girl and intended to marry two other younger girls, age nine and seven. Justifying his act, Syeh Puji argues that it is based on Islamic teachings, as practiced by the Prophet Muhammad (Patung, 2008b). Since then polemics have arisen around whether or not this practice is acceptable. Opponent of early marriage argue that it violates the 1974 Marriage Law, which sets minimum age for marriage at16 for women and 19 for men, while many members of Islamist groups support early marriage.

The views of PKS MPs on early marriage are divided. Yoyoh argues that once a girl has entered puberty, she could be married off. For her, in Islam whether or not a man or a woman are ready for marriage is measured by their mental and physical maturity (*akil baligh*) and this is indicated by having a period for a girl and wet dreams for a boy. She adds menstruation is a sign that girls' reproductive organs have become fully developed and that knowing the basic knowledge of managing households and educating children is also a factor in determining whether a girl is ready for marriage. Hilman shares this opinion saying that "marrying young girls is allowed within Islam, provided the marriages are not consummated until the girl has begun menstruating" (Patung, 2008b). In contrast to Yoyoh and Hilman, Nursanita and Ledia do not agree with underage marriage. While Ledia argues that marriage is not only about physical but also psychological maturity, Nursanita points out that early marriage is not permissible in this era no matter the reasons (Interview with Ledia Hanifa and Nursanita Nasution, 21 July and 29 July 2009). Nursanita acknowledges that the Prophet Muhammad once

practiced it when he married Aisyah at seven years old. Yet, she contends that this is a privilege for the Prophet only, and not for all the humankind (Interview with Nursanita Nasution, 29 July 2009).

PKB MPs, on the other hand, all oppose early marriage. Saifullah agrees that Islamic teachings introduce a concept of maturity (*akil baligh*), which indicates that men and women are considered as mature and could be married off. Yet, for him, the practice of the Prophet Muhammad could not be applied literally in this era. Similarly, Ida does not justify early marriage in Islam as the condition of Aisyah's maturity in the time of Muhammad is very different to the current context. Moreover, analysing the issue from the perspective of Islamic law, Badriyah argues that in fact there is neither command nor prohibition regarding early marriage in Islam. In consequence, she claims, the law depends on its reasons (*ilat*) and it cannot be justified since early marriage violates women's reproductive rights.

PKB MPs views on early marriage have a similar tone to the party's platform of protecting women's rights, particularly their reproductive rights. The issue of early marriage has long been discussed in the NU community and the progressive members who are involved in Fatayat NU have advocated for reproductive rights since 1980s (Arnez, 2010). Among their conservative peers, some female PKS politicians share the view of PKB MPs rejecting early marriage and suggesting that Islamic texts need to be re-read in accordance with the current context. The attitude of the female MPs on this issue is more likely to be influenced by their sex rather than by their party's platform. Additionally, as demonstrated earlier, involvement in women's networks in Parliament might also contribute to the progressive views of female PKS MPs

D. Conclusion

PKB, consistent with its background, is more progressive than PKS in its platform and agenda of gender and women's issues. It emphasises that women's problems are rooted in the imbalanced relations between men and women, which are influenced by patriarchal cultures and religions. It thus promotes gender equality by formulating agendas that support women's rights and producing a women-friendly reinterpretation

of Islamic teachings. Supporting the 30% quota for women, it fulfils the quotain its internal body and attempts to enhance their number in national Parliament. PKB also puts women in leadership positions both in national and local Parliament. On the other hand, although PKS has a more detailed and comprehensive platform than PKB, PKS gives more weight to conventional gender roles in the family and do not aim to change a biased paradigm of gender relations either in the society or Islamic teachings. It sees moral crisis as the cause of women's problems and so it defines women's agendas as those thatenhance public morality. PKS' women's agendas are also practical in the sense that they only provide women's immediate needs without trying to change their gender awareness. The PKS' conservative views of gender relations reflect in low number of women in its internal body, and in national and local Parliament. It also manifests in PKS members' reluctance to support women's leadership. PKB and PKS different cultural religious backgrounds have thus demonstrated different platforms and agendas on gender and women's issues.

Regarding the attitudes of the two parties' politicians, some PKB MPs have also more gender sensitive views than PKS'. They promote equal gender relations in the family and in politics; reject polygamy and early marriage. They have held their progressive notions since their involvement in mass organisations such as Fatayat NU and GP-Anshor. Influenced by the Cultural Islam movement, these organisations uphold gender equality and women's rights. Interestingly, there are a few PKS MPs, primarily the women, who have progressive stances as well. They sometimes challenge the conservative views of their male counterparts. They strongly support women's political participation and their potential role of fighting for women's interests in parliament. Instead of accepting polygamy without question, they also argue that polygamy needs to be regulated to ensure the protection of women and children. The heated debate on polygamy in 2007 might have influenced some Islamists to reconsider their stance on polygamy. Some female PKS MPs even reject early marriage, challenging common opinions within PKS circles of accepting it under Islamic doctrines. This progressive tendency might be influenced by their connection with women's networks in Parliament that gives them a chance to interact with progressive ideas. In this case, it is their current political activism that more likely influences their attitude on gender and women's issues rather than their Islamist religious backgrounds. This shows that Marcotte's and

Rinaldo's scepticism about the Islamist's gender discourse, to some extent, is not accurate. There are indeed a few Islamists who hold more progressive views than their counterparts, sometimes even challenging their party's platform. The fourth chapter will examine whether the difference perceptions between PKB and PKS on gender and women's issues represent their views during debate of the Anti-Domestic Violence and the Anti-Pornography bill in Parliament.

Chapter IV: Analysing PKB and PKS Attitude on Gender and Women's Issues: Discussing the Anti-Domestic Violence and the Anti-Pornography Bill

When the Anti-Pornography bill sparked great controversy in 2006, its opponents accused PKS, a strong advocate of the Bill, of attempting to introduce Islamic law into Indonesia's plural society. Many scholars were concerned that the proposed law, which would have curtailed women's freedoms, was a signal that Islamist parties would adversely impact onwomen's rights and gender equality in democratic Indonesia. Scholars such as Blackburn (2008), Rinaldo (2008a) and Wichelen (2010) doubted that PKS, in particular, would support women's rights as it promoted the Bill. They argued that democracy had enabled the adoption of moralistic and gender-biased policies, thus endangering cultural pluralism and human rights. This viewpoint has some justification as Islamists tend to embrace a rigid and textual approach of reading Islamic textbooks. This often results in biased perceptions of women's role in society. For instance, based on their interpretation of the Qur'an and Hadith, Islamists consider women to be the guardians of a nation's morality, due to their primary role of bringing up future generations.

However, these scholars fail to recognise the party's support for issues that are advocated by women activists, such as PKS' support for The Anti-Domestic Violence law and the 30% quota policy for women in parliament. Ledia Hanifa, the former chairperson of the PKS Women's Division, for example, leads a program of women's empowerment to reduce domestic violence in Bandung and Surabaya, and supports the socialisation of the Anti-Domestic Violence lawto halt the increase of domestic violence cases (Agus, 2009). Additionally, critics of PKS overlookshifts that can occur within a party's discourse and decision-making. Indeed, these shifts have received insufficient attention from academics. For this reason, this chapter aims to scrutinize changes happening within PKS and PKB discourse on gender and women's issues by analysing their role in parliament.

In particular, this chapter highlights the position of PKB and PKS in parliamentary debateson two controversial draft Bills: the Anti-Domestic Violence bill and The Anti-Pornography bill, both of which have subsequently become law. The former was initiated by women activists and criticised by the Islamists, while the latter was initiated by the Islamists and was criticised by women activists. The chapter is divided in two sections. First, it analyses PKB and PKS attitudes during deliberation in the parliament on the Anti-Domestic Violence bill. Second, it examines each party's views on the Anti-Pornography bill and investigates their roles during deliberations and amendment of the Bill. Overall, the chapter concludes PKB and PKS did not adopt markedly different positions as both support the two draft Bills. While PKB's views are more progressive on some issues, particularly related to the Anti-Domestic Violence bill, it shares a similar position with PKS on the Anti-Pornography bill. I argue that PKB and PKS attempt to moderate their views on women's issue in order to meet popular demands.

A. Anti-Domestic Violence Law

The Anti-Domestic Violence law was promulgated in late 2004, at the end of Megawati's presidency (2001-2004). Previously the issue of domestic violence was not one of high public concern; most people considered it a private matter that needed no interference from the state or society. The majority of victims kept their abuse to themselves and often did not know how or where to report maltreatment (Munir, 2005). Although men could be the victims of domestic violence, it is most commonly women and children who are victims of violence. The Anti-Domestic Violence law designates violence against women in the domestic arena as a violation against women's rights and humanity (Munir, 2005). Women activists had played a major role in championing this law. No wonder that its passage was seen as a victory for women activists and NGOs. There were around 60 women from NGOs and the National Commission on the Elimination of Violence against Women (*Komnas Perempuan*) who helped to draft the Bill and lobbied for its passing (Munir, 2005). In 1998 massive violence against women during political riots that marked the downfall of Soeharto, made women activists aware of the lack of prevention programs for all violence against women, including domestic

violence (Blackburn, 2004). This tragedy also brought a spirit of determination to push the Bill on Domestic Violence, which was drafted in 1997 by NGOs.

Prior to the Anti-Domestic Violence law, domestic violence against women was dealt with by the Penal Code (*Kitab Undang-Undang Hukum Pidana*/KUHP). However, women activists saw it as out-dated and insufficient to prevent violence against women because it did not recognize the term "domestic violence", which was a considered private matter, and required two legal witnesses, excluding the testimony of victims. Such requirements often made prosecution of cases difficult. Additionally, the Penal Code does not recognize sexual violence or rape within marriage, an abuse commonly assumed not exist between husbands and wives (JIL, 2004, Munir, 2005). The bill on Anti-Domestic Violence, on the other hand, advanced a different perspective on the problem of violence against women. It is based on the principles of enforcing human rights, promoting gender equality and justice, and protecting the victims (Munir, 2005). After four years' lobbying, the women activists submitted the draft to the House of Representatives and, on May 2003, the plenary of the House of Representatives agreed to discuss the draft and used it as the basis for their initiatives (UNIFEM, 2003).

1. PKB and PKS Stands on the Anti-Domestic Violence Law

PKB and PKS agreed that Islam does not allow any kind of violence within a family. For them, when all members of a family understood Islamic teachings, domestic violence would never occur. Both parties concurred domestic violence resulted from a misinterpretation of Islamic teachings. PKS, which was part of the Reform Fraction with the National Mandate Party (PAN), argued that violence against women in the domestic sphere was due to abuse of power by men who wrongly interpreted a Quranic verse on men's superiority over women (*Arrijalu qawwamuna 'alan nissa*). This verse, according to PKB and PKS, did not consider women as subordinate to men, and held that men's abusive behaviour against women was unacceptable. Instead, they pointed to another verse that stressed men and women were equal in status before God, and the only thing made them different was their faith (*taqwa*) (DPR-RI, 2005b).

The PKS parliamentarians repudiated any suggestion that associated domestic violence with Islam. They contended that domestic violence happens in all sections of society, regardless of religion and culture. Moreover, PKS regarded excessive emotion as commonly causing violence. There were often cases whereby Muslim husbands abused their wives, not because they thought Islam allowed this, but because they were violent *per se* and could not control their emotions. For example, Nursanita argued that there are many husbands hitting their wives not because they refer their act to Islamic teachings, but because as a child they themselves were often beaten by their parents (Interview with Nursanita Nasution, 29 July 2009). She further suggested that domestic violence often results from lack of nutrition and poor problem-solving skills within the home, because the perpetrators prefer using their muscles to their brains (Interview with NursanitaNasution, 29 July 2009).

Even though both parties had similar views on how Islam relates to domestic violence, they had different opinions on the Anti-Domestic Violence draft. PKS had four key criticisms of the Bill, particularly because of its "Western tone". According to PKS, the draft used international, rather than Islamic, standardsas its basis. PKS argued that in a majority Muslim country, such as Indonesia, any law against domestic violence should be based on Islamic principles and take into account "Eastern cultures (*adatketimuran*)". The party sought to omit a statement in the draft that referred to the United Nations. Second, PKS felt that the definition of "domestic" wastoo broad and might lead to misinterpretation. The draft defined "domestic" not only as a nuclear family but also included unmarried partners, people with blood, marital, or adoptive relationships and those who were related by tradition and religion, domestic helpers, and people who had ever lived together (Bambang, 2005). For PKS, this wide definition implied that the Bill supported extra-marital relationships and homosexuality, which they regarded as immoral (DPR-RI, 2005b).

Third, PKS rejected the clauses on marital rape. Apart of it being seen as Western-derived concept, PKS MPs argued that sexual relationships are a private matter and any family member who reveals their problems is defaming family honour. PKS did not believe that marital rape could happen. As one of PKS MP pointed out "marriage is a kind of worship" and the relationship between husband and wife has a devotional

dimension (Interview with Aan Rohanah,21 July 2009). Moreover, in line with conservative Islamic perspectives, PKS believed that in Islam a wife should not reject her husband's demand for sexual relations or God would curse her until the next morning.

Fourth, PKS criticised the inclusion of economic violence, defined as a man prohibiting his wife from working or developing her skills. It is important to note that inconservative Islamic discourse, men are seen as having the authority to allow or prevent their wives and daughters from working. Additionally as it is assumed that as women are the home-makers, their intention to work outside home should be approved by their spouse. Otherwise this could affect the well-being of the household andfamily members.She also pointed out, rather than defining a husband who prohibited his wife to work as perpetrating economic violence, this term was better applied to a husband who forced his wife or children to work for the family (DPR-RI, 2005b p. 539).

In contrast to PKS, PKB had no criticism of the draft Bill. It supported almost all passages criticised by PKS. PKB, for example, defended basis of the draft, which referred to international agreements and gender equality. It also agreed to the articles on marital rape, regarding them a major achievement of the law, and argued that any attempts to limit women's freedom to work, were unacceptable. Above all, PKB stressed that the law would treat domestic violence not as a private matter, but as a public issue that demanded government attention. Thisshows howideological differences on gender operated between PKS and PKB on the issues of violence against women.

2. Ambivalence and Reaching Compromises

Although PKB's opinions on this draft were quite similar to those of women activists', it shared disagreement with PKS on one issue: that is, who constitutes "domestic members". Like PKS, PKB agreed that domestic members should be defined as those tied by marital and blood relations, lest the Bill led to legalizing free sex and same-sex relationships (DPR-RI, 2005b).

The rejection of the Bill's definition of domestic members was in fact not only shared by these two parties, but by almost all parties in the Parliament. There was only one party, Indonesian Democratic Party-Struggle (PDI-P) that supported it. This "secular" party agreed with the original draft formulation of domestic members, pointing out that a household should cover more than a family and that preserving broader definition of domesticwas nothing to do with accepting free sex and homosexuality. A male MP of PDI-P, Surya Chandra, asserted that a household did not constitute a family in a normative sense, as it might include, for example, domestic helpers or people who rented a room in some one's house; these people could be categorized as members of a household, who had the right to protection from any violence (DPR-RI, 2005b p.227).Not all of this argument was accepted by the lawmakers. Nevertheless this view helped them to consider other options. PKB and PKS and the majority of parties finally compromised, accepting the inclusion of domestic helpers in the Bill. As middle-class people who rely on domestic helpers, they realized these employees usually stay in the house and often experienced violence, not only physical and psychological, but also sexual from their employers.

The consensus among almost all fractions on who deserves protection within the household indicates that free sex and homosexuality are very controversial issues, and that unmarried couples and same-sex partners are not considered equal before law. PKS and PKB's views probably reflected broader community opinion that Indonesian culture and moral norms did not accept such behaviour, so they did not want to risk their vote by supporting it. Even for PKB, which is more progressive and familiar with human rights activism, these issues were highly sensitive and supporting a more sexually liberal agenda may have cost the party support in the next election.

However, most of the time PKB acted as what Chaney (2006) labelled "a strategic insider", that is actor who holds a key position in the government or parliament and is able to further gender and women's causes. As an example, PKB, along with other secular parties such as Golkar sought to reassure opponents of the importance of maintain the provision against sexual violence. PKB argued that in Islamic teachings a man should treat a woman well, which meant husbands should not compel his wife to have sex. Moreover, other Golkar MPs pointed out that sexual violence did not only

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happen to married couples but also to other members of the family, such as children, sisters, nephews, cousins or domestic helpers (DPR-RI, 2005b).

PKB also supported the article on economic violence. A female PKB politician, Safira Rosa Masruchah, with female MPs from other fractions, such as Aisyah Baidlowi and Siti Khodijah--both are *nahdliyah* (female NU members)--convinced other lawmakers the need to maintain the stipulation on economic violence. They argued that the article on economic violence was vital to protect women and children from being forced to work for the family. Some of these female MPs revealed their personal experiences in their meetings with women and children who were forced by their husbands and fathers to become prostitutes in Indramayu, West Java. Additionally, they drew on empirical data from NGOs that showed an increasing number of women who were prohibited by their husbands from working in paid employment and later became economically dependent on them and more vulnerable to abuse and negligence (DPR-RI, 2005b).

While PKS initially opposed provisions on sexual violence and economic violence, it became somewhat ambivalent after being exposed to the counter arguments of PKB and other parties. On the one hand, PKS believed this clause might lead to family disharmony, but on the other hand the party agreed with the notion that sexual violence could also happen to other members of the family. PKS also had mixed views on the economic violence article. While it believed that the clause might lead women to ask for a divorce from their husbands, PKS MPs agreed with the fact that many women and children had been dragged into prostitution by their close relatives including husbands and fathers(DPR-RI, 2005b).

PKS eventually supported the provisions on both sexual and economic violence, though with conditions. Regarding sexual violence, PKS proposed to remove the use of term "marital rape" from the clause and maintainthe substance. For this case, PKS suggested that the prosecution of such abuse should be based on victims'report (*delik aduan*)(DPR-RI, 2005b). PKS' rejection of the stipulation of sexual violence was basically due to the use of an unfamiliar term, which was considered "Western-minded". In regard to economic violence, interaction with other MPs of different factions also helped this Islamist party to accept the provision. Yoyoh explained that

afterdiscussions with other MPs, her party accepted a definition of economic violence asa husband did not provide for the family for consecutive months and as a husband who forced his wife or children to work for the family (DPR-RI, 2005b).

PKS' ambivalent position stemmed from tension over its need to defend long-held ideological viewswhich its supporters regarded as justified by Islam. PKS was also aware that moderating its stand on domestic violence issues could increase its support in the up-coming election. As one of the Islamist parties with a strong commitment to upholding its ideological principles, it was difficult for PKS to accept an Anti-Domestic Violence law that would bring domestic issues into the public sphere. Yet it realized that championing ideological policies would only alienate the party from some voters. Moderating its views was a logical step in order to remain politically viable. The pragmatic behaviour of PKS in the parliament shows how democratic processes can push Islamist parties to the centre of the political spectrum.

3. Political Learning and Activism

From the time the Anti-Domestic Violence bill was introduced into the Parliament, there was no serious challenge to it. Many Islamist groups, particularly Hizbut Tahrir Indonesia (HTI), felt aggrieved when it became law. In 2006 hundreds female members of HTI in North Sumatra and Lampung rallied against the concept of gender equality and the Anti-Domestic Violence law, calling UU-PKDRT the "Law for the Destruction of Families and Households" (*Undang-Undang Penghancuran Keluarga dan Rumah Tangga*), instead of the Law for the Elimination of Domestic Violence (*Undang-Undang Penghapusan Kekerasan dalam Rumah Tangga*) (David, 2006). Moreover, *Sabili*, a conservative Islamic magazine, devoted an entire special edition to the Law (Sabili, 2005 vol. XII, issue no. 21), claiming it was against Islam and humiliated Muslim families. It pointed out that the Law encouraged separation between husbands and wives, and emphasised the repugnant values of freedom and equality (Hutapea, 2005).

By contrast, after moderating its position, PKS MPs regarded the Anti-Domestic Violence law as in keeping with Islamic Law. Hilman, a male PKS MP argued: "It does not contradict *shariah* and Indonesian people do need this law to protect them from violence within their homes" (Interview with Hilman R. Syihab, 10 July 2009). After the enactment of the Anti-Domestic Violence law, PKS attitudes on domestic violence issues changed even more and the party took practical initiatives to address the problem. Many female cadres defended the importance of the Law and urged local branches to socialize it. The Women's Division of PKS in Surabaya, for instance, staged a rally to celebrate the anti-violence-against-women day on 25 November 2006, calling for the elimination of domestic violence against women and children for public education campaigns about the Anti-Domestic Violence law (Suara Merdeka CyberNews, 2006). In 2011 some female cadres started to provide counselling and advocacy for the victims of domestic violence (Bhirawa, 2011). Nor was this Islamist partyhesitant to relate the issue of domestic violence to human rights, something that other Islamist groups such as HTI tried to avoid.[15]

For PKS, issue of domestic violence was not limited to its Women's Division; it also became part of the party's general political campaign. PKS knew that raising this issue would show its concern over women's problems and be likely to increase its support from voters who might not otherwise have voted for it. In the 2006 East Java local election, PKS showed its political stand on this issue. The chair of PKS local branch of East Java, Ja'far Tri Kuswahyono, stated that he would select candidates who had no record of domestic violence saying: "if they had ever involved in domestic violence, we would not hesitate to remove them from the list. And this is our commitment" (PKS Jatim, 2006). It is important to note that this attitude may have been PKS' response to an increasing number of divorces in East Java. PKS cadres were concerned over how to reduce the rate and to maintain family harmony. As mentioned in the previous chapter, PKS focuses on family issues as a cornerstone of its ideology. While this implies that

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[15]HTI rejects democracy and its values, including human rights. For HTI, in Islam (*khilafah*), sovereignty belongs to Allah (the God), not the people as in democracy. It also argues that only God creates laws. *See*hizbut-tahrir.or.id/tag/demokrasi/

there have been no changes in PKS ideology, the attempts of this Islamist party to develop discourses and advocacy on domestic violence indicates its inclusive views, in contrast to other conservative groups that regard domestic violence as taboo.

What follows is an analysis of PKB and PKS positions during deliberations on the Anti-Pornography bill. This section also examines whether their attitudes on women and gender issues have changed.

B. Anti-Pornography Law

The Anti-Pornography law was drafted by the Department of Religious Affairs in the late 1990s and was submitted to Parliament in 2004 under the name of the Pornography and Pornographic Action Bill or RUU APP (*Rancangan Undang-Undang Anti-Pornografi dan Pornoaksi*). The draft was introduced to the public in 2005 and sparked immediate controversy that intensified over the next couple of years.

Islamic groups and organisations were the main supporters of the Bill. They included Indonesia Religious Council (MUI), Islam Union (Persis), Hizbut Tahrir Indonesia (HTI), Al Irsyad, Indonesia Preachers Association (IKADI), *Forum Betawi Rempug* (FBR), *Dewan Dakwah Islamiyah Indonesia* (DDII), Islamic Defence Front (FPI), and *Badan Kontak Majelis Taklim* (BKMT) and some individual leaders of Muhammadiyah and NU. These groups agreed that the Anti-Pornography bill was important to protect young generations from the harmful effects of pornography and to establish a strong moral code for the nation (Hutapea, 2006). The supporters of the Bill felt Indonesia had become a haven for the pornography industry as a variety of pornographic materials were widely available and could be accessed easily by anyone, including children. Suporters of the Bill also condemned pornographic issues on TV shows, live performances that exploited women's sexuality and depicted erotic dancing movements, and the spread of night clubs and brothels (Hutapea, 2006). They saw the existing laws, such as the Penal Code (KUHP) and the Press and Broadcasting Act, as ineffective in stopping pornography as these statutes did not have clear definitions or harsh penalties. Therefore they argued the Anti-Pornography bill would help the country to escape from moral turpitude (Hutapea, 2006).

Diverse groups of people rejected the bill. Feminists, artists, traditional dancers and representatives of some local regions opposed it, arguing that the Bill violated women's rights, freedom of speech and cultural pluralism. Nationalist and non-Muslim groups saw it as a hidden agenda for implementing Islamic law, similar to the *shariah*-based local regulations in some regions of Indonesia (Robinson, 2009). While agreeing that pornography should be regulated, the Bill's opponents suggested that, rather than creating a new regulation on pornography, it would be better to enforce existing laws such as the Penal Code, the Press and Broadcasting Act, and the Law on Child Protection. Some regions with small Muslim populations, such as Batam, Bali, Manado, and Papua were also unsupportive. Bali's governor, Dewa Made Beratha, even threatened to secede from Indonesia if the Bill was passed. Bali was the firstof six provinces and districts to lodge formal objections to the Bill (Farida, 2009). In June 2006, PDIP, a nationalist party which had a strong voter base in Bali, threatened to walk out of deliberations in the Parliament, demanding that the Bill only focus on the production and distribution of pornographic materials, rather than controlling public behaviour (Allen, 2007).

1. PKB and PKS Attitudes Towards the Bill

PKS had long campaigned for banning pornography. Its concern on this issue began long before the Bill was made public. In 2003the PKS Women's Division conducted a seminar on pornography, calling for it to be banned in order to guard the morality of the nation (Rinaldo, 2008a). The seminar invited a female member of MUI, a state-supported council that produces non-binding fatwas, which, in 2001 issued a fatwa on pornography and pornographic-action. At the same time, large groups of PKS cadres staged demonstrations calling for stricter laws on pornography (Rinaldo, 2008a). Not surprisingly then, PKS joined with other Islamist parties, such as PPP and PBB, to become the staunchest supporters of the Anti-Pornography billin the Parliament.

Similarly, PKB supported the Bill, though not all its members were in agreement. Some parliamentarians and leaders argued that the Anti-Pornography bill was needed to protect young generations from the negative effects of pornography. Moreover, they

suggested that without decisive action, pornography would damage community attitudes and result in mental illness, which could lead to sexual exploitation and violence. They agreed the enactment of the Bill was necessary to establish a respectful and moral Indonesia and argued that it would provide a comprehensive regulation on pornography of which the existing regulations had failed to offer (DPR-RI, 2008b). PKB, however, saw itself as more flexible on the details of the Bill and was expected by opponents of the Bill to mediate with harder line parties to amend the Bill where necessary. According to women activists, PKB parliamentarians were more open and were prepared to compromise to ensure the Bill's passage (Ayuningtyas, 2008). It thus saw itself as positioned between the Islamist parties and the secular, PDI-P (Wichelen, 2010).

By contrast, other PKB parliamentarians and leaders sharply criticised the Bill and vowed to reject it. Abdurrahman Wahid (Gus Dur), the chair of PKB's Religious Advisory Council, and his wife, Siti Nuriyah Wahid, and Nursyahbani Katjasungkana, a female MP from PKB and a woman activist, condemned the Bill, arguing that it endangered freedom of expression and violated the constitution (Akhmad, 2006, Allen, 2007). Well known for his controversial opinions, Gus Dur angered hardliners in 2006, by telling a radio talk show on Jakarta's FM Radio 68H, that "pornography was a subjective phenomenon and that even certain verses of the Qur'an could be interpreted as pornography" (Allen, 2007).

2. Deliberation Process: Rejections and Compromises

Resistance to the 2005 draft Bill mounted steadily with its critics taking aim not just at the pornography sections but also at the so-called porno-action articles. Pornography was defined as "a substance in the media or a tool of communication that is made for the purpose of conveying concepts that exploits sex, obscenity and/or, erotica", and porno-action was described as "an action, in public that exploits sex, obscenity and/or, erotica" (DPR-RI, 2005a). While most Indonesians support legislation that regulates the production and distribution of pornographic materials, the 2005 draft Bill sought to control public morality by dictating public behaviour and women's outfits. Apart from banning activities, such as selling products depicting necrophilia and paedophilia, the

Bill also banned activities including kissing on the lips and erotic dancing in public. The most controversial passage was article 25, which outlined a prohibition of revealing sensual parts of the body including "genitals, thighs, hips, buttocks, navel, and women's breasts, whether partially or fully exposed" (DPR-RI, 2005a). This article was widely interpreted as restricting what women should wear in public. The penalties imposed for offenders were much higher than those for the producers and distributors of pornographic materials. So it was assumed that this Bill was intended to set moral and ethical standards rather than to control the pornography industry.

Since the Bill had triggered so much controversy and objections, it was withdrawn for further revision in 2007. The lawmakers, including parliamentarians from PKS and PKB, agreed to revise it by focusing on the production and distribution of pornographic materials rather than dictating public behaviour (Allen 2009; Umar 2009). Hilman, involved in the deliberations, acknowledged that the first draft contained weaknesses:

> "Honestly, this 2005 draft Bill had some drawbacks. First, it did not confirm with the Law on law and regulation formulating. Second, it was gender biased and tended to criminalise women and control women's outfit; and third, it did not focus on main problem of pornography as it more concerned on moral perceptions or religious assumptions, the term I do not agree". (Interview with Hilman R. Syihab, 10 July 2009).

Facing much criticism as well as scepticism, PKS found itself under greater pressure than other Islamist parties that supported the Bill. It was accused of trying to establish an Islamic state and implement *shariah* law. PKS was commonly perceived as an Islamist party which is both well-organised and aggressive in its campaign to spread strict Islamic teachings across Indonesian society. While it had been attempting to build an image as a clean party that supports governance reform and social care, PKS had to confront accusations following its support of this Bill that it was pursuing a dangerous agenda. For this Islamist party seeking more mainstream support, this was presented a risk to its reputation (Madina, 2008).

Consequently, PKS tended to be more open and flexible than other Islamist parties, such as PPP, in responding calls to amend the Bill. This was reflected in the List of Problems (DIM) that catalogues every parliamentary fraction's responses to contentious

issues regarding a bill under discussion in special comittee. With regard to the Bill's title, for instance, PKS shared a similar view with PKB and sought to remove the word "porno-action" and to make substantial changes to controversial clauses. In contrast,PPP wanted to maintain the original title and the substance of the Bill (Manan, 2006). Unlike PPP, PKS shared a similar position with non-Islamist parties, such as PKB and PDI-P, that the provisions calling for a National Body for Anti-Pornography and Porno-action (BAPPN) should be scrapped, arguing that this body would overlap other institutions, such as police and high court (Manan, 2006). They proposed enhancing the function and capacity of these institutions, rather than establishing the new one.

In September 2006, a new version of the Bill emerged but deliberation only took place between mid-2008 to November 2008 (Farida 2009). This new version of the Bill was less draconian. The title did not mention porno-action, and the Bill was simply called The Anti-Pornography bill (The 2008 draft Bill). The provisions dealing with public behaviour and display of "sensual body parts", including harsh sentences, were also dropped. This left it only half as long as the 2005 Bill (DPR-RI, 2008a). This new Bill shifted focus to control production and distribution of pornography. It included the protection of children and set harsher penalties, than in the earlier version, to producers and distributors of pornography.

The controversies remained, however, despite the diluting of the Bill. PDI-P and a Christian Party, PDS, threatened to walk out of the discussions but then re-joined negotiations (Wedhaswary, 2008). These two parties argued that this Bill still regulated public behaviour and did not firmly show the need to protect local culture and tradition as well as children. They proposed removing the term "body movement" and "public performance" from the Bill. PDI-P also wanted to withdraw some articles, including article 14 which outlined an exception for arts, local culture and tradition, and article 21 that mentioned public roles. This partyargued that the former was offensive to ethnic minorities and the later might be used by some people to conduct vigilance activism (DPR-RI, 2008b).

PKB and PKS shared the positions of PDI-P and PDS on some issues. They agreed to remove article 14 and to focus on protecting children from the pornography industry. As

Yoyoh of PKS said, the lawmakers wanted severe punishment for those who produce and distribute pornographic materials that feature children (Taufiqurrahman, 2006). Meanwhile, points of article 14 were moved to Elucidation of the Bill. However, PKB and PKS rejected the suggestion that the terms "body movement"and"public performance" be omitted. In this case, PKB and PKS admitted these terms were inserted in the definition of the Bill to accommodate pornographic-action, which was removed in the new Bill (DPR-RI, 2008b). For proponents of the Bill, this means that PKS could act on their cadres and conservative Muslims' demands, for criminalising "indecent" public behaviour. Yet for the opponents, this implies that PKB could not act as a strategic insider that brings their aspirations to the Parliament.

The Anti-Pornography bill was finally enacted on 30 October 2008, despite continuing criticism and controversy. Two of the DPR's twelve fractions, PDI-P and PDS, refused to sign the Law and walked out from the plenary session to show their resistance. Two provincial legislatures, West Papua and Bali, were also united against the Law, having threatened to separate from Indonesia over the issue (Andra, 2008). The opponents lodged a Judicial Review to the Constitutional Court, calling on the judges to annul the law, but in 2009 the court rejected the proposal in a majority ruling, with only one female judge opposing the law(Irawaty, 2010).

3. The Changes to the Bill

Opponents of the Bill argued that the Anti-Pornography law was a victory for Islamist parties, yet it is noteworthy that, in fact, the democratic process influenced Islamist parties to moderate their views. The Law was significantly changed since the original draft. As shown by the following table, the final form of the law is far less harsh. It has accommodated some changes, including removing and rewording unclear articles. Besides the term "porno-action" and the provision related to public behaviour and women's bodies have been removed, the final Bill (the enacted Bill) defines pornography in more detail than the original draft. It also omits the clause related to private activity, including downloading pornographic materials and personal ownership. In short, the final Bill does not criminalise people who create pornographic materials for own use and own interest. It emphasised that models or actors appearing in

pornography, as a result of force, coercion or threat, were not subject of criminal sanction, and prohibited child pornography.

Table 5

The Transformations of the Anti-Pornography Bill

The 2005 Draft Bill	The 2008 Draft Bill	The Final Bill
Article 1 Pornography is any substances of media and telecommunication means that are made to explore ideas that exploit sex, obscenity and/or eroticism; Pornographic action is defined as any act that exploits sex, obscenity and/or eroticism in public space	Pornography is man-made materials of sexuality in the forms of pictures, sketches, illustrations, photos, writing voices, sounds, moving pictures, animation, cartoons, poetry, dialogue, body movements or other communication messages through different forms of communication media and/or shows before the public that can arouse sexual desire and/or violate moral norms in the society	Pornography is pictures, sketches, illustrations, photos, writing, sounds, moving pictures, animation, cartoons, poetry, dialogues, body movements or other forms of messages through different forms of communication media and/or shows before the public that contain sexual immorality (obscenity) or sexual exploitation that violate moral norms in the society
	Article 4 No one is allowed to produce, create, proliferate, duplicate, disseminate, broadcast, download, import, export, offer, trade, rent, lend, or provide pornography that contains: a. Sexual intercourse, including anomalous sexual intercourse b. Sexual violence c. Masturbation d. Nudity or nude performance; or e. Genitals Article Elucidation: Letter d What is referred to by "nude performance" including exposing breasts, nipples, and/or buttocks.	Article 4 No one is allowed to produce, create, proliferate, duplicate, disseminate, broadcast, import, export, offer, trade, rent, or provide pornography that explicitly contains: a. Sexual intercourse, including anomalous sexual intercourse b. Sexual violence c. Masturbation d. Nudity or nude performance; or e. Genitals; or f. Child pornography Article Elucidation: Paragraph 1 What is referred to by "to create" here does not include for personal use and interest. Letter d What is referred to by "nude performance" is a condition where somebody is using apparel but still exposes the genitals explicitly.
	Article 8	No one is allowed to voluntarily

	No one is allowed to voluntarily or based on one's own consent make oneself an object or a model for anything containing pornography	or based on one's own consent make oneself an object or a model for anything containing pornography
	Article Elucidation: Self-Explanatory	Article Elucidation: This provision means that if the actor is forced by a threat or threatened or under the domination or pressure of other people, persuaded or cheated, or trapped by other people, the actor is not subject to a criminal sanction.

Source: Reminiscence of Legislation-Making Process of the Indonesian Pornography law, E. Fanani and U. Farida. Jakarta, LBH APIK.

PKS realised that politics is about art of compromise and parliament has become a space for exchanging ideas and conducting dialogue with mutual respect with other politicians as well as organisation activists. The Islamist party's politicians thus learned that their beliefs are not always in keeping with popular attitudes. As Yoyoh admitted," Initially it was hard, but I realized it's a democracy. I was often locked in the battle of ideas, we often differed on many issues, but our relationship remains intact" (Suryana, 2006). As a party of educated middle-class people, PKS MPs recognize that a clash of thoughts is at play and this could be a turning point for the Islamist party to reconsider its Islamist ideas which run counter to democratic needs.

C. Conclusion

Although PKB and PKS have contrasting platforms and agendas on gender and women's issues, they nonetheless do not produce markedly different policies in the Parliament. Both supported the enactment of the Anti-Domestic Violence bill and the Anti-Pornography bill. However, PKB shows more progressive opinions than PKS, particularly on issues of domestic abuse. It served as a strategic insider, promoting gender and women's causes during political debate in the Parliament. The party's background and its politicians' activist backgrounds have contributed to PKB's progressive point of view. Yet PKB could not preserve this "equality champion" role during deliberation of the Anti-Pornography bill. It could not deliver women activists' aspirations of defining pornography as more a focus on protecting women. Rather,

similar to PKS, it maintained provision on public behaviour that could criminalise women, particularly female *dangdut* singers, andsupported the definition of pornography that is based on biased assumptions of public morality and norms.

PKS, on the other hand, tended to moderate its views during deliberation on both draft Bills. Being exposed to various point of views and having interaction with other politicians as well as women activists, it was inclined to reconsider its initial positions and later took what they believed as a sensible approach. Political debate in parliament, for PKS, had become political learning. It realized that supporting popular policies, rather than ideologically driven ones, mightincrease its electoral performance. So while it continued to uphold its ideological agenda, PKS included domestic violence issues in its political campaigns and social activities. In regard with the Anti-Pornography bill, PKS had to allow provisions that dealt with controlling public behaviour and women's dress being removed, though not entirely, and to make some compromises according to their opponents' demand. The pragmatic attitude of PKB and PKS suggests that in order to remain politically viable, they took strategic calculations and adjusted their policies to accord with popular interests. This challenges many scholars' assumption about immutable views of liberals and Islamists.

Chapter V: Conclusion

This thesis argues there is no necessary correlation between the backgrounds of Islamic parties and their behaviour in Parliament. It has looked at such parties, PKB and PKS. Despite their contrasting socio-religious backgrounds, PKB and PKS produced identical policies related to gender and women's issues. Both parties supported what can be regarded as women-friendly policies, such as the 30% quota for women in Parliament and the Anti-Domestic Violence bill. Conversely, they championed the Anti Pornography bill, which was trenchantly criticised due to its gender-biased provisions. This implies some flexibility in attitude of PKB and PKS as both parties move to the center of the political spectrum. This thesis, thus, suggests that, first, views held by ideologically driven politicians are mutable. It challenges many scholars' assumptions about unchanged Islamist and liberal attitudes. Second, systems that break down previous exclusivity, such as existed in the Tarbiyah Movement, can produce modified views, and Parliament has indeed influenced this. It has had a broadening effect on PKS.

The shifting of PKB and PKS stances towards gender and women's issues indicate different dynamics. For PKB, the seeming ambivalence suggests that it was not a consistent equality champion in the Parliament. Whilst for PKS, the changes imply a moderating view of gender and women's issues. As the discussion in Chapter Four demonstrated, although PKB has commonly pursued more progressive gender equality policies than PKS, it also sometimes held conservative stances related to legislation that was not pro-women's rights. During the discussion of the Anti-Domestic Violence bill, PKB shared a view with PKS that members of a domestic unit should not be defined too broadly, on the grounds that this would restrict sexual promiscuity and homosexuality. This limited the effectiveness of the Bill in protecting domestic rights. Similarly, in the discussion of the Anti-Pornography bill, PKB, like PKS, agreed to maintain restrictive provisions on public behaviour in the Bill and rejected calls to omit controversial terms from definition of pornography. Accordingly, the definition remained vague and open to multiple interpretations. Women activists have thus criticised PKB for failing to advocate women's issues and to defend their rights in the Parliament.

Meanwhile, PKS moved to moderate its previously conservative attitude by supporting a number progressive women's policy. More than 30% PKS legislative candidates in the 2004 and 2009 elections were women, and the party also backed some female candidates for provincial and district headships. It also supported the Anti-Domestic Violence law, which was based on the International ratification of CEDAW and strongly endorsed by progressive women activists. It is noteworthy that other Islamist groups, such as Hizbut Tahrir Indonesia (HTI) and Majelis Mujahiddin Indonesia (MMI), rejected this law. Unlike HTI and MMI, PKS sees the Anti-Domestic Violence law as consonant with *shariah.* Its female cadres even helped to promote the Law in their constituencies.

Additionally, PKS changed its attitude on women's issues when the Anti-Pornography bill was discussed in Parliament. Compared to other Islamist parties, such as PPP and PBB, PKS was more flexible and open to amending the Bill. It was conceded points to other non-Islamist parties, including PDI-P, the most vocal party in criticising the Bill. Among of things, PKS agreed to withdraw the word "porno-action" from the Bill's title, to omit provisions dealing with the establishment of a censorship institution, and to avoid criminalising the private use of pornography. Partly as a result of PKS's softening lines, the original Anti-Pornography bill was withdrawn and significantly amended, the main effect of which was to greatly dilute the "morality" provisions of the legislation. Most of the articles on public behaviour were omitted, for example, as also were stipulations about women's dress and the criminal charges for actors of pornographic materials.

Interaction with non-Islamists, especially NGOs, seems to have been a major contributing factor in moderating PKS attitudes. As the record of parliamentary commission debates about the two bills showed, PKS MPs often met women activists from women's groups who were lobbying on rights and equality issues. During deliberations in Parliament, the ambivalence of PKS MPs was often evident, frequently leading to their agreement to compromise position. Moreover, these MPs were members of Female Parliamentary Caucus. In this group, female parliamentarians of all parties gathered and discussed women's issues and policies. Outside parliament, some PKS

MPs became involved in both local and international organisations. These MPs were often invited to attend seminars and trainings on a range of issues. In this forum, they had chances to interact with many people from various backgrounds. Nursanita Nasution, for example, was a voluntary trainer for National Democratic Institute (NDI). She was a female PKS MP who was vocal and had relatively more progressive views on gender and women's issues than her counterparts.

This thesis shows there has been engagement between individual MP and a number of women's organisations, which has contributed to those MPs playing the role of equality champion in the Parliament. PKB MPs involved in women activism tended to have liberal views on gender issues during the discussion of the Anti-Domestic Violence bill. They agreed, for example, provisionson marital rape and economic violence, arguing that women often suffered such occurrences in their home, and that the Bill could be a turning point to end all kinds of violence against women. These female MPs, who were members of Fatayat NU, joined secular women organisations in introducing the draft Bill to the Parliament. This NU-wing organisation had been lobbying for action on domestic abuse issues since late 1990s.

It is noteworthy that almost all PKB MPs, interviewed for this study, were members of organisations familiar with gender and women's issues, such as Fatayat NU, Muslimat NU, Lakpesdam NU, and Rahima. Their opinions were, therefore, more progressive than PKS MPs. Chapter Three shows that all PKB MPs supported the idea that men and women have equal status in the family, that women should fullyparticipate in politics, and that early marriage was not allowed in Islam. Some MPs even held controversial views, such as supporting women being the heads of families and rejecting polygamy. On the other hand, PKS MPs were active in exclusive organisations that focus on self and collective pietism. These organisations emphasised conservative views on gender and women's issues. Accordingly, their stances on gender relations in the family, women in politics and polygamy were predictably conservative. However, there were a few female PKS MPs, interviewed for this thesis, whohad progressive opinions on polygamy and early marriage. Although they did not challenge polygamy, these female PKS MPs saw it as an issue that needed control from government, and regarded early marriage as violating Islamic teachings.

In general, PKB and PKS have different baseline views on gender but on specific matters, such as the bills considered above, their positions aresimilar. The different attitudes of PKB and PKS could be traced back to their socio-religious backgrounds. As discussed in Chapter Two, PKB gains a majority of its support from *nahdliyin*, who are influenced by Cultural Islam, a movement that focused on cultural and intellectual development through a progressive interpretation of Islamic teachings. This movement led NU to the declaration of "the Return to the 1926 Charter" in 1980s that made this grass-rooted Islamic organisation out of political practice and later became familiar with women's rights issues. On the other hand, PKS gained majority support from the Tarbiyah Movement, which was greatly influenced by the Muslim Brotherhood of Egypt. This Islamist party put its primary concern over public morality by enhancing self and collective piety through *da'wa* and education. Stressing textual interpretation of Islamic teachings, the Tarbiyah sought "purification" of Islam, as a way of cleansing foreign influences from Islam, including local culture and Western values. It, therefore, has conservative attitudes towards gender and women's issues.

So, why have these contrasting backgrounds of PKB and PKS not resulted in markedly different policies in Parliament? The answer lies in the political pragamatism of the two parties overriding the need to maintain their idealism. PKB and PKS have focused on attracting popular support by promoting popular policies. Domestic abuse and pornography are two social blights which Indonesian people want eliminated. So no matter how secular and conservative the Anti-Domestic Violence and Anti-Pornography bills were, people in fact needed such regulations. PKB and PKS' changed attitudes in Parliament are connected to their strategy of securing votes in the up-coming elections.

The comparative study of PKB and PKS attitude on gender and women's issues provides an insight into how political parties play up these issues to remain viable inpoliticalcontestation. These two parties move to the centre of the political spectrum to compromise their interests with the give and take of democratic demands, a normal situation that occurs within democratic system.

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