

Islam, Women and Indonesian Politics

The PKS challenge to
substantive theories of democracy

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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.

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Abstract

This thesis is a critical study of the two main approaches within the study of democracy, the formalist and the substantive. While the formalist approach uses an institutional definition of democracy, substantive accounts argue that democracy must be accompanied by certain (often different) values. The thesis critically examines these theories through a case study of the ideology, policy and practices of Indonesian political party, Partai Keadilan Sejahtera (PKS).

PKS has been heralded as perhaps the most democratic of Indonesia's political parties in the post-Suharto era. As this thesis confirms, PKS not only fulfils all the formalist criteria for democracy, but also exhibits almost all of the 'democratic values' described by leading substantive theorists of democracy. However, PKS' democratic credentials appear less clear when a gender lens is applied to its stance on women in leadership and the impact of PKS' policies on women's experience of 'every day' politics. This thesis argues that an analysis of PKS' policies, particularly on the Draft Law on Pornography and Pornographic Acts, suggests that not only formalist, but mainstream substantive theories of democracy fail to account for men's and women's differential lived experiences in a 'democratic' society.

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Introduction

The post-Suharto era has provided new opportunities for all Indonesians to organise politically. After being co-opted and constrained for decades, Islamic groups in particular are now free to express themselves in the political sphere. Partai Keadilan Sejahtera (The Prosperous Justice Party – PKS) is one group that has emerged in this new environment.¹ The party's origins are in the Islamic study group movement that grew on university campuses in the 1980s and 1990s (Diederich 2002: 103). This movement was dedicated to *dakwah*, the propagation of the Islamic faith and conservative teachings (Damanik 2002: 63). As the movement grew, its leaders became more politically active, participating in anti-Suharto protests under the banner of Kesatuan Aksi Mahasiswa Muslim Indonesia (United Action of Indonesian Muslim Students – KAMMI) in May 1998 (Damanik 2002: 185-186). After Suharto's resignation campus *dakwah* activists made the decision to form a political party as the best way to further their cause (Diederich 2002: 110). However, without a high profile or connections to existing political organisations, Partai Keadilan (The Justice Party – PK) won just 1.36 percent of the vote in the 1999 general election, placing them as the seventh party and gaining just seven seats in parliament (Haris 2004: 63).² Nonetheless, thanks to a strong membership system that allows them to mobilise many supporters and the promotion of a clean public image, the re-constituted PKS was able to win 7.3 percent in the 2004 election, the only party to increase its vote from 1999 (Bubalo and Fealy 2005: 69).³ They were particularly successful in urban areas among voters dissatisfied with the performance of the major Islamic parties (Sebastian 2004: 265). As a result, PKS have established themselves as major players in the

¹ Most mainstream *reformasi* political parties have their roots in parties of the Sukarno and Suharto era. Golkar is the party of the New Order regime, Partai Demokrasi Indonesia-Perjuangan (Indonesian Democratic Party of Struggle – PDI-P) and Partai Persatuan Pembangunan (United Development Party – PPP) are continuations of New Order opposition parties, while Partai Kebangkitan Bangsa (National Awakening Party – PKB) and Partai Amanat Nasional (National Mandate Party – PAN) are linked to Islamic organisations Nahdlatul Ulama and Muhammadiyah respectively, which were the basis of political parties in the Sukarno era (Qodari 2005: 79). PKS represents an entirely new force that is not connected to these existing political organisations.

² When the party contested the 1999 general election under the name Partai Keadilan (the Justice Party) it failed to reach the electoral threshold of 2 percent to qualify for the 2004 election, so in 2003 it reformed under the name Partai Keadilan Sejahtera (the Prosperous Justice Party) (Bubalo and Fealy 2005: 69). Their program and personnel essentially remained the same.

³ The party holds 45 of the 550 seats in the Dewan Perwakilan Rakyat (People's Representative Council – DPR) for the term 2004-2009 (Wanandi 2004: 118).

Indonesian political milieu, a position which has been consolidated by party members gaining positions of influence and continued success in a number of local elections.⁴ From relative obscurity in 1999, PKS has emerged as new force in Indonesian politics which is based on increased public support and an active leadership.

PKS exhibits many of the characteristics that are considered integral components of democracy, such as a commitment to good governance and popular participation. For example, in the context of Indonesia's fledgling democracy, where most political parties are based around charismatic leaders rather than specific policies (Hara 2001: 312), PKS is one of the few parties to rely on a well-developed party platform rather than a popular leader to gain public support (Baswedan 2004: 686). The party's success is due in part to their successful campaign on issues of corruption and good governance, and the fact that they have managed to avoid major corruption scandals or internal party conflict thanks to a high level of party discipline (Nurwahid and Zulkieflimansyah 2003: 21). They also provide one of the few opportunities for individuals to get involved in party politics at a grassroots level. As Martin van Bruinessen has observed PKS is 'one of the very few forces in the political arena that may seriously contribute to a gradual democratisation of the country' (van Bruinessen 2003). Yet their stated aim of introducing Islamic law in Indonesia is a source of concern for other observers (Barton 2002b; Bubalo and Fealy 2005; Eliraz 2004). PKS has adopted Islam as its official ideology and its platform involves promoting an Islamic approach to Indonesian politics. They describe themselves as a *dakwah* party, which means their primary goal is the promotion of Islam (Damanik 2002: 228). In particular they aim to introduce *syariah* law gradually through legislative change.⁵ This goal challenges the principle of secularism, which is generally considered to be a requirement of democracy. *Syariah* would also raise questions about the protection of human rights and opportunities for equal political participation, particularly for women.

⁴ For example, former party leader Hidayat Nur Wahid was elected speaker of the People's Consultative Assembly (MPR) (*Gatra* 12/2/05). Other PKS members have been appointed as ministers in Abdurrahman Wahid and Susilo Bambang Yudhoyono's cabinets (TokohIndonesia.com 2004). PKS candidates have also been successful in various local elections, most notably winning the mayoralty of Depok in 2005 (*Tempo* 7/8/05a).

⁵ *Syariah* law is the legal codification of Islamic teachings found in the Qu'ran and its commentaries. In the twentieth century, efforts to introduce *syariah* in nation-states have involved codifying Islamic teaching into a legal framework (Hooker 2004: 199).

As a self-declared Islamic party committed both to the introduction of *syariah* and to full engagement in a democratic system, PKS presents an interesting lens through which to view wider discussions of democracy and Islam. PKS' ideology, policies and practices is examined in the context of formalist and substantive theories of democracy, in order to question the principles underlying these theories. In particular this thesis will consider how the party's policies impact on women, in order to show why gender issues should be included in discussions of democracy.

Approaches to Democracy and Islam

The spread of democracy was one of the defining features of the twentieth century (Diamond 2003: 29; Sen 2001: 3) and a large body of literature has been produced analysing this phenomenon.⁶ At the same time, much attention has been given to the absence of democratisation in the Islamic world (Esposito and Voll 1996: 14).⁷ In his influential theory on the clash of civilisations, Samuel Huntington has been an extremely influential figure in both academic and popular debates. Huntington (1993: 23-24) argues that the post Cold War world is divided into civilisations based on common culture, including the Western and Islamic civilisations, and that democracy is a Western construction that will only flourish in societies that share Western values (Huntington 1993: 40). Reflecting on the lack of democracy throughout the Muslim world, Huntington states that the prospects of democracy in Islamic societies are not strong because they lack the cultural values required for democracy (Huntington 2002: 193). However, this view has not been accepted by all analysts. Robert Hefner has criticised Huntington's view of the incompatibility of Islam and democracy, particularly in the Indonesian context. In considering political Islam in Indonesia, Hefner rejects Huntington's claim that Islam and democracy are incompatible, arguing instead that Islam does contain the values of pluralism and tolerance necessary to support

⁶ See for example, Samuel P. Huntington (1991); Guillermo O'Donnell, Phillippe C. Schmitter and Laurence Whitehead (1986); Larry Diamond, Juan J. Linz and Seymour Martin Lipset (1989).

⁷ See for example the discussion in John L. Esposito and John O. Voll (1996); Dale F. Eickelman and James Piscatori (2004); and articles on Islam in Larry Diamond, Marc F. Plattner and Philip J. Costopoulos (2005).

democracy, provided that these values are upheld by the state (Hefner 2000: 4, 7, 56).⁸

Although Huntington and Hefner disagree, their arguments are framed in a series of shared assumptions about the nature of democracy – namely that democracy does not just refer to institutions that allow ‘rule by the people’, but also to certain values and cultural attributes that are necessary for those institutions to function in a ‘truly’ democratic way. This substantive view of democracy differs from the more minimalist formalist approach, which focuses on the characteristics of democratic processes rather than any particular norms or values that may accompany them. The formalist approach suggests that democracy requires certain institutions, such as elected officials; free and fair elections; freedom of expression, information and association; and inclusive citizenship (Dahl 1998: 85), and that a democracy’s success is measured by its system’s conformity to the principles of contestation and participation (Bova 2001: 64) as individuals compete for power and the people choose or remove their leaders (Schumpeter 2003: 9). From a formalist perspective, if these institutions are present, then democracy is present. However, as the approaches of Hefner and Huntington demonstrate, it is not uncommon for other criteria beyond these institutions to be considered integral to democracy. Transition theorists have noted that many states have the institutions of democracy in place but democracy as a process does not function properly because these societies have yet to develop certain values and cultural norms that allow the democratic process to function (Linz and Stepan 2001: 94). The absence of democracy in some societies, including societies in the Islamic world, is often explained as a result of the absence of these values in that culture (Sen 2001: 15). Different authors writing from the substantive perspective emphasise the importance of different values. Huntington (1993: 40-41), for example, identifies ‘individualism, liberalism, constitutionalism, human rights, equality, liberty, the rule of law....free markets [and] the separation of church and state’ as values that are essential to Western civilisation, and therefore to democracy. According to his argument, other civilisations such as the Islamic civilisation do not exhibit these characteristics, which explains why they have been unsuccessful in implementing democracy.

⁸ For a further discussion of Islam and a democratic culture in the Indonesian context see Mujani (2003).

Hefner shares Huntington's assumption that there are certain values that are necessary for democracy to function. However, he argues that these values are not necessarily absent from Islamic societies. In particular, Hefner emphasises the importance of pluralism in a successful democracy, using Indonesia as an example of a Muslim society that has a long tradition of plural politics, allowing a variety of views to be expressed (Hefner 2000: 7). According to Hefner, Indonesia's recent experience of authoritarianism was not caused by Islamic cultural attributes but rather by an 'uncivil' state (Hefner 2000: 56). Hefner does not suggest that all Muslims hold democratic values: Indonesian Muslims who work towards the 'unchecked monolith' of an Islamic state, for example, are, in Hefner's view, opponents of true democracy as well as true 'civil' Islam (Hefner 2000: 116). Thus, as with Huntington, for Hefner, 'true' democracy requires an acceptance of certain substantive values such as secularism and pluralism. These diverse approaches to democracy impact on how we understand the processes and outcomes of democratic systems. As is demonstrated in this thesis, these different conceptions of what is 'democratic' provide different interpretations of PKS as a participant in a democratic system.

Democracy and Gender

A different perspective again is given when a gendered analysis is applied to democracy. Both formalist and substantive theories of democracy are ambivalent about gender issues. Contemporary ideas of democracy are based on the principle of equality (Phillips 1991: 1),⁹ which in practice has referred to equal rights to participate in democratic procedures such as elections (Inglehart et al. 2002 321-322). Thus, most democratic theorists would argue that as both men and women have the right to vote in most societies, they are equal (Waylen 1994: 333). However, from a feminist perspective, women's suffrage does not constitute total equality, because social equality also needs to be considered (Pateman 1989: 214). Mainstream democratic theories underplay inequalities between men and women in society by focusing exclusively on activities within the public sphere

⁹ This has not always been the case. The idea of universal suffrage has only been recently accepted as a necessary condition of democracy. For example, Athenian democracy was limited to male property owners to the exclusion of women and slaves (Phillips 1991: 21). Democracies such as the United States were founded on limited suffrage (McDonagh 2002: 535). Indeed, some theorists, including Schumpeter, have questioned whether universal suffrage is a necessary condition of democracy at all (Pateman 1989: 211).

(Pateman 1989: 211). This largely excludes women because the division of labour along gender lines means that women have less opportunity to participate in the public sphere and fully exercise their political rights because of their greater commitment to the private sphere of the family (Pateman 1989: 214; Phillips 1991: 96). Feminists argue that the private sphere, and with it issues concerning women's rights, should not be excluded from discussions of the democratic public sphere if gender equality is to be taken seriously (Razavi 2001: 202), because in reality these two domains of life do not function separately so it is impossible to separate them when discussing democracy (Phillips 1991: 95).

The lack of gender analysis in traditional democratic theories is also found in studies of democratisation, which ignore the place of women in democratising states. According to Georgina Waylen, who has applied a feminist lens to key democratisation texts, this is because their approaches are based on an institutional model of democracy which considers forms of social inequality irrelevant. These studies focus on changing institutions to reflect democratic conventions rather than the democratisation of society, including the equalisation of gender relations. This body of literature also largely focuses on elite politics, an area in which women are less likely to be involved than men (Waylen 1994: 332-333, 354). Gender equality has equally been overlooked in most theoretical discussions of Islam and democracy. In the examples given above, neither Huntington nor Hefner consider women's rights to be one of the essential substantive norms necessary for democracy. Hefner acknowledges that gender equality has recently become part of Western value systems but argues that as cultures are continually changing gender equality is not an absolute requirement of democracy (Hefner 2000: 216). However, women often occupy a subordinate position in Muslim societies (Hashim 1999: 8), a situation that must influence their ability to participate in a democracy. Therefore, the impact of gender equality on democracy must also be considered in an Islamic context.

If democracy requires equal rights among citizens then equality between men and women cannot be ignored. This does not just involve issues of suffrage or parliamentary representation, as inequalities within society can prevent women from being able to fully participate in these activities of the public sphere (Rai 2000: 2). Hence, any discussion of democracy requires an examination of the institutions and activities that constitute both the public and private spheres of

society, something with which formalist and substantive theories of democracy have not engaged. This thesis analyses how PKS' platform affects women's democratic rights, both in terms of their participation in democratic institutions and in their 'every day' experience of democracy. Alongside the party's policies on the role of women in the political system, it focuses on a specific law, the Draft Law on Pornography and Pornographic Acts (RUU APP),¹⁰ in order to explore how PKS' policies impact on women's ability to participate fully in democracy.

Approach and Methodology

This thesis presents a thematic exploration of the policies of Indonesia's Prosperous Justice Party in order to examine the content and assumptions of democratic theories, in particular the consequences of their ambivalence towards gender equality. According to Leonardo Morlino (2004: 11), a democracy's quality can be determined in terms of procedure, content and results. In the context of PKS, a political party in newly democratic Indonesia, this refers to the party's ideology, its practices and policies, and the results of its participation in democratic processes.

As the above discussion of Huntington and Hefner demonstrates, certain criteria, both institutional and normative, are assumed to be integral elements of democracy. This thesis uses PKS as a case study in order to critically examine those criteria. PKS was chosen as the subject of this study because it exhibits many of the characteristics of formalist and substantive approaches to democracy, including a commitment to elections and representative bodies, as well as to upholding 'democratic values' such as good governance (Mujani 2004). As a result, PKS has been described as one of the most democratic political parties in Indonesia (van Bruinessen 2003). Yet there are other aspects of PKS' stated objectives, particularly regarding the introduction of *syariah* law, that violate a number of substantive democratic values. In other words, while PKS meets many of the criteria described in substantive theories of democracy, it does not appear so democratic when a gender analysis is applied.

This thesis analyses PKS' principles and policies, not in order to classify the party as democratic or not, but to question the assumptions about the

¹⁰ *Rancangan Undang-Undang Republik Indonesia tentang Anti Pornografi dan Pornoaksi (RUU APP).*

characteristics of democracy that underpin substantive theories of democracy. Democratic theorists measure the quality of emerging democracies in relation to the ‘mainstream’ democratic theories, from which these criteria are drawn, without questioning their contextual relevance or the assumptions that underpin them. As this thesis shows, the outcome of any evaluation of PKS depends on which ‘democratic’ criteria are emphasised. The fact that PKS can be considered less than democratic if a gender lens is applied while simultaneously meeting a whole range of other substantive criteria demonstrates that the terms of democracy are contestable rather than absolute, and should be recognised as such.

Thesis Outline

In this thesis, these contested aspects of democratic theory are discussed in the context of recent political developments in Indonesia, a newly democratised state and a Muslim society. The thesis focuses on a particular actor within this context (PKS) and on its platform and the outcomes of its policies in order to provide the basis of a critical examination of the terms of democracy. The first chapter of the thesis examines PKS’ ideology in relation to Islam and democracy. It outlines the party’s view on the separation of religion and politics, democratic institutions and the idea of an Islamic state. The chapter argues that although party’s support for democracy is made in reference to Islamic concepts (in contravention to the ‘democratic principle’ of secularism), PKS’ platform meets many of the criteria of formalist and substantive approaches to democracy, particularly in its support for democratic institutions and grassroots participation.

Chapter Two focuses on a number of the party’s practices and goals, including PKS’ internal party structure, its anti-corruption stance, and its position on the implementation of *syariah* and the role of women. The former again demonstrate how PKS’ practices are consistent with many of the criteria outlines in formalist and substantive definitions of democracy. For example, PKS’ promotion of good governance may strengthen Indonesia’s democratic institutions, while its party organisation allows individuals to participate in grassroots democracy. Even its plan to introduce *syariah*, which contravenes the substantive value of secularism, is designed to be implemented gradually through democratic institutions. However, the chapter argues that their position on women’s access to positions of political leadership, although not considered

important by mainstream democratic theorists, presents a different view of PKS when examined from a feminist perspective.

The thesis' focus on the role of women and gender equality in democracy continues in Chapter Three, which uses the Draft Law on Pornography and Pornographic Acts as a case study to examine the results of PKS' participation in democratic institutions. In addition to regulating pornography, the RUU APP – which PKS has actively promoted – proposes a radical overhaul of existing laws on public behaviour. While PKS argues that the law will protect women from problems associated with a decline in public morality (Yusroh 2006), critics of the RUU APP argue that the law is far more restrictive on women's behaviour than it is on men (Arivia 2006; Hidayati 2006), affecting women's access to substantive democratic values of freedom of expression and freedom to practise their religion as they see fit.

Many democratic theorists argue that democratic institutions should produce outcomes in keeping with substantive values (Bova 2001: 64). However, an analysis of PKS' stance on women in positions of political leadership and on the RUU APP demonstrates that this is not always the case. The relationship between democratic procedures and substantive outcomes is in reality far more complex. In particular, the outcomes of PKS' policies towards women suggest that a significantly different understanding of PKS, and more generally of what can be considered 'democratic', would emerge if gender were better integrated into substantive theories of democracy. In turn, this demonstrates the contingent nature of the criteria on which they are based. The importance of each particular criteria needs to be questioned in order to elicit a more nuanced understanding of what 'democracy' entails.

Chapter One

As the introduction has shown, democracy is a contested concept which can be understood in many different ways. Some theories of democracy focus on the importance of particular institutions that are said to constitute a democracy, while others argue that certain values, such as human rights and secularism, are necessary for a political system to be considered democratic. Similarly, within the Islamic world there has been a multitude of responses to the concept of democracy, from complete rejection to wholehearted acceptance. Many Muslims have sought to integrate the principles of democracy within a framework of Islamic values, a process which has produced a variety of models of democracy. PKS has engaged in this process of formulating an approach to democracy within the context of its understanding of Islamic principles.

This chapter examines PKS' views on democracy through an analysis of the party's documents and the public statements of its leaders. The party's approach to politics is examined, as is the concept of *dakwah*, which is both the justification for, and the method of, many of PKS' activities and is thus crucial to an analysis of the party's approach to democracy. The party's understanding of democracy is then analysed in terms of a number of other Islamic concepts that PKS leaders use to justify their support for democracy. Finally, their position on the question of an Islamic state in Indonesia is examined with reference to democratic theories that insist on the importance of the separation of 'church' and state. This chapter shows that while PKS' ideological approach to democracy meets many of the 'democratic' criteria ascribed by both formalist and substantive theories of democracy, its members' reasons for supporting democracy are based on democracy's perceived compatibility with Islamic principles rather than on the intrinsic value of democracy *per se*. From PKS' perspective, the secularity of democracy, often either explicitly or implicitly assumed by democratic theorists, makes no sense. This calls into question the terms of democracy as it is generally defined and raises for consideration the validity of its basic elements.

Politik Dakwah – The PKS Approach to Islamic Politics

In the twentieth century, many political scientists assumed that as societies modernised, religion would become less important and secularisation would occur (Eickelman and Piscatori 2004: 23). Instead there has been a global resurgence of religion during this period, which has coincided with growing demands for democracy (Hefner 2000: 3). Most democratic models posit that democracy must be secular: that is, that religion should have no formal role in the state (Stepan 2005: 6). This position is frequently criticised by Muslims. For many Muslims, Islam is a total system of life, encompassing all aspects of human activity, both private and public. There can, therefore, be no separation between Islam and politics (Sachedina 2001: 5). Some Muslim groups use this principle to argue that democracy is unsuitable for Muslim societies, but others believe an ‘Islamic’ democracy can be developed which rejects the secularism emphasised by substantive models of democracy (Esposito and Voll 1996: 18, 21). These Muslim democrats, propound a variety of theories about how Islam and politics be integrated (Hefner 2000: 7). Some believe that Islam must be formally recognised by the state (Eickelman and Piscatori 2004: 33) – a view that in Indonesia has been represented by political groups that support the inclusion of the Jakarta Charter in the national constitution.¹¹ Others support a pluralist and accomodationist Islam, which Hefner (2000: 12-13) has described as ‘civil Islam’. PKS falls between these two groups in its approach to the relationship between Islam and politics, as it explicitly upholds many identifiably ‘democratic’ principles, while at the same time insisting that Islam cannot be removed from the political domain.

PKS’ approach to the relationship between politics and Islam is shaped by the concept of *dakwah*. *Dakwah* is usually defined as religious propagation or the spreading of Islamic teaching (Bubalo and Fealy 2005: 16) – an activity which many democratic theorists would assume belongs in the domain of a religious organisation, not a political party. *Dakwah* programs mainly involve religious teaching and discussion, and social welfare activities (Diederich 2002: 103). The

¹¹ The Jakarta Charter is a clause that was proposed as part of the Indonesian constitution in 1945. It was intended to make it obligatory for Muslims to follow *syariah* law (Azra 2004). The inclusion of these seven words in the constitution was highly contested in the 1950s, culminating in a return to the original 1945 constitution, which does not give Islam a privileged position (Hefner 2000: 43-44).

goals of the *dakwah* movement include upholding the universality of Islam, increasing individuals' spiritual strength and encouraging Muslims to serve God in all aspects of their life (Furkon 2004: 233). PKS describes itself as a *dakwah* party, and *dakwah* forms the basis of all its policies. This reflects the party's background, as PKS' earlier incarnation, the Justice Party, was formed by a network of campus *dakwah* organisations. In 1998 a poll was taken of these organisations to determine what political action the movement should take (Damanik 2002: 228). A majority of respondents supported the formation of a political party to represent their interests through democratic institutions (Ismail 1998: 32). Previously these organisations had shown only a peripheral interest in politics but in the context of the crisis of 1997-1998, they decided a political party was necessary to expand *dakwah* to the political arena (Damanik 2002: 229). However, PKS continues to draw much of its support from these university-based *dakwah* activists (Liddle 2003: 8).¹²

Dakwah also plays an important role in shaping the party's agenda. PKS argues that because Islam is a complete guide to all aspects of life, it provides the solution to all problems, both on an individual and national level (Partai Keadilan Sejahtera 2003), and *dakwah* is the conduit for providing these solutions. In other words, as individuals become more educated in the teachings of Islam, they will be able to find solutions to the problems they face in daily life (Partai Keadilan Sejahtera 2003). The PKS leadership hopes to model this moral behaviour in their

¹² It is important to note that the project of *dakwah* continues to stretch beyond the political sphere; that politics is just one part of the larger project to promote Islam in all aspects of human life (Furkon 2004: 190). In that sense, PKS' political program is subordinate to its religious agenda. This mission makes it impossible for PKS to conceive of a political agenda that is not influenced by religious values. *Dakwah* is conceived of as an ongoing process that must take place in stages, each of which requires different strategies (Ismail 1998: 35). Currently the political arena has been chosen to further the cause of *dakwah* but at other times social organisations or education may be preferred (Ismail 1998: 36). Several observers have noted that this approach to the relationship between Islam and politics has been influenced by the Egyptian organisation, the Muslim Brotherhood (Bubalo and Fealy 2005; Eliraz 2004; van Bruinessen 2003). This society, formed in 1928, is also concerned with Islamic renewal in all aspects of life, combining education with political activism (Mitchell 1993: 5). It shares a similar belief that Islam has all the characteristics necessary to form the basis of a modern state (Mitchell 1993: 233). Muslim Brotherhood ideas were transferred to Indonesia through students who studied in the Middle East and the publishing of Muslim Brotherhood books (Furkon 2004: 128-129). Apart from its focus on education, the *dakwah* movement in Indonesia and consequently PKS, has adopted a similar organisational structure to the Brotherhood, based on cell groups (Bubalo and Fealy 2005: 67). PKS officials have played down its influence on their party (Basyaib and Abidin 1999: 136). This may be because of the stigma attached to the Muslim Brotherhood, which is internationally regarded as a fundamentalist group (Furkon 2004: 185). Whatever the extent of the Brotherhood's influence on PKS, it is important to realise that their approach to politics through the vehicle of *dakwah* is not unique.

personal and political actions (Ismail 1998: 40). Their public image is based on their simple lifestyle, which is portrayed as a manifestation of their deep religious convictions and their close connection with the people. This image is displayed by PKS members who have been appointed to public offices. Former party president Hidayat Nur Wahid, for example, received considerable publicity when he refused to accept a Volvo as his official car when he was elected speaker of the MPR, choosing instead a Toyota, a more 'ordinary' vehicle (*Gatra* 12 February 2005). This was a largely symbolic action, but one which pressured many other public office bearers into making similar reduction in their government entitlements (*Gatra* 12 February 2005).

PKS members believe *dakwah* can improve the quality of Indonesian democracy, because, it is argued, as the nation accepts Islamic values, it will be able to overcome the many challenges it currently faces (Partai Keadilan Sejahtera 2003). This argument assumes that the causes of Indonesia's political problems are moral and can be solved by a stronger adherence to Islamic principles. The endemic problem of corruption is a case in point (Nurwahid and Zulkieflimansyah 2003: 20). PKS figures acknowledge that there are other factors involved in Indonesia's corruption, such as the weakness of the rule of law and a patrimonial culture, but assert that the best way to combat corruption is through increasing public morality (TokohIndonesia.com 2004). According to Hidayat Nur Wahid, if people were more aware of their religious obligations – whatever their religion – they would be aware that corruption was wrong and would be able to resist the temptation to engage in corrupt behaviour (TokohIndonesia.com 2004). Therefore, *dakwah* is needed in the Muslim community so that people are more aware of their moral obligations and are less likely to yield to temptation (TokohIndonesia.com 2004). It is this approach to political issues through upholding Islamic values that forms the basis of PKS' ideology.

There is some evidence that there has been a shift in PKS' agenda towards a greater emphasis on Islam. This is most clearly seen in comparing the party's platform for the 1999 and 2004 general elections. The party platform for 2004 was markedly more Islamic in its tone. For example, in 1999 the Justice Party's stated vision focused on taking a leadership role in the new Indonesian political landscape (Dhakidae 1999: 403). In 2004 this vision had shifted to emphasise their struggle for *dakwah* and upholding Islamic values (Partai Keadilan Sejahtera

2004), with more frequent mention Islamic values, references to the Qu'ran or to making the Muslim community the focus of their attention. In 1999 PKS' policies were focused on more secular goals such as creating a more just political system. In 2004 their main political goal was 'to struggle for Islamic concepts in society and the state' (Partai Keadilan Sejahtera 2003). It is nevertheless important to note that although the party's official platform had become more Islamic in character, its campaign continued to focus on the popular issues of corruption, justice and social welfare (Mujani 2004). This shows that although *dakwah* remains a central principle, PKS' platform is not fixed and may have different emphases at different times.¹³

PKS' stated identity as a '*dakwah* party' helps to explain the all-encompassing role that Islam plays in the party's ideology. It is within this framework that the party justifies its support for Indonesian democracy. On the one hand, PKS' agenda aims to solve many of the difficulties that Indonesia has faced in becoming a democratic polity, such as the misuse of public funds, outcomes that are not considered to be 'democratic'. However, the method they propose to achieve this, through increasing religious observance and national morality, is not consistent with the norm of secularism that is emphasised by many democratic theorists. In other words, many democratic theories would argue that these outcomes should be developed, without reference to religion, because of the strict separation of religion and politics which is often considered necessary for democracy. This view fails to recognise the role that religion can play in supporting democratic values.

¹³ It has also been suggested that the party consciously chose to focus on secular issues in its electoral campaigns, rather than issues to do with Islam (Bubalo and Fealy 2005: 70). Bubalo and Fealy (Bubalo and Fealy 2005: 71) have noted that in the context of general elections, Islamists in Indonesia such as PKS believed it was 'premature and ultimately counterproductive to take [Islamisation policies] to the broader public'. This strategy may have been used to avoid controversy about their Islamic goals, which are likely to be less popular with the electorate. This suggests that PKS is aware of the controversial nature of their approach to democracy, not just in comparison to Western definitions of democracy but also within the Indonesian community. Thus within PKS' discourse, although Islam and democracy can coexist, the interaction between these Islamic concepts and democratic principles is not without tension. As a result, for pragmatic reasons the party may at times simplify its public message in order to increase its appeal.

Democracy – Upholding Islamic Principles

PKS has declared its support for democracy as a system of government, because it sees democracy as being compatible with Islamic values. This is consistent with their belief that Islam should govern all areas of human activity, including political activities, and the role of *dakwah* in encouraging a greater awareness of Islamic teaching. PKS justifies its support for democracy by referring to three particular principles found in the Islamic tradition: justice, *khilafah* and *shura*. The relationship between these principles and democracy has been discussed in various Islamic contexts, particularly by Middle Eastern thinkers (Esposito and Voll 1996), although Indonesian Muslim organisations such as Nahdlatul Ulama and Muhammadiyah, which have a long history of supporting democracy, have not relied on these concepts (Waluyo 2005: 59). PKS leaders, however, engage in discussion on how these principles can be interpreted to support democracy. This section outlines that discussion, arguing that PKS' understanding of these concepts is consistent with many formalist and substantive criteria of democracy, but not with the substantive value of secularism.

As the party's name suggests, justice is a concept that PKS emphasises. PKS' first president, Nur Mahmudi Ismail, has described justice as one of the central values of Islam (Damanik 2002: 235; Ismail 1998: 38). This is not a 'natural' justice but one that is divinely constituted, which is based on human equality, informs religious and moral values and governs all human relationships (Damanik 2002: 234). According to the party's 1999 manifesto, a just society is one where all individuals are equal, creativity and initiative flourish, and rulers are held accountable for their actions (Dhakidae 1999: 406). A democratic system of government provides the best opportunity to uphold justice and equality for all Indonesians because it allows for individual rights to be protected from authoritarianism (Ismail 1998: 46). PKS has emphasised the importance of justice in Indonesia's new political system, through measures such as the development of transparent and accountable legal bodies and a more equal distribution of national wealth (Dhakidae 1999: 408-409). These policies relate to upholding the political rights that are included as essential formalist democratic institutions, as well social and economic rights emphasised by substantive theorists such as Held (1995: 190) and Beetham (1999: 114). In this way, PKS' understanding of democracy is not significantly different from other approaches to democracy.

However, from PKS' perspective, a democratic system can only be a truly just system when Islamic values are upheld because Islam is the basis of true justice (Ismail 1998: 39).

A principle that is not found in Western definitions of democracy is the concept of *khilafah* or caliphate. The caliphate, the Muslim community in the years after the Prophet Muhammad, was led by a series of caliphs who were political as well as spiritual leaders (Esposito and Voll 1996: 25). Some Muslims have taken this period as a model of how the Muslim community should be organised at all times (Hefner 2005a: 21), and in some cases, the caliphate has been the inspiration for theocratic models of government.¹⁴ However, *khilafah* has also been interpreted as supporting democracy. In this view the caliph is seen as a model of human leadership over God's creation (Esposito and Voll 1996: 26). This concept can be extended to refer to all people as divine representatives, therefore, individual citizens can be considered to have an individual role as caliphs. In this framework, all people are equal and are responsible to both God and each other for their actions (Damanik 2002: 251). Whereas standard models of democracy emphasise sovereignty of the people, the *khilafah* model of government proposed by many Islamists puts sovereignty in the hands of God, with individuals being his representatives on earth (Esposito and Voll 1996: 27). However, those individuals have a responsibility and accountability to other members of the community, which supports the democratic ideas of popular participation and representation (Dhakidae 1999: 407). PKS emphasises the importance of *khilafah* as a guiding principle of Muslim politics and argues that the responsibility entrusted to all people as God's representatives is similar to the 'universal' values of democracy and allows Muslims to accept democracy (Damanik 2002: 251).¹⁵ Many of PKS' stated aims involve strengthening this accountability through increasing transparency and encouraging good governance

¹⁴ The Islamic Republic of Iran is a modern example of this.

¹⁵ In his declaration of the Justice Party, Nur Mahmudi Ismail describe the role of *khilafah* as a mission of 'protecting, ordering, and making the earth prosperous, which is the most authentic political activity' (Ismail 1998: 33). However, party spokespeople argue that this mission will vary in form in different situations. According to Anis Matta, the party's former secretary general, the caliphate refers to the global Muslim community, but the concept must be adapted to the situation faced by each generation of Muslims and will therefore take different forms at different times (Furkon 2004: 248). In the current world situation, the *khilafah* may be carried out in a nation-state through upholding Islamic values (Furkon 2004: 249).

(Dhakidae 1999: 407-408). The party bases these policies on the values it associates with *khilafah*, that is, the duty of all Muslims to represent God on earth.

The final concept which PKS refers to in discussions of democracy is *shura*. *Shura* means consultation or discussion and is a consequence of the principle of *khilafah* (Esposito and Voll 1996: 27). If all humans are equal and have a shared responsibility to represent God on earth, it follows that there should be consultation among these individuals in making decisions (Esposito and Voll 1996: 27). Since the twentieth century, Muslim democrats have used this concept to demonstrate that the Islamic tradition supports popular participation and representation (Esposito and Voll 1996: 28). In PKS' conception of democracy, popular participation, one of the basic principles of both formalist and substantive models of democracy, is seen to be compatible with the concept of *shura* (Damanik 2002: 251). PKS was formed through this process of consultation, as members of the campus *dakwah* movement were consulted about whether they supported the idea of forming a political party (Diederich 2002: 110). The party's statutes also declare that *shura* will be used as the principle by which internal party decisions are made (Partai Keadilan Sejahtera 2002). Similarly *shura* should also be used in state institutions such as the DPR (Ismail 1998: 47). How exactly this process of consultation should work is unclear, although it appears PKS is satisfied with the current processes used in the DPR. However, for PKS the authority of the Qu'ran remains absolute at all times and it must guide the process of *shura* among representatives (Ismail 1998: 47).

Although their discussion of democracy is highly influenced by the Islamic concepts outlined above, PKS' theoretical approach to politics shows a commitment to the terms of democracy listed by formalist theorists. They support the key democratic institutions that are considered essential to a democracy. They have used *khilafah* and *shura* to justify public participation in government and elections as the way to facilitate this. *Khilafah* also supports representation, which takes place through a parliamentary body. The work of the parliament is also considered acceptable as it uses a process of consultation which is consistent with Islamic values. Thus in formalist terms, PKS' ideology is truly democratic.

From a substantive perspective, these aspects of PKS' approach to democracy fulfil many of the criteria for a democracy. Linz and Stepan (2001: 94) have argued that democratic institutions must be accompanied by the development

of behaviour that supports a democratic state. PKS' emphasis on the importance of accountability, as a function of *khilafah*, is an example of how they support the development of democratic behaviour. Similarly, the party's campaign for justice can be seen as supporting human rights, which have been considered essential to a democracy (Beetham 1999: 90). On the other hand, however, substantive theories of democracy often insist that democracy must be secular. PKS' approach may from this perspective be considered undemocratic as not only is their support for democracy based on Islamic concepts but the day-to-day functions of Indonesian democracy should be prefaced on divine authority. This point becomes clearer when we consider the party's stance on an Islamic state.

The Islamic State

One of the crucial issues in the history of Islam and democracy in Indonesia has been the role of Islam in the state. In the post-Suharto era there has been a division between those Islamic political parties that support the secular basis of the Indonesian state and those that want to give Islam a formal place in the constitution (Fealy 2001a: 122). Analysts generally include PKS in this latter group of parties.¹⁶ The party's stance on an Islamic state is the most controversial aspect of their agenda as their policies on this contentious issue are often not well developed or are even deliberately avoided in their public declarations (Eliraz 2004: 69; Furkon 2004: 232; van Bruinessen 2003). To date PKS has rejected efforts to establish an Islamic state but supports the gradual introduction of *syariah* law in Indonesia. This section examines PKS' statements on the importance of an Islamic state and explains why they have not supported calls to formalise the place of Islam in the Indonesian state.

Following the 1999 general election, the first after the fall of Suharto, the parliament considered various amendments to the national constitution for the first time since Sukarno introduced Guided Democracy in 1959. Two Islamic parties, PPP and Partai Bulan Bintang (Crescent Star and Moon Party – PBB), used this opportunity to propose the inclusion of the Jakarta Charter to the constitution, reopening the debate of the 1950s (Salim and Azra 2003: 1). This would have made it obligatory for Muslims to follow Islamic law. PKS' forerunner, the

¹⁶ See for example Bruinessen (2003), Eliraz (2004), Fealy (2001a).

Justice Party, opposed the PPP-PBB plan for several reasons (TokohIndonesia.com 2004). Firstly, it argued that introducing *syariah* to the constitution would not succeed if society was not committed to upholding it (Romli 2006: 206), and that the Islamic state needs to be a priority of the whole community, not just certain political parties (Romli 2006: 207). Consequently, the Justice Party argued, it is necessary to focus on *dakwah* activities first so that people are educated about Islamic laws and practices (Partai Keadilan Sejahtera 2003) because it is more important for individuals to begin to follow these teachings in their own lives than for the community to be forced to follow laws that they do not understand or wish to follow (van Bruinessen 2003). PKS officials have also argued that an Islamic state, that is, one that is formally based on Islam, is unnecessary (Bubalo and Fealy 2005: 71) because Pancasila, Indonesia's philosophical basis, is not anti-Islam but allows many ideologies to exist (Yayasan API 1999: 267). However, the Justice Party did not reject amending the constitution completely. Together with PAN they proposed a different amendment that stated that Indonesia was: 'A nation based on Almighty God, with the obligation for followers of each religion to carry out the teachings of their religion' (TokohIndonesia.com 2004). This would have legally compelled Muslims to follow *syariah* as part of Islamic teaching, but would have been more acceptable to non-Muslim Indonesians, which appears to contradict their statements on the importance of the acceptance of *syariah* in society before it is enforced.

PKS leaders have often spoken of their support for a society based on the Madinah Charter, an agreement between the Muslim community led by the Prophet Muhammad and the non-Muslim residents of Medina (TokohIndonesia.com 2004). According to PKS, the Madinah Charter is preferable to the Jakarta Charter because it has been proven to work in a pluralistic society and provides guarantees for non-Muslim citizens. This proposal demonstrates a respect for religious pluralism, one of the values that Hefner considers essential to democracy (Hefner 2000: 12-13), by recognising the rights of Indonesians of other faiths. Ultimately both the PPP-PBB amendment and the PAN-PK alternative were unsuccessful, but it remains to be seen whether PKS would support any future proposals to amend the constitution. It appears they

support the idea of an Islamic state in principle but do not believe it is necessary for Islamic values to be upheld in a political system.

Many theorists who favour substantive concepts of democracy would challenge any formalisation of religion in a constitution as they argue that democracy must be based on the separation of church and state (Fradkin 2005: 248). In other words, the democratic state should not be involved in religious affairs and religion should not have a formal role in politics. Hefner is one commentator who strongly supports the concept of a secular government. He argues that Muslims who work towards an Islamic state are opponents of 'civil Islam' as they oppose the secular state that is necessary to democracy (Hefner 2000: 218). The inclusion of the Jakarta Charter in the Indonesian constitution would compel Muslims to abide by *syariah* law, which would restrict the individual's right to freedom of choice in religion, but aside from these concerns about human rights, there is little to suggest that a formalised place for religion in the state would necessarily prevent Indonesian democracy from developing. Indeed, an examination of most Western democracies shows that they have a long history of a close relationship between church and state (Stepan 2005: 7), and have simply successfully developed a balance between the interests of the state and religious bodies (Stepan 2005: 9). PKS has demonstrated a similarly balanced approach in its response to efforts to introduce an Islamic state in Indonesia. It has not sought to impose new regulations on a society that is unwilling to accept Islamic law, but has taken a gradual approach, whilst abiding by democratic procedures.

Conclusion

This chapter has shown that PKS has developed an ideological platform that provides a strong basis for their support of democracy. This framework is shaped around a number of Islamic concepts, which PKS leaders have interpreted as being compatible with democratic forms of government. The party's commitment to democracy meets many of the criteria listed by formalist and substantive theories of democracy, such as popular participation, elected bodies and accountable government. However, the emphasis that these democratic theories place on secularism suggests that PKS' democratic credentials may be questionable, given that they justify their support for democracy because it is

acceptable under Islam. This Islamic basis for the party's acceptance of democracy is not consistent with substantive theories that insist that democracy requires secularism. There are different interpretations of what is 'democratic' and 'undemocratic' according to different approaches to democracy. This tension between different perspectives of democratic characteristics is further explored in the next chapter, which shows how PKS' ideology has shaped a number of the party's policies and their outcomes. Chapter Two continues to examine these different aspects of PKS' approach to democracy and the impact this diversity has on understanding democratic processes and outcomes.

Chapter Two

Chapter One outlined PKS' ideology with regards to democracy and showed how the party justifies its support for a democratic political system in relation to Islamic concepts. However, democracy is not just a collection of ideas; it is the basis of working political systems. As a result, any examination of democratic theories must consider how democracy works in practice. This chapter examines a number of the practical outcomes of PKS' approach to democracy. Four particular aspects of the party's activities are considered: their internal party structure, their anti-corruption policies, their platform on introducing *syariah* law, and their position on the role of women in politics. These four issues are prominent examples of what PKS stands for. They differentiate PKS from other Indonesian parties, as their position on these issues varies from the stance taken by many other participants in the Indonesian political system. These areas of the party's policies are examined in relation to the institutions and values that are emphasised by formalist and substantive theories of democracy.

The issues outlined in this chapter demonstrate that the 'democratic nature' of PKS' policies varies when compared to the different criteria used in different democratic theories. Whether or not a particular policy is considered democratic or not depends on whether a formalist or substantive approach to democracy is taken, and, if a substantive approach is adopted, what 'democratic' criteria are privileged. As different approaches to democracy place importance on different institutions and values, it is possible to view certain policies as being both 'democratic' and 'undemocratic' depending on which institutions or values are emphasised. Thus an analysis of these four policy issues together produces a seemingly contradictory view of PKS as a party that demonstrates both 'democratic' and 'undemocratic' behaviour, because although the party's internal structure and anti-corruption stance clearly meet many criteria ascribed to democracy, their policy on *syariah* may elicit differing responses depending on whether secularism is deemed essential, and PKS' policies on women are clearly undemocratic if analysed from a gender perspective.

Internal Party Structure

Formalist theories of democracy emphasise the importance of popular participation as one of the pillars of democracy (Dahl 1998: 38). Individuals should have the ability to engage in politics and be able to influence the political agenda (Dahl 1998: 37). Elections are the main vehicle for this participation (Schumpeter 2003: 9); however, often individuals can most effectively participate in a democratic system through forms of collective action such as political parties (Diamond and Gunther 2001: 8). There is no strong contemporary precedent for this type of grassroots political activity in Indonesia. This is a legacy of the New Order regime, which prevented political parties from mobilising or engaging with the masses. This so-called ‘floating mass’ doctrine was based on the premise that as people had become involved in partisan politics during the Sukarno era they had ‘ignored the necessities of daily life’ (Bourchier and Hadiz 2003: 48). By depoliticising society, the Suharto government argued, the people could concentrate on activities that strengthened national economic development, which would be beneficial to society as a whole. As a result, political parties became detached from their popular bases, a phenomenon that continues to this day.

Many contemporary Indonesian political parties have been criticised for not allowing or encouraging ordinary people to be involved in politics (Anwar 2001: 15; Fealy 2001b: 100-102; Hara 2001: 312). Parties have gained support from the popularity of their leaders rather than by developing policies to attract voters (Hara 2001: 314).¹⁷ Formalist democratic theories assume that elections cause political parties to compete for the people’s vote,¹⁸ but in the Indonesian case, competition has mainly been between elites for positions of power, with little consideration of how to engage with the people (Slater 2004: 65). This personalised and elite-based style of politics means the political system is controlled by elites, while ordinary citizens do not have the opportunity to influence policy decisions. The only opportunity voters have to express their views is through elections themselves, but as most parties do not have well-

¹⁷ For example, the success of PDI-P has been highly dependant on its popular leader, Megawati Sukarnoputri, while Partai Demokrat (Democrat Party – PD), a newcomer in the 2004 election, is essentially a political vehicle for President Susilo Bambang Yudhoyono (Pribadi 2004: 72; Sebastian 2004: 265). Recent surveys also suggest that Indonesian parties are not responsive to the interests of the public, but are known for serving the interests of their elite leadership (Slater 2004: 62; Törnquist 2006: 247).

¹⁸ Schumpeter’s (2003: 9) definition of democracy, which has influenced formalist theories, is based on this very principle of the elite competing for the popular vote.

formed policies and there is little to differentiate between parties even this institution does not allow voters to make a real choice about the political agenda.

In contrast, PKS is based on a mass organisation and seeks to serve the interests of the people (Slater 2004: 62). The party has a strong membership system that enables its supporters to fully participate in party activities. Prior to the 2004 election, PKS had around 400,000 members, who were mostly young, urban and well-educated, in keeping with the party's background in the university-based *dakwah* movement (*Tempo* 7 August 2005b). Members join small groups where they are taught about the party's goals and values, and as well as studying Islamic texts (Furkon 2004: 198; van Bruinessen 2003). This small group structure allows leaders to supervise members and implement strong party discipline. For example, members can be disciplined for corrupt behaviour (Nurwahid and Zulkieflimansyah 2003: 21). It also gives members regular opportunities to stay informed of party business and contribute to grassroots party activities. All members are expected to be actively involved in the party's work in their local community by recruiting new members and promoting PKS at the local level during elections (Furkon 2004: 198). Thus the party has a ready source of supporters who can be mobilised during election campaigns, as well as helping the party to respond quickly to issues at a grassroots level of society.¹⁹ In return, members are able to contribute to the party's work and be involved in Indonesian politics in a greater way than is possible through other Indonesian parties.

Advancement in PKS is based on merit rather than money or connections, unlike in most Indonesian parties (Fealy 2001b: 100-101). As they learn more about the party and demonstrate their good character and ability to serve the party, members can rise to higher levels of the organisation, which give them new privileges and responsibilities (Partai Keadilan Sejahtera 2005). Thus, political opportunities are given not just to the rich or influential, but to those who demonstrate loyalty, good service and potential leadership qualities. As they rise to higher levels of membership within the party, members are able to participate

¹⁹ One example of this is the party's involvement in disaster relief operations. Local branches have been quick to respond to natural disasters, organising emergency relief and working alongside victims (*Tempo* 29 March 2004). They were particularly active in the aftermath of the Boxing Day tsunami (Aspinall 2005: 106). These activities have received much positive media attention, comparing PKS to other political parties who are slower to act in such situations (Slater 2004: 86). Their care in such situations has helped to increase PKS' popularity in the community (*Tempo* 29 March 2004).

in the process of making decisions and setting policy priorities. According to PKS' rules on membership, members are able to make suggestions or voice criticisms about party policy and to vote for candidates to sit on the party's executive bodies (Partai Keadilan Sejahtera 2005). For example, the party's endorsement of Amien Rais as presidential candidate in 2004 was the result of an internal process of deliberation, where members were able to express their opinions in favour of certain candidates (Slater 2004: 87; TokohIndonesia.com 2004). When the party's executive made the final decision, they gave an extensive explanation of their selection, making the process transparent for all members and the public (Waluyo 2005: 363-380). Ultimately the final authority for policy decisions rests with the party leadership, but the party's organisational structure makes these leaders accountable to their members, giving rank and file members significant influence in party business. PKS members are afforded a greater voice in party affairs than members of other Indonesian parties.

Surprisingly for an Islamic party, PKS members do not have to be Muslim. According to the party's statutes, members must be adult Indonesian citizens of good character (Partai Keadilan Sejahtera 2005). For example, in Papua, a largely non-Muslim province, the majority of PKS' executive is non-Muslim (Burhanudin 2004: 134). The party's Islamic agenda is unlikely to attract many non-Muslims or secularists but its anti-corruption message has proven popular with many sections of Indonesian society, including followers of other religions (Diederich 2002: 110; *Tempo* 7 August 2005b). The party has also joined with the Christian Partai Damai Sejahtera (Prosperous Peace Party – PDS) to field candidates in local elections (*Tempo* 7 August 2005a). This demonstrates that despite being an Islamic party with many overtly Islamic goals, PKS is tolerant of non-Muslims and their concerns. Thus, in contrast to conservative Muslims, who Hefner (2005b: 296) has described as anti-pluralist, and therefore anti-democracy, PKS has shown tolerance and acceptance of non-Muslims and their right to express their views and be involved in politics, even within their own party.

In summary, PKS' party organisation demonstrates several formalist and substantive democratic criteria, particularly those associated with the most minimalist of definitions of democracy, which emphasise the centrality of popular participation to the democratic process (Przeworski 2003: 12). As one of the most widely accepted elements of democracy, individual participation through

institutions such as elections and political parties is essential to a democratic system of government. PKS' mass membership system challenges the elite-based political order of post-Suharto Indonesia and offers its members the opportunity to participate in political activities at both the local and national level. These opportunities are even extended to non-Muslim Indonesians, despite the party's overtly Islamic identity. In this way the party continues to uphold one of the most widely acknowledged aspects of democracy.

Anti-corruption

Democratic institutions, according to some substantive theories, produce outcomes such as good governance within their own structures (Diamond 2003: 38). As a result, it is argued that there must be quality in democratic procedures, including the rule of law and accountability, for institutions to be considered truly democratic (Morlino 2004: 12-13). Morlino (2004: 15) argues that one of the key features of a 'good' democracy is 'the absence of corruption in the political, administrative, and judicial branches [of government]'. Corruption is damaging to democracy because it reduces the public's ability to influence the political domain and reduces democratic institutions to 'instruments of private benefit' (Warren 2004: 328). Overall Indonesia's democratic transition has not produced such outcomes as public accountability and good governance (Törnquist 2006: 233). The presence of high levels of corruption in all areas of Indonesian government and at all levels of society suggests that the quality of these democratic procedures is not high, if measured by the standard set by Morlino. Indonesian political parties are generally considered to perpetuate the corrupt system rather than seeking to abolish it. A recent survey showed that Indonesians consider political parties to be the most corrupt organisations in society (Masyarakat Transparansi Indonesia 2005).

In contrast, PKS has made corruption a major issue in its election campaigns. They have positioned themselves as a clean party who want to eradicate corruption, in contrast to the major political parties (Qodari 2005: 80). The party has had limited opportunities to implement anti-corruption policies because its members have not often been in public offices.²⁰ Nonetheless, they

²⁰ It should be noted that despite their many public statements against corruption, PKS has not outlined any specific policies that are aimed at addressing this problem. As mentioned in the

have actively opposed corrupt practices in the executive and the bureaucracy. For example, they often refer to the period when Nur Mahmudi Ismail, former party president, was Forestry Ministry in the Wahid government (TokohIndonesia.com 2004). According to PKS, Ismail did not demand bribes from civil servants for promotion within his department, which was the custom within the bureaucracy (TokohIndonesia.com 2004). Ismail and Soeripto, another PKS minister in the Wahid cabinet, also identified fifteen cases of corruption during their time as ministers, which they sent to the Attorney-General's office for further investigation (Burhanudin 2004: 135-136). This included a case involving Bob Hassan, an associate of former president Suharto (Burhanudin 2004: 141). Not everyone agrees with this version of events. It has been suggested that Nur Mahmudi Ismail was sacked from the cabinet for financial impropriety (Barton 2002a: 394).²¹ Ismail has recently been interviewed by the national Corruption Eradication Commission to provide further information on contracts that were awarded when he was Forestry Minister, raising suspicions that he himself was being investigated for corrupt behaviour (*Kompas* 22 April 2006). However, none of these allegations has been proven and PKS continues to maintain its clean public image.

PKS' anti-corruption policies have been described as one of their best tools to make a positive contribution to democratisation in Indonesia (Bubalo and Fealy 2005: 73; van Bruinessen 2003). It remains to be seen what specific policies they may be able to implement to reduce corruption if they were elected to government, but in the public's eye, PKS represents a different sort of political party, that refuses to join in the corrupt dealings of their colleagues. Thus PKS can be seen as a strong force in favour of the development of the substantive norm of good governance in Indonesia. As a largely corruption-free society is not the automatic outcome of a process of democratisation, such a 'democratic culture' could take many years, even generations to develop (Schmitter and Karl 1993:

previous chapter, PKS leaders speak generally about how corruption is a symptom of the moral crisis in Indonesian society (TokohIndonesia.com 2004). They claim they can challenge the problem of corruption in Indonesian society through encouraging a greater commitment to moral behaviour in society. This is in contrast to the approach taken by NGOs such as Indonesia Corruption Watch, who have argued that corruption should be addressed through legal and institutional changes (Indonesia Corruption Watch 2005: 20-21).

²¹ It is more likely that President Wahid made this move to shore up his support base within the cabinet (Barton 2002a: 394).

47). In this case, PKS and other parties and social organisations have an important role to play in challenging the status quo of Indonesian politics.

Syariah

According to substantive democratic theories, democracy requires the separation of church and state. In other words, the state must be based on secular principles and not promote religion in its policies. Huntington, for example, claims that the secular nature of the Western state has supported the development of democracy, although most Western democracies do not have a pure separation of church and state (Stepan 2005: 5, 8). As noted in the previous chapter, this separation of religion and politics is more difficult to justify in an Islamic context, following the example set by the Prophet Muhammad, who was both the spiritual and temporal leader of the Muslim community (Eickelman and Piscatori 2004: 44; Stepan 2005: 13). As a result, many Muslims do not accept that politics must be secular (Filali-Ansary 2001: 43). Part of this religious political order is a legal system that is based on religious principles. Based on the teaching of the Prophet, in modern times *syariah* has been developed as a legal code in a number of Islamic states (Filali-Ansary 2001: 42). For Huntington, this is one of the reasons why democracy has failed to take root in Muslim societies.

With the exception of Aceh, which has introduced a *syariah*-based legal system as part of the central government's negotiations with the separatist movement (International Crisis Group 2006: 4-5), *syariah* has not been introduced as a complete body of law in Indonesia, it is being used as inspiration for other laws. This phenomenon has been described as 'creeping *syariah*', because it happens gradually (Riddell 2005). In *reformasi* Indonesia decentralisation laws have given local governments greater power to introduce new laws, which has provided the opportunity for local politicians to introduce laws based on *syariah* (Munir 2003: 8). These laws have focused on enforcing particular types of 'moral' behaviour, such as banning prostitution. One consequence of these laws has been the restriction of women's freedom, as women seen alone in public at night have been accused of being prostitutes and arrested (Munir 2003: 6).

PKS has declared that it aims to implement *syariah* law in Indonesia. The party's basic policy document defines *syariah* as the authoritative word of God through the Qu'ran and Hadith (Partai Keadilan Sejahtera 2002). From PKS'

perspective, Islam governs all aspects of life and it should therefore be applied to the law of the state (Burhanudin 2004: 98). However, the party has adopted a gradual approach to implementing *syariah*. Rather than supporting other parties' efforts to establish *syariah* as part of the constitution, which would make following *syariah* obligatory for Muslims, PKS argues that the precepts and values of Islamic law must be understood and accepted by the community before it can be implemented in Indonesian law (TokohIndonesia.com 2004). Moreover, *syariah* should not be promoted on the political stage alone, because it involves internal change in individuals, and can be promoted through social organisations and educational institutions (Burhanudin 2004: 107). Thus the mission of introducing *syariah* will involve *dakwah* activities as well as political action (*Forum Keadilan* 22 February 1999).²²

Nonetheless, the party does believe that political action and in particular the legislative process can play an important part in the process of implementing *syariah* (Burhanudin 2004: 115). The parliament has the ability to create laws that reflect Islamic values, and in Indonesia laws covering areas of personal life such as marriage and inheritance laws already reflect aspects of *syariah* (Salim and Azra 2003: 5).²³ PKS seeks to use its position in parliament to amend and propose legislation that upholds the principles of *syariah* (Burhanudin 2004: 116). The advantage of this approach is that it is more likely to succeed because it involves dialogue and negotiation with other legislators (Burhanudin 2004: 116). One example of such a law is the Draft Law on Pornography and Pornographic Acts, which is discussed in Chapter Three. Although the law is not explicitly based on *syariah*, it is highly influenced by a conservative Islamic moral framework, which has led some critics to suggest that the law is part of a surreptitious plan by PKS

²² Other pro-*syariah* Muslim groups have criticised PKS for this gradual approach, questioning the party's commitment to *syariah* (Alynudin 2004: 14). This view is based on the party's refusal to support the Jakarta Charter. The party has shown its flexibility on this issue. It has not prioritised the formalisation of *syariah*, 'because the consolidation of the strength of the Muslim community is more important than working for an issue that is not supported by a significant number in the parliament' (Alynudin 2004: 16). One example of this is the different approach the PKS local government in Depok has taken to the Golkar government in Tangerang with regards to introducing *syariah* inspired legislation. PKS leaders have criticised the laws in Tangerang that focus on outward signs of Islamic behaviour, such as enforcing veiling among women (*Tempo* 25 June 2006). PKS leaders in Depok have decided to focus on addressing practical issues such as corruption and local infrastructure before considering any *syariah* style laws (*Tempo* 25 June 2006).

²³ In general these laws remain optional and are not obligatory for Muslims or non-Muslims, but allow individuals to conduct their personal business in accordance with Islamic precepts if they so choose (Salim and Azra 2003: 12).

and other Muslim groups to Islamise Indonesian laws (*Tempo* 25 June 2006). PKS denies that it has any hidden agenda, but it is clear that it is pursuing its *syariah* goals through democratic means. This challenges the notion that democratic institutions will produce ‘democratic’ norms such as secularism. It suggests that there is no causal link between democratic institutions and the group of rights, values and norms generally associated with substantive accounts of democracy (Törnquist 2006: 228-229). In the same way that democratic institutions do not automatically create a culture of good governance, these procedures do not necessarily produce laws based on secular precepts. The influence of religion on the outcomes of a democratic process will vary in different societies, but clearly parties like PKS, who have a religious agenda, can use democratic institutions to create outcomes based on religious principles.

It must be asked then whether secularism is in fact necessary to democracy. A separation between religion and the state is assumed in many substantive theories of democracy, particularly in the liberal tradition (Bader 1999: 597), but there is little evidence to suggest that a democracy requires a secular system of government to be successful. Veit Bader (1999: 603-606) argues that secularism is a ‘second-order principle’ that should not be included as part of the minimal requirements for a democratic system, and that a strict separation of religion and politics can lead to a number of constitutional dilemmas as religion continues to play an important role in society. For those who advocate a secular democracy, PKS’ desire to introduce *syariah* appears to violate democratic principles, but as they are using democratic procedures to achieve these goals, it is impossible to simply categorise these efforts as ‘undemocratic’.

Role of Women in Politics

In the twentieth century, democracy became prefaced on a discourse of equality between all citizens, regardless of sex, race or class. As women’s political rights have become more widely accepted, equality between men and women has become increasingly recognised as an integral part of democracy (Inglehart et al. 2002: 321). At its base level this requires universal suffrage, as well as the representation of women in parliament and leadership roles (Inglehart et al. 2002: 321-322). Studies suggest that the achievement of equal political rights is highly influenced by culture (Norris and Inglehart 2001: 131). Women’s

equality is often considered a Western concept and has been criticised in some other cultural contexts (Okin 1998b: 37). Islamic societies have in general extended fewer political rights to women than other societies (Inglehart et al. 2002: 328). For example, Indonesian women have long had the right to vote but their participation in political parties, the legislative and executive has been limited (Budianta 2006: 916). As noted in the Introduction, the importance of gender equality has generally been ignored in formalist and substantive democratic theories (Pateman 1989: 210). As Anne Phillips has argued, ‘the entire debate on democracy has proceeded for centuries as if women were not there’ (Phillips 1991: 2).

At one level, PKS is a positive example of an organisation that promotes women’s participation in Indonesian politics. Women play an active role in PKS’ party activities and statistics show that a majority of PKS members are women (Burhanudin 2004: 127). Women are allowed to hold leadership positions in the party, except as party president (Burhanudin 2004: 129) and a small number of women have held positions on PKS’ executive bodies (Yayasan API 1999: 265-266).²⁴ PKS has stated its commitment to meeting quotas of female candidates proposed by the electoral commission (Partai Keadilan Sejahtera 2002). In the 2004 election they had the greatest percentage of female candidates of all the parties fielding candidates (Eliraz 2004: 69). In this respect, the party is a positive example of an organisation that promotes women’s participation in Indonesian politics. The party justifies its support for women’s political participation by reference to Islamic concepts. According to PKS leaders all humans are equal and, as a result, men and women should have equal political rights (Bidang Kewanitaan DPP PK Sejahtera 2004: 7; Ismail 1998: 51). The party’s Central *Syariah* Council has released a *fatwa* or Islamic legal statement outlining its position on female legislative members. This *fatwa* acknowledges that there are aspects of Islamic scripture that are both for and against allowing women to be legislators (Bidang Kewanitaan DPP PK Sejahtera 2004: 5), but argues that men and women have a joint responsibility to work for justice in society, including in the political domain (Bidang Kewanitaan DPP PK Sejahtera 2004: 5). However, the *fatwa* also acknowledges that the Qu’ran states that men are the leaders of

²⁴ However, women are unable to be party leader because it is considered unacceptable for a woman to lead a group of men under Islamic law (Damanik 2002: 301).

women and that a position in parliament would put a woman in a position of leadership over men (Bidang Kewanitaan DPP PK Sejahtera 2004: 6).

The party's differentiation between men and women was demonstrated in their position on the question of a female president. Following the 1999 election Megawati Sukarnoputri emerged as one of the frontrunners to become president of Indonesia. Legislators from Partai Keadilan, the earlier incarnation of PKS, opposed her candidature on the basis that a woman could not be accepted as a leader in Islam (Damanik 2002: 301). Their legislators joined with representatives from other Islamic parties to elect Abdurrahman Wahid as president instead for this reason (Damanik 2002: 302). However, when Wahid resigned in 2001, PK did support Megawati's elevation to the presidency, because, as vice-president, she was the legitimate replacement according to the constitution (Damanik 2002: 303). In this case, the constitution took precedence over PK's opposition to a female president. Nonetheless, the principle remains that a woman cannot be considered an acceptable leader under PKS' ideology.

The *Syariah* Council reconciles other aspects of its stance on women's political participation and Islamic constructs of women's role or *kodrat* by declaring that women can be legislative candidates but only under certain conditions. A woman only has the right to be in parliament if it will not have a negative impact on her family, for example, if her children are grown up (Bidang Kewanitaan DPP PK Sejahtera 2004: 9). Women must also have permission from their husbands to run as a candidate (Bidang Kewanitaan DPP PK Sejahtera 2004: 10), in addition to having the skills and abilities needed to be a legislator (Bidang Kewanitaan DPP PK Sejahtera 2004: 9). Thus according to PKS, men and women have the same obligations as Muslims to engage in politics, but each sex has a different God-given character, so each has a different role appropriate to this character (Bidang Kewanitaan DPP PK Sejahtera 2004: 9; Burhanudin 2004: 127). Women can join equally with men in representing the party in democratic institutions, but only with the approval of their male relatives and colleagues. This suggests that PKS' commitment to women's participation is qualified, calling into question whether or not the party extends full political rights equally to men and women.

Conclusion

PKS has demonstrated a number of both formalist and substantive ‘democratic’ characteristics. Its encouragement of grassroots political participation and support for the development of norms of good governance suggest that the party may make a positive contribution to Indonesian politics. The party’s policy on *syariah* is less likely to elicit such a consensus, as the democratic nature of this policy depends on the importance placed on secularism as a democratic value. However, PKS’ position on women’s role in politics raises important questions for democratic theorists. If democracy requires all citizens to have equal political rights, then PKS fails to meet that criterion, because it does not demonstrate total equality of political rights along gender lines. However, because of the general silence – or at best – ambivalence towards issues of gender equality – in democratic theory, PKS’ position on women’s political participation has not been widely considered. Chapter Three will further examine the impact of the party’s policies on women, not just in terms of direct political participation but also in their daily lives, as the proposed law on pornography, for which PKS has been the driving force, introduce a new framework of public expression in Indonesia.

Chapter Three

In the past century, formalist and substantive theorists have accepted a model of democracy based on the equality of all citizens (Phillips 1991: 1), yet at the same time these theories have often ignored issues of equality along gender lines. The previous chapter concluded that, despite women's active involvement in party affairs, PKS' ideology is based on the premise that women do not have equal rights to participate in democratic institutions. This chapter will extend this gender-based analysis to examine how PKS' policy agenda impacts on the everyday lives of women and, in turn, their place in Indonesian democracy. It will focus on one of the most controversial laws proposed in Indonesia in recent times, the Draft Law on Pornography and Pornographic Acts or RUU APP. PKS has been heavily involved in drafting this bill in parliament and promoting it among politicians and in society. Therefore, this law can be seen as an outcome of PKS' engagement in democratic process.

The chapter begins by explaining why a gendered analysis of democracy and its outcomes is necessary in this context. In particular it argues that gender inequality has a direct impact on the quality of democracy, not only because it prevents women from fully participating in democratic institutions, but because it affects their 'every day' experiences, and therefore their substantive experience of democracy. From this theoretical perspective, the development of the RUU APP is described, as is the context in which it has been proposed. The chapter then analyses how this law will affect the lives of Indonesian women and what impact this will have on their democratic rights. Finally, the implications of this analysis on the outcomes of democracy are considered. An examination of the RUU APP from a feminist perspective suggests that the law cannot be called democratic, because it does not treat men and women equally. Similarly, the law would contravene the principle of pluralism by imposing a unitary interpretation of sexuality on Indonesia's heterogeneous society, again calling into question whether the law is democratic or not. This also illustrates the difficulty in making assumptions about the impact of outcomes of a democratic process for citizens' lived experience, particularly from a substantive theoretical perspective.

Democracy and Gender

Formalist theories of democracy do not consider gender equality because they are focused on institutions and do not consider conditions within society (Waylen 1994). However, equally, gender equality is not included in the list of 'essential values' proposed by most substantive definitions of democracy. Democratic theorists writing from a feminist perspective have challenged this silence on the position of women, arguing that gender issues have an important impact on democracy. They argue that this requires a re-examination of what aspects of life democracy encompasses, considering the relative positions of men and women in both the public and private spheres of life and how these relations shape democracy.

Mainstream democratic theories are based on the separation of the public and private spheres. They focus exclusively on the role of institutions and activities in the public domain, without considering the individual or the family. Issues such as gender inequality are often considered to belong to the private sphere, and are therefore excluded from the discourse on democracy. However, this is a false separation, as the public and private domains continually interact with and influence one another (Okin 1998a: 124; Phillips 1991: 95). It is thus problematic for democratic theories to focus exclusively on issues of the public domain and ignore the private sphere, as the two areas of society cannot be separated. In other words, personal and domestic aspects of an individual's life are just as important to an examination of democracy as procedures and institutions such as elections and parliaments.

Feminists argue that if democracy is indeed based on equality between citizens, it must involve equality in both the public and private spheres. As Carole Pateman (1989: 218) has noted, 'democratic citizenship...presupposes the solid foundation of a practical, universal recognition that all members of the polity are social equals'. When women are subjected to inequality in society their ability to express themselves as equal individuals in a democratic system is reduced (Pateman 1989: 220). As Shirin Rai argues, '[women's] exclusion from one (public) sphere of life is based upon the undemocratic norms and relations in the other (private) sphere' (Rai 1996: 221). For women and men, the individual's place in society has a direct impact on their rights and opportunities to participate in democratic institutions. It is men's privileged place in society that has led to

their dominance of political institutions, while women, who continue to be defined in terms of their roles in the private sphere, are not equally involved in democratic activities (Pateman 1989: 210-211). Therefore, conditions in society cannot be excluded from examinations of democracy if equality is to be taken seriously as a precondition. The proposed law on pornography will affect both men and women in Indonesia but women would experience the greatest impact on their daily lives, because the law would institute inequality between men and women, which would in turn have a negative impact on women's ability to exercise their democratic rights. PKS has played a leading role in the formation of this law, which has provoked a heated response from many sections of Indonesian society because of the gender imbalance embedded in the law. The following section examines the context in which this law has been drafted and the changes it proposes to Indonesian society.

Morality and Politics: Background to the Law

Many Muslim organisations, including PKS, have condemned the prevalence of pornography and 'immoral' material in Indonesian society in recent years (*Suara Muhammadiyah* 20 February 2006b). There is no doubt that pornographic material is available in Indonesia and in many cases is unregulated and uncensored, as a result of poor law enforcement. However, conservative Islamic voices have not just called for a ban on pornographic films and magazines; they have also deplored the spread of what they consider to be immoral behaviour, such as premarital sex, drug use and sexual violence (*Republika* 22 February 2006). The link between 'pornographic' material and 'immoral' behaviour is strongly argued by many Muslim leaders. In particular it is claimed that the prevalence of pornography is having a detrimental effect on the morality of Indonesian citizens. For example, PKS legislator Yoyoh Yusroh has said that 'pornography and pornographic acts can cause workers to lose their work ethic and the performance of students to decrease' (*Kompas* 31 January 2006). Proponents of this claim provide little evidence beyond the anecdotal to support these claims, but their view has gained significant media attention and influence in Indonesian politics.

Most recently this mindset has been demonstrated in the public controversy over the publication of an Indonesian edition of *Playboy* magazine in

April 2006. Although the magazine's content was less explicit than its Western counterparts, many Islamic organisations protested against its publication because they believed it promoted immoral behaviour that was dangerous to Indonesian society (*Kompas* 30 January 2006). Some of these protests took a violent turn, which pressured the editors to delay subsequent publications.²⁵ The Jakarta police banned the magazine's sale in the capital because they were concerned about the potential for continued violence (*Kompas* 13 April 2006a), and the magazine's editor and one of the models who appeared in the first edition were arrested for promoting immoral behaviour (*Kompas* 30 June 2006).²⁶ Despite this outcome, many Muslim organisations were unhappy with the government's response (*Kompas* 13 April 2006b) and the *Playboy* issue has become a rallying point for supporters of the RUU APP.

The RUU APP has been formulated in the context of this concern regarding pornography and morality in Indonesia. The impetus for new anti-pornography legislation began in the DPR following the first post-Suharto elections in 1999, but the momentum behind the law grew after 2004 (*Kompas* 31 January 2006), and a draft was made public in February 2006. After this the parliamentary special committee (*pansus*) overseeing the formulation of the law held meetings with a variety of interest groups who expressed their views for and against the content of the law (*Tempo* 20 March 2006). Following these discussions the *pansus* members signalled that there would be a number of changes to the draft (*Republika* 5 April 2006) and a second draft was produced in May, following negotiations within the *pansus* (*Republika* 4 September 2006). This version is more concerned with criminalising the production and distribution of 'indecent' material than with individuals' behaviour in public (DPRb). The law was originally scheduled to be put before the parliament in June 2006 but to date it has not been voted on. Hilman Rosyad Syihab, a PKS member of the *pansus*, was confident that the law would be passed in the June sitting, as those parliamentarians who initially opposed it were starting to change their minds (Fraksi PKS Online 2006c). However, the delay in putting the bill before

²⁵ Playboy's Jakarta office was attacked, forcing the magazine to move its headquarters to Bali (*Kompas* 13 April 2006a). A group associated with the National Awakening Party (PKB) also protested outside the home of *dangdut* performer Inul Darutista after she said that she would be willing to appear in Playboy (*Kompas* 15 April 2006).

²⁶ The charge was made under Clause 282 of the existing Indonesian criminal code, which criminalises spreading immorality. The case has yet to be finalised.

parliament suggests that there is still debate within the DPR about how the law should progress, particularly as there appears to be disagreement over which draft should be adopted (*Republika* 4 September 2006; *Republika* 7 September 2006).

There have been a large number of organisations calling for the law to be ratified. Militant Islamist organisations such as the Majelis Mujahidin Indonesia (Indonesian Mujahidin Council) and Front Pembela Islam (Islamic Defenders Front) have publicly backed the law (*Tempo* 20 March 2006). These organisations are known for their strict interpretation of Islamic practices and have a history of trying to enforce public morality.²⁷ Other more mainstream Muslim organisations have also voiced their approval of the RUU APP. Although many members of Nahdlatul Ulama, Indonesia's largest Muslim organisation – including former president Abdurrahman Wahid – have opposed this decision because they see it as an unnecessary move by Islamic fundamentalists (GusDur.net 2006), the NU executive have declared their support for the law as the best way to safeguard society from the negative effects of pornography (Pengurus Besar Nahdlatul Ulama 2006). NU's chairman Hasyim Muzadi explained they had made this decision because pornography and pornographic acts 'are very dangerous because they have been proved to damage national morality especially among the young generation' (Muhammadiyah Online 2006). Muhammadiyah, the second largest Islamic organisation, has been similarly divided over the law, with leader Din Syamsuddin joining with Hasyim Muzadi to call for its ratification (Muhammadiyah Online 2006), while other members have voiced their concern over the law (*Suara Muhammadiyah* 20 February 2006a).²⁸ Another prominent organisation in favour of the RUU APP is the Majelis Ulama Indonesia (Council of Indonesian Islamic Scholars), who issued a *fatwa* in 2001 denouncing pornography as the cause of many social problems (Majelis Ulama Indonesia 2001), while political parties advocating the law include both Islamic parties such as PPP and PAN and secular parties such as Golkar and Partai Demokrat (*Media Indonesia* 13 May 2006).

²⁷ FPI, for example, has regularly raided nightclubs and other places of 'vice' in Jakarta (International Crisis Group 2001: 7-8).

²⁸ NU and Muhammadiyah's official support for the law is an interesting development considering the fact that these organisations have often been considered a bulwark of moderate Islam in Indonesia (Hefner 2005b: 298).

The most vocal opponents to the RUU APP have been women's organisations and feminist activists. They believe the RUU APP in its current form would discriminate against women, by taking away women's rights to control their own bodies (Arivia 2006) and breaching their human rights (Candrakirana 2006). These groups are not opposed to state regulation of pornography in general, but they argue that this should be done through strengthening the rule of law rather than restricting the rights of ordinary Indonesians (Soekirno 2006). Pornography is defined in the law as 'substance in the media or communication tools which is made to communicate ideas which exploit sexuality, obscenity and/or eroticism'.²⁹ Pornographic acts are defined as 'acts which exploit sexuality, obscenity and/or eroticism in public view'.³⁰ These definitions are extremely broad and rely on a subjective judgment of what constitutes sexuality and eroticism. In the discourse surrounding the RUU APP, women have become the focus of improving Indonesia's moral standard, as though they are both the cause and solution to the so-called moral crisis (Arivia 2006). This emphasis on women's morality reflects a strict Islamic interpretation of sexuality and the relationship between men and women. According to some interpretations of Islamic law, female sexuality is responsible for causing immoral sexual desires in men, and hence, women should cover those parts of their body that arouse sexual desires (Mahmood 2005: 106-107). In the Indonesian context, the ideology behind the RUU APP argues that if women are 'good' (for example, they don't wear revealing clothing in public) then national morality will be safeguarded (Arivia 2006). Thus responsibility for public morality rests on women's behaviour in public (Mahmood 2005: 112). Although it is not explicitly stated in the legislation, the RUU APP shares many similarities with this interpretation of sexuality and gender relations.

²⁹ 'Pornografi adalah substansi dalam media atau alat komunikasi yang dibuat untuk menyampaikan gagasan-gagasan yang mengeksploitasi seksual, kecabulan dan/atau erotika' (DPRa: Clause 1.1). In the second draft, pornography is defined as 'human works that intentionally exploit sexual objects by displaying them in public and violating society's sense of morality' (DPRb: Clause 1.1). Media and communication tools refer to print and electronic media, including internet and mobile phone technology, as well as literature, visual and performing arts.

³⁰ 'Pornoaksi adalah perbuatan mengeksploitasi seksual, kecabulan, dan/atau erotika di muka umum' (DPRa: Clause 1.2). Draft two defines pornographic acts as 'behaviour which intentionally exploits sexual objects in public and which violate society's sense of morality and lower the standard of humans' (DPRb: Clause 1.2).

Concepts such as ‘pornography’ and ‘sexuality’ can be interpreted in many different ways according to different personal, religious and cultural understandings. However, feminist critics argue that the RUU APP privileges one interpretation of sexuality and eroticism over all others (Soekirno 2006). The law is prefaced on a very restrictive understanding of sexuality. Acts prohibited in the media and in public under the proposed law include kissing on the lips, dancing or moving erotically and displaying ‘sensual’ parts of the body.³¹ Thus all outward expressions of sexuality are defined as bad and dangerous to both the individual and society. The new legal context will also promote the notion that there is something wrong with the female body in particular, which is why it must be covered (Hidayati 2006). This hegemonic interpretation of sexuality ignores the fact that within Indonesia there are a multitude of definitions of what is ‘sexy’ based on different religious and cultural traditions (Soekirno 2006). Critics also argue that the human body is not just a sexual object but performs many functions and can be imbued with multiple meanings (Pambudy 2006). Nor is sexuality just defined by the body, but involves other elements of human character such as the emotions and personality (*Swara Rahima* July 2002). Ultimately, feminists argue, it is individuals who should have the right to choose how they define their sexuality and not the state (Soekirno 2006).

Although the law applies equally to men and women, it is women who would be affected most. In the Indonesian context, women’s bodies and behaviour are more likely to be considered as sensual, and therefore, be restricted by the new regulations. For example, the parts of the body defined as sensual include ‘the genitals, thighs, hips, buttocks, navel and breasts, both partly and fully exposed’.³² This will limit individuals’ ability to have control over their own bodies and how they express themselves. If the enforcement of the law follows the precedent set by a number of local by-laws in Indonesia, it will be women’s behaviour and dress that will come under the greater scrutiny from authorities.³³ The law is also

³¹ See Clause 4, 6, 7, 25, 27 and 28. The proposed punishment for showing sensual body parts in public, for example, is two to ten years’ imprisonment and/or a maximum fine of one billion rupiah (DPRa: Clause 79).

³² ‘Yang dimaksud dengan bagian tubuh tertentu yang sensual antara lain adalah alat kelamin, paha, pinggul, pantat, pusar, dan payudara perempuan, baik terlihat sebagian maupun seluruhnya.’ (DPRa).

³³ For example, a law in Tangerang on the outskirts of Jakarta banning ‘immoral’ behaviour such as kissing in public has led to a number of women being arrested for alleged prostitution for being out in public at night alone (Perlez 2006).

more concerned with punishing people who are the objects of pornography and pornographic acts than with those who produce and distribute pornographic material. For example, the punishment women may face for not covering certain parts of their body is greater than the proposed penalty for those exploiting the same body parts in pornographic materials such as videos or magazines.³⁴ This means that ordinary women who do not cover their bodies sufficiently may be punished more severely than someone making a profit from producing pornography.

Sexuality can always be controlled by those who are in a position of power, and given that Indonesian society is patriarchal in nature, this power is in the hands of men (*Swara Rahima* July 2002). The RUU APP would institutionalise this male-dominated view (Arivia 2006). In particular, the conservative view of sexuality presented in the law would create a perception that women are morally inferior to men and should therefore submit to male authority. In this situation it would be extremely difficult for women to participate on equal terms with their male counterparts in democratic institutions. Even though Indonesian women have the right to vote and stand for elected office, under the RUU APP, they would struggle to find a place in the male-dominated public sphere, as they are encouraged to stay in the domestic realm. Within this private sphere, women's experience of 'every day' democracy would also be limited, as the law would restrict their freedom to make choices in some of the most personal aspects of their lives, such as how they choose to express their sexuality and how they relate to men. Thus from a feminist perspective, the RUU APP could not be considered 'democratic' because of the negative impact it would have on gender equality.

The RUU APP has also been criticised on the grounds of cultural pluralism.³⁵ Pluralism is based on respect of the rights of minorities and the

³⁴ The punishment for exploiting the attraction of sensual parts of the body is one to five years' imprisonment and/or a maximum fine of five hundred million rupiah (DPR: Clause 58). Compare with the punishment outlined in footnote 31 for displaying these body parts in public.

³⁵ It should be noted also that there is a risk that applying Western feminist values to the plurality of ideas and experiences of Indonesian women may be marginalised: although feminist activists have taken a strong stance against the RUU APP using arguments drawn from Western feminist discourse, other groups of Indonesian women have supported the law from a similar Islamic viewpoint to PKS. There is an ongoing debate on the relevance of Western feminism to women's issues in Islamic societies (Hashim 1999). Feminist theory should not be applied in a hegemonic manner because failing to recognise this pluralism would be as much of an imposition of a particular view as the RUU APP itself.

acceptance of a multitude of interpretations of religious thought and practice. As noted earlier, according to Robert Hefner (2000: 7), one of the democratic values found in Islam is its acceptance of pluralism, both within the Muslim community and with non-Muslims. By this standard, the outcomes of the democratic process should respect and reinforce a pluralist society. However, the proponents of the RUU APP have been criticised by a coalition of artists, performers, politicians and certain ethnic groups for not respecting these pluralistic values. These groups have protested against the law because they believe that it is a threat to Indonesia's cultural heritage and diversity.³⁶ The Aliansi Bhinneka Tunggal Ika, an alliance of NGOs formed in opposition to the proposed law, has argued that the RUU APP contradicts the principles of *Pancasila*, as it does not recognise the diversity of ethnicity, religion and tradition inherent in Indonesian culture, particularly in regards to dress, dance and other arts (*Suara Merdeka* 10 May 2006). Protests against this have been strongest in Bali where, opponents claim, the law does not reflect Balinese culture and would have a negative impact on local traditions, where artistic expressions of sexuality are encouraged (*Tempo* 20 March 2006). Their fear is the RUU APP will impose a hegemonic view of 'Indonesian' culture where there is little room for diversity.

PKS and the RUU APP

Although PKS are not the only political party or social organisation supporting the RUU APP, they have certainly been one of its most prominent advocates. More than any other party, PKS is associated with the introduction of this law as PKS legislators have played an active role in the drafting process. For example, Yoyoh Yusroh, a PKS legislator and former head of the party's women's committee, is deputy head of the *pansus* overseeing the law and has been an active spokesperson for the committee in the media (*Republika* 5 April 2006). The party uses similar reasons as other Islamic organisations to justify its support for the law. Firstly, they argue that there is a need to free Indonesia from pornography, which, they claim, is increasingly a problem (*Jawa Pos* 23 February 2006). Secondly, pornography is believed to damage national morality, especially

³⁶ Those opposing the bill or calling for changes include former president Megawati Sukarnoputri (*Kompas* 5 April 2006), poet W. S. Rendra (*Gatra* 10 April 2006) and traditional artists from across Indonesia (*Tempo* 20 April 2006).

the morality of young people, who are the most impressionable (Yusroh 2006). One alleged consequence of this is an increase in violence against women and other disturbing behaviour (Yusroh 2006). From PKS' perspective, the law is intended to prevent these consequences and help to make Indonesian society safer, happier and more moral. Their vocal support for the law means that in the public's eyes the law is part of PKS' attempts to shape its identity. The party has taken a leadership role in publicly promoting the RUU APP, such as organising anti-pornography rallies (PK Sejahtera Online 2006). Much of the criticism of the law has been directed at PKS, who are seen as the main force behind these proposed changes (*Tempo* 25 June 2006). This law has come to symbolise the party's ideals and objectives for Indonesian politics more generally, including their commitment to *dakwah*, the spreading of Islamic values in society. Thus, although it cannot be said that the RUU APP is solely associated with PKS, its close links to the party's agenda and identity mean that we can study the law as a product of PKS' involvement in Indonesian democracy.

PKS has responded to criticism that the law discriminates against women by saying that in fact the law will protect women from sexual harassment and violence (Yusroh 2006). The party's response does not address the fact that women's rights of personal expression will be curtailed under the RUU APP, suggesting instead that they believe that women cannot be free from sexual harassment and be able to express themselves at the same time. This reflects the conservative Islamic understanding of sexuality outlined above, where women must act and dress modestly in order to avoid encouraging inappropriate sexual behaviour in men. Therefore, the party's view of sexuality places women in a disempowered position as vulnerable individuals who are in need of protection from the (male) state. Hence, PKS' approach to this issue demonstrates the inequality inherent in their overall platform. In response to the claim that the law is based on a particular Islamic view of morality that does not reflect the views of most Indonesians, PKS leaders have argued that, as the majority of Indonesians are Muslim, the community should have no problems in accepting laws based on Islamic values (*Tempo* 25 June 2006). They do not address the concern that the law may impose a monocultural order on Indonesia's pluralistic society. If this were the result, the RUU APP would not be a democratic outcome by this standard. Even though, as Hefner has argued, Indonesian political Islam has

demonstrated aspects of a pluralistic culture, this is no guarantee that the results of Indonesian democracy will uphold this value.

The RUU APP and Democratic Outcomes

If the RUU APP is understood to contravene the basic principle of equality – and therefore be substantively ‘undemocratic’ – what does this tell us about democratic procedures and their outcomes more generally? Both formalist and substantive theories of democracy assume that democratic institutions will produce ‘democratic’ outcomes. In other words, the results of democratic processes should reflect the procedures and values ascribed to democracy. As a result, these theories do not consider what the implications for democracy may be if these results are ‘undemocratic’.

The formalist approach, with its emphasis on democratic institutions, argues that outcomes of democratic procedures should be consistent with these institutions. The RUU APP is a product of the democratic process. It has been drafted by members of a legislative body who were elected through a free and fair election, which fulfil the criteria of the formalist democratic model (Dahl 1998: 93-95). From a formalist perspective, the anti-pornography law is an example of how a group (PKS) can use participation in democratic institutions to achieve its aims. The party views the drafting of the law as part of a democratic process and recognises that they must achieve their goals through negotiation with other members of parliament (Fraksi PKS Online 2006a). MPR speaker Hidayat Nur Wahid encouraged *pansus* members to carefully consider the opinions of those opposed to the law as they have the right to express their views (Fraksi PKS Online 2006a). Party leaders have also stressed that any public demonstrations in favour of the law should be peaceful and respect the legislative process (Fraksi PKS Online 2006b). Even opponents of the law have noted the way PKS have constantly stressed the importance of following democratic procedures. Abdul Mukti Ro’uf, writing for the Jaringan Islam Liberal website, wrote, ‘in my opinion, the political path this group is taking does not violate democratic principles’ (Ro’uf 2006). Thus from this formalist perspective not only is the outcome of the RUU APP democratic, but the process bringing it into existence is strengthening democratic procedures.

From a substantive perspective, it is assumed that the outcomes of the democratic process, such as legislation and government policy, will uphold the values that are considered essential to democracy (Linz and Stepan 2001: 94-95). Whether or not the RUU APP is an example of a 'democratic' outcome from a substantive perspective depends on which particular values are emphasised. As we have seen, if gender equality is taken to be an essential democratic value, then the law does not represent a 'democratic' outcome. Similarly, RUU APP fails the substantive test with regards to pluralism, another value that is often declared integral to democracy. From this perspective, the RUU APP raises a number of questions about the quality and sustainability of Indonesian democracy, but also about the nature of democratic theorising itself – specifically, the RUU APP case suggests that it cannot be assumed that democratic procedures will automatically produce outcomes that reflect certain (Western) 'democratic' values, be it gender equality, pluralism, or any of the other values that are referred to in substantive theories of democracy, such as secularism and human rights.

Conclusion

As the examples of gender equality and pluralism have shown, the outcomes of a democratic process cannot be taken for granted. The RUU APP may be considered democratic in terms of formalist criteria, and substantive values such as pluralism. PKS has fully abided by the conventions of democratic institutions in proposing this law. They have respected the legislative process, including the opportunities for parties, organisations and individuals to express their opposition to the bill. If the law is passed, by all formalist criteria it must be seen as a 'democratic' outcome. Through a substantive lens, the law may or may not be democratic, depending on which 'democratic criteria' are applied. This does not mean that a substantive approach should be avoided entirely. Rather, it suggests that all democratic theories should be applied critically and be examined from different perspectives, including a feminist perspective. The case of the RUU APP shows gender issues play an important role in democracy and should therefore be taken into account in examinations of democratic procedures and their outcomes. A gendered analysis of the RUU APP provides an essential insight into the impact of PKS' policy agenda on women, which in turn influences the quality of Indonesian democracy as a whole.

Conclusion

PKS presents an interesting case to study both in the context of Indonesia's new and developing democracy and in the context of democratic theory. The party's position as an emerging force in Indonesian politics allows a discussion of many of the crucial issues associated with democracy, including the outcomes of democratic processes, the terms of definitions of democracy, and the possibility of democratic systems of government in non-Western cultural contexts, particularly in the Islamic world. Democracy is a contested concept that requires a close exploration. This thesis has recognised the difference between the formalist and substantive approaches to democracy and the implications of these differences. The formalist approach, pioneered by Schumpeter and Dahl, takes a minimalist approach to democracy by focusing on the processes that institutionalise democratic participation and contestation. Substantive theories build upon these institutions but insist that they must be accompanied by the presence of certain values. As has been demonstrated throughout this thesis, different substantive theories emphasise the importance of different values. Therefore, examinations of democracies and democratic actors such as PKS will vary depending on whether a formalist or substantive definition of democracy is applied and, hence, it is possible for many different conclusions to be reached about the same organisation.

A distinction has been made in this thesis between formalist and substantive theories of democracy in order to stress the heterogeneous nature of discourses on democracy – something that is often left unexamined within discussions of democratic theory. One often overlooked aspect is the feminist approach developed by writers such as Pateman (1989) and Phillips (1991), which challenges the lack of gender analysis in democratic theory. In this thesis, the feminist approach to democracy has been used to explore how PKS' policies, especially the RUU APP, impact on the experience of women in order to illustrate the contested nature of democracy. As the discussion of the RUU APP in Chapter Three demonstrated, the results of a democratic process are far from certain. It cannot be assumed that institutions such as elections and parliamentary bodies will produce outcomes that reflect particular principles or values. This is an important point to make in the context of both formalist theories of

democratisation, where it is often argued that the introduction of democratic institutions will induce a change in many norms in society. However, the RUU APP example shows that the relationship between democratic procedures and substantive norms is much more complex and less predictable. This proposed law has been created by members of a democratically elected parliament, in accordance with the constitutional provisions governing that body. PKS has respected this democratic process and have not sought to achieve their goals through violence or coercion. Yet, as this thesis has argued, the RUU APP cannot necessarily be considered a ‘democratic’ outcome, particularly when viewed in relation to gender equality. This case demonstrates that widely accepted democratic institutions, such as those identified by Dahl (1998), do not always produce results that reflect particular values.

Similarly, a process of democratisation, as has occurred in Indonesia, may not be accompanied by all the values emphasised in substantive democratic theories. As shown in Chapter Two, PKS’ policies comply with a number of substantive principles, such as good governance and, to an extent, pluralism. At the same time, the party has other policies that do not meet with other ‘democratic’ criteria, including secularism and gender equality. Indonesia’s recent democratisation has not produced a consensus on issues such as the degree to which religion should play a role in politics or the importance of protecting cultural diversity in society. Rather, there are a variety of views expressed on these issues, of which PKS is just one voice. This does not mean that certain groups within this democratic system are ‘undemocratic’ because they do not accept certain values; rather it suggests that the theoretical assumptions underpinning substantive theories of democracy need to be questioned along with the ideology of groups involved in a democratic process.

Substantive approaches to democracy argue that democracy’s success is contingent on the presence of certain values. As different theorists emphasise different values, it must be considered which particular values, if any, are required for democracy. This demands a closer examination of the relationship between specific substantive values and democracy. One such value that has been discussed in this thesis is secularism, that is, the belief that democracy requires the separation of religious influences from political affairs. This premise is often not accepted in Muslim societies, as Islam is understood to govern all areas of life.

PKS' approach to democracy, outlined in Chapter One, is an example of how religious principles can be used to justify a democratic system of government. Within this framework, the party relies on aspects of Islam to support a number of other democratic criteria, including public participation, accountability and a degree of equality of rights. Therefore, this belief in the importance of secularism is problematic, as religion can play a positive role in supporting democracy. Similarly, the importance of other substantive values warrants further examination, in order to determine whether they are truly necessary for democracy. An in-depth analysis of this tension is beyond the scope of this thesis but would make a valuable contribution to democratic theory.³⁷

The benefits of a fundamental re-examination of the terms of democracy are demonstrated in feminist critiques of mainstream democratic theories. For centuries, democratic discourse has progressed without reference to women (Phillips 1991: 2). Even with the spread of universal suffrage, democratic theorists have not examined the position of women in society and their role within democracies. As discussed in this thesis, feminists have sought to redress this imbalance by demonstrating that issues of discrimination and inequality in society impact on democracy. The gendered analysis of the RUU APP presented in Chapter Three has shown that a feminist approach offers a significantly different perspective of the law. When gender equality is taken into account, the law is discovered to be 'undemocratic', whereas by formalist proceduralist criteria, the law would be deemed 'democratic'. Therefore, it is as important to consider the relationship between gender issues and democracy as any other values or characteristics ascribed to democracy. This is not to say that a feminist approach should take precedence over all other understandings of democracy. Rather, different approaches to democracy may be equally valid. However, it is essential that these theories are used critically, without simply dismissing other approaches, including the often-marginalised feminist perspective.

In the same way, discussions on the prospects of democracy in Muslim societies must take account of these different understandings of democracy. For analysts such as Huntington (1993), who view democracy as the product of

³⁷ Some empirical studies on the relationship between substantive values and democracy have been conducted, such as Przeworski et al's (2003) study of the link between democracy and certain cultures.

Western culture, Islam does not possess the necessary attributes to develop democratic systems of government. This perspective is based on a number of substantive assumptions which have been questioned throughout this thesis, most particularly the importance of secularism as an inherent part of democracy. As Chapter One shows, PKS supports democracy because they believe it is compatible with aspects of Islamic traditions. The party relies on concepts such as *dakwah*, *khilafah* and *shura* to draw points of coincidence between its members' Islamic beliefs and its commitment to democracy. This challenges the view that democracy must be based on secular principles and suggests that different forms of democracy may be possible in different religious and cultural contexts.

The role of Islamic ideas in forming PKS' approach to democracy suggests that religion is not necessarily an anti-democratic force, but can provide many cultural assets to support a democratic system, as argued by Hefner (2000) and other advocates of 'Muslim democracy', such as Esposito and Voll (1996). Hefner argues that democracy is possible in a Muslim context, provided that certain 'democratic' norms are respected. However, many of PKS' policies are not based on these values, and, therefore, the party would not be considered 'truly' democratic in Hefner's framework of democracy. Hefner's view fails to recognise many of the other aspects of PKS' platform, such as their respect for democratic procedures, their concern about substantive outcomes of democracy such as good governance, and their ability to work together with non-Muslims to achieve common political aims. His privileging of a particular set of values prevents him from taking a wider view of what a 'Muslim democracy' might entail.

As the number of democratic states has increased, debates and discussions on the nature of democracy and how democratic systems may be developed have also increased. These discussions reveal the diversity of definitions and approaches to democracy across the formalist and substantive spectrum. It is therefore difficult to talk about 'democracy' without explaining what type of democracy is being discussed. As this examination of PKS has shown, it is problematic to privilege any approach to democracy over another, given that the terms of democracy are highly contestable. Any discussion of democracy must therefore be self-critical and adopt a broad understanding of what democracy entails and what criteria are necessary for a successful democratic system, if it is to provide a significant insight into the role of political parties such as PKS.

Bibliography

Books

- Alynudin, Suhud. 2004. *PK Sejahtera Menjawab Tudingan dan Fitnah [PKS Answers Accusations and Slander]*. Jakarta: Pustaka Saksi.
- Barton, Greg. 2002a. *Abdurrahman Wahid: Muslim Democrat, Indonesian President*. Sydney: UNSW Press.
- Basyaib, Hamid, and Hamid Abidin, eds. 1999. *Mengapa Partai Islam Kalah?: Perjalanan Politik Islam dari Pra-Pemilu '99 Sampai Pemilihan Presiden [Why did Islamic parties fail?: The journey of political Islam from before the '99 election to presidential election]*. Jakarta: Alvabet.
- Beetham, David. 1999. *Democracy and Human Rights*. Cambridge: Polity Press.
- Bidang Kewanitaan DPP PK Sejahtera. 2004. *Perempuan-Perempuan Pilihan: Profil Singkat 150 Caleg dan Politisi Perempuan PK Sejahtera [Chosen Women: Short Profiles of 150 Female PKS Candidates and Politicians]*. Jakarta: Misykat Publication.
- Bourchier, David, and Vedi R. Hadiz, eds. 2003. *Indonesian Politics and Society: A Reader*. London and New York: RoutledgeCurzon.
- Bubalo, Anthony, and Greg Fealy. 2005. *Joining the caravan?: the Middle East, Islamism and Indonesia, Lowy Institute Paper 05*. Sydney: Lowy Institute for International Policy.
- Burhanudin, H. Nandang. 2004. *Penegakan Syariat Islam Menurut Partai Keadilan [Upholding Islamic Law According to the Justice Party]*. Jakarta: Al-Jannah.
- Dahl, Robert A. 1998. *On Democracy*. New Haven and London: Yale University Press.
- Damanik, Ali Said. 2002. *Fenomena Partai Keadilan: Transformasi 20 Tahun Gerakan Tarbiyah di Indonesia [The Justice Party Phenomenon: The Transformation of 20 Years of the Tarbiyah Movement in Indonesia]*. Jakarta: Teraju.
- Dhakidae, Daniel, ed. 1999. *Partai-Partai Politik Indonesia: Ideologi, Strategi dan Program [Indonesian Political Parties: Ideology, Strategy and Programs]*. Jakarta: Kompas.
- Diamond, Larry, Juan J. Linz, and Seymour Martin Lipset, eds. 1989. *Democracy in Developing Countries*. Boulder, Colorado and London: Adamantine Press.

- Diamond, Larry, Marc F. Plattner, and Philip J. Costopoulos, eds. 2005. *World Religions and Democracy*. Baltimore: John Hopkins University Press
- Eickelman, Dale F., and James Piscatori. 2004. *Muslim Politics*. 2nd ed. Princeton and Oxford: Princeton University Press.
- Eliraz, Giora. 2004. *Islam in Indonesia: Modernism, Radicalism and the Middle East Dimension*. Brighton and Portland: Sussex Academic Press.
- Esposito, John L., and John O. Voll. 1996. *Islam and Democracy*. New York and Oxford: Oxford University Press.
- Furkon, Aay Muhamad. 2004. *Partai Keadilan Sejahtera: Ideologi dan Praksis Politik Kaum Muda Muslim Indonesia Kontemporer [The Prosperous Justice Party: Ideology and Political Practice of Contemporary Young Indonesian Muslims]*. Jakarta: Teraju.
- Hefner, Robert W. 2000. *Civil Islam: Muslims and Democratization in Indonesia*. Princeton and Oxford: Princeton University Press.
- Held, David. 1995. *Democracy and the Global Order*. Cambridge: Polity Press.
- Huntington, Samuel P. 1991. *The Third Wave: Democratization in the Late Twentieth Century*. Norman: University of Oklahoma Press.
- . 2002. *The Clash of Civilizations and the Remaking of World Order*. London: Free Press.
- Mahmood, Saba. 2005. *Politics of Piety: The Islamic Revival and the Feminist Subject*. Princeton and Oxford: Princeton University Press.
- Mitchell, Richard P. 1993. *The Society of the Muslim Brothers*. New York and Oxford: Oxford University Press.
- O'Donnell, Guillermo, Philippe C. Schmitter, and Laurence Whitehead, eds. 1986. *Transitions from Authoritarian Rule*. Baltimore: John Hopkins University Press.
- Pateman, Carole. 1989. *The Disorder of Women: Democracy, Feminism and Political Theory*. Stanford: Stanford University Press.
- Phillips, Anne. 1991. *Engendering Democracy*. Cambridge: Polity Press.
- Romli, Lili. 2006. *Islam Yes, Partai Islam Yes: Sejarah Perkembangan Partai-Partai Islam di Indonesia [Islam Yes, Islamic Parties Yes: The History of the Development of Islamic Parties in Indonesia]*. Yogyakarta: Pustaka Pelajar.
- Sachedina, Abdulaziz Abdulhussein. 2001. *The Islamic Roots of Democratic Pluralism*. New York: Oxford University Press.

Waluyo, Sapto. 2005. *Kebangkitan Politik Dakwah [The Rise of Dakwah Politics]*. Bandung: Harakatuna.

Yayasan API. 1999. *Almanak Parpol Indonesia [Indonesian Political Party Almanac]*. Jakarta: Yayasan API.

Book Sections

Anwar, Dewi Fortuna. 2001. Indonesia's Transition to Democracy: Challenges and Prospects. In *Indonesia: The Uncertain Transition*, edited by A. Budiman and D. Kingsbury. Adelaide: Crawford House.

Azra, Azyumardi. 2004. Political Islam in Post-Soeharto Indonesia. In *Islamic Perspectives on the New Millenium*, edited by V. Hooker and A. Saikal. Singapore: Institute of Southeast Asian Studies.

Barton, Greg. 2002b. Islam and Politics in the New Indonesia. In *Islam in Asia: Changing Political Realities*, edited by J. F. Isaacson and C. Rubenstein. New Brunswick and London: Transaction Publishers.

Bova, Russell. 2001. Democracy and Liberty: The Cultural Connection. In *The Global Divergence of Democracies*, edited by L. Diamond and M. F. Plattner. Baltimore and London: John Hopkins University Press.

Diamond, Larry. 2003. Defining and Developing Democracy. In *The Democracy Sourcebook*, edited by R. Dahl, I. Shapiro and J. A. Cheibub. Cambridge, MA and London: MIT Press.

Diamond, Larry, and Richard Gunther. 2001. Types and Functions of Parties. In *Political Parties and Democracy*, edited by L. Diamond and R. Gunther. Baltimore and London: John Hopkins University Press.

Fealy, Greg. 2001a. Islamic Politics: A Rising or Declining Force? In *Indonesia: the Uncertain Transition*, edited by D. Kingsbury and A. Budiman. Adelaide: Crawford House.

———. 2001b. Parties and Parliament: Serving Whose Interests? In *Indonesia Today: Challenges of History*, edited by G. Lloyd and S. L. Smith. Singapore: Institute of Southeast Asian Studies.

Filali-Ansary, Abdou. 2001. Muslims and Democracy. In *The Global Divergence of Democracies*, edited by L. Diamond and M. F. Plattner. Baltimore and London: John Hopkins University Press.

Fradkin, Hillel. 2005. Epilogue: Does Democracy Need Religion? In *World Religions and Democracy*, edited by L. Diamond, M. F. Plattner and P. J. Costopoulos. Baltimore and London: John Hopkins University Press.

- Haris, Syamsuddin. 2004. Politization of Religion and the Failure of Islamic Parties in the 1999 General Elections. In *Elections in Indonesia: The New Order and Beyond*, edited by H. Antlov and S. Cederroth. London and New York: RoutledgeCurzon.
- Hefner, Robert W. 2005a. Introduction: Modernity and the Remaking of Muslim Politics. In *Remaking Muslim Politics: Pluralism, Contestation and Democratization*, edited by R. W. Hefner. Princeton and Oxford: Princeton University Press.
- . 2005b. Muslim Democrats and Islamist Violence in Post-Soeharto Indonesia. In *Remaking Muslim Politics: Pluralism, Contestation, Democratization*, edited by R. W. Hefner. Princeton and Oxford: Princeton University Press.
- Hooker, M. B. 2004. Perspectives on Shari'a and the State: The Indonesian Debates. In *Islamic Perspectives on the New Millenium*, edited by V. Hooker and A. Saikal. Singapore: Institute of Southeast Asian Studies.
- Ismail, Nur Mahmudi. 1998. Jatidiri Partai Keadilan [Identity of the Justice Party]. In *Memilih Partai Islam [Choosing Islamic Parties]*, edited by S. L. Hassan, K. Sukardiyono and D. M. H. Basri. Jakarta: Gema Insansi Press.
- Linz, Juan J., and Alfred Stepan. 2001. Toward Consolidated Democracies. In *The Global Divergence of Democracies*, edited by L. Diamond and M. F. Plattner. Baltimore and London: John Hopkins University Press.
- Nurwahid, Hidayat, and Zulkieflimansyah. 2003. The Justice Party and Democracy: A Journey of a Thousand Miles Starts with a Single Step. In *Piety and Pragmatism: Trends in Islamic Politics, Asian Program Special Report*, edited by A. McCreedy. Washington DC: Woodrow Wilson International Centre for Scholars, Asia Program.
http://www.wilsoncenter.org/topics/pubs/asiarpt_110.pdf
- Okin, Susan Moller. 1998a. Gender, the Public, and the Private. In *Feminism and Politics*, edited by A. Phillips. Oxford and New York: Oxford University Press.
- Przeworski, Adam. 2003. Minimalist Conception of Democracy: A Defense. In *The Democracy Sourcebook*, edited by R. Dahl, I. Shapiro and J. A. Cheibub. Cambridge, MA and London: MIT Press.
- Przeworski, Adam, José Antonio Cheibub, and Fernando Limongi. 2003. Culture and Democracy. In *The Democracy Sourcebook*, edited by R. Dahl, I. Shapiro and J. A. Cheibub. Cambridge, MA and London: MIT Press.
- Rai, Shirin M. 1996. Gender and Democratization: Ambiguity and Opportunity. In *Democratization in the South: The Jagged Wave*, edited by R. Luckham and G. White. Manchester and New York: Manchester University Press.

- . 2000. International Perspectives on Gender and Democratisation. In *International Perspectives on Gender and Democratisation*, edited by S. M. Rai. London: Macmillan.
- Riddell, Peter G. 2005. Islamization, Creeping *Shari'a*, and Varied Responses in Indonesia. In *Radical Islam's Rules: The Worldwide Spread of Extreme Shari'a Law*, edited by P. Marshall. Lanham, Maryland: Freedom House's Center for Religious Freedom, Rowman and Littlefield.
- Salim, Arskal, and Azyumardi Azra. 2003. Introduction: The State and *Shari'a* in the Perspective of Indonesian Legal Politics. In *Shari'a and Politics in Modern Indonesia*, edited by A. Salim and A. Azra. Singapore: Institute of Southeast Asian Studies.
- Schmitter, Philippe C., and Terry Lynn Karl. 1993. What Democracy Is...And Is Not. In *The Global Resurgence of Democracy*, edited by L. Diamond and M. F. Plattner. Baltimore and London: John Hopkins University Press.
- Schumpeter, Joseph. 2003. Capitalism, Socialism, and Democracy. In *The Democracy Sourcebook*, edited by R. Dahl, I. Shapiro and J. A. Cheibub. Cambridge, MA and London: MIT Press.
- Sen, Amartya. 2001. Democracy as a Universal Value. In *The Global Divergence of Democracies*, edited by L. Diamond and M. F. Plattner. Baltimore and London: John Hopkins University Press.
- Stepan, Alfred. 2005. Religion, Democracy, and the "Twin Tolerations". In *World Religions and Democracy*, edited by L. Diamond, M. F. Plattner and P. J. Costopoulos. Baltimore and London: John Hopkins University Press.

Journal Articles

- Aspinall, Edward. 2005. Indonesia After the Tsunami. *Current History* 104 (680):105-109.
- Bader, Veit. 1999. Religious Pluralism: Secularism or Priority for Democracy? *Political Theory* 27 (5):597-633.
- Baswedan, Anies Rasyid. 2004. Political Islam in Indonesia: Present and Future Trajectory. *Asian Survey* 44 (5):669-690.
- Budianta, Melani. 2006. Decentralizing Engagements: Women and the Democratization Process in Indonesia. *Signs: Journal of Women in Culture and Society* 31 (4):915-923.
- Diederich, Mathias. 2002. A Closer Look at *Dakwah* and Politics in Indonesia: The *Partai Keadilan*. *Archipel* 64:101-115.

- Hara, Abubakar E. 2001. The Difficult Journey of Democratization in Indonesia. *Contemporary Southeast Asia* 23 (3):307-326.
- Hashim, Iman. 1999. Reconciling Islam and Feminism. *Gender and Development* 7 (1):7-14.
- Huntington, Samuel P. 1993. The Clash of Civilizations? *Foreign Affairs* 72 (3):22-49.
- Inglehart, Ronald, Pippa Norris, and Christian Welzel. 2002. Gender Equality and Democracy. *Comparative Sociology* 1 (3-4):321-345.
- Liddle, R. William. 2003. New Patterns of Islamic Politics in Democratic Indonesia. *Piety and Pragmatism: Trends in Islamic Politics, Asian Program Special Report* 110:4-13.
- McDonagh, Eileen. 2002. Political Citizenship and Democratization: The Gender Paradox. *American Political Science Review* 96 (3):535-552.
- Morlino, Leonardo. 2004. What is a 'Good' Democracy? *Democratization* 11 (5):10-32.
- Norris, Pippa, and Ronald Inglehart. 2001. Cultural Obstacles to Equal Representation. *Journal of Democracy* 12 (3):126-140.
- Okin, Susan Moller. 1998b. Feminism, Women's Human Rights, and Cultural Differences. *Hypatia* 13 (2):32-52.
- Pribadi, Airlangga. 2004. Darwinisme Partai Politik pada Pemilu 2004 [Darwinism of Political Parties in the 2004 General Election]. *Demokrasi dan HAM* 4 (1):53-76.
- Qodari, Muhammad. 2005. Indonesia's Quest for Accountable Governance. *Journal of Democracy* 16 (2):73-87.
- Razavi, Shahra. 2001. Women in Contemporary Democratization. *International Journal of Politics, Culture and Society* 15 (1):201-224.
- Sebastian, Leonard C. 2004. The Paradox of Indonesian Democracy. *Contemporary Southeast Asia* 26 (2):256-279.
- Slater, Dan. 2004. Indonesia's Accountability Trap: Party Cartels and Presidential Power After Democratic Transition. *Indonesia* 78:61-92.
- Törnquist, Olle. 2006. Assessing Democracy from Below: A Framework and Indonesian Pilot Study. *Democratization* 13 (2):227-255.
- Wanandi, Jusuf. 2004. The Indonesian General Elections 2004. *Asia-Pacific Review* 11 (2):115-131.

Warren, Mark E. 2004. What Does Corruption Mean in a Democracy? *American Journal of Political Sciences* 48 (2):328-343.

Waylen, Georgina. 1994. Women and Democratization: Conceptualizing Gender Relations in Transition Politics. *World Politics* 46:327-354.

Newspaper and Magazine Articles

Forum Keadilan

Seorang Alim yang Menjaga Moral dan Akhlak [A Devout Person Who Guards Morals and Character]. 22 July 1999.

Gatra

Menopang Langkah Sang Pejuang [Following the Steps of a Fighter]. 12 February 2005.

WS Rendra Bicara RUU APP [WS Rendra Talks About RUU APP]. 10 April 2006.

International Herald Tribune

Perlez, Jane. 2006. Women Caught in a More Radical Indonesia. 27 June 2006.

Jawa Pos

PKS Minta RUU Antipornografi dan Pornoaksi Direvisi [PKS Requests Draft Pornography Law be Revised]. 23 February 2006.

Kompas

Pambudy, Ninuk Mardiana. 2006. Misoginis dan Memojokkan [Misogynist and Marginalising]. 4 March 2006.

Inul Darutista Ogah Tampil di Playboy [Inul Darutista Reluctant to Appear in *Playboy*]. 15 April 2006.

Kader PKS Bakar Tabloid Porno [PKS Members Burn Porn Tabloid]. 30 January 2006.

Kapolda Metro Jaya Mengusulkan Playboy Tak Beredar di Jakarta [Jakarta Police Chief Suggests *Playboy* Should Not Be Sold in Jakarta]. 13 April 2006.

Korupsi di Kaltim, Nurmahmudi Membantah [Nurmahmudi Denies Corruption in East Kalimantan]. 22 April 2006.

Megawati: Hati-hati Sikapi RUU APP [Megawati: Beware of RUU APP]. 5 April 2006.

Model Playboy Tersangka [*Playboy* Model Suspected]. 30 June 2006.

RUU Anti Pornografi dan Pornoaksi Berjalan Alot [Proposed Anti-pornography and Pornographic Acts Law Progressing With Difficulty]. 13 April 2006a.

Sikap Pemerintah Atas Terbitnya Playboy Mengecewakan [Government's Attitude to Publishing of *Playboy* Disappointing]. 13 April 2006b.

Media Indonesia

Pansus DPR-RI Sinyalir RUU APP [DPR Committee Points Out RUU APP Could Be Cancelled]. 13 May 2006.

Republika

- Balkan dan Sasongko Ceroboh [Balkan and Sasongko Are Improper]. 4 September 2006.
- Dewan Syariah PKS: Pornografi itu Ibarat Racun Berbungkus Madu [PKS *Syariah* Council: Pornography is Like Poison Wrapped in Honey]. 22 February 2006.
- Pembahasan RUU APP Tetap Berjalan [RUU APP Discussion Continues]. 7 September 2006.
- Waka Pansus RUU APP: Ada Usulan Merubah Jadi RUU Pornografi [Deputy Chair of RUU APP Committee: There Are Proposals to Become Draft Pornography Law]. 5 April 2006.

Suara Merdeka

- Aliansi Bhinneka Tunggal Ika Desak DPD Kawal RUU APP [Unity in Diversity Alliance Pressures DPD to be Watchful of RUU APP]. 10 May 2006.

Suara Muhammadiyah

- Problemnya Kompleks, Selain Kegagapan Budaya [The problem is complex, aside from cultural stammers]. 20 February 2006a.
- Umat Islam Harus Jadi Filter [The Muslim Community Must Become a Filter]. 20 February 2006b.

Swara Rahima

- Ketika Seksualitas Jadi Isu Publik [When Sexuality Becomes a Public Issue]. July 2002.

Tempo

- Bukti Bukan Janji [Proof Not Promises]. 29 March 2004.
- Jalan Zigzag Menuju 2009 [The Zigzagging Road to 2009]. 7 August 2005a.
- Partai Dakwah di Simpang Jalan [*Dakwah* Party at the Crossroads]. 7 August 2005b.
- Tensi Tinggi di Antara Pasal Lonjong [High Tension Among Pointed Clauses]. 20 March 2006.
- Yang Tidak Suka Syariat Berlindung di Balik Pancasila [Those Who Don't Like *Syariat* are Protected by Pancasila]. 25 June 2006.

Online Sources

- Arivia, Gadis. 2006. *RUU Anti-Pornografi dan Pornoaksi yang Misogini [Draft Law on Pornography and Pornographic Acts and Misogyny]* [cited 7/3/2006]. Available from <http://www.jurnalperempuan.com/yjp.jpo/?act=perspektif%7C-36%7CX>
- Fraksi PKS Online. 2006a. *RUU APP Amanat TAP MPR No. 7/2001 [RUU APP made under MPR law no.7/2001]* [cited 12/3/2006]. Available from <http://fpks-dpr.or.id/new?op=isi&id=1164>
- . 2006b. *Terbitnya RUU APP Bukan Atas Dasar Mayoritas-Minoritas [Publishing RUU APP not Based on Majorities and Minorities]* [cited 20/7/2006]. Available from <http://fpks-dpr.or.id/new?op=isi&od=1680>

- . 2006c. *Yang Pro RUU APP Menang [Supporters of RUU APP have won]* [cited 2/7/2006]. Available from <http://fpks-dpr.or.id/new?op=isi&id=1612>
- GusDur.net. 2006. *Gus Dur & Sinta Nuriyah Tolak RUU APP [Gus Dur and Sinta Nuriyah Oppose RUU APP]* [cited 22/8/06]. Available from http://www.gusdur.net/indonesia/index.php?option=com_content&task=view&id=2450&Itemid=0
- Hidayati, Ratna. 2006. *RUU Anti Pornografi dan Pornoaksi: Mengapa hanya perempuan? [The Draft Law on Pornography and Pornographic Acts: Why only women?]* [cited 1/6/2006]. Available from <http://www.jurnalperempuan.com/yjp.jpo/?act=artikel%7C-51%7CP>
- Majelis Ulama Indonesia. 2001. *Keputusan Fatwa Komisi Fatwa Majelis Ulama Indonesia Nomor 287 Tahun 2001 Tentang Pornografi dan Pornoaksi [Fatwa Decision of Indonesian Council of Ulama Fatwa Commission Number 298 2001 on Pornography and Pornographic Acts]* [cited 28 July 2006]. Available from http://www.mui.or.id/mui_in/fatwa.php?id=108
- Masyarakat Transparansi Indonesia. 2005. *Parpol dan Parlemen Lembaga Paling Korup [Parties and Parliament the Most Corrupt Institutions]* [cited 24 April 2006]. Available from <http://www.transparansi.or.id/?pilih=lihat%id=104>
- Muhammadiyah Online. 2006. *NU-Muhammadiyah Bentuk Koalisi "Bumi-Matahari" [NU-Muhammadiyah Form "Earth-Sun" Coalition]* [cited 20/7/2006]. Available from http://www.muhammadiyah.or.id/index.php?option=com_content&task=view&id=130&Itemid=2
- Mujani, Saiful. 2004. *Fenomena PKS [PKS Phenomenon]* [cited 4/11/05]. Available from <http://islamlib.com/id/index.php?page=article&id=536>
- Partai Keadilan Sejahtera. 2002. *Anggaran Dasar [Statutes]* [cited 21/1/06]. Available from <http://pk-sejahtera.org/2006/main.php?op=isi&id=112>
- . 2003. *Kebijakan Dasar Partai Keadilan Sejahtera [Policy Basis of the Prosperous Justice Party]* [cited 21/11/05]. Available from <http://pk-sejahtera.org/main.php?op=isi&id=114>
- . 2004. *Visi dan Misi [Vision and Mission]* [cited 21 January 2006]. Available from <http://pk-sejahtera.org/2006/main.php?op=isi&id=110>
- . 2005. *Keanggotaan PK Sejahtera [Membership of the Prosperous Justice Party]* [cited 21/1/06]. Available from <http://www.pk-sejahtera.org/2006/main.php?op=isi&id=115>

- Pengurus Besar Nahdlatul Ulama. 2006. *Pernyataan Pengurus Besar Nahdlatul Ulama (PBNU) Tentang RUU Anti Pornografi dan Pornoaksi (RUU APP) [Declaration of Nahdlatul Ulama Executive (PBNU) on Draft Law on Pornography and Pornographic Acts (RUU APP)]* [cited 28 July 2006]. Available from <http://www.nu.or.id/v2/detail.asp?what=taushiyah&id=6805&lang=id>
- PK Sejahtera Online. 2006. *PKS dan Elemen Masyarakat Lainnya akan Gelar Aksi Damai di Bunderan HI [PKS and Other Groups Hold Peaceful Demonstration at HI Roundabout]* [cited 20/7/2006]. Available from <http://pk-sejahtera.org/2006?op=isi&id=874>
- Ro'uf, Abdul Mukti. 2006. *RUU APP: Ketegangan Modernisme dan Fundamentalisme [RUU APP: Tension Between Modernism and Fundamentalism]* [cited 28/3/2006]. Available from <http://islamlib.com/id/index.php?page=article&id=1022>
- Soekirno, Dewi Candraningrum. 2006. *Kekerasan Episteme dalam RUU Anti Pornografi dan Pornoaksi [Epistemic Violence in the Draft Law on Pornography and Pornographic Acts]* [cited 1/6/2006]. Available from <http://www.jurnalperempuan.com/yjp.jpo/?act=artikel%7C-52%7CP>
- TokohIndonesia.com. 2004. *PKS Solusi Permasalahan Bangsa [PKS is the Solution to the Nation's Problems]* [cited 16/1/2006]. Available from <http://www.tokohindonesia.com/ensiklopedi/h/hidayat-nur-wahid/wawancara.shtml>
- Yusroh, Yoyoh. 2006. *Yoyoh Yusroh: Mencari Jejak Nurani Bangsa (Dari Tragedi Palestina hingga RUU APP) [Yoyoh Yusroh: Looking for an Illuminated Path for the Nation (From the Palestinian Tragedy to the RUU APP)]* [cited 1/6/2006]. Available from <http://www.pks-kab-bekasi.org/?pilih=lihat&id=59>

Reports, Conference Papers and Theses

- Candrakirana, Kamala. 2006. *RUU Anti Pornografi dan Pornoaksi: Perspektif HAM dan Jender [The Draft Law on Pornography and Pornographic Acts: A Human Rights and Gender Perspective]*. Paper read at Semiloka Komnas HAM.
- Indonesia Corruption Watch. 2005. *Catatan Akhir Tahun Pemberantasan Korupsi 2005 [End of Year Notes on Efforts to Eliminate Corruption, 2005]*. Available from <http://www.antikorupsi.org/docs/lat2005.pdf>
- International Crisis Group. 2001. *Indonesia: Violence and Radical Muslims - Asia Briefing No. 10*. Available from <http://www.crisisgroup.org/home/index.cfm?id=1776&l=1>
- . 2006. *Islamic Law and Criminal Justice in Aceh - Asia Report No. 117*. Available from <http://www.crisisgroup.org/home/index.cfm?id=4295&l=1>

Mujani, Saiful. 2003. Muslim Democrats: Democratic Culture and Muslim Political Participation in Post-Suharto Indonesia. PhD dissertation, Department of Political Science, Ohio State University, Columbus.

Munir, Lily Zakiyah. 2003. Islamic Fundamentalism and its Impact on Women. Paper read at Association of Asian Studies Forum, 27-30 March 2003, at Hilton Hotel, New York.

<http://www.law.emory.edu/IHR/worddocs/lily3.doc>

van Bruinessen, Martin. 2003. Post-Suharto Muslim Engagements with Civil Society and Democratisation. Paper read at Third International Conference and Workshop "Indonesia in Transition", at Universitas Indonesia, Depok.

http://www.let.uu.nl/~martin.vanbruinessen/personal/publications/Post_Suharto_Islam_and_civil_society.htm

Government Bills

DPR. 2006a. Rancangan Undang-Undang Anti Pornografi dan Pornoaksi [Draft Law on Pornography and Pornographic Acts].

DPR. 2006b. Rancangan Undang-Undang Anti Pornografi dan Pornoaksi (Draf Kedua). [Draft Law on Pornography and Pornographic Acts (Second Draft)].