

THE PRINCIPLE OF HARM AS HEGEMONIC DISCOURSE – THE EXPERIENCE
OF FEMALE SEX WORKERS IN INDONESIA

by

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DEDICATION

This thesis is dedicated to the many brave and resilient women who continue to sacrifice their bodies for the betterment of their children and family. Women who continue to do the work “that no one else should”.

Tesis ini didedikasikan kepada para perempuan yang berani dan tangguh yang terus mengorbankan tubuh mereka untuk kemajuan anak-anak dan keluarga mereka. Perempuan yang terus melakukan pekerjaan "yang seharusnya tidak dilakukan oleh siapapun".

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LIST OF ABBREVIATIONS

Call Off Your Old Tired Ethics	COYOTE
Community Based Organization.....	C.B.O.
Critical Discourse Analysis.....	CDA
English Collective of Prostitutes.....	ECP
Female Sex Worker.....	F.S.W.
Gross Domestic Product	GDP.
Hak Azasi Manusia	HAM
Independent Journalists Alliance	AJI.
International Labour Organization.....	ILO.
International Planned Parenthood Federation.....	IPPF.
Institutional Review Board	IRB
Islamic Jihad Front.....	FJI
Jemaah Islamiah.....	JI.
Non-Governmental Organization.....	N.G.O.
Partia Kebangkitan Bangsa	PKB.
Pasar Kembang	Sarkem
Perhimpunan Perempuan Perkerja Seks Yogyakarta.....	P3SY
Perkumpulan Keluarga Berencana Indonesia	PKBI
Sex Worker	S.W.
Rukun Tetangga	RT.
Rukun Warga	RW.
Rupiah.....	Rp
Sex Worker	S.W.

ABSTRACT

THE PRINCIPLE OF HARM AS HEGEMONIC DISCOURSE – THE EXPERIENCE OF FEMALE SEX WORKERS IN INDONESIA

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George Mason University, 2016

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This thesis examines prostitution and sex work in Indonesia by drawing from seven weeks of ethnographic research with female sex workers in brothels from three major cities in Indonesia. The experiences of the female sex workers are analyzed within the context of public discourse on prostitution. Utilizing feminist theories of harm, and discourse analysis of sexuality, I argue that public discourse is polarized and has conflicting positions on prostitution as both a form of social harm and as a profession in need of harm prevention. Located within this narrative are the contrasting lived experiences of women who do not conform to either binary of prostitute as victim or professional. By including their stories, I hope to expand the understanding of the complexities of sources of harm and the unexplored opportunities for harm mitigation. This research examines female sex workers' views on sex work advocacy, brothels as safe spaces of work, and the role of the family as perpetrators of harm.

CHAPTER ONE: PROSTITUTION AND THE INVISIBILITY OF HARM

I first met Fairy, a social worker and sexual rights activist from Perkumpulan Keluarga Berencana Indonesia (PKBI) at my first visit to Yogyakarta Indonesia in June 2015. PKBI was founded in 1957 as a Non-Governmental Organization (NGO) and was one of the first to provide, exclusively, services to women and children. Today PKBI has affiliations with the International Planned Parenthood Federation (IPPF) and advocates on behalf of marginalized communities for sexual health and reproductive rights. Since then we have met multiple times and she has been pivotal in shaping the nature of my research and allowing me to gain access to many women I would have never had the privilege of meeting. At one of our recent meetings in 2016, we spoke about some of the challenges faced by NGOs who support and advocate for sex work activism, and Fairy indicated that:

Well they have their own culture, it is not an easy job, at night you have to stay all night, the clients, in the afternoon you have to sleep. And in the afternoon there are so many classes, programs, are held in the day and the night, it is also about the timing. It is always difficult to have a program. Some of them are eager, I am going to be part of the social movement. Some of them are really like that, some want to sleep. Sex work, is not as a profession, many people think it is a temporary job, they are not going to struggle for it, they believe that they are not

going to be there forever, so they do not believe that they participate. This is my assumption, if you are struggling for it you going to make it last forever.

Prostitution is a highly contested social practice, particularly as it relates to the challenges over its definitional meanings. The academic literature on prostitution is substantial however, pro-sex advocates make clear delineations between the term prostitute and sex worker. Pro-sex feminists describe sex work as a form of legitimate work, no different from other systems of labor (Bernstein 1999, p. 97¹). Radical feminist discourses vacillate between theoretical constructions of prostitution; as symbolic violence (Maddy Coy et al 2011²); as a form of gendered self-harm (Tyler, 2012), and as a practice whereby ‘the body is a saleable good’ (Bernstein 1999)³. These differences are also reflected in the discourse on prostitution in Indonesia.

For dedicated activists like Fairy the recognition of sex work as a profession or a legitimate form of labor is not just a challenge complicated by the unique work culture associated with sex work, the challenges of creating social movement, or the underlying cultural gender politics and gender obligations, but a recognition of the day-to-day trials of working with a diverse group of individuals. She highlights clearly that sex workers are not a homogenous group or uniformed collective. The irony is that sex work activism disregards this insight.

¹ Bernstein, “What’s Wrong with Prostitution--What’s Right with Sex Work--Comparing Markets in Female Sexual Labor Symposium.”

² Coy, Wakeling, and Garner, “Selling Sex Sells.”

³ Bernstein, “What’s Wrong with Prostitution--What’s Right with Sex Work--Comparing Markets in Female Sexual Labor Symposium.”

This thesis takes a critical view of the dialectic discourse on prostitution and attempts to demonstrate that not only have differences in definitions polarized views on sex work versus prostitution but also that within practice there are individuals who do not self-identify as either archetype. The consideration of the emergence of sex work as a universal collective identity in an effort to quell the stigma associated with the term prostitute has been successful to an extent. The drive toward advocacy through identity politics to treat with social stigmatization and criminalization has created tensions between members within the sex work communities. In my findings some women have considered that performing sex as work is how they earn their living, not who they are as individuals. Thus the challenge faced by civil society, is that they now find themselves causing potential harm by creating social discord between workers, through the creation of elite classes and competition between workers. On the side of the state, ignoring sex work as a form of legitimate work drives more women and others to perform unsafe sex work.

I first visited Pasar Kembang (Sarkem) the largest and most infamous brothel complex in Yogyakarta, Java in June 2015. There I met and interviewed *Ibu S*, the leader of Perhimpunan Perempuan Perkerja Seks Yogyakarta (P3SY), a sex worker-led Community Based Organization (CBO). The word Sarkem, when loosely translated, means the 'flower market' and the location according to *Ibu S* housed 500 female sex workers (FSW), a number of businesses and residents. Sarkem, is a labyrinth of narrow brick pedestrian walkways, glowing red light karaoke bars and fortress-like surrounding

walls and it is located at the heart of the Special Province of Yogyakarta. *Ibu* means mother and a term of respect for older women⁴. *Ibu S* is articulate, sociable and has the disposition of a natural-born leader. I was always struck by, and have had to remind myself after every meeting with *Ibu S* that she is a sex worker, for she did not conform to any of the prevailing stereotypes about prostitutes or *wanita tuna susil* - woman without morals.

Now, exactly one year later I was back in Yogyakarta interviewing *Ibu S*. At our meeting we greeted each other like friends, and there was a warmth in our embrace which time did not seem to diminish. We caught up about each others' personal lives, and she explained that her mother had died last December, that her food stall business was slow, but that her son was doing very well for he was about to be married. We then spoke about the many challenges facing sex workers, particularly as a result of the recent brothel closures by the government, her voice became small and quiet, as she explained:

Kalijodo in Jakarta and others, even here in Yogyakarta (Jogja) are being raised in the internet and media. According to one of our Ministers, he says that all localizations will be closed by 2019. I am worried about the closure. Most of the workers will have problems. Many of the women are online. Nobody knows where you are, it is kinda like you are hidden; for people not to see you, like you are invisible. So if you invisible, nobody can help. No body can find you. I am worried.

⁴ Murray, *No Money No Honey*.

Invisibility is an important theme in prostitution discourse. Anti-prostitution feminists theorize that prostitution is an invisible form of harm (Farley 2003)⁵. Harm which Farley argues extends beyond sex trafficking to include consensual sex work (Ibid, 2003 p. 248). While I agree with Farley's premise that the harmfulness of prostitution on society, the person, and the individual's psyche is under-researched, her position is based upon a narrow and singular definition of prostitution as a form of gendered sexual violence. Such a definition does not allow for diverse experiences; whereby individuals are able to express self-determination and where brothels, a form of prostitution practice, cannot be perceived as spaces of safety and sanctuary.

Much has also been written by pro-sex work activists about the consequences of criminalization of prostitution in that such policies seek to disperse prostitution rather than address its root causes, and runs counter to its objectives toward the elimination of prostitution as a social practice (Pisani, 2008)⁶. Criminalization of prostitution is said to cause a domino effect by making sex workers further invisible, removing their access to civil society support and essential health services; thus prostitutes become more susceptible to experiences of harm. The importance of a geographical position, according to *Ibu S*, is that it helps toward eliminating invisibility of workers. Social networks among sex workers are forged because of the proximity of a shared space of work. The safety of individuals is tied to the safety of the group and this creates a greater sense of accountability for each other. Where sex worker activism is a catalyst for social

⁵ Farley, "Prostitution and the Invisibility of Harm."

⁶ Elizabeth. Pisani, *The Wisdom of Whores*.

movement, brothel spaces in Indonesia allow for direct forms of harm mitigation. I argue that where there is a centralized work space there exists an opportunity for greater civil society support, and this is regardless of whether workers are independent or controlled by pimps and most importantly whether prostitution is illegal.

Today Sarkem is one of the few remaining large brothel complexes open in Java. Prior to 2014 there existed over 168 major locations across Java⁷. The most notorious was *Gang Dolly* in Surabaya, the second largest city in Java, which was closed in 2014. *Gang Dolly*, at its most popular, was reported to house 3,500 female sex workers (FSW). At our first interview in 2015, *Ibu S* lamented that:

Some may say that it is good, like the woman city Major, *Bu Risma* (Mayor of Surabaya). She says it is good for women to close the prostitution area, but some who is wiser will ask about the negative effect. There is no more condom distribution; no more health service at the location; no more NGO support ... 10 million Rupiah (Rp) [a rehabilitation local government initiative] will not compensate for work, and after that they will come back to work as a sexual worker, on the street, sporadic, without control, so it is a major issue of HIV disease if not controlled. It is major.

Ibu S's narrative represents some of the complexities involved in the criminalization of prostitution practices. Her words shed light on some of the risks involved in pursuing sex work outside of brothel complexes in Indonesia, and how

⁷ Arfani, "Lokalisasi Di Indonesia Tersisa 69 Titik - ANTARA News."

closures directly impact the survival of workers. Her stories have framed the context within which this thesis is broadly concerned, about the relational dynamics between sex workers, within the same geographical space, the development of ‘work’ culture, and a space for safe work practices. For civil society and NGOs, brothels are a key geographical component in sex work activism, harm mitigation through HIV education, condom distribution and social network development.

During my visit to Indonesia in 2016 I spent 9 days in Bali. In a brothel in Kuta, a sub-district within Badung (a province within Bali), I was introduced to and interviewed *Mbak A* a female sex worker (FSW). In Javanese *mbak* means older sister and is often used to identify a woman who is unmarried. Our meeting was organized by an HIV Prevention NGO worker from Yayasan Kerti Praja. Yayasan Kerti Praja, which was founded in 1992 as one of the few clinics in Indonesia to have targeted outreach (HIV/AIDS programs) for sex workers. I would never forget my interview with *Mbak A*, for her words and her face still haunts me. It had not rained for my entire trip to Bali, but on the night we visited the brothel location, it poured. The rain clamored on the galvanized roof and rain water streamed into the make shift rooms through numerous leaks. I cannot say how many women worked in the brothel location, but it was the smallest site I had visited in Indonesia. I would estimate maybe 30 to 40 women worked within this location. We were told that this brothel was a favorite spot for Balinese truck drivers, and that very few, if any, foreigners visited.

Mbak A had short black cropped hair, she was noticeable because she wore no makeup or brightly colored eye shadow and lipstick. Even though the sound of the rain was deafening, she spoke in hushed tones. For most of the interview her eyes remained lowered and transfixed on her hands. Our interview was short, no longer than 30 minutes. I introduced myself and asked about her experiences as a sex worker and she said;

No harm... in the 3 years I am sex worker I never get harm. I am treated well by the boss. I do not know anyone who experience harm.

At this interview I was accompanied by 2 graduate students who assisted me with English translations. We then asked her about her dreams, and she said:

In Java I have a big family and I miss them. They know that I stay in Bali but they do not know I am sex worker. I would like to get married, hopefully. I separated from husband. We had family problem. Not because of myself I do this, sex work not for anyone else. Think about what you have to give up when you are sex worker. Talk to each other. All the money is for family. I do not want you to get this job. Let me do this (job)... not everyone do this job. I dream to have a good life finally.

Both of my translators began to cry, they both said that they felt very sad for her and what she has sacrificed. *Mbak A* however did not show any emotion. For me her sadness was palpable. I could feel her loneliness. I had never before met someone who could physically embody such emotion, without themselves showing any emotion. I could not wait to end the interview and leave that space, for I could feel myself losing focus on the

interviews questions. I felt overwhelmed and could feel the sensation of my skin crawling every time a client came into the room. Later that night I wept in the shower of my hotel room, not knowing if I cried for *Mbak A*, my 2 translators or if I cried for myself for having had that experience.

Mbak A's experience would typically be included in anti-prostitution literature as deep psychological damage associated with prostitution as a less visible forms of harm and trauma. I cannot present an argument which suggests that such positions are inaccurate, and that there are no circumstances in which prostitution does not cause serious forms of direct and indirect harm, however I argue that sex work in and of itself is not the only source of harm. Many women I have met have been tricked into prostitution have been sold to pay off a familial debt and some have entered knowingly. I think the challenge that faces researchers is to view the experiences of women in a holistic manner and not to force fit experiences within a uniformed binary of stereotypical stories, of either victim or sexual deviant. Women who perform sex as work experience throughout the course of their lives a number of choices and experiences. They are victims, they are empowered, they are cognizant of their sacrifices and make independent choices within a limited capacity. They think, they feel and they dream and hope for a better future.

The theme of family is not uncommon in many of the female sex workers' stories. The family is a prominent symbol of kinship, Javanese gender politics, social responsibility, a source of joy and great sacrifice. The family includes the extended family as a social institution and is a symbol of oppression and a source of harm. My

findings demonstrate that for many women their family is the only reason that they have become sex workers and the reasons why they continue to perform sex work. These findings complicate the narrative about who and what are some of the dominant causes of harm within the practice of prostitution. Literature often excludes the role of husbands who set financial targets like pimps, mothers who use ‘familial guilt’ to encourage daughters to stay in prostitution for economic reasons; and brothers and sisters who shirk their financial responsibilities toward their elderly family members, leaving siblings who are sex workers the brunt of financial obligation for their parent’s survival.

After I met *Mbak A* I became acutely aware of patterns within women’s stories about the role of their family, Javanese traditions and the hardship and longing with which they described their homes, their mothers and children. I was surprised, outraged and disheartened by this discovering, because such a social tie and bond can easily see someone who hated the experience of being a sex work, learn to tolerate it. Further Javanese culture became an important theme in women’s narratives because inherent in the women’s experiences as sex workers was the fact that they were migrant workers from poor Provinces in Java. This discovery highlighted the economic disparities which exist across Indonesia, particularly the limitations available to young women. It exposed the characteristic of sex work as a type of gendered mobile and migratory work whereby financial responsibilities were borne by migration workers toward their families. This discovery also highlighted the symbolic gendered meaning of money within Javanese culture.

Prostitution and Theories of Harm

The theory of harm is expressed through many perspectives; as a social convention tied to public morality and depravity (Linklater 2011)⁸, the sole purpose for the exercise of liberal, political power (Mill 1972)⁹, and as a gendered, social and relational experience (Aolain 2009)¹⁰. These various theories are problematized in often conflicting ways. In academia the principle of harm is framed much like the ideology of human rights, in that it is positioned as a universalized concept of ‘wrong and injury’. Some academics have pushed the concept further to consider the experiences of harm through various social cultural norms but within the same frame of harm as injury or wrong. The conception of the principle is also silent on the notion that the prevention of one harm may be the cause of another. It thus raises the question as to how do the workers define harm, and how do they experience it within the Javanese culture?

The contradiction in discourse lies in the fact that prostitution is viewed as a causation of harm and sex work as a form of harm mitigation. I view the role of theories of harm as a contested and highly subjective narrative. The normative meaning of harm continues to be a catalyst for both divides in the conflict. Pursuing state criminalization policies that frames prostitution as an ‘social and immoral wrong’ has consequentially caused sex work activism to retaliate against social stigmatization and the

⁸ Andrew Linklater, *THE PROBLEM OF HARM IN WORLD POLITICS*.

⁹ Mill, *Mill, John Stuart. 1869. On Liberty*.

¹⁰ Aolain, “Exploring a Feminist Theory of Harm in the Context of Conflicted and Post-Conflict Societies Emerging Paradigms of Rationality.”

marginalization of prostitutes. Harm mitigation has now become part of the broader context of political rights promotion for sex workers.

The larger issue about unpacking theories of harm within discourse on prostitution is about the dilution and the generalization of the meaning of harm. A narrow definition has been utilized within the public sphere and as a consequence this prevents *Mbak A* from rationalizing that her lived experiences within a Bali brothel was potentially psychologically harmful, even though she did not experience physical violence. For civil societies and NGOs pursuing a rights-based agenda, which requires sex workers to participate in social movement have prevented much needed services from reaching those who do not self-identity as ‘worker’. The deployment of these narrowed definitions of harm ironically prevents either side from achieving their own objective and have proved to counterproductive. Absent is the critical understanding of how theories of harm are problematized within discourses and how these theories consequentially affect the lives of women.

The Indonesian Paradox – Colonialism, Morality and Commercial Sex

Indonesia is not unlike many other countries that legislate against prostitution, but it is a unique space given its history, cultural diversity and the recent drive toward eliminating certain practices of prostitution, namely red light districts or brothel complexes. The recent systematic closure of locations is unprecedented and have displaced an untold number of business owners, pimps, residents and sex workers.

Although a dated report the International Labour Organization (ILO) concluded in a 1998¹¹ that Prostitution within Southeast Asia was a rapidly growing shadow industry, which comingled with legitimate system within the tourism industry. The 1998 study estimated that 140,000 to 230,000 prostitutes operated within Indonesia contributing to an estimated 2-14% of Gross Domestic Product (GDP). It is however impossible to determine how many persons, women, men and transgender engage in direct and indirect forms of prostitution for often only women are documented as prostitutes.

Historically, under Dutch colonization, prostitution was regulated under the Penal Code of Indonesia¹² as a crime against morality and decency. Today the government's strategy, championed by the Ministry of Social Affairs and various Regional Mayoral Authorities, is to eliminate prostitution through 'the Rehabilitation and Resocialization of prostitutes'¹³ and the criminalization of prostitution practices; i.e. the removal of physical spaces for prostitution activities. The state, by maintaining some legal ambiguity, reinforces the discourse on prostitution as an immoral social wrong, as a gendered practice, as sex workers as victims, and sex work as an illegitimate form of work.

The legality of prostitution in Indonesia is itself contested. There exists ambiguity in classification and definition of brothel spaces as either a *lokalisasi* or a *kampung*. The Javanese word, *lokalisasi*, describes a physical location for prostitution activities and historically the word has its roots in the Dutch colonization of the island of Java, Indonesia. The Javanese word *kampung* means village, a space where lower class

¹¹ "Sex Industry Assuming Massive Proportions in Southeast Asia."

¹² "Penal Code of Indonesia."

¹³ Post, "Red-Light Districts Shut down during Ramadhan."

communities live. Sarkem is both. Since 2012, conservative groups have publicly advocated for the closure of all brothels across Indonesia. More recently in February 23, 2016 the Islamic Jihad Front (FJI), a religious ‘hardline’ conservative group, by open letter has called for Sarkem, a place of fornication Tempat Pelacuran where acts of *Zina* adultery are committed, to be closed. FJI cite:

In order to protect the health, tranquility, and order and moral life, public from the harmful effects ... we reject prostitution... Husbands are tempted by prostitutes ... forgetting its function as the head of the family, so the family becomes messed-up (broken). Demoralizing young boys at puberty.

Pernyataan Sikap Statement Islamic Jihad Front (FJI)

Issues of legality are also subject to various interpretations. Sex workers and NGO workers see legality as a nuanced concept. Certain prostitution practices, brothels are perceived as ‘sanctioned’ within specified geographical spaces, such as *lokalisasi*. This calls upon *adat* – customary law rather than legal doctrine. There are no explicit laws within Indonesia which categorical state that prostitution is illegal, but various legislative instruments are called upon to support the state and regional government’s hard-line position against prostitution. The Penal Code (crimes, against decency, morality and public order), Anti-Pornography law (hard pornography as well as exposure of sensual parts), and Anti-Human Trafficking laws (particular focus on children and women) are used to justify the state’s legislative position against prostitution. The

correlation of such classification of legislation again delegitimizes sex work as a form of choice and agency.

Some academics in western societies suggested that one the reasons for the recent criminalization of prostitution resulted from the heightened pressures exerted by religious conservatives and fundamentalist groups. These groups have made public their position against prostitution and sexual diversity. Such assumptions conform to the broader Islamophobic narrative in the West. Indonesia is the fourth largest democratic country in the world with a population of over 250 million inhabitants, of which approximately 87.2% (Pew Research Center 2009¹⁴) are Muslim, making the nation the largest Muslim-majority country in the world. The tensions, many highlight, which exist between the ‘Islamic conservative turn’ (Fealy, 2006)¹⁵ and modernity are perceived to be at cross purposes, specifically questions of Islam and sexuality. Indonesia, is as such regarded as a country on the brink, suffering from ‘paradoxical standards between repression and openness’ (Dialmy 2010 p.160)¹⁶. Prostitution within this narrative is an obvious area of contention.

Indonesian religious practices are considerably more complicated than this narrative. Islam, as are all religions, have nuanced practices with various representations and beliefs. There is a spectrum of political positions, ranging from far right conservatism to far left liberals. This thesis is not an attempt at a theological analysis of Islamic

¹⁴ “MAPPING THE GLOBAL MUSLIM POPULATION: A Report on the Size and Distribution of the World’s Muslim Population.”

¹⁵ Fealy, “A Conservative Turn.”

¹⁶ Dialmy, “Sexuality and Islam.”

practices within Southeast Asia, but it touches on the challenges of representing a political discourse which is one note and ‘monolithic’ (Rinaldo 2008)¹⁷.

Thesis Question and Research Argument

This thesis argues that the recent closures of brothel complexes across Java is less to do with perceptions of Indonesia as a sexually repressive state but more about the politicization of theories of harm by the state through ambiguous legislation and by civil society through sex work as a form of identity politics. I also argue that the public discourse on prostitution is nested within broader political rhetoric on sexuality, gender politics, nationalism and sexual rights. Thesis research draws on seven weeks of ethnographic field research conducted between over 2015 and 2016 within 3 cities in Indonesia. My research explores the complexities of how women identify themselves within the context of public discourse and how they define and experience harm and challenges of performing sex as work. Central to the understanding of how these women experience harm is the analysis of their views of brothels as a space of work and site of sexual violence, the limitations of normative archetypes of prostitute versus sex worker, and the role of family as perpetrators of harm.

This thesis addresses the following central questions:

1. How does the discourse on harm shape state policies of criminalization of prostitution in Indonesia?

¹⁷ Rinaldo, “Envisioning the Nation.”

2. How does the discourse on harm influence the recognition of sex work and sex work advocacy in Indonesia?
3. How does the public discourse on harm relate to the lived experiences of women who perform sex as work and their perception of self, their families, and the sex work community?

Outline of Chapter Summaries

Chapter TWO outlines the research methodology utilized within the thesis. I outline the limitations of using a quantitative methodology given the complexities of prostitution as a social practice and justify the reasons for qualitative research. I highlight the benefits and challenges of ethnography. The qualitative method also allowed for the inclusion of discourse analysis. Fairclough's conceptual framework (Fairclough, 2000)¹⁸ for critical discourse analysis (CDA) was a useful guide in both constructing my literature review as well as diagnosis of my research findings. In this chapter, I also outline the core ethical issues encountered when researching a vulnerable community and the challenges of conducting research in a country and language different from the researcher.

Chapter THREE provides an overview and context of the global feminist discourses on prostitution which have created the dialectic binary tensions between prostitution as either sexual violence and self-harm versus prostitution as commodification and sexual liberation. The chapter will outline the historical evolution

¹⁸ Fairclough, "Discourse, Social Theory, and Social Research."

of prostitution within Indonesia highlighting the impact of tradition, colonization and economic development.

Chapter FOUR is the central argument and literature review, which looks at prostitution as part of and networked within various genres of discourse. I will explore its central role within the hegemonic discourse of sexuality within Indonesia. I will also consider the history of sexuality and its influence on gender politics, sexual health and sexual identities as it relates to the construction of sexuality as part of the collective representation of Indonesians as part of ‘the harmonious family’.

Chapter FIVE outlines the theoretical conception of the ‘principle of harm’ from its inception as political tool of punishment to the feminist’s theories of gendered ‘communities of harm’. I outline two main components in my research findings based upon a thematic analysis of the translations and observations of women who identified themselves as sex workers, and women who performed sex as work. Applying discourse analysis, I review women’s experiences of harm and analyze the role of family as perpetrators of harm, sex work activism as social stigmatization, and money as a symbol of familial debt and sacrifice.

Chapter SIX focuses on the significance of brothels spaces. I analyze the space as an economic eco-system, a safe work environment, a catalyst for social networking and formation of social friendship ties. This chapter address the critical importance of brothels in Indonesia as a form of harm mitigation and prevention.

Chapter Seven concludes by acknowledging the complexities and diversity of experiences within sex work. Given the impact and import of policy implications of

criminalization of prostitution I also support the pro-sex feminist positions about decriminalization and regulation of sex work, however I support decriminalization to the extent that robust and meaningful systems should be implemented to ensure that the root causes of prostitution including social pressures of kinship, financial deprivation and lack of sustainable alternatives must first be addressed. State policies that refuse to acknowledge the legitimacy of sex worker-led organizations and the recognition of sex as work perpetuate the practice of unsafe and high-risk commercial sex. Such morality gendered laws dehumanize women, while sex worker activism perpetuates social stigmatization.

CHAPTER TWO: RESEARCH METHODOLOGY

Sex workers are one of the most researched populations in the world. When students/ researchers do not consider any benefit to participants as part of the research process, it is concerning. They do not consider compensating respondents a small sum as a courtesy for time away from work, time away from resting, or for transportation... some see this as unethical. But after the research is concluded the student would be successful, advance their career, while workers are left behind... no better of than before. (NGO Coordinator at an informal meeting)

At an informal meeting at Yayasan Kerti Praja, one of the research coordinators highlighted to me the challenges of NGOs performing the role of gatekeeper and protector of sex workers. As a researcher this discussion made clear the asymmetric nature of power dynamics between researcher and participant. It also emphasized the need to craft a research project which was respectful, collaborative and impactful to sex work community.

Pursuing a study on the topic of sex work has many methodological challenges (Berger et al., 2015). Within academic research processes prostitutes fall within the category of marginalized and 'vulnerable' subject group. 'Vulnerability' is typically

described as individuals who experience diminished autonomy, lack self-determination or personal agency, and are dependent on others (Moore et al., 1999 p. 1034)¹⁹. My objection to the normative description is that in certain regards the definition reinforces asymmetric relationships, recreates stereotype, and eliminates the possibility that an individual within such a classification can negotiate status within their community, be rational and exercise personal autonomy within the capacity of being socially disenfranchised. The definition 'vulnerable' I argue compels sex work researchers to also assume the role of the protector and sex worker as the victim. Sex workers may also narrowly represent their experiences to that of violence and victimhood, rather than explore their familial connections and cultural dynamics to the detriment of quality research.

Given this prevailing definition, there is no surprise that much of the academic literature on prostitution is considerably thin, and does not tackle the breadth, complexity, and diversity of sex worker experiences. When I consider sex workers as a vulnerable population, I view them within the context of prostitution as an illegal and clandestine practice. Thus I interpret vulnerability as individuals who are socially marginalized, hidden, hard-to-reach, susceptible to persecution, and economic hardship (Liamputtong et al., 2005 p. 203, 204)²⁰.

Pursuing a study which focuses on social relationships and social interactions within a particular 'space and time' (Katz, 2010 p. 286)²¹ is best served by a qualitative

¹⁹ Moore and Miller, "Initiating Research with Doubly Vulnerable Populations."

²⁰ Liamputtong, *Qualitative Research Methods*.

²¹ Katz, "On the Rhetoric and Politics of Ethnographic Methodology."

ontological approach. Quantitative analysis as a methodology would prove to be deficient. Statistics on prostitution are available but are unfortunately plagued by many issues. In countries where prostitution is highly regulated or criminalized, sex work statistics tend to be unreliable. Criminality also leads to a high level of under-reporting by sex workers themselves (Pisani, 2008)²². Sex work also has many categorizations and often statistics reflect traditional forms of prostitution such as street walking and sex work within brothels, but neglect areas that are less visible and hidden forms commercial sex. An expanded definition of commercial sex includes pornography, sex entertainment and sex tourism (Oppermann, 1999 p.251)²³ and some definitions include part-time and indirect sex workers (Kendall et al., 2010 p. 2)²⁴.

With regard to prostitution statistical models typically capture HIV/ AIDS data and other sexual health indicators to satisfy International Agencies. Pisani argues that prostitution and sex work fall within universalist machinery of the industry of HIV and encourages the production of reports for donor funding that are misinformed and misleading (Pisani, 2008 p.46-47)²⁵. The consequences of these reports are far reaching, for state policy decisions rely on these reports which are based on incomplete data.

Quantitative methods produce generalizable data and the methodology neglects cultural contexts within which sex work occur. It is unable to capture social and cultural issues such as stigmatization. This methodology cannot analyze the social processes

²² Elizabeth. Pisani, *The Wisdom of Whores*.

²³ Oppermann, "Sex Tourism."

²⁴ Kendall and Razali, "Sex Work & HIV. Indonesia."

²⁵ Elizabeth. Pisani, *The Wisdom of Whores*.

within sex work communities; where workers engage in a constant negotiation between themselves and their families. Qualitative methods allow for a “more naturalistic, contextual and holistic understanding of human beings within society” (Leech et al., 2007 p. 557-558)²⁶. Within this thesis, I utilized a qualitative research method based on ethnography field research and used critical discourse analysis to design interviews and to interpret the meaning of translated stories of women.

Ethnographic Methodology

Ethnographic methodology as a ‘research process’ (Stacey, 1988)²⁷ emphasizes ‘immersive, experiential learning, which is longitudinal in nature’; in that, the methodology allows for building long-term relationships with research subject participants (Sangasubana, 2011p. 567)²⁸. It also provides a view of reality within the physical space and research setting of participants (Ibid 2011, p. 569)²⁹. Its strength is that it provides a process and means through which meaning is understood and ‘a coherent narrative picture of social life’ (Katz 2004, p. 299)³⁰ as constructed by research participants.

I was inspired by feminist theories of ethnography, which view scholarship as a ‘method of inquiry’ (Lassiter 2005)³¹, and the creation of knowledge cognizant of power

²⁶ Leech and Onwuegbuzie, “An Array of Qualitative Data Analysis Tools.”

²⁷ Stacey, “Can There Be a Feminist Ethnography?”

²⁸ Sangasubana, “How to Conduct Ethnographic Research.”

²⁹ Ibid.

³⁰ Katz, “On the Rhetoric and Politics of Ethnographic Methodology.”

³¹ Lassiter, “Collaborative Ethnography and Public Anthropology.”

dynamics within the participant community, and between researcher and participants (Stacey 1988, p. 21)³². It is also ‘grounded by the theory which supports the contextual understanding of gendered social dynamics within the day-to-day reality of women’s everyday lives’ (Ibid, 1988 p. 21)³³. Addressing power dynamics within research recognizes the potential for research to be ‘self-serving’, which is in keeping with the concerns raised by the NGO coordinator. Feminist theories value ‘reciprocity and authenticity’ as core characteristics within methodology design (Stacey 1988)³⁴. A collaborative method allows for mutually beneficial research, which demonstrates engaged scholarship; the researcher thus strives to make a meaningful contribution back to the research community (Lassiter, 2005 p.84)³⁵. Truly collaborative research is more than just academia, it should strive to bring about a benefit to the participant community.

Ethnography is an immersive and iterative process where there are oftentimes no hard-line distinctions between research techniques. My research design utilized semi-structured open ended interviews (individual and group) and participant observation. Building upon four weeks of preliminary research conducted in June 2015, I engaged in three weeks of ethnographic field research in June 2016. Open ended interviews allowed for greater level of probing and follow-up questions, I conducted nine semi structured interviews, four group interviews, and four participant observation sessions within three weeks of field research. Within the three weeks in June 2016, I spent nine

³² Stacey, “Can There Be a Feminist Ethnography?”

³³ Ibid.

³⁴ Ibid.

³⁵ Lassiter, “Collaborative Ethnography and Public Anthropology.”

days in Bali, eight days in Yogyakarta and two days in Surabaya. I interviewed ten sex workers, and six NGO workers. I visited three cities within Indonesia: Kuta within the Province of Badung, Bali, Yogyakarta within the Special Region of Yogyakarta and Surabaya in Java. I visited one brothel in Kuta Badung and spent three hours. I visited three brothel complexes in Yogyakarta, Sarkem in Sosrowijayan, Ngebung and Giwangan where I spent seventeen hours in total; and *Gang Dolly* and *kampung* Jarak in Surabaya where I spent six hours. In total across seven weeks I spent twenty-six hours in brothel complexes.

To ensure that I adhered to my Institutional Review Board (IRB) process all sex workers who participated in the research process were recruited through NGOs. To ensure the women and some NGO workers who participated in the interviews were protected, their identities remain secret, and I created pseudonyms. I utilized the snowball method which proved to be extremely beneficial and an important strategy. Although sex work is not gendered term, given my previous relationships and experience in 2015, I focused on the experiences of female sex workers who work within brothel spaces. I utilized participant observation as a powerful tool to gain insight into the lives of sex workers.

Building relationships with NGOs was crucial to the success of the research. I visited two NGO clinics, one in Bali Yayasan Kerti Praja and in Yogyakarta, PKBI. I visited the workshop of Yayasan Abdi Asih in Surabaya. To build trust with NGOs and the women it was important to have full disclosure about my research topic and design. I provided all my research questions and an overview of the theoretical framework to the

NGOs as part of my commitment to be transparent. I supplemented my field research data, gathered from interviews and participant observations, with copies of legislation, news media articles and translated written personal stories from HIV-positive FSWs produced by Yayasan Kerti Praja. Because I am not a native speaker I engaged four translators for the project. Two of the translators in Bali spoke both Indonesia (Javanese) and Balinese. My translators were responsible for verbal interpretation during interviews and participant observations, however I produced all transcribed notes.

The month of June provided a special opportunity to conduct research. June was the holy period of Ramadhan, which is typically a low-earning season for sex workers (thus having more time available for interviews and meetings) as well as it is believed that holy month is an unlikely time for Islamic conservative groups to protests or take action. Unfortunately, my time was grossly insufficient and this impacted my ability to get a larger cross section of participants and more substantial insights. It was also an interesting time period to speak to Muslims who considered themselves moderate or liberal, about sexual rights and conservatism.

For some critics, ethnography falls between the intersection between ‘art and science’ and is viewed as a methodology that lacks rigor (Johnson et al., 2006, p. 112)³⁶ I completely disagree with this critique. This is my first attempt at an ethnographic research and the flexibility to be ‘structured, semi-structured and unstructured’ which the methodology allowed provided an opportunity for tremendous data collection. It is a fluid and reflexive process which looks at qualitative design as an ongoing process throughout

³⁶ Johnson, Avenarius, and Weatherford, “The Active Participant-Observer.”

the research. I acknowledge that time restrictions significantly hampered my ability to make deeper connections with the women, however, I hope to inspire others to continue the work started.

Critical Discourse Analysis

Discourse analysis plays a central role in the overall argument outlined in this thesis. It is crucial to the understanding of the global and local narrative on prostitution and how these discourses influence state criminalization policies and advocacy support for sex work. These discourses compel individuals and stakeholders to act; such actions either conform to or resist dominant positions. Understanding that there are multiple definitions associated with discourse theory, when I refer to discourse I consider the view that ‘language is not merely a tool for description and a medium for communication but is a social practice, as a way of doing things’ (Wood et al., 2000 p.4)³⁷. Discourse is also not restricted to text; it extends to ‘semiosis - all forms of meaning making including symbolism, language and body language’ (Fairclough 2001 p.122)³⁸. My core consideration of the definition is that discourse ‘transmits and produces power’; where discourse operates within systems of power, and that there exists different and contradictory discourses within the same context and strategy’ (Foucault 1990, p. 100-102)³⁹.

³⁷ Linda A. Wood, *Doing Discourse Analysis*.

³⁸ Wodak and Meyer, *Introducing Qualitative Methods Series*.

³⁹ Michel Foucault, *The History of Sexuality*.

Discourse analysis is not intended to focus on ‘language as linguistic objects’ (Wood et al., 2000 p. 9)⁴⁰. It allows for the understanding of complexities of social life through the study of language as action (Ibid, 2000 p. 3-4)⁴¹. The benefits of using this form of analysis are its ability to highlight commonalities as well as variability between participants, allowing for the richness of data (Ibid 2000 p. 28)⁴². Critical discourse analysis (CDA), is one methodology used to support qualitative methods and analyze discourse. CDA is concerned with the various and often dialectic relationships between identity construction, cultural values, and the political economy.

Relevant to this thesis, critical analysis provides insight into notions of membership and group identity as a form of political identity (Howard, 2014)⁴³. Fairclough combines discourse analysis and social theory. Social theory treats with constructions of identities, its manifestation and ‘performance’ within society depending on social issues of gender, class, and economics (Fairclough, 2000 p. 168). His framework is ‘problem-based,’ and his diagnosis considers reviewing all current, emerging and networked discourses which impact the identified social phenomena (Ibid 2000p. 124). Networked discourse considers the ordering or social structuring of discourse, as well as the prevalence of social orders (Ibid 2000 p. 124). Fairclough used the example of capitalism as an emergent global, social order. Within the framework ‘interactions’ includes all forms of communication, media, journalism, and television as

⁴⁰ Linda A. Wood, *Doing Discourse Analysis*.

⁴¹ Ibid.

⁴² Ibid.

⁴³ Howard, *Political Culture, Political Science, and Identity Politics: An Uneasy Alliance*.

critical to the overall understanding of the social problem, within a particular space and time.

Within the discourse on prostitution, the word prostitute and sex work are socially constructed terms which signify complex social theories with cultural and symbolic meaning. These differences extend to cultural values – differences between moral and immoral behavior, gender roles – wife versus prostitute, political rights – invisibility versus activist. These words become nested in patterns of speech, be it from NGOs frustrated with the lack of sex worker participation, or public figures calling for ‘rehabilitation and re-socialization’ of prostitutes. Discourse analysis allows for consideration of what is not said, including silences and potentially the insight as to why harm is only perceived as physical violence. What attracted me to CDA is that it allowed for creativity by looking at the significance of text, legislation, and media articles to produce context within which to understand the words spoken, the translations, and expressions of participants. It also allowed for the understanding that the terminology associated with sex work also represents an emergent discourse. An emergent discourse which can be characterized by universalism as a form of social order. Which has its own value systems and beliefs.

I used CDA to build the context on various discourses on prostitution and sex work, with this analysis I constructed open ended interview questions that tested and reinforced the action and meaning of contested words such as harm, prostitute, sex worker, dreams, money and fears. I used discourse analysis to identify key Javanese

words such as *lokalisasi*, *kampung*, *ibu* and *beban* – burden to create and help ‘orient’⁴⁴ meaning about brothel spaces. There is no singular word in Javanese or Balinese for harm, but by using CDA I was able to navigate its meaning through a number of other words including *Hak Azasi Manusia* (HAM) the Javanese phrase for human rights, *menyakiti* – hurt and *jelek pengalaman* meaning bad experiences. I also used thematic analysis as a flexible foundational tool to identify themes and patterns within research data (Braun et al., 2006 p.77-79)⁴⁵.

Overall the study of discourse, in simplistic terms when tied to social theory assesses how individuals represent their world and how they represent themselves within it. How they negotiate their position and how they opt to perform, transcend or conform, to rules within these social dynamics. CDA is best situated to treat with the complexities of discourses on prostitution, for it is nested or networked within other discourses on gender, morality politics, feminism, and sexuality. Fairclough’s framework in practice has been said to be successful at identifying once silenced discourses (Dunn et al., 2015 p. 732)⁴⁶. For this thesis I explore the historical evolution of the emergence of civil society within Indonesia as a consideration of once a silent discourse.

There are however challenges to using CDA. The methodology is not always structured as to the right path needed for analysis, which I understand contradicts my original attraction to it based on flexibility and creativity. Some academics also challenge

⁴⁴ Linda A. Wood, *Doing Discourse Analysis*.

⁴⁵ Braun and Clarke, “Using Thematic Analysis in Psychology.”

⁴⁶ Dunn and Eble, “Giving Voice to the Silenced: Using Critical Discourse Analysis to Inform Crisis Communication Theory.”

the effectiveness of CDA because it is subject to the interpretations of the research analyst and may succumb to researcher bias; however, bias can be minimized by the use of multiple sources of interaction and repeat interviews (Ibid, 2015 p. 733)⁴⁷. Truly collaborative ethnographic research could mitigate this bias. Utilizing CDA within a language I was not familiar with was also challenging, particularly because of the interpretation of interpreters, to manage these it was important to treat translated notes as representations rather than direct quotations from participants, for some translators were able to provide near verbatim interpretations, while others allowed for their interpretation of what others said, as well as their interpretation of my questions. For me the importance was not the truth or fact of each statement but rather its symbolic meaning.

Academics further critique discourse analysis, by questioning whether participants are truthful and factual in providing their responses and recollections of stories to the researcher. Wood et al. address these concerns by reiterating that discourse focuses not on the accuracy of the recollection of memory or the truth of judgments, but rather the meaning behind its construction (Wood et al., 2000 p. 15-16)⁴⁸. Participant recollections occur contextually, these ‘cultural turns and ideological turns’ fall within the broad context of social phenomena (Fairclough 2000, p. 164)⁴⁹.

⁴⁷ Ibid.

⁴⁸ Linda A. Wood, *Doing Discourse Analysis*.

⁴⁹ Fairclough, “Discourse, Social Theory, and Social Research.”

Design Challenges

My original research design considered a more theoretical approach, whereby my original hypothesis that the theory of harm was universally acknowledged directed the structure of my interview questions creating a more top-down approach (Braun, 2006 p. 83-84)⁵⁰. However, during the interview process, it became evident that this approach needed to be a more inductive or ‘bottom-up’ process (Ibid, 2006 p. 83)⁵¹. The issue arose because I made the assumption about the conceptualization of harm as being a fluid concept, however the women’s interpretation of harm was limited to physical injury. This created a huge disconnect with the women. The more inductive process involved collaborating with Non-Governmental Organizations (NGO) workers to unpack possible meanings of the word harm which later considered fears, worries, burdens, dreams, challenges, and hopes. This shift created a space for the women to tell their life stories, through a narrative approach which was collaborative (Atkinson, 1998)⁵².

There are inherent challenges with conducting qualitative and ethnographic research. Qualitative research is often contested for its lack of rigor and its inability to develop strategies for improving systemic practices (Leech et al. 2007 p. 559)⁵³. Leech addressed these concerns by reinforcing that qualitative data exposes “richness and holism, with strong potential for revealing complexity” mostly left silent by quantitative data (Ibid., 2007 p. 560)⁵⁴. To attain rigor researchers must implement an evaluative

⁵⁰ Braun and Clarke, “Using Thematic Analysis in Psychology.”

⁵¹ Ibid.

⁵² Atkinson, *The Life Story Interview*.

⁵³ Leech and Onwuegbuzie, “An Array of Qualitative Data Analysis Tools.”

⁵⁴ Ibid.

process and criteria in design. Horsburgh recommends three main areas to achieve rigor and quality research; 1. 'interpretation of subjective meaning' and reliability of various sources of data (Fairclough's Step 2. interactional analysis); 2. participant validation and collaboration; and 3. 'lay knowledge', as participants perspectives are accorded equal importance to traditional experts (Horsburgh, 2003 p. 310-311)⁵⁵.

One of the most obvious challenges with ethnography is the status of 'ethnographer as a stranger or an outsider' (Johnston et al., 2006 p. 113)⁵⁶. Tied to the notion of a stranger are issues of trust, the baggage of past relationships with outsiders, questions regarding researcher motivation, language barriers and lack of cultural understanding or misunderstandings (Ibid, p. 113)⁵⁷. Embedded within all these relationships are issues of power, the politics of status and class differences (Katz, 2004 p. 280)⁵⁸. Throughout the process, I reflected upon and struggled with my privilege as a researcher and my ethics for requesting that participants share their intimate personal stories.

Unpredictability in research where "the [researcher] deals with people, and because of this, fieldwork is subject to all of the complexities, ambiguities, and unpredictability inherent in any form of social interaction" (Mann 1976 p85- 109). Silent in much of the literature on ethnography and qualitative research are the challenges about 'exiting fieldwork' (Johnson et al., 2006)⁵⁹. Some of these issues are 'process' related and

⁵⁵ Horsburgh, "Evaluation of Qualitative Research."

⁵⁶ Johnson, Avenarius, and Weatherford, "The Active Participant-Observer."

⁵⁷ Ibid.

⁵⁸ Katz, "On the Rhetoric and Politics of Ethnographic Methodology."

⁵⁹ Johnson, Avenarius, and Weatherford, "The Active Participant-Observer."

some are ‘product’ related (Stacey 1988 p. 22-23)⁶⁰. Process issues treat with questions of academia as a form of exploitation and whether researcher and subject can ever be equal in status (Lassiter, 2005)⁶¹. ‘Process’ challenges consider issues of objectivity, neutrality, subjectivity, and constructions of ‘truths’; the perceptions of ‘ethnographic truths are ... inherently partial’ (Clifford 1986 p. 7; Lassiter, 2005 p.90). The question of ‘product’ concerns the ownership of the final academic literature. In theory, collaboration ensures co-signing and co-ownership, but in reality, frequently the researcher determines the problem statements, core thesis and maintains the core-voice (Stacey, 1988 p. 23)⁶². These issues make clear that there are serious ethical issues in conducting research with vulnerable groups.

Often ‘ethical strategies’ in research are limited to issues of privacy, confidentiality and consent (Bourgois 1990, p. 110-111⁶³; Liamputtong et al., 2005, p. 224)⁶⁴. There are a series of ethical dilemmas a researcher must face throughout the research process. Confidentiality proved to be itself an ethical issue, for some of the FSW who were members of the P3SY wanted to formally share their stories, names and images for the project. I question whether am I am reinforcing the narrative that these women as victims, even though they demonstrate that they are capable to navigate public spaces as activists. Given that my research is intended to be collaborative, should I not honor their

⁶⁰ Stacey, “Can There Be a Feminist Ethnography?”

⁶¹ Lassiter, “Collaborative Ethnography and Public Anthropology.”

⁶² Stacey, “Can There Be a Feminist Ethnography?”

⁶³ Bourgois, “Confronting Anthropological Ethics.”

⁶⁴ Liamputtong, *Qualitative Research Methods*.

wishes? As a researcher how one treats with these ethical influences research design, approval and access to research participants, particularly for future researchers.

Elena Jeffrey, an active sex worker and president of Scarlet Alliance, described the harmful experiences of sex worker who participated in poorly designed research. She outlined key areas of consideration for researchers including compensation, nature of questions, memorandum of understanding with sex work NGOs, collaboration, and the addition of marginalized persons within the sex community. Compensation for interview time was of particular concern in Bali, and the NGO maintained that this was minimum practice for ethical research.

Given the complexities of Indonesian socio-historical past, the language barrier and my limited understanding of the lived experiences of sex work as a profession, it was important for me to pursue a methodology which valued collaboration and reciprocity. With PKBI I have demonstrated in the past my commitment to share and make recommendations based on my research findings and I have reiterated this commitment to share this thesis once completed. I have also extended this commitment to Yayasan Kerti Praja. Reciprocity with regards to the workers took two forms: for the women in Kuta, a small monetary donation was made to each worker I interviewed. With regard to workers in Yogyakarta, P3SY has asked that I maintain our relationship and explore ways to find opportunities to share their stories in the United States.

Researchers are guided by the principle to 'do no harm'. It is a core principle used to construct and execute a research project. In research the primary focus is our participants but little consideration has been given to experiences of translators in the

process of research. I neglected the extent to which my research could expose my interpreters to emotional harm, or vicarious trauma⁶⁵. The experiences of others including interpreters are also not consideration by the IRB process. Given the nature of the experiences discussed, the intensity of the subject matter and the conditions in which the women worked and lived, it was a grave oversight on my part not to include a debriefing process as part of the design. Because of this I could only monitor the emotional effect on my interpreters as the interviews were happening. In one instance, I had to cancel an interview given the sheer exhaustion of my translator. In future, research projects should include debriefing processes for all team members within research including interpreters.

Negotiating access to participants through NGOs meant having to spend initially a substantial amount of time building critical relationships. Understanding NGO concerns and how they, in turn, represented their clients (FSW) was important. Many of the NGO workers I interviewed cautioned me to avoid drawing conclusions based on stereotypes, or viewing the women singularly as a victim. However, NGO workers represented differing roles, and it was challenging to acknowledge and understand where and when these differences emerged. I had to be mindful of interpreting which 'voice' was individual, organizational and political. However, I considered these differing views reflective of the complexities of the 'network of discourses' on prostitution (Fairclough, 2000)⁶⁶ in Indonesia.

⁶⁵ “Secondary Traumatic Stress and Vicarious Trauma: A Validation Study: EBSCOhost.”

⁶⁶ Fairclough, “Discourse, Social Theory, and Social Research.”

To analyzing these complex relationships is to form an opinion about the 'lived experiences' (Bourdieu, 1990 p. 25)⁶⁷ of others within social dynamics which are unfamiliar to myself as researcher and outsider. Such observations may lead to opinions about social relationships of others as illogical or 'even paradoxical'⁶⁸. These opinions or 'theoretical understandings'⁶⁹, are further narrowed by limitations of research time, cultural differences, language, and the ethical challenges of conducting research. Bourdieu's caution not to treat research and practice as a space to view a "social world ... as a spectacle seen from afar and from above, as a representation" (Bourdieu, 1990 p. 27)⁷⁰, is invaluable but I fear at times, impossible to avoid. I will never fully understand the nature and meaning of social relationships between the women I have met. Thus in some regard my research topic is a form of spectacle observed from far, because to produce substantial research requires a long term commitment and even then, I question whether an outsider can fully understand nuances and intricacies of culture. I have only scratched the surface and although my work is grossly inadequate, I am reminded of the promise I made to *Ibu S* in 2015 who asked me;

How will you represent this story about sexual workers in your community when you get back to America? Because it is really different point of view. You gain new meaning here; how will you represent them there?

⁶⁷ Pierre. Bourdieu, *The Logic of Practice*.

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ Ibid.

My answer then, as it is now, is to represent the women's stories with great care, to not speak for them but demonstrate that they are whole beings, capable of love, dreams, fears and ambitions. They are not to be discarded as non-human, and worthless, as 'home wreckers' and filthy diseased outcasts.

In this chapter I outlined my research methodology, which was based upon qualitative research. Qualitative research allowed for the understanding of complex social systems and relationships. I utilized ethnography as an opportunity to make central the stories and narrative of women who perform sex as work. These stories are intended to shed light on the women's day-to-day lives in an effort to understand their conceptions and experiences of harm. My research design was influenced by feminist theories of ethnography, which values collaboration and reciprocity in research. I applied critical discourse theory to better understand the role and significance of language, text and symbolism in the stories and narrative of the women. I utilized critical discourse analysis (CDA) to provide a theoretical basis and logic for the development and construction of interview question, and the identification of a framework for analysis. I also discussed the ethical challenges of researching vulnerable populations and conducting research as an outsider. The next chapter will treat with history and evolution of prostitution as morality politics.

CHAPTER THREE: PROSTITUTION AS MORALITY POLITICS

Prostitution is maybe like what happens in Jakarta, in hotels with rich old men. Sex work is in hiding locations and disco tech café. Prostitution is more beautiful... are different. Prostitution is more like a lifestyle, online booking... (but) They do not have protection.

Mbak R, HIV Positive former sex worker, now NGO social worker, Bali.

The prostitute is a powerful symbol and prolific figure within academia. It represents a moral contention between conflicting ideologies, that of a prostitute as the antithesis of the wife, Madonna, and the virgin and sex as a profession. The English word derives from the Latin origin, the word *prostituere* meaning from *pro-* before and *statuere-* set up, station, (originating from *status* – position) (Webster's New Collegiate Dictionary 1975)⁷¹. The word prostitute, since the mid-sixteenth century, has been associated with female promiscuity, moral depravity and transactional payment for sexual services and intercourse. However, within recent history, the definition of a prostitute has become a highly contested (Jaggar 1997)⁷² social practice. This contest has occurred arguably because of advances in feminism. Within Indonesia, the word prostitute has

⁷¹ Webster's New Collegiate Dictionary.

⁷² Jaggar, "Contemporary Western Feminist Perspectives on Prostitution."

various meanings and is socially constructed within the public sphere as measured ‘against the moral standards of good or bad’ (Murray 1991, p. 105)⁷³, and within the sub-cultures of the ‘profession’ as being ironically glamorous.

Mbak R, like many other sex workers I have interviewed, view prostitution in a very contextual way. Within recent times the media has publicized cases of famous actresses and rock stars (aka. Ariel Peterpan)⁷⁴, who have engaged in prostitution and pornography. I believe that this has influenced the cultural perception of a class of women who engage in high stakes, expensive, glamorous lifestyle now associated with being a prostitute. For the women, prostitution is now described as a lifestyle choice not one of necessity. The women are able to deploy complex and nuanced meanings depending on the context within which narratives are discussed.

According to the women, I interviewed, selling sex in Indonesia has as many names as are meanings. Workers and NGOs spoke of the broader issues of *prostitusi* – prostitution as a form of criminalization; some women referred to themselves as *pekerja seks* – sex workers. Academia referred to prostitution as *wanita tuna susil* – women without morals and *pelacur* – whore as the many different references to prostitution. Lifestyle women and prostitutes or *perempuan percuma* – women for free and *ayam kampus* – loosely translated means student ‘chicks’ or student sex workers who are young attractive high status and high-income earners. There is great significance in a name. It

⁷³ Murray, *No Money No Honey*.

⁷⁴ “Loyal Fans Greet Pop Star’s Release - Tue, July 24 2012 - The Jakarta Post.”

holds social value or judgment; it holds legal definition and criminalization, and it facilitates discourse around collective versus identity politics.

Within this thesis, I make clear delineations between various terminologies associated with prostitution; for I do not take for granted that the meaning is commonplace across and within cultures. Satz argues that it is important to review the definition of prostitution because of the distinction between form and substance (Satz, 1995)⁷⁵. The 'form' of prostitution has changed over the course of history and across cultures, whether street based, brothels, cybersex, sex tourism; and its substance, as in the hierarchical differences and class structures which exist within prostitution have also evolved (Ibid., 1995 p. 65)⁷⁶. As *Mbak R* indicates there is an internal hierarchy within the profession which is influenced by and affects class, power, culture, and status (Ibid, 1995 p. 65)⁷⁷.

Traditionally, divisions within the sex industry, according to academia, are along basic understandings driven by price and by class of clientele. Such categorizations in practice are problematic; it disregards the diversity of experiences within forms or categories, and generalizes types of workers, their motivations, and the structures within which they operate. It reflects a huge disconnect between the reality as experienced by workers and academia. Category distinctions also impact the perception of illegality, which as discussed is a nuanced concept and has in some geographic locations in

⁷⁵ Satz, "Markets in Women's Sexual Labor."

⁷⁶ Ibid.

⁷⁷ Ibid.

Indonesia such as Sarkem and *Gang Dolly* little to do with actual contravention of the law.

Within academia, prostitution is typically depicted within two divergent frames; either using the rhetoric that supports sex work or narrative against prostitution. Anti-prostitution discourse classifies prostitution as sex trafficking, 'morality politics,' and radical feminist views on sexual violence. Radical feminists argue that 'sexuality is at the root of all forms of gender inequality, and objectification' (Bernstein, 1999 p. 95-96; MacKinnon 1989; Pateman, 1988; Dworkin, 1987; Barry, 1995; Jeffreys 1997). Fechner argues that radical feminists perceive 'gender and sexuality as deeply socially constructed within systems of patriarchy (1994, p. 31). For those in favor of pro-sex or 'libertarian feminism' (Jaggar, 1997)⁷⁸, which has its roots in the Western political theory of Enlightenment, prescribe that men and women share equal capability and rationality and should be afforded equality in rights (Fechner, 1999 p. 30)⁷⁹. Pro-sex discourse focuses on feminist liberalism, and uses economic approaches and rights-based advocacy to justify pro-choice and empower women through activism. Critics of Radical Feminist theorists argue that theorists reproduce universalized concepts of heteronormative and conservatism (Weitzer, 2005, 2011)⁸⁰. While radical feminists argue against the commodification of the body.

⁷⁸ Jaggar, "Contemporary Western Feminist Perspectives on Prostitution."

⁷⁹ Fechner, "Three Stories of Prostitution in the West."

⁸⁰ Weitzer, "Flawed Theory and Method in Studies of Prostitution."

I met *Mbak L* in 2015, she is a member and community leader for P3SY. She is an active sex worker who up to today still works along the train tracks of a brothel complex located in Ngebung. Ngebung, although within Yogyakarta, is very different from *Sarkem*. The brothel location was considered a *lokalisasi* or prostitution site, and was situated along the railway tracks and property of the national state-owned rail company, PT Kereta Api *Indonesia*. The railroad company operates passenger trains across the island of Java, from West Java - Jakarta Kota to East Java – Banyuwangi. The brothel area is located along both sides of the active railway train tracks within a temporary resident ‘squatter complex.’ Like *Sarkem* the area and settlement is a mix of residents, small food stalls, businesses, boarding rooms for sex workers. These ‘temporary’ structures included homes and boarding houses built of plywood, and concrete, and galvanized roofs. A police station is also located within five miles of the location.

I have interviewed *Mbak L* many times and on the last occasion she invited me to where she lived, a settlement area a short distance away from Ngebung. There we talked about many things including the burdens of being a sex worker:

You are in this situation because you are in difficult situation. You actually working in this area is not good, not easy as people think. There is many pressures, many obstacles. Give services, get money... you know like (what people think) easy job. If I can I would choose another field or job. Actually society they say we are stealing husbands, destroying family, you do not want to work hard, in this situation you are lazy person...

When I use the term prostitute within this thesis I refer to the normative gendered definition aligned to anti-prostitution rhetoric. Within the public sphere of Indonesia, I am limiting the definition to that of state narrative, as illegal and immoral wrong. Even though this definition is more complicated based on the women's stories. When I use the nomenclature of sex worker, I refer to a more liberal gender neutral, form of the commercialization of sex. Sex work is aligned to ideals set my 'amoral politics' (Wagenaar et al. 2012)⁸¹, and pro-sexuality feminist theories. *Mbak L*'s description about the burdens of sex work however, demonstrates a number of challenges with liberal feminist ideologies. Sex work is not recognized as legitimate work; it is stigmatized both as a moral wrong as well as gendered form of deviant sexual behavior. *Mbak L* alludes to the elimination of choice and a willingness to be removed from a difficult situation.

I challenge the binary terms and propose a third archetype in the form of 'sex as work.' When I refer to individuals who perform sex as work, I refer to persons who conform to the social belief that sex work is immoral work, but who also believe in the right to work. Most importantly, I refer to women who do not view themselves as sex workers in a political capacity. Individuals who acknowledge sex work is what they do, but not who they are. This insight is one of the most significant findings of my research for it represents a sharp dichotomy away from the pro-sex discourse. It is my hope and intention that in discussing the differences of these three archetypes, it creates an awareness within the public sphere of the complexities and diversity of experiences of

⁸¹ Wagenaar and Altink, "Prostitution as Morality Politics or Why It Is Exceedingly Difficult To Design and Sustain Effective Prostitution Policy."

individuals who practice sex as work. As a result, I hope this drives an imperative to take a critical view of policy reform, on both sides of the divide, by acknowledging the ideological underpinnings which anchor anti-prostitution or pro-sex policy. This is ultimately to achieve an expanded definition of ‘who is a prostitute’ (Satz 1995)⁸².

The discourse on prostitution is divided between deeply polarizing political positions. Its politicization occurs at multiple levels. The discourse is convoluted and frequently embroiled in a cyclical yet nested contentions. At a macro level, the global debate about prostitution and sex work recognition focuses on the conceptual challenges of sexuality as a fundamental human right. At the meso level, the argument considers the politicization of prostitution as a social and moral harm; either as a necessary form of criminalization in the interest of public morality and public health protection or as regulation for the benefit of the rehabilitation of sex workers. The dialectic at this level confronts the tensions between ‘morality politics’ (Wagenaar et al., 2012⁸³; Haider-Markel et al., 1996⁸⁴) and social pragmatism. At a granular level, discussions take the form of social stigmatization and adhering to cultural beliefs.

Feminist discourses regard prostitution as a conception of ‘social, gendered relations, central to the broader issue of human sexuality, and sex as a form of labor’ (Schotten, 2005 p. 211)⁸⁵. The once polarizing debates or ‘sex wars’ (Tyler 2012) of the

⁸² Satz, “Markets in Women’s Sexual Labor.”

⁸³ Wagenaar and Altink, “Prostitution as Morality Politics or Why It Is Exceedingly Difficult To Design and Sustain Effective Prostitution Policy.”

⁸⁴ Haider-Markel and Meier, “The Politics of Gay and Lesbian Rights.”

⁸⁵ Schotten, “Men, Masculinity, and Male Domination.”

1980s have been revitalized given the prominence of global issues of sex trafficking as a form sexual slavery and unregulated form of migration (Cojocaru, 2015 p. 182)⁸⁶.

However, the core body of literature remains encamped between feminist theories which are either Anti-Prostitution and or Pro-Sex (Fechner, 1994, p. 29)⁸⁷. Radical feminists represent anti-prostitution narratives, while sex liberal feminists support Pro-sex theories. The debate is further complicated because some theorists focus on conceptions of the practice of prostitution (Zatz, 1997 p. 278)⁸⁸ while others argue definitional disparities. Both perspectives are valuable; however, they operate at cross-purposes because neither protect or prevent prostitution and sex work.

Radical feminists view prostitution as a form of sexual violence, harm to self, a form of exploitation where choice or consent is within male domination and as such a ruse (Schotten, 2005 p. 217-219)⁸⁹. Feminists who espouse an essentialist approach goes further to state that prostitution in itself constitutes a harm (Satz, 1995 p. 70)⁹⁰. In a very distinct sense patriarchy or male domination is described as ‘the prevailing hegemonic discourse’ and prostitution is an institution which perpetuates disease, rape, and violence against women’ (Farley 2003, p. 247)⁹¹. Radical feminists refute the position that commercial sex is a form of contract and labor. They insist that sex cannot be commoditized because it is a representation of male domination through inequitable

⁸⁶ Cojocaru, “Sex Trafficking, Captivity, and Narrative.”

⁸⁷ Fechner, “Three Stories of Prostitution in the West.”

⁸⁸ Zatz, “Sex Work/Sex Act.”

⁸⁹ Schotten, “Men, Masculinity, and Male Domination.”

⁹⁰ Satz, “Markets in Women’s Sexual Labor.”

⁹¹ Farley, “Prostitution and the Invisibility of Harm.”

distribution of income, job segregation, poverty and unequal division of labor within the family (Satz, 1995 p. 75)⁹². Prostitution is anchored completely in female-male sexual dynamics to the exclusion of the multiplicities of sexual identity who also participate and engage in sex as work.

Liberal feminism, or 'libertarian feminism' (Jaggar, 1997)⁹³, has its roots in the Western political theory of Enlightenment, which prescribes that men and women share equal capability and rationality and should be afforded equality in rights (Fechner, 1999 p. 30)⁹⁴. These arguments come in direct opposition to radical feminists' view of asymmetric gender relations. Pro-sex feminists contend that anti-prostitution radical feminism is a 'hypocrisy based on maintaining traditional heteronormative morality and monogamy' (Bernstein, 1999 p. 98)⁹⁵. Critical to the libertarian point of view is the issue of agency and choice. Liberal approaches treat with non-idealized notions of choice, similar to the economic principle of opportunity cost; meaning that choice is the best next alternative. Choice within this context is the rationality of imperfect conditions (Radin 1987; Shrage 1989, 1994) This definition of choice conflicts with some ideas that sex workers make entirely independent individuals.

The most significant position of liberals is the definitional reconstruction of prostitute to sex worker. In recognition of the valuation of commercial sex as paid gendered work, some liberal feminists make a clear distinction between sex worker as a

⁹² Satz, "Markets in Women's Sexual Labor."

⁹³ Jaggar, "Contemporary Western Feminist Perspectives on Prostitution."

⁹⁴ Fechner, "Three Stories of Prostitution in the West."

⁹⁵ Bernstein, "What's Wrong with Prostitution--What's Right with Sex Work--Comparing Markets in Female Sexual Labor Symposium."

laborer and not as a form of social identity (Schotten 2005 p. 222)⁹⁶. Expanding upon Marxists theories of production, exploitation of sexual labor within the sex market, is said to be as a result of systemic manipulations of capitalism and not because of sex work itself (Ibid, 2005 p. 223)⁹⁷. Sex work, and not prostitution, thus embodies political, pro-sex and anti-morality ‘rights discourses’ (Jaggar 1997)⁹⁸. I however question whether there is a distinction between rights based discourse and identity politics.

There is a direct connection between sex worker organization and pro-sex feminism (Schotten, 2005 p. 221-222)⁹⁹. Sex work as a form of labor is a discourse which positions sexual services on par with conventional forms of labor. However, because of gendered inequalities, worker rights and interests are represented by advocacy groups rather than within the established structures labor markets (Gall 2015, p. 221). The recognition of sex as labor is yet to be fully embraced globally, because of its social stigma. Criminalization creates unmet needs for workers, and as a result, worker rights advocacy is a formative ideal. Rights-based activism is more commonplace than successful sex worker unionization (Ibid p. 222). Sex worker-led organizations became conduits for political activism and pro-sex social movements. Organizations such as Call Off Your Old Tired Ethics (COYOTE) of the United States (founded in 1973), the English Collective of Prostitutes (ECP) (established in 1975), The Red Thread in Netherlands (founded in 1984), Scarlet Alliance Australia (founded in 1989) have all

⁹⁶ Schotten, “Men, Masculinity, and Male Domination.”

⁹⁷ Ibid.

⁹⁸ Jaggar, “Contemporary Western Feminist Perspectives on Prostitution.”

⁹⁹ Schotten, “Men, Masculinity, and Male Domination.”

championed the recognition of sex work as legitimate work. Although Indonesia has active social movements and civil society, few are dedicated to sex work activism.

Perhimpunan Perempuan Pekerja Seks Yogyakarta (P3SY) is a sex worker-led community-based organization (CBO) in Yogyakarta. P3SY champions the collective interests of FSW through creative activism, education and social networking (Gall, 2015 p. 225). This organization is a type of social movement, in that 'it become a sites for the development of collective identities (Roth, 2000 p. 302). Each NGO's brand of activism serves different objectives; some have a considerable interest in political activism while others support rights protection of workers. P3SY's objective is less about legalization and more about the humanization of workers to combat social stigma, and worker access to sexual health, security and legal aid services.

Although these movements are growing in popularity across the world, they espouse westernized ideals of rights activism and harm prevention. They also advocate western ideals of feminism. But as progressive as they are, I question whether they are representative of all cultures and social dynamics? In my field research, I have learned that prostitute led organizations, are not always representative of all women who perform sex as work, even those who work within the same environment and geographical space. My findings also demonstrate that performing sex as work is a unique vocation, and even though there are commonalities between workers, each person evaluates and accounts for their personal decisions. Decisions to continue sex work, the threshold for acceptable forms of harm and risk are experienced on a continuous and ongoing basis (Beazley 2015; Pisani 2008), but to a large extent, these are personal experiences.

The contemporary global discourse on prostitution now centers on the challenges of sex as human trafficking. The revitalized ‘Abolitionist Anti-prostitution movements’ have categorized all forms of sex work mobility and migration as forms of forced, coerced human trafficking, and have actively advocated against this new kind of ‘modern day slavery’ (Kinney, 2015 p. 148; Cojocarú 2015, p. 184). In a similar vein, under the Ministry of Women’s Empowerment, Indonesia enacted Law#21/ 2007 for The Eradication of the Criminal Act of Trafficking Persons. In treating with the global phenomena, the movement’s objective is to highlight the horrific experiences of individuals, particularly women and children who experience human trafficking. Testimonials which according to Cojocarú, a victim of sex trafficking, further degrades victims, as well as reinforces the international ‘circus of salvation’ (Ibid, 2015)¹⁰⁰. Collectively, the movement and international agencies have gained tremendous advancement concerning ‘rights-based approaches’ and policy reformation for trafficking (Kinney, 2015 p/ 147) but have failed to address sex work legitimacy.

The common theme remains, there is limited understanding of experiences outside of the norms of ‘salvation of willing victims (voluntary sex workers) and rescued victims’ (involuntary sex workers) dialogic (Kinney 2015, p. 147-148). Whether Abolitionists misinterpret intersections of sex work, sexuality and gendered migration as singularly sexual violence, their impact on policy development and reform consequentially can cause more harm to the individuals they intended to protect

¹⁰⁰ Cojocarú, “Sex Trafficking, Captivity, and Narrative.”

(Cojocaru, 2015 p. 185)¹⁰¹. Kinney referred to efforts made by Thailand to ‘protect’ women against trafficking which resulted in the overall restriction of movement of women; such policies have caused the increased vulnerability of certain ethnic minorities to authority surveillance (Kinney 2015, p. 151 -164).

Gendered migration of sex workers is surprisingly under-researched in academia, even though mobility is inherent in sex work. Migration is described by the women in my research, as unavoidable and as a natural part of the profession. The underlying reasons may have different motivations and serve different needs for some women move for job opportunities, while others rationalize competitiveness - ‘wanting to be being the new girl somewhere new’. Brothel closures however, exacerbates and creates an additional challenge similar for sex workers by forcing mobility similar to a mass exodus.

Critics describe radical feminist views on prostitution as ‘absolutist and doctrinaire’ (Weitzer, 2005, p. 934)¹⁰². While it is inescapable the connections between prostitution and the role of gendered power it is but one of the dynamics created by ‘contextually complex and socially diverse situations’ (Zatz, 1997, p. 208)¹⁰³. Colonial history, race relations and economic inequalities within European and North American contexts influence the practice of prostitution within these countries (Shrage 1992, 1994). Normative Western Feminist theories on prostitution dilute ‘the importance of socio-economic, historical and cultural factors on sexual practice and sexual identity, and that these factors influence the structure and prevalence of prostitution within a society’ (Ibid,

¹⁰¹ Ibid.

¹⁰² Weitzer, “Flawed Theory and Method in Studies of Prostitution.”

¹⁰³ Zatz, “Sex Work/Sex Act.”

p. 278). The theorization of all practices of prostitution creates a universal context with strict constructions which prove to be highly problematic in practice. Kempadoo goes further to explain that sex workers occupy a complex space in which they inhabit a number of roles, identities and experiences which span a spectrum of selves, of victim, oppressed, oppressor, and empowered in decision making (Foust 2013¹⁰⁴, p. 32; Kempadoo, 1999 p. 232-233).

Kingdoms, 'Adat' and Industrialization- The History of Commercial Sex in Indonesia

It is important to understand how Indonesia's complicated history of *adat* or traditions, colonization, and democracy influence the evolution of prostitution in Indonesia. The dominant historical narrative suggests that the origin of prostitution is linked to Javanese history. Although my sex worker sample size is small (all of the women I interviewed were from various Provinces within Java), my findings are in keeping with this narrative and reflect some of the existing research on Javanese prostitute migration (Januraga et al 2014, p.2)¹⁰⁵ across Indonesia. Thus for this thesis a study on prostitution is essentially a study on Javanese culture and history.

Prostitution has its roots in Javanese *Mataram* Kingdoms of the Eighteenth Century (Jones, Sulistyaningsih and Hull 1998 p. 29)¹⁰⁶. These *keraton* or kingdoms were ruled by all-powerful kings, and within them, women were considered property, and

¹⁰⁴ Foust, "Sex and Selfhood."

¹⁰⁵ Januraga, Mooney-Somers, and Ward, "Newcomers in a Hazardous Environment."

¹⁰⁶ Lim and International Labour Office, *The Sex Sector*.

symbolic affirmations of power, virility and royal legitimacy (Andaya, 2001 p. 59).

Women within *keraton* performed many roles including, slaves, concubines, guards, and servants (Andaya, 2001 p. 60). This tradition of the commoditization of women is viewed as the foundation of modern day prostitution throughout Indonesia (Andaya 2001; Jones, Sulistyaningsih and Hull 1988 p. 30)¹⁰⁷.

During the Dutch colonization period, commercialization of sex and its organization flourished because of the growth in urbanization (Andaya 2001; Jones et al., 1988). With the creation of port areas throughout Indonesia, a massive influx of single male Dutch settlers, European traders, soldiers as well as Chinese migrants (employed for railway construction) poured into Indonesia. Combined with the traditions of ‘concubinage’ and slavery, this created a significant demand for ‘female services’ (Ibid, 1988 p. 30)¹⁰⁸. At the time interracial marriages were forbidden however commercial sexual relations were ‘tolerated’ (Encyclopaedie van Nederlandsch Oost-Indie, 1919 p. 511-515)¹⁰⁹. In 1852 the colonial government introduced legislation to curtail the ‘negative and harmful effects of prostitution’ by requiring all ‘public women,’ called *wanita tuna susila* or women without morals, to register for medical examinations. The legislation also required the women to operate within a brothel or *lokalisasi* - a localization confined to prostitution activities, and to be supervised in mass by *polisi* or police vice-squad (Jones et al., 1988, p. 31)¹¹⁰. It would appear that at the time colonial

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ *Encyclopaedie van Nederlandsch-Indië*.

¹¹⁰ Lim and International Labour Office, *The Sex Sector*.

regulation on prostitution, because of expansion of railway and trading routes was introduced to ensure public hygiene and curb the spread of sexual diseases and not for reasons of immorality. However, the regulation changed from colonial pragmatism to that of public moralism.

As the sex industry burgeoned, public matters were compounded by limited medical resources, relaxed rules affecting medical examinations and most significantly the enactment of the Netherlands “public morality laws” in 1910 (Jones et al., 1998, p. 32)¹¹¹. These laws eventually impacted the Netherland Indies, including Key islands within Indonesia in 1913 and remain, in substance and form, up to today. The greatest challenge identified with implementing these ‘morality laws’ was two-fold. While the legislation expressed strong condemnation for unsanctioned ‘acts of fornication’ it was silent on the practical means of treating with the rapidly expanding sex industry (Jones et al., 1998 p. 32¹¹²; Encyclopaedie van Nederlandsch Oost-Indies 1919, p. 514¹¹³).

As urbanization and agrarian industrialization spread throughout Java, competition for low status and low education jobs increased. Most affected were rural women. These women relied on traditional unpaid gendered work, domestic labor, factory work, small trade and prostitution (Jones et al., 1998)¹¹⁴. Lack of financial opportunities has forced young women to migrate from rural areas in search of work. Prostitution, according to Jones et al., provided high income, ‘social anonymity, and

¹¹¹ Ibid.

¹¹² Ibid.

¹¹³ *Encyclopaedie van Nederlandsch-Indië*.

¹¹⁴ Lim and International Labour Office, *The Sex Sector*.

freedom from familial surveillance' (Jones et al., 1998 p. 34)¹¹⁵. Today many of the women who are sex workers come from rural areas from West and East Java, migrating to major cities such as Surabaya, Bali, and Yogyakarta.

Within contemporary times, national divorce rates have also been known to affect rural and low-status women. Indonesia is known for having a high level of divorce rate (Jones et al. 1998; Heaton et al. 2001, p. 481). According to some studies marriage dissolution is connected to a number of factors which affect women including, early marriages, economic power of women within the family and the lack of religious restrictions placed on men (Heaton et al. 2001)¹¹⁶. Although the study suggests that women exercise their civil rights to pursue divorce, what is silent is the fact that for many women marriage or divorce, are the only viable options to maintain economic survival. However, while accessing divorce may mean women taking charge of their/ and family's financial survival, the trade off is the social stigma associated with being a single woman and mother.

Java has had cultural, political, and industrial prominence throughout Indonesia's history. My research considered two of the major cities, Surabaya and Yogyakarta that are located on the island of Java. Accounting for half of the nation's population of 136,610,590 (Encyclopaedia Britannica estimated in 2010). The island of Java has three provinces, West Java, Central Java, East Java and the Special Region of Yogyakarta. Surabaya is the capital of East Java and is the second largest capital in Indonesia.

¹¹⁵ Ibid.

¹¹⁶ Heaton, Cammack, and Young, "Why Is the Divorce Rate Declining in Indonesia?"

The sex industry thrived in Surabaya because of its large trading port and the nation's naval station (Engleson, 1986 P. 124). Under Dutch occupation, various practices of prostitution evolved including street-based, cafes, small brothels, and brothel *lokalisasi* and *kampung* (Jones et al., 1998 p. 31)¹¹⁷. These distinctions are important for many reasons. It demonstrates the diversity of types of prostitution, and it shows how pervasive forms of prostitution. Within Surabaya *Gang Dolly*, rumored to be named after a Dutch female pimp and *wisma* or bar, owner was located within the *kampung* or village of Jarak. Within *kampung* Jarak, according to Yayasan Abdi Asih an NGO in the area, over 3,500 women worked at the height of the area's popularity. Yayasan Abdi Asih has documented records of the number of bars and sex workers for each location within *kampung* Jarak.

There are ongoing disputes over whether an area is a *lokalisasi* or a *kampung* and at the root is the question of 'illegality.' *Kampung* is believed to have a higher legal status given that the area is a village rather than a *lokalisasi*. To close a *kampung* the government must pay compensation because the land is privately owned. Through-out 2014 residents, business owners, sex workers and pimps protested against the closure of *Gang Dolly* for economic reasons. As part of understanding the context, I met and interviewed a female pimp and former parking attendant who were both imprisoned for participating in the protest. They both admitted to me that the government has not appropriately treated with financial losses for no viable financial alternative has been provided. During my visit to *Gang Dolly* I witnessed a negotiation for sex service. The

¹¹⁷ Lim and International Labour Office, *The Sex Sector*.

location has no major economic activity and prostitution still occurs, albeit in a less visible form.

My experience within the city of Yogyakarta was different. The city is known as an ‘Education City. Some of the institutions pre-date the Dutch and European systems of education (Ramdhani et al., 2012)¹¹⁸. Yogyakarta is the capital of the Special Region of Yogyakarta and its status was believed to be granted in 1945 by President Sukarno as a reward to then Sultan Hamengkubuwono IX. Recently the controversial Law#13 of 2012 *Daerah Istimewa Yogyakarta* or Special Region clarified the provisions for the region’s special status. The lineage of Sultans date back, according to the letters within the Archives of Yogyakarta published by the British Academy, to Sultan Hamengkubuwana I in 1749 (Carey, 1980 p. 192)¹¹⁹. These letters granted special permissions and land ownership to the Sultan during the British occupation of Yogyakarta. One letter stated that “500 cacahs - an area of land, were to remain under the Sultan Hamengkubuwana III” (Carey, 1980 p. 138)¹²⁰. This clarification about land ownership is important for the geographical location of each *lokalisasi* determines, in the minds of the sex workers, the perception of legal status. While Sarkem is located directly on land claimed by the Sultan, Ngebung and Giwangan, two other brothel sites fall outside and as such are not protected and are considered illegal by the workers.

¹¹⁸ Ramdhani, Istiqomah, and Ardiyanti, “The History of Yogyakarta, an Education City.”

¹¹⁹ Carey, *The Archive of Yogyakarta. Vol. I.*

¹²⁰ Ibid.

Today *adat* or traditions are influential to perceptions of legality. According to *Ibu S* the current Sultan, Sultan Hamengkubuwana X, has promised to protect Sarkem from closure and the women within the location voice less concern about their status. *Adat* also explains the diversity of commercial sexual practices in Java. I was told a story by one of the NGO social workers that on the beaches of *Parangkusumo*, located on the southern coast of Yogyakarta, men pay for sex services on certain spiritual days within the Javanese Islamic lunar calendar, to bring great wealth and riches. Another story was about *Gunung Kemukus* meaning sex mountain in Java, where thousands of devout religious men and women engage in ritualized paid sexual pilgrimages to gain magical powers and status. These ritual are considered more Javanese than Islamic tradition or Indonesian. These *adat* expose cultural paradoxes, even social hypocrisies, and challenge the public discourse on religious conservatism, the perceived intolerance for commercial sex and the lack of participation of women as consumers of commercial sex.

Indonesia has a complex history and a ‘range of social structures, cultural streams and forms of kinship organization experienced across the archipelago’ Geertz C. 1980 p.3). There are some differences between Java and Bali that are more apparent than others, as with the resistance to “Islamization and lack of intense Dutch domination” (Ibid, 1980 p.9)¹²¹ while others are significantly more complex, requiring a deeper level of research which this thesis cannot afford. However, a short overview will be provided.

¹²¹ Geertz, *Negara*.

The period post-Dutch colonization, or the end of Pax Neerlandica¹²² would see the island of Bali experience a ‘quarter century of turmoil, mass violence and political upheaval associated with the Japanese occupation, Indonesian revolution and the attempted coup d’état of 1965’ (Pringle, 2004 p.157)¹²³. After the devastating effects of the transitional period to the Suharto New Order Era, Bali has experienced relative political stability, however the 2002 terrorist attack at a nightclub district in Kuta that claimed the lives of approximately 202 persons (mostly tourists)¹²⁴, which believed to be orchestrated by Jemaah Islamiah (JI). These events made visible the underlying questions regarding Balinese national identity and its role in the global discourse on terrorism, economic development and Indonesian politics (Pringle, 2004 p. 184)¹²⁵.

Today Bali is one of the most sought after tourist destinations in the world, made famous by its romantic, erotic and spiritual depictions as the ‘Island of the Gods’ (Pringle 2004)¹²⁶. The tourism industry is a classic example of an economic development ‘toolkit solution’¹²⁷ promoted by international agencies to reduce poverty and increase economic prosperity. Pringle described Bali’s evolution from an agrarian society to tourism, as having both economic prosperous benefits as well as strong calls for the preservation of cultural identity. (Ibid., 2004 p. 188-189)¹²⁸. Within this environment prostitution thrived,

¹²² “Pax Neerlandica.”

¹²³ Pringle, *A Short History of Bali Indonesia’s Hindu Realm*.

¹²⁴ “Indonesia Profile - Timeline.”

¹²⁵ Pringle, *A Short History of Bali Indonesia’s Hindu Realm*.

¹²⁶ Pringle, *A Short History of Bali : Indonesia’s Hindu Realm*.

¹²⁷ “Toolkit on Poverty Reduction through Tourism.”

¹²⁸ Pringle, *A Short History of Bali : Indonesia’s Hindu Realm*.

first made famous by male prostitutes or Bali Cowboys¹²⁹ and the near iconic and mythical status of Balinese women.

Much of the literature available on Bali prostitution deals with HIV policy and statistics. A recent research article published by Januraga et al in 2014¹³⁰ suggested that the national campaign to address escalating HIV infection rates the spread of HIV was implemented in Bali in 2007, targeted female sex workers (FSW). This report is yet another example of the reliance on incomplete data, and government policies that reinforce public perception of sex workers as diseased and unclean.

Morality Politics and Legal Ambiguity of Prostitution

On the one hand, prostitution is sort of legal. The sex workers are given permission by *Muspika*. But morality first...the Government thought it was the source of HIV. When we are dealing with a powerful agent like the government we cannot do anything much about it. Because they (sex workers and business workers) do not want to get in trouble for going that deep. That is the government's business.

Ibu Vera, NGO leader Yayasan Abdi Ashi, Surabaya

¹²⁹ “Cowboys In Paradise - Trailer - YouTube.”

¹³⁰ Januraga, Mooney-Somers, and Ward, “Newcomers in a Hazardous Environment.”

Publicly contested brothel spaces such as *Gang Dolly*, demonstrate that laws premised upon moral subjectivity are often intentionally ambiguous and as such prone to abuse. *Ibu Vera* explained that after the 1980s, *Gang Dolly* was managed collectively by negotiated treaties between pimps, community leaders representing both Rukun Tetangga (RT) or neighborhood units and Rukun Warga (RW) or sub-hamlets (Warren, 1990 p. 3) and *Muspika*, a local coordination body which comprised of sub-district level police and military. The legality of *Gang Dolly* was independently determined by district level state apparatus, which directly contravened national legislation against prostitution. Power and authority was thus vested in the owners of the sex industry and the regional bodies, who were charged with the responsibility to prevent harm and protect the rights of citizens.

Haider et al. defined morality politics as ‘partisan politics that focus on deeply held values and flourish within areas with competitive political agendas’ (Haider-Markel et al., 1996 p.334)¹³¹. This definition is reflective of an imbalance within political systems. Where the imbalance exists between the separation of state legislative power, capitalism and religious morality. Politics is concerned with the negotiation and management of various public and private interests, and within democracy its outcome is the creation of policies which work toward civil order. Capitalism is driven by the maximization of private interests and profit. Morality thus treats with value systems that determine right and wrong. It then follows that morality politics produces state legislative policies, which are based on values that are disproportionately representative of a

¹³¹ Haider-Markel and Meier, “The Politics of Gay and Lesbian Rights.”

privileged group with society (Scoular et al. 2007, p. 764¹³²; Wagenaar et al. 2012 p. 280¹³³).

In the 1950s British scholars debated over the ‘legal enforcement of morality laws’ when considering homosexuality and prostitution (Harcourt, 1999 p. 122). At the time they contemplated whether moralist principles were in direct opposition to those of liberalism. Lord Devlin of the esteemed Privy Council, proclaimed that the principle of ‘legal moralism, for activities that were inherently immoral such as homosexuality and prostitution, must be regulated by law’ (Ibid 1999, p. 122). Lord Devlin defined public morality as harm to society, specifically as behavior which affected society as a whole (Ibid, 1999, p. 125). Morality within society was thus described as a ‘seamless web and moral fabric’ (Ibid, 1999 p. 126) of which immorality was viewed as its collective unraveling.

Wagenaar identified three key characteristics of morality policies, which I believe are applicable to the Indonesian case, that of underlying hegemonic discourse, the persistent marginalization of minorities, and drastic shifts in policy execution (Ibid, p. 284)¹³⁴. Legislation is a central piece of public discourse, for it is an important forum through which society promotes inequality, and gender relations (Fechner 1994, p. 72)¹³⁵. The interpretation of legislation is thus shaped by the dynamic forces of shifting cultural

¹³² Scoular and O’Neill, “REGULATING PROSTITUTION.”

¹³³ Wagenaar and Altink, “Prostitution as Morality Politics or Why It Is Exceedingly Difficult To Design and Sustain Effective Prostitution Policy.”

¹³⁴ Ibid.

¹³⁵ Fechner, “Three Stories of Prostitution in the West.”

beliefs and today, certain political forces are attempting to maintain a traditional political discourse on sexuality, and by extension prostitution, toward a more conservative turn.

Prostitution within the Indonesian legal framework arguably demonstrates all the characteristics discussed by Wagenaar, as morality based policies. A complicated political history has created a legal structure which is firm on public condemnation of prostitution as a moral wrong against public decency but is ambiguous when it comes to hard policy decisions regarding the effective treatment of prostitutes. Policy decisions swing between the hard-line prosecution and criminalization, to periods of ambivalence, to prostitution as a public nuisance (Campbell 2015, p27), to the tactic encouragement of prostitution as sex tourism.

The illegality of prostitution falls within the interpretation of the Penal Code of Indonesia 1999 (Undang-Undang Hukum Acara Pidana) as a ‘Crime Against Decency’ and a ‘Misdemeanours Relating to Morality’.¹³⁶ The Penal Code has its roots in Indonesia's history under Dutch Colonization. In 1913 The Penal Code was first introduced as a state regulatory framework for public order and morality (Jones et al., 1998). The challenge, previously mentioned, regarding the criminalization of ‘morality laws’ is that in addition to the legislation lacking effective means to treat with prostitution, the interpretation of acts of decency and morality are subjective. Such ambiguity in the law leaves open differing political and individual interpretations of what constitutes public decency.

¹³⁶ “Penal Code of Indonesia.”

The enacted Penal Code decrees that adultery as well as ‘carnal knowledge of a child, man or woman outside of marriage is punishable by imprisonment of up to twelve years’ (Art. 287, 288)¹³⁷. (Also at issue is the ongoing significant debate about the age of consent, the legislation quotes both 12 and 15 years of age.) These offenses protect the ideals of the nuclear and ‘harmonious family’ maintained within the Law of Population Development and Prosperous Family Law #10/ 1992¹³⁸. Even within heterosexual relationships outside of marriage, once ‘silent’ and private experiences between consenting adults are now subject to punishment, and public shame as a criminal offense.

Proposed amendments to the Penal Code included the addition of homosexuality and same-sex unions as public ‘morality crimes’ and have raised public outcry from NGOs and various advocacy groups. Public protests between LGBTI communities and religious conservatives have been violent. The latest enactment of the criminalization of pornography, through the Anti-Pornography Law#44/ 2008 also resonated similar heteronormative values. However, Law#44/2008 included phrases such as ‘pornographic actions, public performances and conversations’ as violations of “moral norms in society” (extract Art 1). Public reaction was instantaneous, with strong objections and protests throughout Indonesia. In Bali, protesters argued for maintaining ‘sexually-tinged cultural performances,’ and in Papua the practice of ‘men being naked except for a penis gourd’ (Pausacker 2008)¹³⁹ were seen as direct attacks against cultural identity.

¹³⁷ Ibid.

¹³⁸ “INDONESIA. Law on Population Development and Prosperous Family of 1992.”

¹³⁹ “Hot Debates.”

Prostitution as morality politics can be viewed as the battleground between religious and political conservatives and liberal capitalists. It can also be viewed as the contest between conservative movements and liberal democratic movements (Brenner 2011)¹⁴⁰. The challenge is that between political shifts in agendas, the marginalized continue to experience social stigmatization. They become outcasts of their own communities and even when they are politically mobilized, are omitted from formal consultation with the state.

In this chapter I argued that prostitution has two distinct analytical challenges. As a discursive definition, it has multiple and conflicting meanings to various stakeholders. Within the prostitution profession and sub-culture its definition represents class differences, beauty and lifestyle choices. While the narrative used by the state elicits questions about morality, deviance and ‘wrongfulness’. As a discourse, prostitution and its counter sex work, represents dialectic feminist discourses which either based on pro-sex liberalism that views prostitution as sex work, or are anti-prostitution based on pro-radical feminism, which views prostitution as sexual violence. The history of prostitution and its evolution within Indonesia, is a distinctly Javanese subject because of the inherent characteristics within sex worker mobility and worker migration. Javanese economic and socio-political history influences prostitution practices across Indonesia particularly Bali. Morality politics and the challenges of an ambiguous legal system that criminalizes prostitution as a ‘social and moral wrong’ has further marginalized sex workers, who are

¹⁴⁰ Brenner, “Private Moralities in the Public Sphere.”

an already vulnerable community within society. The next chapter will treat with prostitution as public discourse.

CHAPTER FOUR: PROSTITUTION AS SEXUALITY DISCOURSE

The government is being irrational in closing the lokalisasi. It is worse for sex workers. Even in Dolly sex work continues. That the Social Ministry was also talking about eliminating homelessness by 2017, and prostitution by 2019. There are issues with GLBTI. They are turning a blind eye to the real problem. That the strategy made no sense. I believe that the government looks at prostitution as human trafficking and underage, but does not consult or consider sex work as being part of women's choice, the best choice available. And if they make that choice they should be protected.

Muslih PKBI, Coordinator.

Normative views on prostitution within any society are driven by socio-economic, political and cultural value systems, as are all public discourses. Within the context of Indonesia, these value systems have been shaped by historical 'contests over power' (Vickers, 2013). Over the last century, political authority within Indonesia has transitioned from colonization, independence, authoritarianism, to democratization. Throughout these periods of 'historical transition,' a conflict persisted between influential conservative agents who lobby for the solidification of heteronormative values, and those who represent progressive liberalism. These conflicts affect contemporary dialectics over

private versus public rights. Sexuality is central to the debate within Indonesia over the role of the family, public morality, and decency. There are two prominent and deeply polarizing views regarding allegations of discrimination by the state against individual rights, particularly regarding sex outside of marriage, homelessness and non-conforming sexual identities. Relevant to this thesis is the emergence of dissenting discourses, or emergent social orders (Fairclough 2000), which directly challenge the traditional 'knowledge' (Foucault, 1978) of sexuality. Ideals that position Indonesia as a nation of a collection of harmonious heteronormative families.

These emerging views of dissent advance individual rights such as sexual diversity, and sexual health, and are driven toward countering ideologies of conservatism and even radical feminism. The discourse on sex work in contemporary Indonesia mirror the public discourse on sexuality, which views prostitution as both a social disease in need of prohibition, and a sexual right in need of protection. Identifying and analyzing all influential existing and 'emerging discourses' (Read 2013) are critical to the deeper understanding of the lived experiences of sex workers. Disruptive and emerging discourses in favor of empowering sex workers, by the recognition of the right to sex as work, has created legitimacy, agency and tangible benefits to workers. However, it has also itself become a hegemonic discourse.

This chapter is intended to unravel the various interests and influential voices which shape public discourse on prostitution in Indonesia within the sphere of sexuality discourse. I argue that the tensions which exist between the various positions on sexuality directly impact the manner in which the women, as sex workers are viewed within

society. These dialectics have ‘pervaded society, state institutions and have the propensity to affect individual’s perceptions of self’ (Wieringa, 2015 p. 27).

Sexuality as ‘Hegemonic Discourse’

The concept of hegemony was originally conceptualized within Marxists theories (Hearn 2004, p. 52). Gramsci expanded the concept to consider that power was exercised by the ‘dominate (economic) class, along with a network of political actors including the state, capitalists, the law and intellectuals, who extended control over the society’ (Hearn 2004 p. 54). The challenges of the domination of society through ‘force or consent’, according to Finocchiaro (1988, p. 168), can be minimized by the understanding that a differentiation should exist between the forms of hegemonic power (domination, coercion, force and acceptance) and the subject of hegemony (eg. gender, masculinity, patriarchy) (Hearn 2004, p. 65-66). When I refer to conceptions of ‘hegemony’ I speak to ‘the ways in which power operates to configure our everyday understanding of social relations, and the ways it is reproduced, both tacit and covert, as relations of power’ (Butler 2000, p. 13-14). Most importantly how these power relations affect gender dynamics (Hearn 2004; Butler 2000).

These contestations take place within the public sphere. When I use the term public sphere I mean the ‘arena in which negotiation among a variety of publics happen, including feminists, media, civil society and religious organizations’ (Rinaldo 2008, p. 1782). Within the context of contemporary Indonesia, the most influential ‘public’ is civil society. International organizations define civil society as “a wide array of non-governmental and not-for-profit organizations that have a presence in public life,

expressing the interests and values of their members or others, based on ethical cultural, political, scientific, religious or philanthropic considerations” (World Bank definition).

When I speak to sexuality I refer to the various ‘processes by which sexual behavior, practices and conditions are ascribed cultural meaning’ (Dixon-Mueller 1993, p. 275). When I use the term public discourse on sexuality, I speak to the recognition that according to Blackwood, “discourse on sexuality ... is deployed in a number of forms that are part of and separate from the state” (2007, p. 294). Foucault defines discourse as the ‘formalization and institutionalization of knowledge’ (Golder 2015, p. 38). Adding further, that it is ‘governed by institutional practices of rules which dictate how knowledge is produced’ (Ibid, p. 39). Taken together all these social concepts assist in the understanding of how prostitution and sex work fit within public discourse, and how discourse affects constructions of power and the deployment of gender norms of femininity and masculinity throughout Indonesian society.

Sexuality as ‘Agencies of Power, and Resistance’

Sexuality encompasses many spheres. Historically, sexuality discourse has been linked to nineteenth century western scientific studies on sexology and sexual dysfunction and physiology (Heise 1997, p. 412). Later considerations of population and demographic control (Foucault 1978) were widely discussed. Sexuality was also considered a universal concern whereby the imperative was the control of the spread of sexually transmitted diseases (Dixon Mueller 1992). Radical feminist discourses have also impacted the overall discourse on sexuality, particularly the ideologies of Andrea Dworkin, Catherine Mackinnon, and Kathleen Barry (Heise 1997, p. 412), who have

shaped jurisprudence in the West. Overall the sexuality discourse, has looked at power dynamics, challenges to normative definitions and the ‘apparatus and mechanism through which sexes are produced’ (Butler 1990, p. 11). Discourse also recognizes the intersection between culture and systems of power.

In addition to analyzing the literature on sexuality, both in general contexts and specific to Indonesia, I believe that the great advantage of ethnography is that it provides ‘thickness’, depth and ‘richness’ (Davies and Bennett 2015) to research. Leonardo and Lancaster (1997, p. 2) believe that ethnography shows that “human beings articulate extraordinarily varied notions of sexuality... and that these understandings are interwoven within dense cultural fabrics”. Highlighting the lived experiences of the women, I attempt to challenge the rigid lines set by the prevailing discourse on sexuality, harm mitigation, and prostitution as prohibition. I believe that in praxis, these women, through their stories and lived experiences, challenge prevailing discourses about individuality, familial gender roles and agency within society.

Foucault (1978) purported that the modern foundational understanding of the discourse on sex was predicated on multiple discourses. These discourses were believed to be influenced by the intersections of ‘regimes of power, knowledge, and sexuality’ (p. 10, 15-36). He proffered that this systemic control of sexuality breeds discontent, creating a public influenced by ‘sexual repression and hypocrisy’. In an effort to sanitize, de-illicit and sanction sex, these discussions on sexuality in the public sphere were reinforced by prevailing codes of morality, sex as reproduction and silence. This knowledge about sex is thus learned behavior based on societal systems of manipulation.

Power according to Foucault is expressed through an evolving and decentralized mechanism of authority and the residual effect of these mechanisms, ‘production of discourse, power and knowledge, is repression’ (Sheridan, 1980 p. 168). Power is thus relational. Foucault classifies power as “not an institution, nor a structure ... It is the name given to a complex strategic situation in a particular society” (1978, p. 93). This becomes particularly relevant to my research with the recent political drive to criminalize and regulate forms of sexuality in Indonesia through the continuous revision of Criminal Penal Code *Undang-Undang Hukum Acara Pidana 1999* (further amendments have been proposed as recent as 2015) (Blackwood 2005, p. 303).

For me, Foucault’s discourse on ‘repression’ can be problematic. I interpret his definition to also mean a relational state of repression, in that sexuality and sex is openly discussed in modern societies but only to varying degrees and restricted to certain subject areas such as heterosexual marriage and consensual heterosexual relations. I however disagree with the tendency to label some societies as sexually repressive. In the case of Indonesia, to suggest that the largest Muslim majority nation in the world equates a sexually repressive public sphere would be highly limiting and problematic (Davies and Bennett p. 3). Academic literature oftentimes minimizes the important role of political and religious liberals, and moderates.

Foucault’s conception of silence, and secrecy are noteworthy. Silence is not understood as a singular construct but rather composed of a multiplicity of meanings, and Foucault believed that these ‘forbidden’ meanings (what is unsaid because it is prohibited, unpopular or contrary to normative beliefs) are inseparable from, and integral

to public discourses. Non-compliance to prevailing moral standards created a burden which oftentimes manifested into the harboring of secrets. The telling of truth, based upon the Christian principles of confession, was claimed to be an attempt at rooting out ‘evil’; to empower individuals and society to speak of sexual discourse without ‘obscurity or respite’ (Sheridan, 1980 p.169)¹⁴¹. Foucault claimed that the discourse on sex has extended and transformed into ‘multiple mechanisms governed by multiple sources of power over the body’ (Ibid, 1980 p. 171-175)¹⁴². Silence, as an effect of power, is a predominant theme within prostitution and sex work discourses; whereby the marginalization of these communities throughout the world has created to a large extent a ‘silenced and invisible community’.

Foucault is cited often as producing the seminal work on sexuality, but he has many convincing critics. The most glaring limitation with his work is the “absence of gender as a category of analysis” (Dean 1994, p. 271). Butler explains that the limitations of Foucault’s theory on sexuality discourse, positions ‘the body as a member of a sex and its performance of sex represents culturally constructed notions of gender through gender performativity’, and that the performance of sex, ‘is not an act, in and of itself, but rather the continuous reproduction of discourses anchored by heterosexual norm imperatives’ (Butler, 1997, 531). Butler however affirms Foucault’s notion of discourse and constructions of power, and the ‘artificial’ cultural construction of gender identities.

¹⁴¹ Sheridan, *Michel Foucault: The Will to Truth*.

¹⁴² Ibid.

Another criticism is the exclusion of race and non-heterosexual groups (Butler 1990, Sedgwick 1990, Dollimore 1991), reinforcing white, western normative ideals. Dean (1994 p. 272 -275) further criticizes that his lack of consideration for ‘the process through which the self is constructed’ and the important role of agency are also significant omissions, which extensively weaken his theoretical framework. Critics also considered Foucault’s lack of specificity in regard to key definitions of power, discourse and sexuality. I concur, however, I also appreciate that definitional ambiguity was intentional. The intent was that these definitions, particularly power, are to be “always contested” (Davies and Bennett 2015 p. 11). Power is as such, balanced by resistance. Resistance within the Indonesian context is facilitated through many avenues including arts, activism and civil society.

I however agree with O’Brien (1989, p. 27) that Foucault’s most impressive contribution to socio-historical analysis is that he theorizes that “society itself is the reality to be studied”, and that the relational dynamics within which societies, form and normalize are central philosophies especially in conflict studies. This thinking also leads to the understanding that societies, like culture, are not static. Societies’ evolution, in Foucault’s theory, depends largely on the tensions created by those who challenge power structures. This I see as an important role of civil society. Foucault cautions that prevailing conceptions of sexuality are maintained within the dominant power system. If repression is the manifestation of various forms of unchallenged authority, then one can also argue that ‘repressive’ discourses can be created by civil society.

Sexuality Politics, History and Heteronormativity

It is important at this stage to understand how sexuality is viewed within Indonesian society. Sexuality in Indonesia cannot be singularly defined. As previously stated, it is ‘deployed in many forms’ (Blackwood 2007, p. 294). Meaning that within Indonesia, much like other societies, ‘sexuality and gender roles are socially constructed’ (Suryakusuma 1996, p. 92). The best attempt at a description of sexuality within the Indonesian context would be that it is dominated by ‘an extraordinary diversity, mirrored by its complex history and diverse peoples’ (Davies and Bennett, 2015, p. 2). Pisani, an epidemiologist, attempted to capture the complexity of Indonesia ‘sexual landscape’ by describing one of her research subjects; “So here we have a self-proclaimed heterosexual guy who has unpaid sex with a woman who sells sex to other men, while himself also selling sex to other men and buying it from transgender sex workers” (Pisani 2008, p. 51). Sexuality could be however analyzed within thematic groupings of “sexual politics, sexual health, sexual diversity and sexual representation” (Davies and Bennett p. 3). My interests center on the role of sexual politics, sexual morality, sexual health and sexual identity and how these shapes the discourses on prostitution and sex work.

Within the discourse of sexual politics, is the complex political history of Indonesia (Sears, 1996) which shapes the contemporary perspectives on the family, gender, feminism, and social activism. Contemporary Indonesia, or the *Reformasi Era* emerged from a turbulent history leading off from revolutions following Dutch Decolonization. From 1957 – 1965 President Sukarno, “Indonesia’s founding President” (Robinson, 2015, p. 54) established authoritarian rule in Indonesia and led the

unsuccessful declaration of ‘Guided Democracy’ which set the tone for gender politics. This period of ‘Guided Democracy’, which instituted the 1945 Constitution of the Republic of Indonesia, is grounded in the philosophical principles of the *Pancasila* (the five Principles of Democracy). Sukarno’s rule saw the prominence of the military through functional groups or *Golkar*, whereby the military could embrace dual functions, that of national security as well as business entrepreneurship (Vickers, 2013, p. 166). This practice is rumored to have lasted in Surabaya until the late 1980s. It is said to be common knowledge in the *lokalisasi* Jarak area (where *Gang Dolly*, the once largest brothel complex in Southeast Asia is a small part) that military men owned bars or *wismas*, in an effort to supplement their military income, which enabled sex trafficking, and child prostitution.

The period of transition led to the deaths of more than one million alleged communists (estimates of up to 100,000 killed in Bali alone) (Vickers 2013; Dwyer and Santikarma 2007) during the Major-General Suharto’s (Dutch spelling Soeharto) claim to power. On September 30th 1965 Suharto seized control of the capital Jakarta following an alleged attempted ‘communist coup’. The transition between Sukarno and Suharto saw the emergence of military, and militia terror. Mass imprisonment and communist ‘witch-hunts’ were allegedly orchestrated against individuals and groups, motivated by extortion tactics, personal vendettas, anti-Sukarno support, and communist party affiliations (Vickers, 2013).

‘Order’ followed chaos and the New Order was heralded from 1966-1998 (Vickers 2013). The over thirty-year period was marked by stark contrasts and paradoxes.

Elections, held every four years, were described as “Festivals of Democracy” (Vickers, 2013 p. 175) for they were believed to be manipulated, and oftentimes won through coercion. Modernity and ambitions for national development was met with ‘moral panics’ about Western influences and the moral corruption of new technology (Oetomo 2015, p. 315). The Suharto family was also believed to have directly benefited from from various global contracts through state corruption. The politicization of religion was suppressed and forbidden. The New Order banned Islamic political organizing for fear of the occurrence or pan-Islamic ‘contagion’ and revolution which occurred in other parts the world (Vickers 2013; Robinson 2015, p. 53). This ban however came to be one of the reasons for Suharto’s undoing. Rural underdevelopment was met with the ‘Green Revolution’ in the late 1970s, with the mechanization of rice-growing, the primary source of income for rural women, displacing many farmers (Vickers, 2013). As mentioned previously, the reduction in labor intensive agrarian sectors have been viewed as one of the reasons why young women, who are uneducated, poor, with limited employment options, are drawn into prostitution (Andaya 2001).

State gender and sexual politics are perceived as ‘rooted in heteronormativity’ (Davies and Bennett 2015, p. 12). The New Order ideology linked authority to the natural, patriarchal systems of masculinity. Authority of the state rested in male domination under the President, individually, and the military through hyper masculinity, (Robinson, 2015 p. 54). Women were thus relegated to the ‘natural’ order or *kodrat* as wives and mothers. Women’s roles within the family were also regulated under family planning campaigns. Contraception campaigns were common throughout the state-owned

media and was introduced to maintain a “two is enough” national ideology (Vickers, 2013, p. 194).

These campaigns were driven by legislation, *Law #10/ 1992* ‘Concerning Population Development and the Development of the Happy and Prosperous Family’. Although my citation is from an unofficial copy of the legislation, its contents have been verified by a later document entitled ‘Integrated Population and Development Planning Policies in Indonesia’ from The State Ministry of Population/ National Family Planning Coordinating Board 1997. *Law #10/ 1992* stated that national development was hinged upon principles of ‘quantity and quality’. Quantity was achieved through ‘family planning (small family), population and migration control, and population distribution. Quality achieved prosperity through ‘balanced environment (individual behavior), delayed-marriages, formal marriage, harmonious marital, spiritual, and social relationships and self-reliance as an extension of responsibility for family and society’ (Law#10/ 1992).

Authority for the nation was strictly embodied by the President as the ‘Father’ of the nation (Robinson 2015, p. 52) and society was one singular family (Vickers, 2013). This discourse remains prevalent today. Oftentimes persons I interviewed referred to political figures and benefactors as parental guardians. In Yogyakarta, the Sultan, his Highness Sultan Hamengkubuwong X of Yogyakarta, is said to be the father of Sosrowijayan (the location for the largest brothel complex in Yogyakarta Sarkem) and in Surabaya, Mayor Tri Rismaharini is said to be *Ibu* Mayor.

These policies not only dictated the nature and form of sexual relationships, state interference in matters of sexual intimacy (Robinson 2015 p. 55), the seamless connection between self, society, and family as public discourse, but also the establishment of state control over women's reproductive rights (Brenner 1999, p. 16-19). The family, thus became a functioning extension of the state (Brenner 1999) defined by heteronormative values. These policies also significantly politicized individual, subjective emotions such as 'disharmony, hardship, bad disposition and unhappiness'. Those who broke with socio-cultural and religious norms would do so to the detriment of self, society and state. This narrative is also embroiled within the complexities of cultural shame.

Finally, the New Order's preoccupation with surveillance and coercive tactics toward suppression of the opposition, inadvertently created a burgeoning civil society. Non-Government Organizations (NGOs) became political avenues connected to international bodies who advocating for the marginalized, through increased national awareness of social issues, and human rights abuses (Brenner 2011). This created a space for advocacy seeking political reform. Vickers (2013) claims that by the 1990s these entities received funding from international agencies, lobbied for Islamic and workers' movements, and human rights movements. Writers, play-writers and artists also engaged in political activism, the most successful was writer Ayu Utami, founder of the first Independent Journalists Alliance (AJI) established in 1994. The association was created in direct response to the Suharto's ban on investigative journalism. Activism, social movement, and NGOs therefore became inextricably linked.

At the apex of the fall of Suharto in 1998, violence again erupted throughout Indonesia, reminding many of the similar circumstances between ‘transitional’ contests for power (Vickers 2013). The New Order ideologies finally imploded and Suharto’s fall was hastened by the complexities, as described by Vickers, of the ‘multidimensional contagion of crisis’ (2013, p. 216). The ‘multidimensional’ nature saw an era where the end of the Cold War and the Western war against Communism had ceased, the impact of Southeast Asian financial crisis in 1997 which devalued the rupiah, the systemic abuse by centralized military and state power which caused unbridled corruption, and widespread religious tensions leading to atrocities.

The outbreak of violence which spread across Indonesia saw brutal clashes between Muslims and Christians, and Christians and Hindus. The worst forms of violence took place in Ambon, Aceh and East Timor. Resurgence of state sponsored violence against Chinese minorities, the ‘May Rapes’, saw the mass rape, torture and murder of Chinese Indonesian women (Robinson 2015; Purdey 2002; Davies and Bennett 2015). The brutality of the gendered violence in the age of increased connectivity, within and outside Indonesia, raised international attention about gross violations against women. There was a culmination of mutually dissatisfied interests from diverse segments within society. Those who suffered impoverishment, were left behind and marginalized under the New Order, and those who emerged from the educated middle class (who became increasingly despondent over corruption and political censorship) joined forces with student movements (Vickers 2013) to protest under *Reformasi*. This events culminated in the resignation of Suharto in 1998 (Blackburn 2004, p. 181).

The *Reformasi era* was envisioned as an era of substantial political reform (Brenner 2011) as Indonesians grappled with their version of democracy and modernity. The convergence of the diverse interests coming out of the Suharto New Order era makes the challenges of democratization that more complicated. It also made contests over power, ‘the capture or recapture of power’ (Robinson 2015, p. 51) a key characteristic in Indonesian politics. One of the most significant changes Post-Suharto, is the decentralization of ‘Regional Autonomy’ (Vickers 2013, p. 231). For some the ‘bureaucratisation’ (Warren 1990) of power under regional autonomy achieved a more even distribution of corruption through local government officials (Vickers 2013, p. 233). However, it also demonstrated the importance of local representatives’ political will to achieve tangible near immediate results, as is the case of massive urban development under Surabaya Mayor Tri Rismaharini. The other significant change is the politicization of social movements, including Islamic conservative movements. Together the culmination of these interests, their influence on state policies, are in large part believed to be responsible for the reformation of historical gender politics to the contemporary criminalization of sexual practices outside of heterosexual marriages (Blackwood 2007).

Sexual Morality and Indecency, the Protection of the Harmonious Family

Public opinion is mixed regarding sexuality legislation. The debate reflects the conflict over the definition of morality and decency, gender equality, democracy and human rights, the state’s right to intervene in private matters, and ‘the moralist and conservative undertones regarding legislation’ (Blackwood, 2005, p. 302). The GLBTI

community, human rights NGOs and Islamic conservative groups have been the most publically vocal against discrimination. These groups have used the public sphere to ventilate their anger and frustration both toward each other and the state to pressure further reform. Central in this debate is the role of morality in the legislative framework.

The discourse on ‘sexual morality’ is greatly centered on Islamic conservatism and fundamentalism. Academic literature on the ‘resurgence’ and ‘revival of Islam’ (Rinaldo 2008, p. 1781), the ‘retreat of liberal Islam’ (Wieringa 2015, p. 32) and the ‘Islamization’ (Brenner 2011, p. p. 487) of Indonesia, abound. Far too often academics under the guise of research on gender, human rights and ethnography focus on conservatism to the exclusion of the ‘diversity of Islamic experiences’ (Oetomo and Boellstorff 2015, p. 314). I too was guilty of reproducing oversimplified, reductionist theories on Islam. It is important at this juncture to make this important observation.

This so-called ‘resurgence’ of the politicization of Islamic movements in the *Reformasi* era speaks more of contestations of power rather than ‘Islamification’. Moderate Islamic movements which existed during the early Soeharto era are now being openly challenged within the public sphere by more conservative (far-right) and fundamentalist Pan-Islamic influenced groups. The sheer diversity of the positions held by various groups regarding modernity, democracy, Islamic Syariah law, prostitution and private sexuality means that there is no singular representative Islamic position within Indonesia. ‘Islam is not monolithic’ (Rinaldo 2008).

The Islamic Movement Front Jihad Islam (FJI), established in Yogyakarta, have made clear their position with regard to prostitution in Yogyakarta area. By letter dated

February 23, 2016 the movement sited *Zina* within the Qur'an and made clear their intent to lobby for the closure of the largest complex in Yogyakarta. *Zina* refers to the the act of adultery and sexual intercourse between a man and woman either outside of marriage or between two adults who are unmarried. *Zina* is contrary to Allah and is an affront to the law of Marriage (Yusuf Ali - Meaning of the Holy Qur'an, p. 865). FJI source two passages quoted from the Qur'an in their open letter:

Surah 17: 32 Al-Isra (The Night Journey)

Nor come nigh to unlawful sex.

For it is a shameful (deed)

And an evil, opening the road (To other evils)

Surah 24:2 Al Nur (The Light)

The woman and the man

Guilty of Adultery or fornication

Flog each of them with a hundred stripes.

Let not compassion move you

In their case, in a matter

Prescribed by Allah, if ye believe

In Allah and the Last Day:

And let a party

Of the Believers

Witness their punishment.

Although the Qur'an provides for equal punishment for men and women, FJI has interpreted the teaching of the Qur'an in a gendered way. Absent from their consideration is the accountability of men for their actions. In Surabaya, the then Mayor lobbied with

various Islamic movements to encourage the rehabilitation and ‘resocialization’ efforts of the sex workers of the *Dolly Jarak* area. It is not uncommon for coalitions to be formed between conservative religious groups and morality political ideologies, for it represents a deeper synergy between social gender values and heteronormative views about sexuality (Bernstein 2010; Cojocary 2015).

While there are conservative and hard-line voices against prostitution and sexual diversity from Women’s Islamic movements, conservative groups such as Front Jihad Islam (FJI) and the Angkatan Muda Islam Forum Ukhuwah Islamamiyah (AMFUI), and fundamentalist groups, some which have perpetrated violence against GLBTI, there are also moderate and liberal Islamic institutions, activists, NGOs and women’s movements in support of these minority communities. Lukman Hakim Saifuddin, the Minister of Religious Affairs was quoted as saying that “we cannot be hostile nor hate as they (LGBT) are also citizens of the state” (February 27 2016).

In 2015 I attended the launch of *Dari Sarkem Mozaik Kisah Perempuan Perkasa* (From *Sarkem*, Mosaic Story of Mighty Women), a collection of female sex worker stories, which was sponsored by the Universitas Muhammadiyah Yogyakarta an Islamic University in Yogyakarta and the Direktorat Jenderal Pendidikan Tinggi Program Kreativitas, the Directorate General of Higher Education under the Ministry of Education and Culture. Throughout my field research (2015-2016) I have experienced contradictions to prevailing narratives. A prime example is the wearing of the traditional Islamic headscarf *jilbab*. Academics argue that the ‘resurgence in pious conservative Islam is related to the increased popularity of the *jilbab* in Indonesia’ (Rinaldo 2008, p.

1785), however in my experience a woman, who identifies as a liberal practicing Muslim, can also wear traditional attire.

Historically, women's traditional role in society was exemplified by women's movements under Suharto which aligned to the *Pancasila*. These movements adapted the five principles Panca Dharma Wanita to exemplify women's role in society and the home (Sunindyo 1993, p. 134-148). Suryakusuma discussed the regime's efforts toward 'State *Ibusim*, (*Ibu* meaning mother) consigning a women's place as the state's and man's appendage' (1996, p. 98). At the time, Suharto's regime trumpeted the emancipation and empowerment of women with campaigns glorifying western ideals of 'career women' or *Wanita Karier*, however where there was a clash between fulfilling traditional roles of *Ibu* and ideals of western feminine modernity, the expectation maintained that a woman's primary role was as good wife, and mother (Brenner 1999, p. 24). These ideals have been argued as the foundation for gender sexual politics in Indonesia.

Contemporary views on feminism, gender equality and moderate Islam have evolved and positively impacted state politics. Active women's Islamic movements such as *Fataya N.U.* advocate for women's rights and oppose inequality within Islam (Rinaldo 2008, p. 1788). It is becoming more commonplace for female Muslim leaders to be appointed in public office. Khofifah Indar Parawansa, a member of the moderate Islamic party Partia Kebangkitan Bangsa (PKB) now Minister of Social Affairs is highly regarded for her role in the advancement of women's equality and empowerment (Robinson, 2015, p. 60). She however holds conservative views with regard to GLBTI. The Minister was once quoted as saying that she experienced 'LGBT groups who targeted

and converted young kids, giving them gifts’, where “two weeks later the boys have changed, they wore lipstick” (February 16th 2016). The reality is much more complicated and that omitting plurality in the discourse reinforces prejudices and tells an incomplete account.

Human Rights, Advocacy and Sexual Health

Although Indonesia ratified the International Covenant on Civil and Political Rights and the International Covenant on Economic Social and Cultural Rights (Codifying both in legislation *Law#12/ 2005* and *Law#11/ 2005*) in praxis, Hadiprayitno believed that universal adoption was based upon a ‘relativist conception of Indonesian values’, (2009, p. 379). These value systems again spoke to individual rights in ‘balance and harmony’ with community responsibility outlined in the Indonesia National Plan of Action on Human Rights 1998-2003. A tension was thus created between the powerful universal declaration of equal individual rights versus social cultural stability. As well as there are conceptual challenges of legal enforceability of these universal human rights, raising questions of the sufficiency of state institutions to oversee its protection.

Against the backdrop of historical patriarchal state systems and gender politics, the *Reformasi* era of rights activism in civil society emerged. The language of human rights is now commonplace in major cities within Indonesia. Many persons at various socio-economic backgrounds spoke openly to me about harm mitigation and rights promotion in terms of human rights- *Hak Azasi Manusia (H.A.M.)*. Freedom of speech,

freedom of assembly, and freedom of expression are all heavily debated, guarded and exercised within in the public sphere. The extent to which emerging discourses on rights have impacted civil society, is such that it has created a distinct shift within hegemonic discourse. Thus ultimately creating a dual public narrative of prohibition and advocacy. My caution is that this ‘emerging discourse’ has narrowly defined the extent to which sexual rights are defined, and how they should be protected.

Civil society, specifically Non Governmental Organizations (NGOs) or *ornop*, have played an important role in ‘economic national development’ (Fakih, 1991 p. 2) rights advocacy, and rights protection. Gaining prominence under the *Reformasi* era, Fakih claims that its historical roots are in volunteerism under *Raden Mas Soerjapranata (Suryopranoto)* (1991, p. 2). Today the SMERU Research Institute, located in Jakarta maintains the most up-to-date and comprehensive database of *ornop* across Indonesia. The Institute accounts for 2,963 *ornop*. Each *ornop* may fall within multiple classifications, for example a search for sexual health *ornop* received a listing of 4, while HIV received 23 and AIDS listed 27, making an overall assessment difficult. Within the international community HIV and AIDS are considered extensions of international development ideologies. Pisani argued that the ‘AIDS Industry is subject to high competition for funding, data inaccuracies, and program success challenges’ (Pisani, 2008 p. 266 -288). A UNAIDS Report in 2013 “HIV in Asia and the Pacific” stated that an estimated 640,000 people lived with HIV in Indonesia, with approximately 67,000 new infections annually. The Global Fund reported in 2015 that from 2003-2015, USD 617 million has been distributed to Indonesian government agencies to combat three

major ‘developmental diseases’ Malaria, Tuberculosis and HIV. Program success was however impacted by ‘inconsistencies with program implementation because of regional decentralization’ (p.8). It is difficult to assess the level of funding received by NGOs and their national impact, but international agencies maintain that they play a substantial role in community and governmental success. The sheer value of the funding available, the high global priority given to HIV prevention, and the criticisms of development theory as Neo-Colonialism, make the ‘HIV/AIDS industry’ contentious and a ‘big ticket’ commodity.

Reproductive health and sexual health has also been a prominent component of sexuality discourse (Dixon-Mueller 1993, p. 269). As previously discussed the state’s historical imperative to manage population control, administer gender norms through conceptions of the family have been critical factors toward creating hegemony. Civil society in Indonesia have made serious advances in sexual health policy administration (HIV education, alternative sexual lifestyles, condom negotiations, sexual health practice) and rights promotion (sex as work, right to access health, contraception). Important within the Indonesian context is the politicization of sexual health by civil society in an effort to promote gender rights to address structural power inequalities. What is however missing is whether there are implications for civil society constructing a collective identity, such as sex worker?

Sex Work as Identity Politics

If sexual identity is “a cognitive construct referring to organized sets of characteristics that an individual perceives as representing the self in situations” (Boles

and Elifson 1994, p. 39), then it follows that a person who performs sex as work has multiple characteristics and various identity labels (Beazley, 2015. P. 183). This concept is unfortunately not applied to individuals who perform so-called immoral and indecent work. Shame, disharmony, and criminality become associated with a single label of the prostitute. To advocate rights and recognize sex work as legitimate work, the application and creation of the archetype sex worker has become universalized and embroiled with international identity politics. The terminology sex worker was intended to apply to a broad category of worker regardless of race, gender, culture and social class, extending beyond geographical borders creating a collective identity, much like a minority group. It has also become highly politicized. While this thesis will not focus on how sexual identities and personal identities are forged, I will concentrate on the implication of the term sex worker as a form of ‘identity politics’ (Howard, 2014) in Indonesia.

This argument follows my original position that there are various archetypes associated with sex work and prostitution, and that the issue of collective identity is first premised upon the negative social identity tied to the archetype prostitute. As a reminder when I refer to archetype I speak to the ‘model or behavior against which judgments and experiences are compared, with the conclusion of stereotypical predictable outcomes’ (Davidko, 2011 p. 79)¹⁴³. As such the negative social identity of the term prostitute is universally acknowledged. In part moralist and radical feminist positions have imposed a social identity upon prostitutes as well as within the membership of the group based upon

¹⁴³ Davidko, “The Concept of Debt in Collective Consciousness (S Socio-Historical Analysis of Institutional Discourse).”

the need for salient group identity ‘led individuals to engage in intergroup comparisons, which emphasized the group’s status and level of deprivation’ (Shinnar, 2008 p. 554)¹⁴⁴.

Given the moral stigmatization associated with prostitution and sex work there are significant overlaps between theories of social identity and collective identity.

Sociologists such as Goffman (1963) proffer that “one’s social identity is derived from the groups, statuses and categories to which individuals are socially recognized as belonging” (Deaux and Reid 2000, p. 194). While psychologists (Tajfel and Turner 1986) view categorization as a cognitive tool used by individuals to ‘partition and order their place in the social environment based upon one’s self-conceptualization of membership in a particular group’ (Ibid, p. 195). Social Identity is thus rooted in cultural norms.

Collective identity according to Melucci (1989) “is as process by which a set of individuals interact to create a shared identity or consciousness” within a group. (Ibid p. 195). At issue is whether there is a distinction between collective identity of sex worker and the concept of identity politics. It also speaks to the inherent competitive structures within identity theory (Stryker 2000 p. 21)¹⁴⁵.

If identity is shaped and is core to an individual, and that collective identities are constructed by groups (Kiecolt, 2000 p. 115)¹⁴⁶ a distinction may come through self-actualization, personal choice of membership (within-group) and that of activism. This is a complicated framework. Identity politics may be formally defined as ‘political attitudes,

¹⁴⁴ Shinnar, “Coping With Negative Social Identity: The Case of Mexican Immigrants.”

¹⁴⁵ Stryker, Timothy J Owens, and White, *Self, Identity, and Social Movements*.

¹⁴⁶ Ibid.

status seeking activism of a subgroup within a society' (Howard, 2014 p. 134-135)¹⁴⁷. According to Howard it is a practice geared toward the creation of a political culture (Ibid, 2014 p. 135). The impetus for the evolution of identity politics is tied to calls for social justice, creating voice for the marginalized and for sex workers is an important part of the politicization of sexual discourse. Although Howard was focused on a pure interpretation of identity politics with the field of political science, his caution is relevant to sex work activism. Identity politics requires the solidarity and loyalty of its membership, acceptance by prevailing power structures as well as consideration of the impact of cultural frames to be determined as successful. Without these considerations social movements are subject to 'fracture and fragility within the polity' (Ibid 2014 p. 136).

Indonesia state authority has already determined that sexual inclusivity has a limited definition, based upon the tradition of heteronormativity. If 'culture and identity are said to either limit or advance identity politics' (Howard, 2014 p. 148), then there are significant challenges with successful dissemination of sex worker as a political identity. Within the larger frame Indonesian culture is not monolithic, as in purely based on *adat* – tradition or uniformly distributed (Avruch, 2000 p. 14-15). Avruch goes further to describe culture as a 'derivative of experience, rooted in ongoing or past social practice' (Ibid, 2000 p. 20); by extension sex work culture is equally as complex. It includes a discussion on individual versus shared value systems and motivational goals. To answer

¹⁴⁷ Howard, *Political Culture, Political Science, and Identity Politics: An Uneasy Alliance*.

the question of cultural differences, requires further research within the field. However, there is a recognition that culture plays a role in political action either taking the form of open protest (as with GLBTI) or raising social awareness.

Beazley (2015) published fascinating work of her ‘rights-based research’ research on child prostitutes in Indonesia. Beazley’s findings demonstrate that child sex workers were “adept at holding multiple and contradictory identities... they were simultaneously good daughters, siblings, friends and girlfriends” (Beazley 2015 p. 189). Embodied within the numerous identities outlined in her work are the notions of professionalism, agency, victimization, empowerment and sexual gratification. All contradictory concepts and few tackled by civil society and advocates.

In this chapter I argue that prostitution and sex work within the overall sexuality discourse, is more about adhering to socio-historical gender politics and protection of ‘Javanese traditions’ (Vickers 2013). This adherence coincides with, and is reinforced by religious conservatives, which include the most vocal Islamic conservative movements. A historically patriarchal society, which legislates gender roles and sexuality based upon heteronormative values, positions ‘others’, prostitutes, and GLBTI, as disharmonious to society. It is not unexpected that dissenting voices are met with strong objection. The real product of this convergence of the ‘criminality of immorality’ is the manifestation of social stigmatization and cultural shame toward non-conformance. Expanding the advocacy narrative of protection to include a deeper understanding of individual human

complexities will certainly aid in the development of policies and the mitigation of all aspects of harm. In the next chapter I will discuss the various experiences of harm by the women within the theoretical concepts of harm.

CHAPTER FIVE: EXPERIENCES OF HARM AND PARADOXES OF *DISCOURSE*

I am driven by the dream of being able to be with my family in the village once more. I am afraid my family will find out about me. I never let them know how much I endure. I protect them from my sadness. Let me grieve on the inside until is my time to pass over. I pray that God will have pity on me and create a better future for me. Amen. *Mbak M.* HIV Positive Sex Worker Bali¹⁴⁸.

The train ride from Yogyakarta to Surabaya, took almost five hours. I was very apprehensive about the trip, because I was not accompanied by any translators. I felt a nervous excitement and energy. The train gave me a unique perspective of slums and ghetto life within the city, which was different from what I had seen before while driving through the main thoroughfare roads. I had already visited Ngebung brothel location, but I had not realized how similar *kampung* life was along the train tracks. For the first hour of the trip, my view from the train was the backs of large buildings and the makeshift houses built along the tracks. The view became a blur of mismatched plywood, children playing in the dirt, and women hanging laundry. Along the walls was graffiti, and every fifteen feet I could see the familiar heaps and remnants of burnt garbage. And suddenly

¹⁴⁸ *Speaking Through The Silence: Book Is Based on Their True Stories.*

the city life vanished and all I can see was green, open spaces. I could see mountains, vast areas of agricultural land. I saw fields of rice, cocoa and papaya. It was breathtaking.

In between the fields I could see many women, and a few men picking rice in the traditional conical hats, with the large sacks tied to their backs. Rice picking looked to be ‘back breaking’ and difficult work. I was reminded of a conversation that I had with one of the NGO coordinators in Yayasan Kerti Praja that it was tradition for women to work in agricultural jobs, but that many have left their villages because there limited opportunities or alternatives for work because of agricultural mechanization. Now that I saw firsthand the stark difference between city life and rural life, it gave me a vivid picture of the structural causes of prostitution - poverty and gender inequality.

The city of Surabaya was a big sprawling and bustling metropolis, and was more developed than I anticipated. Surabaya in the past had a reputation for being a ‘rough, unsafe and tough’ city. Today the city boasts of large mega malls, skyscrapers, international companies and many green play parks. Development projects were scattered across the main city area. PT. PP (Persero) Construction & Investment company signs were on every major development site, including an area air marked to be the largest mall in Southeast Asia. The construction company has an interesting history of implementing government projects including, in the 1950s, the construction of ‘large projects related to war compensation from the Government of Japan’¹⁴⁹. The city of Surabaya was indeed an impressive display of economic development, and on the surface I could see its appeal to modern Javanese, and Indonesians for it claimed to offer ‘urban city living that is clean,

¹⁴⁹ “PT.PP-Kalibaru Project.”

green and modern'. But the Surabaya I was interested in was that of the past, which still existed in the shadows.

I had one meeting booked in Surabaya and that was with the well-known *Ibu Vera*, founder of the NGO Yayasan Abdi Ashi. The NGO treats with human rights issues, and focuses on supporting women and sex workers by conducting social programs for the prevention of sexually transmitted diseases. One of the most notable services the NGO provided was skills development programs for sex workers who wanted to either exit profession or supplement their income. *Ibu Vera* organized training courses in hairdressing, sewing and food stall management. *Ibu Vera* claims that there have been many success stories, where former workers own their own hair salon and hire other workers. *Ibu Vera* also sells the clothes and items sewn by the women as a source of income for the women. There was a rumor that *Ibu Vera* was a former prostitute but to me this was mischief. With the assistance of a translator, we spent most of the day with *Ibu*, at her home and workshop.

At her home, *Ibu* showed us various pictures, awards and documents from her work. Her NGO produced reports in collaboration with the International Labor Organization (ILO) and she received grants from the Department of Health and Human Services in Atlanta. She also indicated that she 'adopted' two young HIV positive children, a one-year-old little girl whose mother died when she was two weeks old and a two-year-old little boy. *Ibu* often looks after children when sex workers are sick or hospitalized and sometimes the women do not come back. In this case both mothers were HIV infected sex workers and died at hospital. It was easy to see that *Ibu* favored the

little girl, she hugged and kissed her constantly. She sang to her and my translator tried to explain to me that her song was about the baby's beauty and that the little girl was so beautiful that *Ibu* wanted to put her in a box for safe keeping. My translator thought this was curious.

I at first I did not notice the little boy. He was unable to walk, so that he slid around the floor on his back using his feet to propel himself, one of his eyes looked crushed behind the eyelid and his top lip was cleft. He seemed happy and made cooing sounds. *Ibu* did not pay much attention to him, no one else did either. There were a few times when we left him alone in the room while we toured *Ibu*'s home. This disturbed me, and I felt concerned and guilty, uncertain as to whether we should stop the interview and say something. I felt sickened by my initial reaction, which was that I thought his life would have no meaning, and I questioned why he should suffer a life without purpose. I thought maybe he would have been better off if he had not been born.

Conceptions of harm as it relates to sex work and prostitution far extend the life of the individual sex worker. Seeing that little boy made that very clear to me. The exposure and implications of harm does not stop upon the death of an HIV infected worker. Harm extends to their children, who are born with deformities, paralysis and disease. Feminist theories of Harm determine that communities of harm are created by the harmful experience of one mother. That harm in the form of disease can be passed down through generations. These experiences of harm are silent in both dialectic public discourses.

This chapter analyzes the women's stories and experiences within the context of feminist theories of harm and various dialectic discourses on sexuality. Sexuality as public discourse, which was discussed in Chapter Four, encapsulates dialectic systems of power and is deployed through various forms in Indonesia, which directly impact the women's 'knowledge' about themselves and each other as sex workers. I argue that the discourses on sexual politics and sexual morality are connected and represent the state and conservative position on prostitution. In that sexual politics pertain to the establishment of gender roles within society through the politicization of family as national identity; and sexual morality as the policing and protection of these roles to maintain 'harmonious family'. Discourses on sexual health and sexual identity are representative of civil society and their 'dissent' toward state hegemonic discourse. In an attempt to remedy issues of illegality and criminalization NGOs have created a discourse of advocacy for sexual health and sex worker rights. By focusing on two predominant themes of family and worker identity I will demonstrate that the women's stories and experiences of both hegemonic discourses have caused and continue to cause experiences of harm. First it is thus important to first outline theories of harm.

Theories of Harm

The normative definition of harm as an evil, injury, and physical and mental damage has its roots in the Old English word *harm*, akin to Old Slavic word *sramu*,

shame (Linklater, 2011¹⁵⁰; Webster's New Collegiate Dictionary 1977¹⁵¹). Its definition considers various categorizations of violent and non-violent, direct and indirect, intent as evil, or mischief. Religious devotees have looked toward doctrines of harm to guide their faith (Linklater 2011)¹⁵². Hinduism and Buddhism espouse theories of 'himsa and ahimsa' harm and non-harm principles (Framarin, 2011 p. 285¹⁵³); while Islamic hadith teach, 'a lesser harm may be tolerated in order to eliminate a greater harm' (Kamarulza et al., 2010 p. 116¹⁵⁴). In medical practice, the Hippocratic Oath, a core principle of avoiding harm, is one of the oldest binding documents in history (Tyson 2001). Arguments persist however as to whether the Oath is 'an invaluable moral guide' (Tyson 2001) or a 'study of antiquities with no relevance to actual practice and decision making' (Justman, 2012 p. 291)¹⁵⁵.

Human rights advocates speak to the dangers of 'cultural relativism and cultural harm' as impediments toward the achievement of universal human rights. Categories of harm include physical, emotional and nuisances; from the relatively major to minor approaches (Linklater, 2011 p. 42-43)¹⁵⁶. It is important to revive the debate about harm because harm has many incarnations, and although it is conceptually prevalent throughout inter-disciplinary literature, it is without an overarching taxonomy to direct

¹⁵⁰ Andrew Linklater, *THE PROBLEM OF HARM IN WORLD POLITICS*.

¹⁵¹ Webster's New Collegiate Dictionary.

¹⁵² Andrew Linklater, *THE PROBLEM OF HARM IN WORLD POLITICS*.

¹⁵³ FRAMARIN, "The Value of Nature in Indian (Hindu) Traditions."

¹⁵⁴ Kamarulzaman and Saifuddeen, "Islam and Harm Reduction."

¹⁵⁵ Justman, "Do No Harm."

¹⁵⁶ Andrew Linklater, *THE PROBLEM OF HARM IN WORLD POLITICS*.

research within the field of social sciences (Ibid., 2011 p. 29)¹⁵⁷. Also, the moralistic connotation of harm often binds harm to subjective depictions of depravity and harm as a wrong.

The elimination of harm is arguably a fundamental sociological challenge of human coexistence, and if true, harm mitigation is thus the ultimate political goal of a functioning state (Linklater 2012)¹⁵⁸. Linklater describes prevailing ‘harm conventions’ as social constructions tied to other public, and moral discourses within society (Linklater, 2012 p. 29)¹⁵⁹. These constructs represent systemic issues of gender inequalities, power, and economic disparities, and the constant negotiation of binary terms tied to concepts of harm; that of determining those who suffer from harm and those who perpetrate harm (Ibid, 2012 29-30)¹⁶⁰. In his view, the primary outcome of the politicization of harm is thus the regulation and punishment of human behavior, in support of these conventions of harm (Ibid, 2011 p.7-8)¹⁶¹. Although Linklater focused on the political conceptions of harm as determined by the philosophy of a liberal state (Nitisha, 2015)¹⁶² rather than theories of harm, I believe his work is the most successful at addressing the inherent challenges of harm. To meet these challenges, one must first consider the foundational interpretation of the ‘principle of harm,’ which is arguably at the root of ‘harm conventions’.

¹⁵⁷ Ibid.

¹⁵⁸ Ibid.

¹⁵⁹ Ibid.

¹⁶⁰ Ibid.

¹⁶¹ Ibid.

¹⁶² Nitisha, “Theory of Liberal State.”

The ‘harm principle’ is said to be coined by Joel Feinberg but John Stuart Mill is the most cited (Vernon 1996, p. 624)¹⁶³. John Stuart Mill’s famous claim that “the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others” (Mill, 1972 p. 73)¹⁶⁴. The obligation is thus borne by the state to intervene and determine the boundaries of individual freedoms and commissions of harm; these boundaries consider the intention, omission, and actions of civilians (Linklater, 2011 p. 44)¹⁶⁵. The harm principle is thus normatively understood as the rationale for ‘conduct determined as criminalized, only if it is harmful’ (Stewart, 2009 p. 17-18)¹⁶⁶. Further, the principle considers that harmless conduct should not be subject to criminalization. Though Mill does not provide a clinical definition of harm, he outlines injury to liberties, interests, and rights which should be protected by the principle of harm; that is instances which require the state to exercise its power (Vernon 1996 p. 627)¹⁶⁷.

Mill’s theory evolves from a ‘simple inquiry into harm, to a more sophisticated analysis of interests and eventually to a quasi-legal determination of rights’ (Harcourt, 1999 p. 121)¹⁶⁸. Mill’s theory is the precondition that determines criminalization based upon ‘legal moralism’ and harm approaches. Emerging out of the 1960s and 1970s, ‘harm became the critical principle used to police the line between law and morality

¹⁶³ Vernon, “John Stuart Mill and Pornography.”

¹⁶⁴ Mill, *Mill, John Stuart. 1869. On Liberty.*

¹⁶⁵ Andrew Linklater, *THE PROBLEM OF HARM IN WORLD POLITICS.*

¹⁶⁶ Stewart, “The Limits of the Harm Principle.”

¹⁶⁷ Vernon, “John Stuart Mill and Pornography.”

¹⁶⁸ Harcourt, “The Collapse of the Harm Principle.”

within western philosophies of law (Harcourt, 1999 p. 131)¹⁶⁹. There is an inherent contradiction between societal interests and individual rights, and this opposition is said to be a limitation of the principle of harm. Stewart described rights or ‘Kantian rights’ as judicial rights of a person by virtue of being a legal entity, and ‘interest-based rights’ involving the protection of interests governed by social rules (Stewart, 2010 p. 19)¹⁷⁰.

The harm principle has been extended to include the considerations of moral wrongs. Gardner and Shute’s (2000, pg. 196)¹⁷¹ posited that in some ways, the moral wrong of a harmless act is insufficient justification to condemn such as a legal wrong, save and except if it may lead to further harms (Stewart 2009 p. 27-28). They used the illustration of a ‘harmless rape’ (where a theoretical victim is drugged, unaware of the attack and the perpetrator uses a condom). Gardner and Shute argued that not to criminalize would serve to harm the “broader constituency of people” and thus create a ‘justifiable fear of violations of future potential victims’ (women) right of sexual autonomy (Ibid 2009 p. 28). Fear of indirect harm is such an extension of the politicization of harm. Fear of rights violation is also a powerful response which if sufficiently applied can shape public discourse.

Stewart argues that the space created by the inclusion of indirect forms of harm create the grounds for legal moralism; fodder for conservatives who use the principle of harm to justify laws to control sexuality (Stewart, 2009 p. 139)¹⁷². According to Stewart,

¹⁶⁹ Ibid.

¹⁷⁰ Stewart, “The Limits of the Harm Principle.”

¹⁷¹ Ibid.

¹⁷² Ibid.

a drastic shift away from the principle's origin of progressive liberalism has occurred. Pornography and prostitution are critical examples of direct and indirect forms of harm. These various perceptions anchor arguments for and against prostitution and pornography. The tension exists between the right to privacy, consent and public decency.

British scholars in the 1950s argued against prostitution and limited criminalization to that of public solicitation, which was an attempt at balancing both public and private rights (Stewart, 2009 p. 148)¹⁷³. The legal argument against prostitution now, in western societies, consider sexual radical feminist views as well as conservative views of its harmful societal impact on public indecency, disorder, and crime. The more traditional discourses on harm are espoused by civil society, ironically, which builds upon Mill's more progressive recognition of consensual individual rights. Each society must then answer whether prostitution is a harmful wrong, a harmless wrong, an individual right or an indirect societal harmful wrong?

Contemporary definitions of harm consider that the 'universality of harm' presumes that every society possesses a conception of harm, which falls under its prevailing socio-cultural moral value systems (Linklater, 2011 p. 6-7)¹⁷⁴. This assumption of universality infers that although contextual, harm is a global concept, operationalized relative to its cultural context. In addressing the question of how harm influences the public discourse on prostitution, this universal conception theory is insufficient, for it

¹⁷³ Ibid.

¹⁷⁴ Andrew Linklater, *THE PROBLEM OF HARM IN WORLD POLITICS*.

does not consider, or is silent on, multiple and diverse interpretations of harm within a cultural context. As well as the possibility of activities toward the prevention of one type of harm may cause another form of harm (Linklater, 2011 p. 49)¹⁷⁵.

Feminist theorists extend the principle of harm to consider that harm is a gendered experience and that ‘communities of harm’ are created as a result of individual violations; women as social connected beings experience harm differently (Aolain in 2009 p. 219)¹⁷⁶. Harm is understood, and the experience is given meaning through social relationships (Ibid, 2009 p. 223)¹⁷⁷. The recognition of the gendered experience and meaning of harm is important. Conceptually women experience ‘connected forms of harm’ through physical, emotional, systemic, psychological and cultural practices (Ibid, 2009 p. 235, 244)¹⁷⁸. Feminist theories challenge the generic assumptions of the principle of harm and caution that expressions of harm are not self-evident and that women express their experiences within the context of where they are positioned, class, ethnicity and status, within society (Ibid, 2009 p. 244)¹⁷⁹.

Conceptualizing a single definition of harm is difficult. Although harm is a fundamental concept in this thesis, it has become politicized and hegemonic, satisfying multiple interests and meanings. A theoretical definition of harm must consider that harm is experienced and expressed within the contexts of social dynamics. The theory must be

¹⁷⁵ Ibid.

¹⁷⁶ Aolain, “Exploring a Feminist Theory of Harm in the Context of Conflicted and Post-Conflict Societies Emerging Paradigms of Rationality.”

¹⁷⁷ Ibid.

¹⁷⁸ Ibid.

¹⁷⁹ Ibid.

open to multiple interpretations, expressions and understandings of harm. It must also consider that harm is an iterative experiential process distinguished between individual and collective experiences.

Family as Harm Perpetrators

It was daytime, and my first visit to Ngebung was to introduce myself to women and observe a P3SY sex worker-led meeting. Walking into the area, I maneuvered through the now familiar narrow earth passageways through a complex of tightly built makeshift one story buildings. At the back of the main complex came a flood of daylight and then the loud blaring horn of the commuter train as it quickly passed by. A few stray dogs and children played in the dirt and cracked mud. This area was one of the few places in Yogyakarta where I noticed dogs; I was told that dog meat, though not publicized, was still eaten in parts of Yogyakarta as a local delicacy. Wooden benches were scattered along both sides of the train tracks. It was day-time, so the elderly and young lounged on these benches, I knew that at night, sex workers would use these benches to display themselves.

I returned to Ngebung that night. It was 10:30 pm and Ngebung at night is almost completely dark, except for the light blue haze of the moonlight, flood lights of the passing trains and televisions in the food stalls. The atmosphere was quite, but pensive with a few conversations in the background. I had no translator for she confessed that she could not be seen in the location at night; “you are not from here; it is okay for you. If I am seen here... I am from here (Yogyakarta)... it will haunt me for the rest of my life”.

The risk for her was too great; the risk for me was less. My guides were the PKBI NGO workers and upon entering the site, I was told that the police raided the location the weekend before, and that the area should be quiet, with not much to see. As we walked deeper into the location, most of the noises came from the commentators on the television sets discussing the popular Union of European Football Associations (UEFA) champions' league football games (soccer for Americans).

The smell of dust and smoke now mingled with sweet, cheap perfume. Customers riding on the trains, would pass by and see the women, they would disembark at the station and come back to the location for transactions. There were at least 100 men at the location. I was told that officially business started at 12 am and that during Ramadhan, Friday was typically a slow night. Men mingled with each other and sat on the train tracks smoking. There was a mix of age ranges. I saw Muslim men who wore their *taqiyah* or *peci* or traditional Islamic headwear, and other men strolling up and down the tracks. Male, female and *waria* (transgender) sex workers worked at this location. Many of the women I met earlier in the day, were happy to see that I returned at night, as I promised. They were happy to see that I was genuinely interested in wanting to understand their experiences and to listen to their stories. Earlier that day, all the women indicated that they were sex workers not because of themselves, but because of their family. Their family compelled them to work more, earn more and sacrifice themselves for others. They wanted me to understand that they hide their work from their families and that they hide these secrets as if their very life depended on it.

Earlier that day Fairy explained to me that the connection between family, money and sex work was for her (an individual opinion) a mix of cultural shame, hypocrisy and exploitation. The theme of family is nested within the discourses of sexual politics and sexual morality. Fairy confessed:

“Unfortunately I do not like to tell you this, but in Indonesia ... it is really common for women to work as sex worker. Family will know that their daughter is sex worker. I am not trying to be moralist but there is slight possibility that they are being exploited by their culture and their family. In the sex workers’ issues, the worker is not working for themselves but their family. Most of them even have to pay for the debt of the brother and sister. It is irrational. Why do I have to pay? I didn’t use the money.”

Fairy raises a number of key, yet contradictory issues about political discourse regarding the role of women in society and Javanese culture which looks at the economic role of women within the family. Her consideration of exploitation, I view as discourses on harm and I argue positions the family as perpetrators of harm.

Family is often described as a universal social institution (Collier et al 1997 p. 74)¹⁸⁰ however family within the Indonesia context is nuanced. Historically the ‘harmonious family’ was central to Indonesian political culture and became entrenched as a “functional unit, a part of the national whole, that was entrusted with guarding the security, morality, and well-being of its members and of the nation at large” (Brenner,

¹⁸⁰ Lancaster, Di Leonardo, and Faculty Author Collection, *The Gender/sexuality Reader*.

1999 p. 14) under the Suharto New Order era. The 'happy family' epitomized moral, heteronormative ideological values, and continues to be one of the dominant contemporary discourses on sexuality politics. The politicization of 'State *Ibu-ism*' which was promoted through state sanctioned women's movements Panca Dharma Wanita and Korpi, Dharma Wanita the Association of wives of civil servants (Suryakusuma 1996, p. 98)¹⁸¹ reinforce the values of women's obligation to maintain good morality in order to protect family, and by extension society.

Brenner, explains that a paradox exists between a women's political gender role within society, and her role within the Javanese household as it pertains to money and household finances (Brenner, 1998 p.136)¹⁸². Within the household women dominate and dictate matters of money and finances. The women's stories however are different from this narrative in that, they provide money to their family as obligation but do not 'dominate household' as would a wife or mother, for there is discord if obligations are not met. *Mbak L* explained:

So actually I am now the one in the family who has to feed seven people, my children two of them, no milk. You know like I have a little brother same age with my daughter. I feed them... so my brother the youngest one, same age with my daughter and my son. For things this month, 1 million Rp. for family and then next I have to send another million, and in July I have to send to my sister 1 million. When you go to school, you have to re-register/ re-enroll to be in school.

¹⁸¹ Sears, *Fantasizing the Feminine in Indonesia*.

¹⁸² Brenner, *The Domestication of Desire*.

There is a lot of money need to send, but I feel like my sacrifice is worth it.

Because to sacrifice to support the family, so there is no anger, there is no regret.

Within these normative constructs of the family as the nation, are predetermined gender roles of the good, wife, mother; the antithesis of the whore and prostitute. The secrets that are harbored by these women attempt to protect their family from and reproduce the image of being 'good'. NGOs contest the narrative that family members do not know what their daughters do for a living. The NGOs claim that families turn a 'blind eye' to their daughter's work even though they know that the only work available for uneducated women that pays as much, is sex work.

Hildred Geertz explains that the nuclear family is central to emotional, social and economic security within Javanese culture (Geertz H., 1989, p. 3-5)¹⁸³. Kinship is a strong part of Javanese identity. It is important to consider that migration and mobility associated with sex work directly impacts these notions of kinship. For the women 'kinship ties are accentuated' (Geertz H., 1989)¹⁸⁴ because of geographical distance. The women discussed a deep longing, loneliness, and feelings of separation from their families. Many have described their villages as an almost mythical place, beautiful, green and serene. They have dreams of returning to their homes to open food stalls and to run small businesses. One sex worker said:

¹⁸³ Hildred. Geertz, *The Javanese Family a Study of Kinship and Socialization*.

¹⁸⁴ Ibid.

CC: Does your family know that you are a sex worker?

SW: Secret work

CC: What will happen if they find out?

SW: They will be mad, sad.

CC: Why?

SW: The job is not good.

CC: Why do your family, and society think sex work have stigma?

SW: I do not care about society, just family.

Foucault's conception of silence is salient here in that silence, which I see as a manifestation of repressive power, is "an affirmation of non-existence, and by implication, an admission that there was nothing to say about such things" (Foucault, 1988 p. 4). Repression is as such situated within the general and contested discourses on sexuality in Indonesian society (Sheridan, 1990 p.167). The Foucauldian concept of silence is in part withholding truth, conforming to the values of good or '*Ibu-ism*', and *haram* or what is forbidden that exist with hegemonic discourse. For the women the burden of silence is great, *Mbak S* explained:

I want to stop (sex work) because it is tiring. Because I already feed my parents lies. It is tiring to lie with the family.

The discourse on money is highly symbolic to both sex worker and family. The social meaning of money is dictated by how it is used, understood and controlled in

relation to other social dynamics (Llewellyn, 2016 p. 797)¹⁸⁵. It is salient to and is entangled within political, economic and social constructs (Wennerlind 2001, p. 557)¹⁸⁶. “Money is a social relation in the sense that it mediates the interaction between people” (Ibid 2001, p. 557). For the women it not only facilitates the exchange of sex transactions, but it is also a source of familial debt and obligation, it is a representation of hope, and some may argue it is a symbol of modernity. *Fairy* explained;

When the family talk about the money, and the family need more money and they don't think about where the money come from, they care about the money. Not thinking about the profession. They will never say paper is haram (forbidden). Money is not haram. But what you do (sex work) is haram... If you work for yourself, for your heart, and use money for themselves, it is okay.

In one regard there is a space for consideration of sex workers as a bastardized form of *wanita karier* or career women, acknowledging that she has negotiated a space between traditionalism of motherhood and ‘modernity’ or progress by physically reducing kinship ties. All the women I interviewed indicated that their children lived with their mother and family back in their village, which allowed them to focus on their work. Some have argued that this distance allows them freedom from surveillance. For this reason, I better understand why some women choose not to identify as a sex worker, because doing so removes their ability to navigate the social spaces between kinship,

¹⁸⁵ Llewellyn, ““Money Talks.””

¹⁸⁶ Wennerlind, “Money Talks, but What Is It Saying?”

gender politics and financial burdens. Remaining silent and keeping secrets are a burden which ensures kinship acceptance, which is a greater need than societal acceptance. This is even true when, as Fairy suggested family members suspect or turn a ‘blind eye’ to sex work. Silence is important on both sides of the relationships.

I believe that exploitation takes many forms, through ‘blindness’ of kinship ties, demands over money and silence associated with conforming to prevailing political values about morality. There are however direct forms of exploitation. NGOs have recounted to me many stories and instances of exploitation of the women, whether by husbands, boyfriends and fathers who ‘sell their’ wives, girlfriends, and daughters to into the sex trade to repay debts. These views shatter the myth that perpetrators of sexual violence against sex workers are not just pimps and sex traffickers. Family members in certain situations are perpetrators and oppressors particularly if the women are independent workers. Fairy recounted two stories of sex worker:

The last case that I found was that a girl HIV positive, working as a sex worker and then she got all the money and was paying for the partner (boyfriend) and eventually the partner having a schedule for her... you can come back home when it is not yet 3pm. If you are early you have to go back, you have to come back with a lot of money, if you do not have 500.000 rupiah you cannot come back.

(Sex worker's Mother) I give the babe water only because I do not have the money to buy milk. (Sex worker) But last week I send you money. (Mother) But the money is gone now.

I believe that feminist theories of harm are salient to this thesis, because the implications of discourses on sexuality as it pertains to morality and gender politics, creates a specific experience of harm for the women which are not conceptualized by either civil society or the state. The position of women culturally within Javanese societies has further stacked the odds against women whereby their geographical separation from family causes emotional trauma. Distance emphasizes the financial familial obligation (reinforcing a commitment to a profession not of their choosing), and the best alternative is to maintain silence of their involvement in socially stigmatized immoral work.

Sex Work Activism as Harm

Actually sex workers, they are so ignorant of law, so when somebody harm them or harass them, like the clients, they do not know what to do. But by having P3SY around them, I can advise them that this one should talk to this person. Like at least help them to talk to the right person. Something like that... *Mbak L.*

Some of the sex workers, solemn workers, very quiet. Some quiet some vocal. We cannot stereotype. Actually there are many workers, (but) only maybe a few who

wants to speak up, about the rights, talk about the fight. They try to connect. (Others) do not want to speak up about their rights. If they want to fight rights they have to be together, the only way to do that is social movement from the bottom up. Muslih PBKI

Sex workers have no political will! You have to pay them to attend a meeting. The only thing that connects them is what they do, but they do not necessarily get along. They are competitive. There isn't a culture of let us all unite. You are new, you are prettier than me. Transgender are more organized in Bali, Workers need to have their hands held through the process. Coordinator Yayasan Kerti Praja

Previously I discussed in Chapter Four the political significance of the revitalization of civil society and its impact on sexuality discourse. NGOs have influenced national changes in human trafficking, sexual health, and improved HIV education. Sexual health has become a politicized discourse and supports Foucault's position that over time, contests over hegemonic discourse creates multiple, emerging and dissenting discourses. I argue that politicization has occurred based on two realities. Rights based activism is an inherent form of universalist political discourse, and it speaks to the recognition of human rights and challenges hegemonic discourses through the promotion of activism, participation and social movement. The other arena is context specific and reactionary. NGOs in response to the recent political decisions to include sexuality as part of immorality crimes, brothel closures, sexually repressive laws, and the violent protests by

religious conservatives against GLBTI communities, are all seen as imperatives to increase political action. Political activism may take various forms. As an example, no NGO has spoken directly about legalization of prostitution, for this position is not viewed as plausible. However, in the interest of protecting more vulnerable members of a marginalized community, such as GLBTI, political activism is seen as all interests coming together: the homeless, *waria* and sex workers are encouraged to ‘band together’ in solidarity of all groups. This is met with great resistance from the leadership in P3SY, who have indicated that sex workers “burdens are different”.

In an effort to promote sexual rights, ‘visibility’ and protection of vulnerable persons NGOs have defined harm, through their various organizational mandates and mission statements, to include the elimination of sexual violence, sexual right to health, and HIV prevention. Again these narrow definitions of harm view social stigmatization as being addressed by the recognition of human rights and sex as work. I believe that while NGOs are best positioned to significantly improve the lives of sex workers their structure constrains them and makes them inflexible. I argue that civil society deploys a purest definition of the Principle of Harm, whereby ‘injury to liberties, interests and rights’¹⁸⁷ are deemed sufficient reasons for the mitigation and prevention of harm. Further by appealing to public discourse for the removal of prostitution as a moral wrong, they push against morality politics. However, there is serious disconnect between civil society ambitions and experiences of the women.

¹⁸⁷ Vernon, “John Stuart Mill and Pornography.”

All three quotations from NGO workers speak to this experience, and highlight the frustration and disconnect with workers. Some workers who are active also experience this disconnect with other workers. *Mbak L* explained:

I have a friend. I joined the organization and join the activities and P3SY. I want to learn more and more and get much experience in here. I feel like if I have a lot of experience I can take home a lot of new skills. But then my friend say why you want to get into activities, you are sex worker. We go to bed with arguments. My friend is 12 years working here, since she was 17.

I am not here to make any movement, clearly I am here to work. *Mbak S*

Interesting is the distinction made by the women between sex as work and sex work as a profession. In Bahasa the word profession is associated with *pekerjaan* – work, and some may argue that this correlation has historical roots in the New Order era which created a social consciousness around heteronormative definitions of male and female roles within work and domestic life. Traditionally, there is said to be a lack of recognition of female gendered work (Brenner, 1999 p. 24), and prostitution is still perceived as inherently gendered. The connotation of the female professional is a borrowed western concept associated with *wanita karier* – career woman, whereby the ideal woman, mother, wife, and career woman, adheres to a balance of traditionalism and modernity (Ibid, 1999 p. 24). Female sex workers thus represent themselves within society's conservative views, that they do not embody valued ideals of *kodrat* or natural order

because they perform sex work. There is a recognition that the work is challenging and not easy, but not to the extent as a profession.

Other workers have discussed issues of self-esteem which they believe prevent some women from believing that they can get out of 'bad positions'. The real challenge is definitional and discursive differences in conceptualization of sex work and sex as work. This distinction is between archetype and how sex work is experienced. I maintain that there is a common recognition between all concerned that sex work is work. For some women the disconnect is between temporary versus profession, and collective identity versus identity politics. To accept sex work as a profession is to privately and publicly break 'silence' and acknowledge that you, as an individual, are socially stigmatized as bad and immoral.

Female sex work culture can be fragmented for a number of possible reasons. The natural mobility of sex work (different ethnic and cultural values), the impact of forced closures (an exodus of workers to other locations), the increased competition of new girls (reduced prices) can all stymied the strength of collectivity. The conception of collective identity exists, for there is a common purpose and a mutual need for coexistence and survival. The discord exists with the politicization of identity.

In this chapter I argue that the implications of various discourses on sexuality creates experiences of harm unique to women, which are not conceptualized by either civil society or the state. Women are further impacted by Javanese gendered cultural

contexts, whereby family obligations cause direct (exploitation) and indirect (emotional) forms of harm. Rights based theories of harm, eliminates cultural and contextual dynamics which are uniquely experienced by women. When rights based theories are positioned within public discourse as the main driver for social change, these discourse can further marginalize some, by isolating them within the community. In the next Chapter Six I will discuss brothel locations as work environment and a safe space for broader society.

CHAPTER SIX: BROTHELS AS SAFE SPACES

Badung has a hot, sticky, sweet smell and atmosphere, which feels very familiar to me. It's just cool enough to make the heat bearable, much like Caribbean island weather. It was 9:00pm, and the drive to the brothel location in Kuta was a series of dizzying twists and turns. I was reminded of what a unique experience it is to ride on the back of a scooter in traffic in Indonesia; the sensory overload of flashing lights, the dusty air, the fact that motorbikes swarm and greatly outnumber cars and the humbling experience of having unwavering trust in both your driver and the machine. On the final turn, all the light vanished, there was an incredible amount of darkness especially given the fact that we were in the heart of the city. We entered a near pitch-black narrow alleyway; a familiar entry-way into brothels, based on my experience in Sarkem in Yogyakarta. However, unlike Sarkem this passageway was dug out of the earth. There were mud and rocks everywhere, which made walking difficult. Rain and runoff water collected in its center making pools and puddles. Along the passageways in the dark were benches with women seated on them, women were also standing against the walls. These women seated as objects have become a familiar sight in brothels, for this is how women display themselves for sale.

At the end of the alley was the main entrance and there was a small house, an area where bikes were parked, and a food stall. On display were loose cigarettes, packs of pork rinds, and cold drinks. A man greeted our guide, an ex-sex worker now an HIV positive social worker, who I assumed was the boss and pimp; the pimp who gave us

permission to visit the location. We entered into another passageway into yet another food stall area, where we were to conduct our interviews. The walls were covered in posters, modest girlie calendars and made of plywood and concrete. A thatched roof made of galvanized iron sheets. When the rain came, the sound was deafening, and the roof leaked in many areas. Corridors were leading into boarding rooms, where transactions took place, but the area was small and cramped, men and women constantly bumped into us as we interviewed two of the workers. Music was loud, blasting local bands and singers. The television was also on; it was so loud that later I discovered that my precious interview recordings were useless.

The *Polisi* or police, however, were known to raid this area and there was a constant tension of apprehension in the air. Men were standing outside the entrance door to the food stall area, some purchased drinks from the food seller, others walked in and out of the boarding rooms with women. We seated in the heart of the location, and although persons looked at us with curiosity and amusement, transactions continued without abatement. Over the music, the rain and the chatter I could hear what I can only assume was a satisfied customer reaching his climax. This experience was but a glimpse into the daily lives of female sex workers who worked in brothels in Indonesia.

Every place has its own characteristic and culture. In Sarkem they are enjoying some safety, privilege. They have a lot of medical providers and service support. They have their own local agreements to protect them. It makes them possible to protect children not to be involved in sex work (either as worker or client). People

are getting educated, if you go now, it will be difficult to talk to each other. It is really I am sexy sexy, I put myself high... if you feel like you have a lot of money, you are wanted by many people. You can choose (not to participate).
Fairy PKBI Coordinators.

Brothels are a unique space, but no two are alike for there are significant cultural differences. Analysis of brothels must cover the various ways in which women make meaning of the space as a work environment, a space for friendship and community, and a safe space within the broader societal context. The theoretical discourse on brothels centers on sexual morality and morality politics. It is a space viewed as the physical embodiment and threat to 'harmonious family', and the Indonesia cultural heteronormative values. This political discourse utilizes a conservative theory of harm which positions sexuality and prostitution as an indirect and immoral harm, and as such, a legal threat to society. This discourse has given fodder to Islamic conservatives who view themselves as morally righteous and responsible for the 'policing' of immoral acts of *Zina* or adultery.

In part, I consider that there is a universal culture of sex work which is peculiar to the brothel locations. Brothels also have a distinct 'cultural ecology' (Geertz, 1963 p. 6). There are common characteristics which exist within brothels that I consider and associate with sex work as a vocation within Indonesia. The exchange of sex services for money attracts and fosters a certain economic eco-system within which offshoot

businesses flourish; the obvious are food sellers, taxis and rickshaws drivers, karaoke bars and parking attendants. Within the eco-system, there are invisible structures, which are peculiar to each location. These structures support practices that ensure business continuity and worker survival. Some cater to personal security, others are for paying ‘blind police’ to avoid raids, and others are agreements made between residents and individuals who perform various acts (‘look-outs’ for the police and fundamentalist groups). There are systems in place for non-payment or disputes over transactions, and ‘escape’ paths and protocols for women to flee during a raid. These systems have lasted and evolved over decades post-Dutch colonization.

At a basic level women value having a safe place to work. The closure of brothels removes these basic systems and jeopardizes the very survival of workers. These systems are human systems, social networks that evolve over time, strengthened by trust. It is important for the state to view a brothel as a work environment and that its closure means a destruction of critical social networks. Anti-prostitution advocates must therefore understand that there are consequences for the removal of each system created.

Women have also described brothel locations as *kampong*, which has two meanings, a location space within a village and a location where because of the issues of illegality, women work together as a community and are more likely to participate in civil society programs, they are also more open to new comers and are less competitive. Even though Sarkem is considered a ‘legal’ site, it is said to lack a sense of communal support, workers are said to treat each other with indifference. Mulish one of the coordinators at PKBI explained:

Sarkem...as an office, it is not a home... the feeling is different. In Ngebong the feeling is very much like a village, where relationships and people matter.

Many women have talked about making friends or longing for friendship. Friendship ties are very important because of the sadness created by absent family members. Women are alone with no other support system.

The closure of brothel complexes has been discussed by the women in two ways, one where the burdens of sex workers will become worsened by HIV exposure, invisibility and workers will become 'hidden' from society, and the other context was with regard to societal impact. Three women shared different stories with me about some of the broader implications to society of the closures. *Mbak R* shared a story about a man who came to a location looking to buy service and because the *lokalisasi* was closed, he raped a village girl. *Mbak L* recalled a story which made public news:

There is a case of Yuyun. She was raped by men when she was 14. She was not sex worker. The men inserted a digger (garden hoe) inside of her and she died. She was just an ordinary girl. (and)They were just men.

Ibu Vera explained:

Rape as you see in the media... there has been cases of rape. It is our opinion that the effect of the closing down. There is no place to have services. Also because of the trafficking of some people, do not know how to survive and make money, the possibility is to sell their own kids.

Sex workers view themselves as providing an important social service. The translation of sex work is often associated with translations of sex services. Some women provide the service temporarily and others for much longer time. It is clear that the women are concerned about the implications of brothel closures for the safety of innocent women, and young girls. Young girls who possibly represent a self they once had, a preservation of innocence. According to the women brothel closures affect and can cause harm to women within society and psychological harm to men who are in need of services. *Ibu Vera* believes that providing services in the 'open', brothels prevent shadow economies associated with human trafficking and child prostitution. While I do not believe that these two forms are mutually exclusive, I however understand that locations allow for civil society to build relationships with brothel owners, women and pimps and with time can negotiated agreements for worker safety. I have witnessed these agreements in practice. There is a zero tolerance for underage participation in Sarkem and other locations and a strict enforcement of condom use in Sarkem and Ngebung.

Community organizing is an essential characteristic of the brothel environment. The extent to which a location is organized is greatly influenced by the level of civil society involvement. In Sarkem the lack of contention over land ownership, as previously discussed because the land falls under the Sultan, has influenced both operations as well as created a high degree of organization.

Within highly organized locations rules and regulations are deeply enshrined in the location's culture, creating an environment where many sex work advocates believe are safer than other forms of prostitution practices. In these environments, the list of services provided by NGOs, foundations, and CBOs (although different for each location) include HIV testing, sexual health education, condom negotiations and legal aid. In Jarak in Surabaya, civil society support included Indonesia National AIDS Commission, governmental organizations, the International Labor Organization (ILO) and the Department of Health and Human Services in Atlanta, Georgia United States. The Department of Health and Human Services has provided grant funding to the NGO. The reach of so-called unsophisticated local advocacy groups and individuals have proven to be vast and very impressive. State agencies gravely overlook this fact.

The recent decision by the government to close locations appear to contravene its once pragmatic approach to sexual health management and state hygiene policies to control 'woman without morals.' But history also demonstrates that state policies often meander between moralism and pragmatism. Given this reason, for me, the role of civil society becomes that more crucial; for the illegality of prostitution has not stopped its ongoing practice. Legality is a flexible term. Even though Jarak, in Surabaya, has been officially closed by the Regional Government, sexual transactions still occur within and outside of the location, making prostitution as a practice more dangerous for both clients

and workers, because it has become dispersed and disorganized. These challenges are my interpretation of experiences of harm.

Brothel locations allow for constant and continuous relationship building, yet there isn't according to NGOs a culture of collectiveness. My estimation is that brothels are sites at which three distinct scenarios that happen virtually at cross-purposes. For the workers, it is primarily a place for sexual transactions, which because it is illegal and immoral requires a greater sense of communal support to compensate for these social and physical challenges. Civil society view brothels as a site for political activism. The state views brothels as harmful to societal norms.

CHAPTER SEVEN: CONCLUSION

The women worry about their future, security. They know that they can only do this occupation for a short time. That's why they take such personal risks, because they need to make as much money while they still can. When you are older you are no longer viable. They dream of having a food stall, of falling in love and they fear the judgment from God.

NGO Coordinator Yayasan Kerti Praja

Prostitution holds a unique place in public discourse and by extension academia. As a subject group, prostitutes are one of the most researched, yet, most misunderstood minority group within social sciences. The idiom prostitute is highly contested both in terms of a social practice as well as its definitional meaning. Ironically, as the volume of literature increases, there is 'surprisingly little empirical research conducted' (Bernstein 1999, p. 91)¹⁸⁸; or direct collaborative work with prostitutes, especially with prostitutes outside of western countries. Such neglect reinforces the dominant claim that prostitution practices are universal and that the global binary discourses are the only credible and legitimate sources of knowledge on prostitution. Such disregard for the inclusion of diversity of lived experiences of women is to the detriment of policy reform and ultimately causes more harm than it prevents.

¹⁸⁸ Bernstein, "What's Wrong with Prostitution--What's Right with Sex Work--Comparing Markets in Female Sexual Labor Symposium."

My central argument in this thesis is twofold. First I argue that the implication of public discourse on prostitution is significant, because public discourse constructs social and cultural ‘knowledge’ about prostitution. This knowledge is constructed within the broader discursive understanding of prostitution as sexuality discourse. The discourse on sexuality in Indonesia is complex and cannot be singularly defined, therefore sexuality was analyzed through three thematic frames, sexuality as gender politics, sexual morality and sexual identity. Javanese socio-cultural history bears particular importance to the discourse on prostitution because of sex work mobility and migration. Narrative on sexuality is dominated by three critical pillars, state as harmonious nuclear family, immorality as law, and non-conformity as threat to *adat*. These positions provide fodder to various conservative and religious fundamentalist groups, and are ironically representative of radical feminist theories of prostitution as gendered sexual violence. Prostitution within this narrative is seen as a social and immoral wrong against society.

Foucault’s theories of knowledge, hegemony and discourse provided a theoretical basis for understanding the social relational dynamics which existed within public discourse, and helped explain how these systems of power affect the women’s day-to-day experiences. Important in the conception of hegemonic discourse is Foucault’s theorization of power as dissent which explains the rise and historical resurgence of civil society post *Reformasi* period. Civil society and NGOs have pushed the agenda of human rights activism, inclusivity and the removal of sexual repression to the forefront of public discourse and has thus created a new form of social order. This new social order conforms to pro-sex feminist theories that position sex work as a legitimate form of work,

and that ‘criminality through morality politics’ as a source and causation of harm of sex workers.

The second component in my argument is that central to both dialectic narratives on prostitution and sex work is the conceptualization of theories of harm. Repressive constructions of harm are aligned to indirect forms of harm as societal harm and legal wrongs. However, I argue that harm, like discourse on sexuality, cannot be singularly defined. Harm is experienced within cultural contexts. I argue that feminist theories of harm consider the experience of harm as both gendered and as socially practiced. Women who perform sex as work experience harm as part of a community and harm in the form of disease and poverty, which can be transmitted through generations.

Conducting qualitative and ethnographic field research allowed for the exploration of these complexities and nuances between causation of harm and mitigation of harm and the fine line, if any, which exists between both concepts. One important finding in this thesis is that harm prevention inevitably causes harm, and that harm mitigation is an ongoing iterative process. Ethnography exposed the hidden perpetrators of harm as the Javanese institution of the family, and sex work as identity politics. Family has become synonymous with exploitation and silence the currency with which social acceptance is purchased.

The drive behind civil society within Indonesia is not just based upon International rights-based discourses; there is a long and vibrant history of creative activism reaching back to the New Order era and the now thriving in the Post *Reformasi* era. However, rights-based activism is deeply embedded within the archetype of sex

worker. I maintain that workers significantly benefit from civil society support and are personally and deeply indebted to them: the many hard working men and women who befriend them, take care of them when they are ill, advocate on their behalf and raise their children when they pass. NGO workers make a personal sacrifice very few realize but I believe there are limits to their efforts.

The commonalities of shared purpose and fate (Strykey et al., 2000 p. 42), the experience of sexual violence, imprisonment, police (*Polisi*) harassment, social discrimination and stigma, do not always provide an imperative to act. If one were to look at the statistics of sex worker membership in P3SY, less than twenty-five percent are active members. The few women I have met have spoken about the immediacy of their basic human needs, caring for their families, their day-to-day survival, and achievement of their short-term financial goals. Individuals acknowledge sex work is what they do, but not who they are. This insight is one of the most significant findings of my research for it represents a sharp dichotomy away from the activist discourse. It is my hope and intention that in discussing the differences of the three archetypes, prostitute, sex worker and sex as work, it creates an awareness within the public sphere of the complexities and diversity of experiences of individuals who practice sex as work. As a result, I hope this drives an imperative to take a critical view of policy reform, on both sides of the divide, by acknowledging the ideological underpinnings which anchor anti-prostitution or pro-sex policy; ultimately to achieve an expanded definition of ‘who is a prostitute’ (Satz 1995)¹⁸⁹.

¹⁸⁹ Satz, “Markets in Women’s Sexual Labor.”

The unintentional consequence of these differences in 'the use of language as activism and action' (Fairclough 2000) is that it produces a dichotomy between sex workers and individuals who engage in sex as work. Language exacerbates internal social status hierarchies within the location and sex worker collective. Hierarchies are based on many factors, including sexual identity, worker mobility, perceptions of beauty, youth, and 'new-ness.' Hierarchy can also be unintentionally influenced by the involvement of civil society. Workers who are exposed to education and programs speak the language of advocacy, they talk about human rights and are active in the pursuit of community building. Some attend conferences and learn to speak English. Few have been employed by NGOs and have exited sex work entirely. This creates animosity and conflicts between workers. I witnessed a discussion between one of the NGO workers and members within two of the locations at Ngebong and Giwangan whereby particular sex workers, who were also CBO members, were described as being elites within the community.

This thesis takes a critical view of the dialectic discourse on prostitution and attempts to demonstrate that not only have differences in definitions polarized positions on sex work versus prostitution but also that within the dynamic there are individuals who do not self-identify as either archetype. Thus proving to be highly problematic for NGOs and civil society who lobby and advocate on behalf of sex workers. When rights based activism is the main driver behind sex work activism, participation and activism are experienced as divisive.

Historically brothels have had a unique place within Javanese history whereby in one regard the criminalization of prostitution as an immoral and indecent public crime,

has at times been sidelined to allow profiteering by key positions of authority. I believe that the recent state decision to close brothel complexes or *lokalisasi* throughout Java, is a tipping point in Indonesia history, which represents, a hypocritical conservative turn. In the past these morality swings have occurred but to my knowledge never at this scale. As I write this thesis *Mbak L* has messaged me to say that the government will be closing the location at Ngebong by the end of the year and that nothing can be done to prevent it.

The state in its effort to ‘rehabilitate and resocialize’ sex workers and prostitutes has conceptualized prostitution as a harm against society whereby it defines harm as immoral wrong, and a breakdown of familial values. The state has leveraged all its power toward the elimination of prostitution through the forced closure of brothel complexes. This effort has failed for many reasons. The state has neglected to include the most important voice of the women affected, it has not addressed critically the systemic issues of poverty of rural women and it has not provided substantial training for an alternative and sustainable vocation. State policies that refuse to acknowledge the legitimacy of sex worker-led organizations and the recognition of sex as work perpetuate the practice of unsafe and high-risk commercial sex. Such morality gendered laws dehumanize women, while sex worker activism perpetuates social stigmatization.

By acknowledging the complexities and diversity of experiences within sex work, given the impact and import of policy implications of criminalization of prostitution I support the pro-sex feminist positions about decriminalization and regulation of sex work, however I support decriminalization to the extent that meaningful systems are

implemented to ensure that the root causes of prostitution including social pressures of kinship, financial deprivation and lack of sustainable alternatives must first be acknowledged and addressed.

I agree with Fairclough that the role of the academic is always to rethink research practice as being both within and outside academia; that critical research should not be confined to its discipline category but be multidisciplinary; and that quality research should be made accessible to the broader public (Wodak et al., 2001 p.136)¹⁹⁰.

Researchers frequently target prostitutes, even manipulate them to share their very personal experiences, have them give of their time, with little advancement or benefit to the workers. It is a one-sided, asymmetric relationship. I did not adopt feminist ethnographic approaches to my research because I am a woman conducting research with other women, or that I consider myself to be a feminist, I was inspired to make an authentic connection with the women. I wanted to experience, even for a short time their experiences. I wanted to contribute toward sharing their stories to help humanize them, to share their plight so that others could view them as citizens, women, mothers, and daughters. But I fear that against my best efforts, I too have manipulated them for personal academic gain, that my research would not sufficiently advance their cause and that I too will suffer the ethnographer's dilemma (Stacey, 1988 p. 26)¹⁹¹. However, given the impact and import of policy implications on criminalization, I am motivated to be

¹⁹⁰ Wodak and Meyer, *Introducing Qualitative Methods Series*.

¹⁹¹ Stacey, "Can There Be a Feminist Ethnography?"

respectful of the women and the many NGO workers, and tell their stories in the hope that their words could humanize the women and slowly bring about change.

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BIOGRAPHY

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