The Paradox of "Unity in Diversity"

A "mystery case study" on the decreasing rights of the LGBT community in Indonesia

Julie Elisabeth Haukeland Sørensen

Department of Political Science

Faculty of Social Science

UNIVERSITY OF OSLO

May 2018

Word Count: 30645

2018

Title: The Paradox of "Unity in Diversity" – a "mystery case study" on the decreasing rights of the LGBT community in Indonesia

Word Count: 30645

Abstract

The aim of this thesis is to, in the light of Indonesia's democratic institutions apparent capacity to foster civil and political freedoms, explain the recent years decreasing rights of the LGBT community.

We have in the recent years experienced thickened and crystallized attitudes towards the LGBT community in Indonesia. Considering Indonesia's size and diverse population, this has required me to include several aspects to the analysis, ultimately in order to explain the decreasing rights of the LGBT community. The aspects included have been Islamic fundamentalists, the New Islamic Populism, politicians in the context of direct elections in local regimes as well as the LGBT community and activists.

In order answer the research question, I will refer to Olle Törnquist's (2013) six points to political capacity, and Bayo and Samadhi (2017) as well as Eriksson and Skoog's (2005) knowledge on formal/informal actors and institutions. The analysis will be separated into four sections, where each of the actors six political capacities will be analyzed with reference to relevant theory. Considerations to include in the analysis on actors' political capacity is how their strength and weaknesses affect the dynamic between formal/informal actors and institutions.

Acknowledgements

The research process has been a new and interesting experience for me. Conducting a field study was most definitely the highlight of this process, where I have challenged myself both personally and academically.

First and foremost, I would like to thank my supervisor, Olle Törnquist, who was also the one who introduced me to the topic of Indonesia. His study on the stagnation of the democratization process in Indonesia inspired me to dig deeper into the subject and incorporate my interest for human rights activism. His help and guidance has been invaluable and this paper would not have been the same without his academic contributions on the topic.

Secondly I have to thank the academics and other people in Indonesia who have helped me to get in touch with the LGBT community. Finally, and most important, I wish to express my gratitude towards all of the informants who were willing to take time off for the interviews and teach me about the LGBT community in Indonesia. Their experiences of the current situation for the LGBT people in Indonesia has been a real eye opener and I am humble for having had the opportunity to learn to know these people and their story.

Julie Elisabeth Haukeland Sørensen

Oslo, May 2018

Table of Contents

1.0 Introduction **1**
1.1 Context **1**
1.2 Research Question and Sub-Questions **3**

2.0 Background **5**
2.1 Islamist groups in Indonesia **6**
2.1.1 Radical Islamism and human rights 7
2.2 New Islamic populism, PKS and labor unions **8**
2.3 Direct elections and populism **10**
2.4 Civil-Society Movements **12**
2.4.1 LGBT as a movement in Indonesia 12

3.0 Theoretical Framework and Concepts **14**
3.1 What foster political capacity? **14**
3.1.1 Concepts to discuss 15
3.2 Theoretical framework **17**

4.0 Theory and Existing Literature **18**
4.1 Social Movements and Citizenship **18**
4.1.1 Social Movements and Citizenship from below 19
4.2 Social Movements and Representation **20**
4.2.1 Social Movements and weak Representation 21
4.3 Social Movement Strategies **22**
4.3.1 Political process approach 22
4.3.2 New social movements and identity politics 24
4.3.3 Civil society organizations strategy in Indonesia 25
4.4 Local regime **26**
4.4.1 Local regime in Indonesia 28
4.5 Considerations for the analysis **29**

5.0 Methodological considerations 30
5.1 Case study as Design 30
5.2 Type of Interviews 31
5.3 Considerations in Developing the Interview Guide 32
5.4 Conducting the interviews 34

6. Analysis 37
6.1 Actors 37
6.2 Islamic fundamentalists 38
6.3 New Islamic Populist and PKS 46
6.4 Local politicians and electoral candidates 55
6.5 LGBT organizations and activists 64

7.0 Conclusion 77

Bibliography 82

Appendix 1 – Letter to the Interviewees 94

Appendix 2 – Interview guide 95

List of Abbreviations

AI	Ardhanary Institute
FPI	Islamic Defenders Front
FUI	Islamic Community Forum
HTI	Hizbut Tahrir Indonesia
KSPI	Confederation of Indonesian Trade Unions
KSPMI	Metalworkers Trade Unions Federation
KPI	Indonesian Women's Coalition
KUPH	The Penal Code
LGBT	Lesbian, Gay, Bisexual and Transgender
MSM	Men who have sex with men
MUI	Indonesian Ulema Council
NGO	Non-governmental organization
NSM	New Social Movement
PAN	National Mandate Party
PDI-P	Indonesian Democratic Party of Struggle
PKB	National Awakening Party
PKS	Prosperous Justice Party
SPM	Indonesian Metalworkers Union

1.0 Introduction

The slogan "Unity in Diversity" is one of the 5 principles in the national ideology of Indonesia, the Pancasila. The specific reference is related to Indonesia's religious and ethnic diversity. The world has in the recent years witnessed an LGBT community under constant pressure from both politicians and civil society in Indonesia. The aim of this thesis is to explain why the LGBT community in Indonesia in particular experience increasingly crystallized attitudes toward their community, and give insight into how the rights of the LGBT community are marginalized. In order to do so I will conduct what I have decided to call a "mystery case study", where the point of departure is an empirical puzzle, or mystery if you like, where this case of Indonesia makes a case of the wider phenomenon of decreasing rights under democratization. In order to explain this "mystery case study", I will mobilize and compare different sets of arguments and perspectives.

To collect the data necessary to answer the research question I used triangulation as method, which involved collecting information through academic papers, news articles, formal documents as well as interviews with local LGBT activists and organizations, and academics familiar with the LGBT community.

1.1 Context

While some scholars define democracy as existing in cases of free and relatively fair elections to choose political leaders, Beetham (1999) argues that most scholars think about democracy in terms of popular control of public affairs on the basis of political equality (Freedman and Tiburzi 2012: 132: Törnquist 2013: 19). For the purpose of this paper I will use the definition made by Beetham (2007):

> *Democracy consists of popular rule or control over collective decision making. It begins with the citizen rather than with government institutions. Its assumes that all citizens are entitled to an equal say in public affairs, pursued both through civil society and government participation. Control and equality constitute the key democratic principles* (Beetham 2007: 352).

The process of democratization first began in 1998 after Seoharto's fall and the main ways of thinking about this process was closely related to the international liberal discourse (Törnquist et al. 2016: 3). Insufficient modernization, weak institutions and dependency combined with short capitalist development implied for most analysts that democracy was premature (Törnquist and Stokke 2013: 111). Demands of democratic rights and liberties and adjustment of all political and state institutions became important subjects on the political agenda (ibid). The implementation of democracy in Indonesia occurred as a top-down process, where institutions were designed by the central government with a singular and homogenous design (Bayo and Samadhi 2017: 12).

Olle Törnquist et al. (2016) conducted three rounds of nationwide democracy surveys and follow-up studies in *Roots of Stagnation and Ways to Democratization 2.0: The Indonesian Message*. 75-90 percent of the informants expressed miserable conditions concerning institutions to support the rule of law, "good governance", core institutions related to representation of people and interests (Törnquist et al. 2016: 4). Most experts were convinced it could be handled by the elite itself, international support for various freedoms and human rights preventing abuses (ibid). However, the surveys further concluded on a number of surprisingly positive results, such as dominant actors adhering to the new rules and regulations, main source of political power shifting from the capacity to control means of coercion to economic capital and good contacts with influential actors, pro-democratic movement primarily confined to lobbyism and activism in civil society, and finally, public attempts to fight corruption through direct elections of political executives (ibid: 5).

The debate about democracy also involves notions of limiting the power of the state. This understanding relates to the degree of autonomy that associations (such as civil society organizations) have or do not have from the state (Freedman and Tiburzi 2012: 133). Olle Törnquist's et al. (2016) three rounds of democracy surveys and follow-up studies further showed that informants in the first survey, only five years after the dictatorship, reported substantial advances in most parts of the country with regard to civil and political freedoms, the media and in the civil society. The institutions supposed to foster civil and political freedoms and elections also performed well (Törnquist et al. 2016: 4). The surveys further identified a pro-democratic movement primarily confined to lobbyism and activism in civil society and finally (ibid: 5).

Despite the positive results from surveys and the conclusion that Indonesia's democracy is successful, being the most liberal country in South East Asia, there was less democratization and adjustment of state and politics than individual freedom and privatization (Stokke and Törnquist 2013: 111). During the second and third surveys informants confirmed that the democratization process was stagnating. While informants reported of stagnation in core institutions of citizenship and law, governance and representation as well as little trust in the legal system and established parties and politicians, liberties and civil society were the few exceptions (Törnquist et al. 2016: 5). Despite substantial advances in most parts of the country in regard to civil and political freedoms, the media and in the civil society, it now seems like the stagnation in the democratization process does not only limit to the adjustment of state and politics. While formal citizenship tends to be equal and few groups are barred from social and political participation, the freedom of assembly and expression is upheld selectively, and those who in particular experience reduced freedoms are those of religious and sexual minorities (Törnquist et al. 2016: 5)

1.2 Research Question and Sub-Questions

Indonesia, being the world's largest majority-Muslim country and considered as one of the few successful democracies in Southeast Asia, makes this a particular interesting case study as there are several different aspects and approaches to the debate on the decreasing rights of the LGBT community in Indonesia. The initial research question reads:

> *In the light of Indonesia's democratic institutions apparent capacity to foster civil and political freedoms, how do we explain the recent years decreasing rights of the LGBT community?*

As the research question is general in its form, the many aspects in the Indonesian society makes it necessary to develop sub-questions in order to provide a fruitful analysis. Aspects I have taken into consideration are the implementation of democracy, Islam and its place in the electoral politics, and the civil society. Sub-questions were developed both prior to and after the field trip to Indonesia. These three sub-questions will each lead to different actors in the Indonesian society.

1. How do the weak core democratic institutions affect the situation of the LGBT community?
2. Is Islam a contributing factor to the decreasing rights of the LGBT community?
3. What are the aims and strategies of the LGBT organizations and activists, and do they affect the rights of the LGBT community?

2.0 Background

In order to analyze and explain the decreasing rights of the LGBT community there are several aspects to consider. To fit the research question and to structure the background chapter, I developed three sub-questions as a point of departure for the contextualization. These aspects lead to four tentative explanations who each have an actor. This chapter will serve as an introduction to each of these actors where I will argue why these actors in particular are relevant to look into in the context of the LGBT rights. It should be kept in mind that the strength of these tentative explanations will be analyzed with specific reference to the dynamics between formal/informal actors and formal/informal institutions.

The first dimension I will look at is the dimension of Islam and the rise of Islamic fundamentalists in Indonesia. There are several Islamist groups in Indonesia, but the most known hardline Islamic groups in Indonesia we find the Islamic Defenders Front, commonly referred to as FPI. FPI has been especially known for using violence against the LGBT community and more aggressive methods. Eric Hiariej (2017) in his study on post-fundamentalists in Indonesia identified a change in pattern from hardline groups such as FPI, where he argued that they have gone away from their violent strategy to now engage in formal politics and aim to regulate public space according to Islamic values and norms. A possible explanation to the decreasing rights of the LGBT community could be the increasing presence of FPI now also in the formal politics.

The next dimension I will look into is the New Islamic Populism. In Indonesia, the typical Islamic parties have failed in their attempt at achieving majority in Parliament, and the consequence of involvement in electoral politics have been a moderation in their conservative forces within their party. The Prosperous Justice Party (PKS) is one of the major proponents of a New Islamic Populism, who now aim at being cross-class in its social base. This attempt to grasp voters outside their political identity is possible due to the historical lack of a left-right cleavage. If PKS succeed in building a cross-class electorate with emphasis on “leftist challenges” and working-class issues, this could give them greater access to, and control over, the state and its resources. However, as PKS is as an Islamic party but aim at mobilizing both secular and more conservative groups I will argue that PKS’s strength in Parliament to set a more conservative political agenda, which could work against the LGBT community, will also depend on its electorate and their strength to mobilize and set the political agenda. As the

working-class also consists of more secular forces this could force PKS to keep their moderation in Parliament.

Another possible explanation is outside the sphere of Islam in particular. In this dimension I will look closer into the direct elections and how direct election generates clientelism and populism. In direct elections, the relationship between leader and followers could lead the candidates to "check the temperature" in their region, and from there on set the political agenda, ultimately in order to win votes. An important aspect with populism is also the dynamics between formal/informal actors and the formal/informal institutions. Similar to the case of PKS, I will argue that the strength of the politicians will depend on the relationship between politicians and regular citizens. If the informal actors and institutions are strong enough this could lead politicians who do not usually front an anti-LGBT campaign, feel tempted to fulfill the demands of the possible electorate in order to gain support. If there are strong anti-LGBT forces this could explain the decreasing rights of the LGBT community.

The final dimension I will look into is the civil society in Indonesia. Even though civil society and popular sector activists have become more established and politicized in Indonesia, some scholar argue that they still are fragmented and lack long-term strategies, which makes them unable to build common platforms and develop broader alternative perspectives. In addition to civil society's inability to develop broader alternatives in general, the LGBT community have a history of challenging and diverse dynamic. If single issues are favored over universal ones, as well as a challenge to mobilize even within the LGBT community itself, this makes the LGBT community especially weak informal actors with little leverage towards politicians.

2.1 Islamist groups in Indonesia

Even though Islam is not a state religion in Indonesia, 85 percent of the total population of 230 million people officially profess Islam, making Indonesia the world's largest majority-Muslim country (Hefner 2011: 6). Despite its majority-Muslim society, the Islamic political parties have not been able to achieve a majority in elections (Hadiz 2014), and Hiariej (2017: 303) argues that the lack of representation of more conservative Muslims is also the reason for the rise of Islamic fundamentalists in the beginning of 2000s. Through jihad, these movements wished to realize their goals by returning to the pristine Islam (ibid: 303). Hiariej

(2009; 2017: 303) argues that the rise of Islamic fundamentalism should be seen as a part of a larger resistance against a particular structure of oppression.

In the last 6 to 7 years the movements seem to be in some sort of transformation. Their previously main method jihad has significantly decreased while the verbal and physical assaults on minorities such as the LGBT, as well as persons accused of communism still persists. However, even within fundamentalism there is a division between extremists who support terrorism and fundamentalists that wants to have a "seat at the table" (Nasr 2009: 146). While most Islamic fundamentalists now engage with the State and they community, the degree of willingness and view on the State also varies amongst the different Islamic movements in Indonesia. There is no academic consensus on what exactly constitutes an Islamic party, but in the broadest sense such parties can be defined as parties that strive for the implementation of Islamic Law in all aspects of political, economic, social and cultural life (Tomsa 2012: 487). Within the political landscape in Indonesia you find Islamic political parties such as the Prosperous Justice Party (PKS), the National Awakening Party (PKB), the National Mandate Party (PAN) and the United Development Party (PPP) (Umam and Junaidi 2017). On the other side of the Islamic movements we find FPI, who aim to regulate public space according to Islamic values and norms (Hiariej 2017: 304). These regulations aim at reforming public morality and promoting Shari'a rather than directly challenging the existence of the nation-state (Wilson 2008: 200). FPI only turn to violence when the police fail to respond to cases, which is the case in most FPI's complaints, and opens for the opportunity to turn to violence. Their targets are highly selective. Bars and nightclubs are traditional domains for those who considered them as a part of FPI, but there have been occasions where FPI's moral outrage included the Miss Indonesia and Miss Transvestite competitions (Wilson 2006; Wilson 2008: 202-203).

2.1.1 Radical Islamism and human rights

To understand the resistance towards minorities such as the LGBT it is necessary to understand the relationship between Islam and human rights in general. Throughout the post-colonial period, Indonesian political thinking has been dominated by the Islamists, and "secular" nationalists (Iskandar 2016: 2). The national ideology of Indonesia, called the Pancasila, constitutes "fundamental State philosophy and Indonesian people's worldview", and consists of five principles*: 1. The belief in the One God, 2) Humanism that is just and*

civilized, 3) the unity of Indonesia, 4) populism that is guided by the inner wisdom of deliberations amongst representatives, and 5) social justice for all people of Indonesia (ibid: 725). Many radical Islamists now wish to re-write the first principle of the Indonesian Constitution related to the belief in one God, and include "*the obligation to follow Islamic Syariah for all Muslim*s" (Wilson 2014: 5). Asplund (2009) argues that there is a conceived incompatibility between human rights and Islam, where the human rights are conceived of as a secular and inferior substitute for religion and therefore challenging the existing belief system. Even though these cultural and religious aspect contribute to generate resistance towards human rights in Indonesia, Asplund (2009: 34) argues that this does not imply that Indonesians are *culturally unfit for embracing human rights.*

In this "mystery case study" we look at the rights and freedoms of the LGBT community in particular. In Islam, the view on LGBT people is influenced by the religious, legal, social and cultural history with specific passages in the Quran and hadith (Kecia 2006). The most known cite about homosexuality in the Qur'an is the story of the "people of Lot" who destroyed the wrath of God as they engaged in lustful acts between men. Even though homosexual relationships were generally tolerated in pre-modern Islamic societies, homosexuals frequently experienced punishment such as death penalty, mainly in cases of rape (Rowson 2012). The Zina verse in the Qur'an prescribes a strictly legal position, but does not restrict to homosexual behavior per se, but deals with illicit sexual intercourse (Wafer 1997). Most view this as referring to illicit heterosexual relationship, while a minority interpreted the verse as referring to homosexual relationship, a view that has found some acceptance in modern times. As the Qur'an did not specify the punishment of homosexual intercourse, Islamic jurists refer to several hadiths in an attempt to find guidance on appropriate punishment (Rowson 2012).

2.2 New Islamic populism, PKS and labor unions

The New Islamic Populism is closely related to the universal phenomenon of populism as a *societal response to fundamental problem of social injustice in a globalized world in which leftist challenges have diminished* (Hadiz 2014).

Most literature discuss parties as products of social movements, such as the social democratic parties of Europe formed by the labor unions. In other cases, existing political parties develop linkages with new social movements by incorporating their agenda into their existing

platforms "through techniques of programmatic unity building" (Kitschelt 2000; Savirani and Aspinall 2017: 8). As Hadiz (2014) argued, the New Islamic Populism is related to the diminish of the *leftist challenges*. Savirani and Aspinall (2017: 9) points to the poor communities and historical elimination of the Left, which was wiped out in 1965-1966 and never been able to mobilize as a mass force. The typical left-right cleavage structure in party system is therefore absent in Indonesia.

In Indonesia, there are several parties with deep connections with Islamic social networks, such as National Awakening Party (PKB), the National Mandate Party (PAN) and the Prosperous Justice Party (PKS) (Savirani and Aspinall 2017: 8). Despite the many Islamic political parties in Indonesia they still struggle to achieve majority, and the most proponents of a New Islamic Populism in Indonesia is best represented by the PKS (Hadiz 2014: 139). In terms of approach and the view on the State, PKS fall under the "pro-thesis" approach who recognize the concept of "nation-state" as a legitimate societal formation, and are open to the idea of working "within" and control the State through formal political participation (Hiariej 2017: 304). In addition to this they also see the necessity to engage with the community in order to mobilize. For the purpose of this study I will therefore only focus on PKS, who portray as an opposition to the radical FPI in their stance on Islam and democracy.

The newer Islamic Populism is more modern than the older form, and its agenda is to reorganize powers in ways that favor an *ummah*[1], as a cross-class in its social base, embracing both sections of the urban middle class, poor and even peripheralized sections of the bourgeoisie. This gives the new Islamic populism greater access to, and control over, the state and its resources (Hadiz 2014: 128). The argument is that the New Islamic Populism reaches the disorganized new urban working populations, which can be found not only in formal sector or industrial work, but also people in the urban informal sector or even within the unemployed (ibid: 133). Official statistics from March 2016 shows that the national poverty rate in Indonesia was at 10.86 per cent. The poor can therefore constitute a major vote bank and eventually their support could be the difference between electoral success and failure (Savirani and Aspinall 2017: 12). The use of bribe and so-called "political contracts" from regional leaders has, in the absence of programmatic parties representing lower-class interests, been used towards social movements representing the poor (Savirani and Aspinall

[1] The Muslim community bound together by ties of religion

2017: 10). An article by Gibbings, Lazuardi and Prawirosusanto (2017) showed that groups representing informal traders mobilized support for political candidates at various levels on the basis of formal political contracts, and many labor unions have signed political contracts with candidates in local and national elections (Savirani and Aspinall 2017: 10). As the labor unions constitute a large part of the working-class I will also look into the strength and dynamics between PKS as formal actors and the labor union as informal actors.

2.3 Direct elections and populism

Besides the diminish of the leftist challenges, another factor that could explain the decreasing rights of the LGBT community is the implementation of direct elections in 2004. In 2004 the new electoral system was introduced, under the Law No. 32/2004, *Pemilihan Kepala Daerah Langsung*, direct elections for regional heads, allowing people to directly elect the heads of regional governments - 349 districts, 91 mayoralties and 33 provinces (Erb and Sulistiyanto 2009: 116). The aim was to strengthen the district governments by direct popular legitimacy, to check the power of the local legislatures and eliminate money politics, and deepen democracy in Indonesia (ibid). In this new electoral system, the heads of regions are no longer elected by regional assembly members but through individual citizens and their opportunity to be directly involved in the political recruitment process (Erb and Sulistiyanto 2009: 54, 57).

Even though the pre-amended constitution is closer to parliamentarism, the governmental system has tended to be closer to presidentialism, a tendency shown in several ways, both through the fact that the president is given more power to control executive units and functions, in addition to retain his position for the whole period of election. Direct election also strengthens the presidents' legitimacy (ibid: 55).

Prior to the implementation of direct elections there was already an emergence of clientelistics politics in post-Soeharto Indonesia, where politicians *create bonds with their following through direct, personal, and typically material side payments* (Kitschelt 2000; Savirani and Aspinall 2017: 9). Direct election of executive head is not a new practice, as history shows us that village heads in Java and other parts of Indonesia were directly elected by the people. However, during the New Order period between 1966-98, the executive heads such as the president, the governor and regional heads/mayor, were chosen by assembly members at each level of governemt (Erb and Sulistiyanto 2009: 55). The electoral systems are now candidate-centered rather than party-centered, and candidates for elective office have

incentives to promote their individual candidacies (Savirani and Aspinall 2017: 9). This could lead to more populist approaches.

If we follow Kitschelt's (2000) definition of clientelistic politics, there are many similarities with populism. Populism is by Weyland (2001; 2017) defined as:

> *a political strategy through which a personalistic leader seeks or exercises government power based on direct, unmediated, un-institutionalized support from large numbers of mostly unorganized followers*.

Weyland (2017) argues that this definition highlights the crucial role of personalistic leadership sustained through a heterogenic mass support, and direct contact rather than through institutions. He further argues that populism does not conceive of representation as a process, but as ensured through the identification of the leader with the people, and vice versa – the relationship between leader and followers is therefore seen as personal (Weyland 2017: 59).

If we follow Kitschel (2000) and Weyland's (2017) definitions of clitentelistic politics and populism, this relationship between leader and followers could lead the candidates to "check the temperature" in their region, and from there on set the political agenda, ultimately in order to win votes. Savirani and Aspinall (2017) refer to transactional deal-making as a feature in this clientelistic landscape, where candidates bargain with local community representatives, offering them benefits in exchange for the votes of the community. Such representatives can be village heads, religious leaders (Gibbings, Lazuardi and Prawirosusanto 2017; Savirani and Aspinall 2017: 9).

If the decreasing rights of the LGBT community is explained through the direct elections of local political candidates, and these elections open up for the possibility of personalistic and un-institutionalized support from various groups, I expect such politicians to comply with the requirements set through informal actors and institutions. However, this explanation also requires that anti-LGBT forces outside formal politics are strong and can give something of importance in return, such as great political support in local elections.

2.4 Civil-Society Movements

The final explanation to the decreasing rights of the LGBT community could lie in the civil society organizations strategy in their approach to government and local regime. Even though civil society and popular sector activists have become more established and politicized in Indonesia, Hiariej (2017: 102, 105) argues that they are still fragmented, lack long-term strategies and are without visionary ideology, and often tend to be elitist and easily co-opted into the existing system through alliances with elements of the ruling elite. According to Törnquist et al. (2016), *the liberal democratization has given priority to the politicization of a multitude of single issues, rooted in scattered civil-society organizations and unions with their own special agendas and remarkable inability to build common platforms and develop broader alternative perspectives*. Hiariej (2017: 105) argues that NGOs or CSOs who focus on issues with limited social bases tend to avoid political parties and parliament in dealing with public matters and rely on civil society-based governance.

In recent years there is now identified a movement in favor of broader questions of economic development and welfare policies (Törnquist et al. 2016: 7). Despite the growing importance of demands for public welfare, the dominant politicians have managed to stay in command and retain hegemony, while popular interest and activists remain short (ibid: 8). The case of single issues vs. universal issues can also shed light on the absence of mass movement. There are few signs of positive outcomes in terms of broad independent mobilization and organizations, hence, the liberal strategy of democratization in Indonesia has been successful in avoiding broad membership-based movements and organizations in favor of top-down led parties and socio-religious organizations (ibid: 8).

2.4.1 LGBT as a movement in Indonesia

The absence of mass movement can also be seen within the LGBT community itself. The transgender (waria) community was among the sex- and gender-based marginalized communities in Indonesia who first got involved in social movements, even before gay and lesbian organizations (Oetomo 2001; Minza et al. 2017: 280). The gay and lesbian community have experienced reluctance to collaborate from the waria[2] (transgender) community. This

[2] The local term *waria* is used to indicate the diversity of local meaning towards transgender identity (Minza et al. 2017: 280)

reluctance to collaborate is due to the believe that waria must be distinguished from the gay community, and that they feel that society is more accepting of the waria community, in addition to the fear that of becoming mere objects in projects managed by gay-led organizations (Minza et al. 2017: 286).

Even within the transgender community in Indonesia there is diversity and dynamic, hence the term waria, which is meant to signalize exactly this. The diverse condition of the waria's is related to residence, religiosity, the difference of ages, professions, and their understanding of their own identities and struggles (Widayanti 2009; Minza et al. 2017: 280). The diverse condition of the waria's appears especially between the senior waria and the young waria. While many senior waria are reluctant to collaborate with the LGBT community, the young waria movement rests not only on the basis of cultural identity.

If it is so that single issues are favored over universal ones, as well as a challenge to mobilize even within the LGBT community itself, this could possibly explain why sexual minorities are amongst those in the Indonesian society who in particular experience decreasing rights.

3.0 Theoretical Framework and Concepts

3.1 What foster political capacity?

Actors' political capacity relates to the importance of power in order for actors to act and how institutions are shaped and perform. *The structure of power and opportunities for people to act are crucial in any explanation of democracy* (Törnquist 2013: 55). Törnquist (2013) further stresses the need to also focus on the actors' capacity to alter these opportunities in their favor.

Törnquist (2013: 56) argues that there are five necessary capacities in order for people to be able to promote and use democratic institutions. These are: *1) political inclusion (versus exclusion); 2) authority and legitimacy; 3) politicization or agenda-setting; 4) mobilization and organizations, and 5) participation and representation*. In order to analyze the interaction between all these variables it is important to include a sixth necessity: the identification of organizations priorities (ibid: 71) – their *strategy*.

A challenge in the democratization process is poor democratic representation of ordinary people (ibid: 74). Törnquist (2013) sums up weak popular representation in the form of flawed linkages.

> *On the basic level, citizens and the many denizens (at best being part of the demos and thus having the right to vote but without capacity to even claim most of the other formal rights that they may actually have) are often fragmented in term of what issues and interests they deem to be of public rather than private, family, religious or ethnic concerns* (Törnquist 2013: 74).

Flawed linkages also relates to political fragmentation, which can vary in form of geography as well as issues and interests (ibid: 78). I wish to look closer at how the actors' strategies relates to the challenges of fragmentation and whether and how these strategies and policies encourage to avoid un-coordinated projects, issues and specific interests. This can occur through the building of strategic paths, for example, where grassroots organizations have

opened up democratically institutionalized channels of influence for citizens and interest organizations (ibid: 78).

Further it is interesting to look at how strategies affect the constitution of the *demos* and public affairs. Public affairs can relate to many people of just a few or specific communities (ibid: 79). Finally, Törnquist (2013) argues that one should look at the actors' strategies (and associated government policies), if its proposals and practices generate more advanced reforms or if they aim at maintaining status quo.

3.1.1 Concepts to discuss

1. Political inclusion vs. exclusion

Theories on unequal citizenship and identity politics argue that democratization presupposes that people should not be excluded from politics (Törnquist 2013: 57). Citizenship as a right is usually associated with membership and formal citizenship status. These rights are commonly understood in a threefold typology of civil, political and social rights (Stokke 2017: 28). In terms of democratization, it is essential that minorities, such as the LGBT community, are entitled to basic rights which are found under the civil, political and social rights. This is especially an area of concern in cases of marginalization within elite-led democracies building of popular-based movements (Törnquist 2013: 57). When analyzing the political capacities of the PKS under the New Islamic Populism, I will consider the political inclusion of the labor union as the strength of the working-class will affect PKS appeal towards this group.
It is then interesting to see how politicians justify their exclusion of the LGBT community and fundamental rights following from being a citizen.

2. Authority and legitimacy

Symbolic capital and political power is when actors are able to transform their capital of various kind into authority and legitimacy (Stokke 2002; Stokke and Selboe 2009), and these capacities can be summarized as economic, social, cultural and coercive capital (Törnquist 2013: 57). In the context of this thesis, I will look at how or if the different actors in each tentative explanation succeed in transforming their economic, cultural and social capital to gain authority and legitimacy.

3. Mobilization and organization

This point relates to whether actors mobilize from below at the grassroots level and lead to integration in politics, or from above by incorporation in politics (Törnquist 2013: 59). Turner (1992) argues that weak civil movements will produce, what he calls, "citizenship from above" (Hiariej 2017: 89). Do Islamic fundamentalists and the LGBT community focus on grassroots or aim at mobilizing from above? An assumption, in the context of this thesis, is that weak capacity to mobilize has made it difficult for organizations to politicize issues concerning their specific minority and put them on the public affairs agenda. Further it is interesting to see who they aim to mobilize and why.

4. Politicization and agenda-setting

Less powerful citizens should also have at least some capacity to turn what some consider private concerns into public political matters and on the political agenda (Törnquist 2013: 59). Collective action is an important concept in democracies, but the strength of collective action can vary with whether policies are about single issues and targeted benefits or more general programs and universal benefits (ibid: 59). As more general measures may facilitate broader alliances and majorities as well as long long-term strategies (Törnquist 2002; 2013:59), this acquires actors to collaborate with others who are concerned with the same issue as themselves. It is then interesting to look into cases where civil society has succeeded in setting the agenda, and how this affects PKS and local politicians' political agenda.

5. Representation

Evidence suggests that the key problem of democracy in the Global South is the dominance of powerful elites and poor standard of popular representation (Törnquist 2013: 60). A key element in democratic representation is authorization and accountability based on political equality, presupposing transparency and responsiveness. Representation requires the appropriate institutions, and citizen control over elected representatives (Törnquist 2009: 6). Törnquist (2009) argues that the main focus needs to be on different types of representation and how these are legitimized through traditional leaders, parties and interest organizations (Törnquist 2009; 2013: 60). Through what channels do the Islamic fundamentalists and LGBT community approach actors, and why do PKS and local politicians support certain groups while neglecting others?

6. Strategy

As mentioned previously, to analyze the interaction between all these variables it is inevitable to identify organizations priorities. The question here is which policies do LGBT organizations/activists and Islamic fundamentalists focus on, who do they collaborate with and what is their general strategy in order to foster political, social and economic aims (Törnquist 2013: 72). In the context of politicians and electoral candidates I will look into whether the strategy fosters long-term advances or not.

These six concepts are, in my opinion, all interrelated and suitable for addressing the strength of each actors' political capacity, which also affects the dynamic between formal/informal actors and formal/informal institutions.

3.2 Theoretical framework

The theoretical framework will enable me to answer the questions above, and the framework in this thesis will vary mainly between three different theories. Theory on democratization, citizenship and representation used in this thesis has been developed over many years by Olle Törnquist in co-operation with scholars such as Kristian Stokke and Eric Hiariej, among others. In this case, the framework is being used for looking at key democratic elements such as citizenship and representation.

Further I will refer to the newly published study by Longgina Novadona Bayo, Purwo Santoso and Willy Purna Samadhi (2017) *Local Regime in Indonesia. Enchancing Democratisation in Indonesia*. This research on local regimes in Indonesia focus on the formal and informal institutions and actors in different regimes in Indonesia and will be most fruitful in my discussion of how the formal actors and institutions seek legitimacy through the informal actors and institutions.

Finally, I will look at Social Movement Theory (SMT) and the different approaches within this theory. I will mainly refer to theory presented by Donatella della Porta and Mario Diani (1999) and Sidney Tarrow (2011). Different theories presented under SMT will enable me to look at possible strategies the Islamic fundamentalists and LGBT organizations/activists make use of.

4.0 Theory and Existing Literature

The previous chapter addressed a number of crucial factors for political capacity. This chapter will account for different ways of understanding how representation and strategy as an aspect of political capacity are related to each other. I consider citizenship and democratic representation as the best theoretical tools in doing so, as they complement each other and together shed light on most factors mentioned under political capacity. These theories will also function as tool when analyzing the strength of each actors' political capacity and how this affect the dynamics between formal/informal actors and institutions.

4.1 Social Movements and Citizenship

Theories on unequal citizenship and identity politics argue that democratization presupposes that people should not be excluded from politics (Törnquist 2013: 57). Citizenship should be understood as membership in a community that is the basis for formal status as a citizen and the rights and active citizenship associated with the status (Stokke 2017: 25). Stokke (2017) argues that this understanding of citizenship embody four dimensions which all interconnects: membership, legal status, rights, and participation. As institutions favor those with power, the concept of citizenship is mostly understood as a legal status rather than being able to claim for rights, expression of identity and being involved and taking part of a shared political process (Hiariej 2017: 89), which are entitlements and responsibilities that follows from the inclusion in the first place (Stokke 2017: 25).

Citizenship as a right is usually associated with membership and formal citizenship status. These rights are commonly understood in a threefold typology of civil, political and social rights (Beetham 2007: Stokke 2017: 28). Citizenship as participation usually refers to the involvement in the governance of public affairs and thus has a link to democratic politics and theory (Van der Hejden 2014; Stokke 2017: 31). Previously, human rights and democracy was regarded as separate phenomena, with little relation to one another. However, today we acknowledge the connection between democracy and human rights.

Civil rights protect individual security and privacy, the right to access to justice and legal representation, the right to freedom of conscience and choice, free speech and press and freedom of religion, among others. Political rights relate to participation in the public arena, the right to vote and stand for office, form political organization and parties, and the right to

express opposition and protests. Without the freedoms of expression, association, assembly, people cannot effectively have a say, and without the individual liberty, personal security and legal process, these rights in turn will be ineffective (Beetham 2007: 353).

Does democracy require the guarantee of economic and social rights? According to Beetham (2007) the link between democracy and economic and social rights is as strong as between democracy and civil and political rights. Social rights refer to welfare rights, such as health care, opportunity rights, referred to by Janoski and Gran (2000) as education and the labor market, and redistributive and compensation rights in cases of low income, unemployment (Stokke 2017: 29). Beetham (2007) argues that, in despite economic and social rights being less intrinsic than civil and political rights in defining democracy, they constitute an important condition for democratic rights and the integrity of democratic institutions (ibid: 353).

4.1.1 Social Movements and Citizenship from below

Citizenship from below should be understood as civil society and popular sector-based movements. Della Porta and Diani (2011) understand social movements as an integral component of civil society, and vice versa, and define social movements as "informal networks created by a multiplicity of individuals, groups, and organizations, engaged in political or cultural conflicts on the basis of a shared collective identity" (Diani 1992; della Porta and Diani 2006; 2011). Individual participation is essential for movements where one is a part of a collective endeavor, but this does not necessarily mean that an individual representing a single organization can be social movement, it can rather be a part of one (della Porta and Diani 1999: 16-17).

If we agree with Beetham (2007) in his conclusion on the necessity of especially civil and political rights in the understanding of democracy, weak civil movements will according to Turner (1992) produce "citizenship from above" (Hiariej 2017: 89). On the contrary Turner (1992) refers to "citizenship from below", which by Stokke (2017) is summarized as the struggle for redistribution, recognition and representation.

4.2 Social Movements and Representation

> *Democracy consists of popular rule or control over collective decision making. It begins with the citizen rather than with government institutions. Its assumes that all citizens are entitled to an equal say in public affairs, pursued both through civil society and government participation. Control and equality constitute the key democratic principles* (Beetham 2007: 352).

In other words, true public control requires citizens to have control on the basis of political equality, and the root of democracy is therefore equal rights, including the right to become involved in public affairs and management control. Political equality, as well as transparency and responsiveness are key elements in democratic representation (Törnquist 2009: 6)

Democratic representation is a twofold construction of public affairs and of the people, entitled to control those public affairs on the basis of political equality (Törnquist 2013: 61). Representation requires the appropriate institutions, and citizen control over elected representatives (Törnquist 2009: 6).

Piktin (1967) argues that representation presupposes the representatives, the represented, something being represented, as well as a political context (Törnquist 2013: 61). However, there are different way of representation. We have substantive representation where representative acts for the represented and descriptive representation where an actor stands for the represented by being relatively similar. The final form of representation is the symbolic one, where actors are perceived by the represented as representing them through shared culture and identities (ibid: 61).

Törnquist (2009: 6) addresses two major approaches to democratic representation. The first approach, *the chain of popular sovereignty*, is inspired by the principal-agent perspective, where various intermediaries such as democratic organizations express *collective interest and ideas, to elected political parties and politicians, supposedly aggregating these views, taking decisions and making laws, delegating the executive power while overseeing administrative and legal implementation*. This approach is typically adhered to by students of political institutions, focusing on formally regulated politics, government and public administration

(Törnquist 2013: 61). The advantage of *the chain of popular sovereignty* approach is the precision and conceptual consistency in relation to democratic theory, while the major weakness relates to the contextual insensitivity and neglect of attempts at democratization in relation to practices outside the formally democratic polity (Törnquist 2009: 7). This weakness creates tarnished links in the chain itself, especially in the case with regard to the intermediary representative institutions from civic organization to political parties.

The second approach is *the direct-democracy approach*, which stresses the importance of *direct participation of the immediately concerned people through not only formal but also informal arrangements, popular movements, and lobby groups* (Törnquist 2009: 6). The nature in this approach seem to agree with Putnam's (1993) idea that the real demos develops not in relation to ideologies, institutions and political engagement, but from below, individuals and groups who foster social capital (Törnuist 2013: 61). Törnquist (2009) argues that *the direct-democracy approach* does not provide a good alternative to *the chain of popular sovereignty* as it will not bother to analyze the difference between organizations that relate to rights-bearing citizens and people who lack capacity to promote their rights, in addition to ignoring politics and ideology as contributing factors.

4.2.1 Social Movements and weak Representation

Chandhoke (2009) argues that popular movements and lobby groups can exercise some degree of control over the representative, but that there are some preconditions for this. First, there must be a presence of a vibrant civil society. Political parties can also serve as representative for the civil society but they do not exhaust the repertoire of representation. Chandhoke (2009: 33-34) further argues that civil society groups have to connect institutionally with established modes of representation, having strong participatory institutions in civil society as well as institutional links between civil and political activity.

In case where people lack regular access to representative institutions we can experience collective action in order to put forward claims or challenge the authorities (Tarrow 1998: 7). Collective action can be promoted by networks of like-minded people concerned with a specific issue or a broader cause, rather than by organizations alone, but they can also take place within specific organizations without stimulating the growth of broader networks and identities (della Porta and Diani 2011: 2). Basic prosperities for social movements involves

mounting collective challenges, drawing on social networks, common purposes and cultural frameworks, building solidarity through connective structures and collective identities (Tarrow 1998: 8). Della Porta and Diani (1999: 88) understand collective actions in terms of social actors recognizing themselves as a part of a broader group, and this construction of identity is an essential component in collective action, as it enables actors engaged in conflict to see themselves as linked by aspirations, interests and values. However, social structure and political cleavages could possibly create conflicting interests between social groups, and collective actions are therefore easier when these groups are easily identifiable and differentiated in relation to other social groups, with a high level of internal cohesion and specific identity (della Porta and Diani 1999: 29).

4.3 Social Movement Strategies

Social movements, political parties and interest groups are under the assumption that they embody different styles of political organization, often compared to each other. If we assume that this definition is correct, the difference in social movements and other organizations is not understood in its organizational characteristics or patterns of behavior, but rather by the fact that social movements are not organizations, but networks of interaction between different actors which may either include formal organizations or not, depending on the circumstances.

4.3.1 Political process approach

Della Porta and Diani (1999: 3) identify four dominant perspectives in the analysis of collective movements; collective behavior; resource mobilization; political process; and new social movements. The development of political process approach is a conceptualization of the political environments that movements face, and is the hegemonic paradigm among social movement analyst (Goodwin and Jasper 2004: 28). A rational view of collective action can also be found in the political process such as in collective behavior, but the political process approach pays more systematic attention to the political and institutional environment in which social movements operate (della Porta and Diani 1999: 9). The political process approach is not without faults, but cannot be ignored, as it provides helpful set of sensitizing concepts for social movement research (Goodwin and Jasper 2004: 28).

The political process approach view social movements as *new protagonists in the aggregation and representation of different interest* (della Porta and Diani 1999: 4), and have an essential role in the mobilization of collective resources. This approach considers social movements to play roles as those of political parties and interest groups (Tarrow 2011: 2), and research on this tradition study how political structures provide opportunities for organizations, such as exploitation of institutional opportunities, and how these opportunities change over time (Tarrow 1998; della Porta and Diani 1999). The concept of political opportunity emphasizes resources external to the group and is by Tarrow (2011) defined as *consistent – but not necessarily formal, permanent, or national – sets of clues that encourage people to engage in contentious politics*. McAdam (1996) proposes a consensual list of dimensions of political opportunity (Goodwin and Jasper 2004: 32). This list of dimensions includes *relative openness or closure of the institutionalized political system, the stability or instability of that broad set of elite alignment that typically undergird a polity, the presence or absence of elite allies* and finally *the state's capacity and propensity for repression* (McAdam 1996; Goodwin and Jasper 2004: 32). Contentious politic is produced when threats are experienced and opportunities are perceived. Possible political threats are "repression, but also the capacity for authorities to present a solid front to insurgents – that discourage contention" (Tarrow 2011: 32-33).

The political process approach managed to shift focus towards interaction between new and traditional actors, rather than conventional forms of actions and institutionalized systems of interest representation, and one can therefore no longer define movements as marginal and anti-institutional (della Porta and Diani 1999: 10). In cases of challenging a political order, the political process approach argues that social movements should interact with actors who are well established in the political order, and the approach focus on interaction. *The political process approach has, however, received criticism for paying too little attention to many contemporary movements such as youth, women and homosexuals and how they have developed within a political context and in a climate of cultural innovation* (ibid: 10).

Tarrow (2011) mentioned repression as a part of the constraints identified in the political process approach, where the approach understand repression in connection with the state or central authority (Ferree 2005: 138). However, studies on feminism and women's mobilization departs from the state-centered model of responses to challenge. Ferree (2005) operates with hard and soft repression in her study on repression in gender-based movements. Hard repression involves the *mobilization of force to control or crush oppositional action*

through the use of threat of violence, while soft repression involves the *mobilization of nonviolent means to silence or eradicate oppositional ideas* (Ferree 2005: 141).

4.3.2 New social movements and identity politics

NSMs are often thought to be dealing with identity politics as they seek for recognition for new identities and lifestyles (Currier 2007: 13). LGBT movements are by theorists considered to fall within the New *Social Movements* (NSM) category, as they occupy a space of non-institutional politics, and aim at self- transformation that engage in actions aimed at reproducing the identity on which the movement is based (Offe 1985; Currier 2007: 13; Bernstein 2002: 534).

> *Identity politics refers to politics based on essentialist or fixed notions. In the case of lesbians and gay men, homosexuality is seen as fixed, whether it is conceived of as a result of nature (genes, hormones, etc.) or of nurture – etched indelibly in early childhood socialization resulting in a unitary identity that cannot be altered* (Bernstein 2002: 532).

According to Calhoun (1995), NSMs differ from past movements in tactics and constituencies (Bernstein 2002: 534). Those who defend identity politics sees it as necessary to obtain liberal political goals of freedom and equal opportunity in order to enter the political mainstream as other groups (Sullivan 1997; Bernstein 2002: 532). Critics of the identity politics argue that such politics promote reliance on fixed identity categories, who splinter into even more narrow categories that can only agree around the opposition to a common enemy, in the case of LGBT, the white, heterosexual male (Bernstein 2002: 533). According to Kauffman (1990) this opposition to white heterosexual men results in unproductive defensiveness, and leads to an inability to form coalitions that could agitate for major social change (Gitlin 1994, 1995; Lehr 1999; Bernstein 2002). Another criticism towards the identity politics is that the theory lacks the capability to produce meaningful social change, as the focus on narrow minority-based political rights will not result in transformative cultural change (Bernstein 2002: 533). However, even in cases where lesbian and gay activists have avoided fixed identity they have still experienced resistance to ally with lesbian and gay movements due to stigma associated with homosexuality, and Bernstein (2002) argues that in order to achieve more progressive

political agenda that recognizes same-sex it will require some freedom from state harassment through the extension of rights.

LGBT movements are usually understood in a cultural rather than political way. Bernstein (2002) argues that the lesbian and gay movement simultaneously emphasizes both political and cultural goals.

> *Part of the confusion over what constitutes "real change" arises from the problematic dichotomy between "cultural" and "political", which is reflected in debate between new social movement theory and identity theorists on the one hand and resource mobilization and political process theorists on the other* (Bernstein 2002: 536).

Bernstein (2002) disagree with the political process approach in its argument that identity movements always engage in "identity" or "expressive" politics, and instead she visualizes an integration of political process approach and identity theory, a "political identity".

4.3.3 Civil society organizations strategy in Indonesia

Democracy baseline survey conducted between 2003 and 2014 shows that the liberal democratization in Indonesia marginalized the political power stemming out of military and other coercive powers, however, the importance of economic resources in generating political legitimacy and authority is a major drawback, and alternative actors become increasingly dependent on financiers and on being connected because their economic and social power based on organization and popular mobilization remains weak (Törnquist et al. 2016: 7). In addition to this, the liberal democratization process prioritized the politicization of single issues as a results in scattered civil-society organizations and union with their inability to build common platforms and develop broader alternative perspectives (ibid: 7).

The liberal democratization process in Indonesia has also been at the expense of mass organizing from below, by branding movement-based parties as old-fashioned and unrealistic as well as ruling out non-statist social democratic corporatist representation of interest-groups (Törnquist et al. 2016: 8). The alternative to this has been civil society, and religious-and-ethnic-group-based lobbying and networking in addition to direct participation on the local level (ibid: 8). Even though civil society and popular sector activists have become more established and politicized in Indonesia, Hiariej (2017: 102, 105) argues that they are still

fragmented, lack long-term strategies and are without visionary ideology, and often tend to be elitist and easily co-opted into the existing system through alliances with elements of the ruling elite. NGOs or CSOs who focus on issues with limited social bases tend to avoid political parties and Parliament in dealing with public matters and rely on civil society-based governance (ibid: 105). In the post-Soeharto phase where activists have been increasingly marginalized, this lack of long-term strategies is also visible in the strategies adopted by activists when trying to achieve their goals. Samadhi (2015) concluded on three dominant strategies; *1. Activists associated with political parties and special interest groups tend to rely on populism and social capital, and less connection to groups and individuals at the grassroots level. 2. Activists who are involved in social movements, networked with grassroots activism. 3. Activists who focus on advocacy and lobbying politicians and the administration on special and separate issues* (Hiariej 2017: 106).

Hairiej (2017) argues that it is not the different strategies that are the problem but rather how they network and develop solidarity among particular groups and movements without suppressing their own demands and concerns. Activist groups have focused on short-term efforts to gain public support, which could lead to political leverage, but these short-term efforts fail to transform fragmentation (ibid: 106). Activist groups tend to emphasize activists' individuality, such as public figures, which turn activists into a group of public figures who focus on specific issues and rarely connect with issue from other sectors as they focus on their specific issue.

4.4 Local regime

The most obvious advantage of local governance is related to its primary role as allocator of resources (Watt 2006: 4), as the local government are closer to the affected people. Watt (2006: 8) argues that as the local government is at the level where people's needs are expressed, one can therefore assume that this allows the local public goods and services it provides to be adjusted to the interest of the local residents.

Local regime is by Stone (1989) defined as informal guidelines through which the public and private function together to formulate and implement government policy, while Gelman and Ryzhenkov (2011) define local regime as complex political institutions, actors, resources and

strategies used by local political actor to formulate policies and to maintain local governance (Bayo and Samadhi 2017: 16).

> *Regime can be understood as fundamental pattern such as principles, values, norms and procedures manifested through policy organizations and processes and the term regime thus refer not only to the actors who hold power, but also the institutions and guidelines* (Highly and Burtion 1989; Case 1994; Bayo and Samadhi 2017: 16).

Based on these definitions, local regimes involves both formal and informal actors, as well as formal and informal institutions, institutions that are related to the systems of values, norms, and practices that together constitute and/or limit the activities of political actors (North 1990; Scott 1995; Bayo and Samadhi 2017: 16). Formal actors are those with formal power, including regional leaders, members of legislature, or members of political parties. Informal actors are those with informal power, such as social, cultural and economic capital (Bayo and Samadhi 2017: 17). Levistky (2004) define formal institutions as *rules that are openly codified, in the sense that they are established and communicated through channels that are widely accepted as official*, while informal institutions are *socially shared rules, usually unwritten, created communicated and enforced outside of officially sanctioned channels* (Bayo and Samadhi 2017: 17).

> *Where formal institutions are regulated following specific institutional channels (legislative and executive bodies), and communicated and implemented by state agencies, informal institutions are created, communicated, and implemented outside the public channels- or even without public knowledge* (ibid: 24).

Institutions creates the framework which actors interact, shape their expectations and limit their options – they structure relationship and processes (Bjurulf and Elgström 2004). *Institutions form the rules of the game while the actors are the players of the game* (Eriksson Skog 2005: 20). Formal rules are constitutions, laws and regulations, while informal are behavioral norms and codes of conduct (ibid). Informality provides less clear-cut guidelines, while formal rules can be explicitly stated and easier to insist upon (Holzer 2014). The existence of one type of institution does not negate the existence of the other, and Eriksson Skoog (2005) argues that informal institutions are important for the effective enforcement of formal rules as they will lack legitimacy in the eyes of the members of society if they are not

consistent with the informal socio-cultural rules of society. Regulation of these institutions at the local level is generally influenced by the fundamental norms in that region (Northon 1994; Bayo and Samadhi 2017).

Bayo and Samadho (2017) stresses the importance of mapping out whether informal political institutions are good or bad for the democracy, in terms of efficiency of political results (output/outcome), and democratic/legitimate procedures for participation (input), as these two aspects are central to democracy. In short, Bayo and Samadhi (2017: 25) argue that *democracy and informal institutions can be considered positive if they support the existence of open and democratic participation and policymaking channels*.

Gerry van Klinken and Ward Berenschot (2014), in their study on citizenship in Indonesia, link bureaucratic power and informality with corruption and ethnic, religious or kinship favoritism (van Klinken and Berenschot 2014: 14). Even though informality provides less clear-cut guidelines, Bjurulf and Elgström (2004) argue that formal rules do not necessarily always provide clear-cut prescriptions for what action is to be taken.

4.4.1 Local regime in Indonesia

Decentralization of government was an important element in the liberal democratization process in Indonesia, where decentralization was based on the idea that people in local communities have common interests (Törnquist 2013: 73). The decentralization in Indonesia created a state formation process with new institutions within local communities, namely local-level state institutions and regional governments. Local democracies are often understood as being the root of problems in democratization, rather than offering the potential for resolving problems and improving the development of democracy (ibid: 10). Democracy at the local level stem out from the belief that local government serve as an arena for the people to learn politics and democracy, and although democratization at local level offer increased space for local residents' participation, public affairs are mostly dominated by political elites (ibid: 12). Local elites in Indonesia did not necessarily deliberately bypass the democratic machinery, but rather manipulated the rules to suit their own interests. Patronage itself can coexist with democracy, but in the case of Indonesia it reflects a long-term economic and cultural inequalities (van Klinken 2009: 155). Several studies on local democracy in Indonesia have identified it as "a flawed democracy".

4.5 Considerations for the analysis

The aim of this thesis is to, in the light of Indonesia's democratic institutions apparent capacity to foster civil and political freedoms, explain the recent years decreasing rights of the LGBT community. In order to do so I will use Olle Törnquist's (2013) six points to political capacity and analyze the strength of each actor. Their political capacities will be analyzed with reference relevant theory referenced to in this chapter, and how all the considerations above influence the strength of their political capacity and also the dynamic between these actors and institutions.

5.0 Methodological considerations

5.1 Case study as Design

The thesis is a part the research project Power, Welfare and Democracy, a joint project between the University of Oslo and the University of Gadjah Mada in Indonesia. The master thesis is a "mystery cade study", where the point of departure is an empirical puzzle, or mystery if you like, where this case of Indonesia makes a case of the wider phenomenon of decreasing rights under democratization. In order to explain this "mystery case study", I will mobilize and compare four sets of tentative explanation. This approach stands in contrast to where one tried to test a theory a critical case.

The choice of research question and research design required me to travel to Indonesia for the collection of data. As Indonesia is an extremely large country I decided to restrict my field study to the capital, Jakarta, as well as Yogyakarta, where I consider my main informants, such as NGOs and other activist groups working on issues related to LGBT, to be located. In addition to having a qualitative case study I will also use triangulation, which can be summed up as using more than one method or source of data in the study of a social phenomenon so that findings may be cross-checked (Bryman 2016: 697). The reason for using triangulation is LGBT being a particular sensitive issue in Indonesia, especially in terms of Islamists groups and politicians. I therefore find it necessary to cross-check the information collected from my informants, who is restricted to LGBT organizations and activists.

Case study should be understood, according to Gerring (2007: 20), as *the intensive study of a single case where the purpose of that study is – at least in part – to shed light on a larger class of cases*.

Levy (2008) refers to different basic typologies of case study. An ideographic case study aims to describe, explain or interpret a particular case, which can be either inductive or theory-guided. In the case of my thesis it will be a theory-guided case study where I have a well-developed conceptual framework that focuses attention on some theoretically or specified aspect of reality and neglect others (Levy 2008: 4). Levy (2008) notes that the more case interpretations are guided by theory, the stronger will the underlying analytic assumptions and

normative bias be. Theory-guided case studies are ideographic in the sense that they seek to explain an historical episode rather than to generalize.

Choosing case study as research method with small N-samples creates a weaker external validity of the findings (Gerring 2007: 43). However, this type of research with a small number of units will provide more in-depth information than a study with a large N-sample would be able to produce (ibid: 48-50). This advantage of in-depth information will have a stronger internal validity as the researcher can reveal insight that might otherwise have been overlooked.

Gerring (2007) discussed the benefit of using case study as research method in order to discover causal mechanisms. First of all, the smaller number of units in the interview allow us to have interviews with different kinds of questions which may give more accurate answers than a quantitative study. While a quantitative study could tell us if there is an effect and to what extent this effect occurs, a small number of units in a case study will be able to locate what actually contributes to the effect.

The framework and concepts of my thesis guides what literature is to be discussed, and these conclusions provide possible explanations as to why the rights of the LGBT community has decreased in recent years. The conclusions from the literature will be the basis for the interview guide which will be used in the collection of the data. Gerring (2007: 62-63) stresses the importance of the state of the field. As little research has been conducted, the task is to build on the existing literature to what might answer the research question and then conduct a case study based on it.

5.2 Type of Interviews

As my "mystery case study" will be of a qualitative character they also tend to be less structured than those of quantitative. An advantage in qualitative interviews is that it offers flexibility as the researcher can change the direction in the course of the investigation much more easily than in quantitative research (Bryman 2004: 397). The structure in qualitative interviews seek to maximize the reliability and validity in their measurement of central concepts (ibid 2004: 466). We have three different types of research interviews, from those who are unstructured with open conversations and little being decided in advance of the

interview, to the structured variant, where most of the questions are formulated and structured in a certain order in advance of the interview. Structured interviews are especially useful in cases where we already know a lot about the phenomenon being studied and where we wish to generate answer which can be coded and treated quickly (ibid 2004: 467). The final variant is the semi-structured interview, where the theme and questions are formulated in advance, but the order of the questions can vary. In a semi-structured interviews, the interviewee has a great deal of leeway in how to reply and the interviewer can ask a follow-up question if she/he picks up on interviewees' replies (Bryman 2004: 468).

As I am not so familiar with the subject at hand, and conducting a theory-guided case study, I consider a structured interview guide to be less fruitful. If we assume we are familiar with a topic and end up asking the wrong close-ended questions the interview could possibly backfire (Leech 2002: 665). Unstructured interviews on the other side are especially appropriate when the interviewer has limited knowledge about the topic seek insight rather than hypothesis testing. There is, however, a possibility that the unstructured interview could wander off in an unwanted direction and not serve as reliable data that can be compared across interviews (ibid 2002: 665). Being able to retreat data that can be compared across interviews is particularly important in my case, and the semi-structured interview serves as a middle ground, and provide detailed and in-depth perspective from the interviewees' while still being able to compared data across cases (ibid 2002: 665).

5.3 Considerations in Developing the Interview Guide

Interviewing is especially useful in cases where we want to find out more about precise tactics and strategies interest organizations adopt. My research question looks into the political capacities on several actors and their strategy, ultimately in order to answer how and why this might have led to the decreasing rights of the LGBT community. Interviewing interest group and policy expert are especially important data collection tools (Beyers et al. 2014: 174).

Beyers et al. (2014: 176) argue that it is *extremely difficult to obtain data on coalition building, coalition leadership, the intensity of collaboration and exchanges within coalitions, or on how actors understand a particular policy proposal, as well as the potential conflicts of interest associated with it*. However, in cases where this is the aim of the research, interviewing is especially useful for capturing informal interactions and processes. Official records, position papers or consultation registration for example lack crucial information on

who prioritized which specific issue and why or how individual interests weighted different issues in their policy portfolio (ibid: 177). There are, as in most cases, certain challenging aspects with expert interviewing. First of all, there is an asymmetric balance in favor of the respondents, as they are highly specialized in a field and have substantial knowledge on the subject of matter. This asymmetric relationship may lead the interviewer to rely too much on the interviewee's memory, which can affect the accuracy of the responses (ibid: 178). Interviews do increase the ability to obtain additional observational data, but interest group and policy expert interviewing should be seen as complementary data collection strategy to for example triangulation, as a research project on mobilization and strategies only relying on interviews will show serious deficiencies (ibid). To strengthen the validity and reliability of the results I can ask respondents whether they have documents available that explain their own policy positions or the positions of other stakeholders.

It is also important for the interviewer to keep in mind that the interviewees are not obligated to be objective or to tell us the truth (Berry 2002: 680). Semi-structured interviews with open-ended questions are often used in elite interviewing, but Beyers et al. (2014: 177) suggest, in instances of negative memory effects, to minimize the use of open-ended questions. Open-ended question is by Berry (2002: 680) viewed as potentially the most valuable type of elite interviewing but requires the interviewer to be able to probe and know how to formulate follow-up questions. If the interviewer questions also open up for interviewees exaggerate or downplay someone's role. Berry (2008) suggest ways to meet the problem of exaggeration. One cannot fully ensure oneself from exaggeration, but make sure to do your "homework" and collect relevant information on the field in advance of the elite interview. Move away from impact questions, and ask about participants and organizations (Berry 2002: 681).

Another source of bias is expansiveness and attractiveness bias, which is the propensity of respondents to systematically over- or underestimate some events, for example by exaggerating their activities or over-reporting their connections with more powerful actors, or by systematically overrate the influence of some highly visible actor (Beyers et al. 2014: 179). In order to avoid this, Beyers et al. (2014) deliberately eschewed certain sensitive words, such as "interest group", as NGOs prefer being called NGO/CSO, as well as wording such as "political influence" and "lobbying", and instead refer to "informing policymakers" and "exchange of ideas".

To minimize the risk of measurement error in a quantitative research a structured approach is required, with well-designed questions, and emphasis on the wording, placement and complexity of questions (ibid). One should not underestimate the importance of the order of the questions, as inconsistency in the order could lead to responses being influenced by a previous question.

A risk of elite interview is the challenge for interviewer to stay in control of the interview (Andersen 2006: 282). As I am unexperienced at interviewing and not familiar with the LGBT community in Indonesia, interviewing an expert on the area of LGBT in Indonesia might give them the advance of steering the interview. As I am using semi-structured interviews with open-ended questions, this requires me to be able to probe and know how to formulate follow-up questions. For me as an unexperienced interviewer it is thus important for me to be less flexible by sticking more to the interview guide and rather use follow up questions if necessary.

Bias can occur depending, not only on personal preferences, but also how one remembers events. Research shows that the interviewees' memory is most reliable when one asks about events that are not specific in nature, but are quite common and well understood (Andersen 2006: 292). In order to avoid bias the interviewer can ask more general questions without referring to specific cases. This is particular important in the case of my research study, as LGBT is an extremely sensitive topic in Indonesia. Ways to avoid this is not asking confrontational questions or statements during the interview. To minimize the risk of causing tension during interview, Woliver (2002: 677) stresses openness, being honest about your personal interest in the topic and not take a stance on a subject.

5.4 Conducting the interviews

In most statistical analysis random sampling is favored, however, there is a consensus that random sampling will often generate biases in small-N research. In the context of my research question with a small number of cases requires theory-guided selection of non-random cases (Gerring 2007: 87-88)

The population of interest was, in the context of this research question, organizations/activists as well as academics familiar with the LGBT community in Indonesia. The majority of

interview objects were organizations working issues related to the LGBT community. An important part of my research question also relates to the local regime in Indonesia and it would be interesting to interview Islamists groups and politicians. Considering the worsening situation of the LGBT community in Indonesia the past two-three years and the limited time of the research process, I had to focus on getting in touch with organizations, activists and academics who are familiar the rights of the LGBT community. This could also include organizations who do not necessarily consider themselves as a LGBT organization per se but who work on issues particularly relevant to the LGBT community. The selection is relevant as all of these groups could provide more insight into how LGBT organizations do advocacy work for LGBT rights, as well as what challenges they meet in their local regime when doing so and from whom. The organizations and activists chosen were assumed to have first-hand knowledge on the aims and strategies they make use of in their advocacy work.

Arriving in Indonesia I had already been in touch with some LGBT organizations and agreed on a meeting. However, finding enough informants located in the same city proved to be somewhat challenging. The worsening situation for the LGBT community in Indonesia has made it necessary for LGBT organizations and activists to be more discrete in social media, which made it necessary for me to schedule and conduct the interviews in both Jakarta and Yogyakarta. The difficulty of reaching LGBT organizations and activists also required me to rely on the snowball method. The snowball method is not considered to be the best method for finding interviewees but it was the only option available in this case.

The majority of the interviews were conducted by myself. In two cases I needed to include an interpreter to help me conduct the interviews as the interview guide outlined in advance was in English. The interpreter was already familiar with the LGBT community and was a vital resource when interpreting the interview guide and explain it to the informant. Each interview got an information letter prior to the interview informing them about the project and the research. In the beginning of each interview I read a letter of consent, where I went through all practicalities related to the research project, where I also asked for the consent to both conduct and record the interview. The consent form also stated that the interviewee's anonymity would be ensured at all times. In the last interviews I noticed that the answer became gradually more similar and comparable to the earlier interviews. This indicated to me that the data collected earlier was reliable.

Challenges in terms of the interviews mostly related to my inexperience in interviewing. In advance of the interviews there was also a question of linguistically barriers. To compensate for my inexperience as an interviewee it was important for me to stick to the interview guide. Sticking to the interview guide was also very important for me as the research question requires the findings to be comparable. This showed to be of no problem, and the informants were comfortable asking me to repeat the question or re-formulate it in order for them to understand the question correctly. I was careful and elaborated on concepts such as actors and institutions, as these concepts are wide and understood differently depending on the context.

The decision to record the interviews allowed me some time after the interview to transcribe without jeopardizing the validity of the research. Most of the interviews were transcribed during my three weeks in Indonesia, and I made sure to make up an opinion after each interview and take note of how it went.

6. Analysis

This chapter will cover all five necessities for political capacity, summarized in the sixth necessity - their strategy. To make the chapter more readable and the different tentative explanations more connected to the theory of six capacities, these six capacities will be discussed under the actors relevant to each explanation.

The possible explanatory factors for the decreasing rights of the LGBT community, derived from the theory chapter, will be discussed in relation to the data presented, such as academic contributions on the area, news article and formal documents, as well as data obtained from the interviews that were conducted.

6.1 Actors

A crucial dimension that needs to be addressed when speaking of democratization is how important actors relate to the democratic institutions, identify them and gain understanding of their aims and means (Törnquist 2013: 50). In order to address an actors' political capacity, it has proved fruitful to focus on actors who not only relate to the state and economic organizations, but also on groups, organizations and individuals. Further it is interesting to look at actors that relate to the local centers of political power, at the provincial or sub-provincial level (districts and municipalities in Indonesia) (ibid).

This chapter will cover elements of state actors and political parties, Islamist groups and LGBT organizations and activists. First I will analyze the political capacity of Islamic fundamentalists where I mainly will refer to the Islamic Defenders Front (FPI). FPI imagines local Shari'a regulations throughout Indonesia, and are amongst those who conduct anti-LGBT campaigns FPI's increasing engagement with formal politics make them a possible threat to the LGBT community.

In the next section, I will address the political capacity of PKS, and how it tries to mobilize working-class voters. If PKS achieve mobilizing broad and majority in Parliament, this could give them the opportunity to steer their political agenda towards a more conservative Islamic approach they had to moderate when entering electoral politics. However, informal actors such as labor unions are not without importance when analyzing the

political capacity of PKS, as labor unions strength could steer the political agenda of PKS in a certain direction.

I will then proceed to direct election and how local politicians and electoral candidates might have to adjust their political agenda to the demands of informal actors and institutions, ultimately in order to gain support. A crucial element here is the strength of radical Muslims or others who support anti-LGBT campaigns. Finally, I will analyze the political capacity of the LGBT organizations, and whether these organizations focus on single issues vs. universal issue, and if they favor mobilization within their fixed identity or more broad with other minorities.

All six capacities to each actor will then be viewed in the context of formal/informal actors and institutions, where the political capacity of one actor can influence the political capacity of another actor.

6.2 Islamic fundamentalists

There are several Islamists groups in Indonesia, but Indonesia's foremost hardline Islamist group is the Islamic Defenders Front (FPI), a far-right Sunni Islamists organizations, and the actor I will refer to throughout this section. Whereas FPI previously was perceived as no more than a vigilante group who used Islamic symbols to promote its socio-political agenda, it has now become a political movement with a well-defined ideology (Today Online, 18th of December 2017).

6.2.1 Political inclusion vs. exclusion

Törnquist's (2013) first argument for political capacity relates to political inclusion, as democratization presupposes that people are included in politics and parts of society that effects politics. As mentioned in the introduction, Hiariej (2017: 303) argues that the rise of Islamic fundamentalists since early 2000 is due to experience of oppression. Democratization relates to citizenship, which embodies four dimensions: membership, legal status, rights, and participation. Legally, post-fundamentalists are entitled the same right to acquire decent occupation and to participate in decision-making processes. These legal entitlements make it difficult to provide strong evidence of such discrimination. Aspects such as membership, legal

status, rights, and participation are all entrenched in law (ibid). The question is then if this is reflected in the Indonesian society.

Many post-fundamentalists have difficulties in finding a job, which at first glance is a violation of the right to decent occupation. Most people argue that this is due to most fundamentalists lack of sufficient education and skills, which is also used as an argument to their limited access to political processes (ibid: 310). The counterargument from activists is that the problem runs deeper than individual qualifications such as educational skills or their appearance and behavior. Post-fundamentalists claim that their affiliation with Islamists groups works as a justification of discriminative behavior (ibid).

In Eric Hiariej's (2017) study on the rise of Islamic fundamentalists and their claim of exclusion, one FPI leader expressed his frustration towards the media in particular. He then referred to a case from 2004 where FPI participated in a rescue operation in Aceh after a tsunami, where according to him FPI was the first in the field to evacuate bodies but that this has never been reported by the media (Hiariej 2017: 311). This does not mean that FPI is not represented in the media in general, but the argument is that the mainstream media creates an image of Islamic fundamentalists as someone who only rely on violence, creating distrust, suspicion and prejudice about them in the Indonesian public in general (ibid).

Hiariej (2017) further argues that the lack of tolerance towards Islamic fundamentalists is also a case of symbolic oppression and marginalization, where terms such as "radical" and/or "terrorist" gives the public a constant reminder that they are not considered as living within a normal and acceptable frame. Examples of such terms are easily identified in the media. The Indonesian police chief, Tito Karnavian, told TIME that "*FPI talk about establishing Islamic Shari'a in Indonesia, and this is also one of the objectives of terrorist groups*". (TIME, 3rd March 2017).

The right to participation in the public arena as well as expressing opposition and protesting is currently a right under pressure for Islamic fundamentalists. On the 24th of October 2017, 1,000 Indonesian hardline Islamists groups protested outside the Parliament as lawmakers approved a presidential decree banning civil organizations deemed to go against the country's state ideology (Reuters, 24 October 2017) A lawmayker in favor of the policy stated that "*we have seen mass organizations that are against the Pancasila and have created social conflict*", arguing that this law does not impede freedom of association of organizations or

assembly, but rather strengthens it (ibid). This decree could prevent Islamic fundamentalist from raising voices against the LGBT community, but ironically, the decree can also be used against the LGBT community as some radical voices argue such actions as same-sex is unlawful in the eye of Islam, and therefore a violation on the principle of the "belief in the One and Only God" in the Pancasila.

6.2.2 Authority and legitimacy

Authority and legitimacy often refers to how actors are able to transform their symbolic capital and political power (Stokke 2002; Stokke and Selboe 2009), which can be summarized as economic, social, cultural and coercive capital (Törnquist 2013: 57). In terms of social capital, the linkage between Islamist groups and Islamic parties are in general week, and in cases where linkages can be identified, these will be non-institutionalized (Buehler 2016: 125). The reason for this weak linkage is that most Islamist groups criticize Islamic parties for their moderation and failing to shape Shari'a policymaking, endorsing secular politicians and their agenda. This development has its origins within the state and political institutions, with strong institutional incentives to build coalitions across the ideological spectrum (Buehler 2016: 125, 127).

As Islamic fundamentalists in general are excluded from the Indonesian society, being viewed as bad Indonesian citizen, gives them little leverage towards politicians. Hence, Islamist parties struggle to gain cultural capital, and also struggle with various corruption and sex scandals. Examples of such scandals are not only limited to well-established politicians, corruption and sex scandals have ensnared many Islamist party members in various parts of the country. The head of FPI, Habib Rizieq, was in January 2017 accused of having an extramarital affair, while another Islamist leader in May 2017 was being suspected for exchanging pornographic messages and photos (Channel News, January and May 2017). Such events and accusations makes most state elites with cultural capital avoid teaming up with Islamist parties or individuals. A candidate for the district head post in West Java's Garut district stated that "*voters don't trust parties these days and I therefore don't want to be associated with any of them*" (ibid: 127). Being viewed as too radical Muslims and the general lack of symbolic and political power can lead to weak legitimacy in Islamic fundamentalists advocacy work against the LGBT community

6.2.3 Mobilization and organization

> *"The Sultan has a strong connection with fundamentalist community, and they embrace the sultan. He is very important actor for the resistance towards the LGBT"* (Interview 6).

The moderation in Islamic parties policymaking could possibly also be a reason fo Islamic fundamentalists experience of oppression. The developments of moderation have its origin within state and political institutions, and strong incentives to build coalitions across the ideological spectrum in order to access "patronage-rich executives" and the opportunity to manipulate regulation and laws in their favor (Buehler 2016: 127). Since the fall of Soeharto in 1998, Islamist parties have struggled to mobilize on state levels as well as rural and urban areas. Under the New Order, Soeharto barred political parties from establishing structures below the provincial level and the parties were only able to mobilize prior to elections, which meant that they could not engage with ordinary citizens in between elections, and therefore did not plant local roots (ibid: 121).

Outside the formal politics, ties between Islamist parties and Islamist groups are somewhat closer, and there are examples of members of Islamist groups who have at occasions joined local Islamist parties. However, Buehler (2016) notes that these examples are the exception rather than the norm, and Islamist groups rarely hook up with Islamist parties outside the political arena, and if they do have some links, it is on ad hoc basis between individuals and un-institutionalized (Buehler 2016: 125).

Whereas Islamist groups have weak links to politicians they have an extensive grassroots network which gives politicians incentives to collaborate in order to mobilize voters. Even though FPI only have 200,000 official members nationwide, there are many who support FPI without going through any formal initiation but are still counted as members (Wilson 2008: 201). FPI also command influence over other hardline Islamist groups, and since 2008 it has been in an alliance with Islamic Community Forum (FUI) and Hizbut Tahrir Indonesia (HTI) (Today Online, December 2017). This ability to build grassroots network with other Islamist groups could tempt politicians to capitalize on the extensive network to further their electoral

ambitions, and be more willing to adjust their political agenda and therefore pose as a threat to the LGBT community.

6.2.4 Politicization and agenda-setting

Traditionally, the Islamic fundamentalists have a strategy of violence in order to force their agenda on authorities. Wilson (2008) argued that authorities have in general ignored situations where Islamic fundamentalists complain about "unlawful actions". However, on the October 19th 2015 in Reuters we could read about hundreds of activists from FPI and others who burned a church in Aceh (Reuters. In this case, the authorities actually gave into the FPI's demands and demolished 10 other churches in the areas that lacked proper permits (Reuters, 19 October 2015). FPI's ability to pressure authorities to conduct such actions shows that by using the threat of violence, the Islamic fundamentalists have to some extent been able to force their issues onto the agenda.

However, as Hiariej (2017) argued, the Islamic fundamentalists in Indonesia have entered a phase of post-fundamentalist Islamism, and now rely more on engagement with the State. The previous section showed how Islamic groups have struggled to build ties to politicians, mostly due to Islamic parties being too moderate. In order to make up for the weak ties to political parties, the Islamic fundamentalists have an extensive grassroots network which gives local politicians the incentives to collaborate in order to mobilize voters. This also gives the Islamic fundamentalists advantages towards politicians for the upcoming elections and an opportunity to set the political agenda to a greater extent.

In 2013, FPI unveiled its ideology called the Unitary State of Republic Indonesia (NKRI Bersyariah) under Islamic Law. For the Islamic fundamentalists to be able to set the political agenda it is important to turn their concerns into public political matters (Törnquist 2013: 59). FPI believes Shari'a law is compatible with the Indonesian state founded on these principles, and together with FUI and other hardline groups they have actively campaigned for the enactment of local Shari'a regulations throughout Indonesia, arguing that these local regulations can later lead to the enactment of national Shari's regulations. Even though FPI's ideology NKRI Bersyariah stand in contrast to the national ideology of Indonesia, Pancasila, FPI still experience that politicians help to enact local Shari'a regulations in return for their political support. In 2013, the re-elected West Java Governor, Ahmad Heryawan, stated that

religious intolerance is not an issue in the province, despite the rise in acts of violence against religious minorities in West Java (Jakarta Globe, 15 April 2013). Another example of politicians voicing Islamic rhetoric and actions is mayor of Surabaya in East Java, Tri Rismaharini, who forced a closure of Dolly, one of Southeast Asia's largest centers of prostitution. Political support from support religious conservatives and radicals was much-needed for her in order to win the election (Wilson 2015). Politicians such as the Minister of Religion and Chairman of the PPP, Suryadharma Ali, as well as the Minister of Home Affairs, Gamawan Fauzi, justified their support of FPI through the argument that is it preferable to co-operate with the FPI rather than make an enemy out of them (ibid).

These examples show how Islamic fundamentalists as informal actors have managed to force their concerns somehow into public political matters, and politicians now tend to accommodate the wish put forward by Islamic fundamentalists.

6.2.5 Representation

> *Civil society groups have to connect institutionally with established modes of representation, having strong participatory institutions in civil society as well as institutional links between civil and political activity* (Chandhoke 2009: 33-34)

One of the main arguments for the rise of Islamic fundamentalists is their lack of representation of more the more conservative Islamic views. Buehler (2016) looked at Islamist parties' mobilization strategy in West Java and South Sulawesi. In both provinces, Islamists rarely hold state positions directly and most of the time do not bother to run for office. The reason for this could probably stem from the fate of other Islamic parties such as the PKS, who after entering the political sphere, have moderated their politics in return for political coalitions. Another explanation for the lack of Islamists holding state position is the lack of local roots, as a reaction to Soeharto's banning of establishing political parties below the provincial level, which prevented them from mobilizing in between elections. As there are other Islamic parties in Parliament, the Islamic fundamentalists do have symbolic representation through their shared culture, however, as Islamist parties have moderated their politics, the fundamentalists feel as they lack descriptive representation where the representing party speak their case. Descriptive representation has been an important

instrument in order to weaken the legitimacy of politicians such as Ahok, who actually ended up being charged for blasphemy after he warned his audience not to be fooled by those who use the Quranic verse Al-Maidah 51, which concerns whether Muslims can support non-Muslim leaders (Hadiz 2017: 264, Savirani and Aspinall 2017: 19).

To meet the issue of representation, Buehler (2016) argues that the strategy underwent a "professionalization", where Islamic parties previously did lobbying through confrontational and violent rallies, while the confrontation now is more direct and Islamist groups rather go straight to state elite and lobby them in the context of elections, and instead apply pressure on state elites in a straight-forward way. During campaigns, Islamic fundamentalists have positioned themselves as gatekeepers of religious authenticity. Islamist groups in West Java and South Sulawesi began to lobby local parliaments as well as governors and district government heads (Buehler 2016: 157). This change in strategy does not limit to the Islamic to parties, but applies to any politician who can implement their agenda. An example of lobbying politicians is from the gubernational election in Jakarta on the 19th of 2017, where Anis Baswedan finally won, and the retired general Prabowo Subanto expressed his gratitude to the FPI leader, Rizieq Shihab, for "saving Indonesia's democracy" (Jakarta Global, 20 April 2017). Anies was during his time as Education Minister thought of as a religious moderate, however, in the gubernatorial election he unexpectedly used racist and Islamic rhetoric to stir up opposition to Ahok, and his victory in the election is said to be a triumph for religious conservatism in Indonesia (Time, April 2017).

These examples show how Islamic fundamentalists have been able to build links between civil and political activity, ultimately in order to force their concern on the political agenda and strengthen the informal institutions. As Islamic fundamentalists have a strong voice against the LGBT community and has shown its capacity to strengthen informal institutions, this can challenge the situation of the LGBT community

6.2.6 Strategy

What we see is that while Islamic fundamentalist are legally entitled to the rights entrenched in law, they still experience discrimination on several levels of society, often related to negative attitudes toward their relation with radical Islam. In order to overcome these difficulties, Islamists groups, such as FPI, changed their strategy and now approach and

engage in the State and make use of a direct-democratic approach. Despite these changes, the idea and support for the establishment of an Islamic state and the implementation of Shari'a has never been abandoned (Hiariej 2017: 307), and to some extent still exists amongst the more moderate Islamist party PKS, to the radical Islamist group FPI. The debate among these Islamist groups is whether a political regime is necessary and if it should be part of the movements' goal, whether an Islamic state or a world caliphate would be best, and if one should understand jihad through violent acts against the "enemies of Islam", or through more moderate methods that do not imply violence (ibid: 306).

FPI did not emerge from a campaign for a global caliphate, but is explicitly anti-democracy, arguing that political openness transform Indonesians into infidels (Cherian 2016: 116). In 2013, the leader of FPI, Habib Rizieq Shihab, stated that "Democracy is more dangerous than pig's meat", arguing that embracing democracy poses a far greater threat to the integrity of the ummah than the consumption of pork (Wilson 2014: 2). Hiariej (2017) divides Islamists groups in three categories, where FPI falls within the synthesis group, who perform vigilante acts in order to regulate public space according to Islamic values. Despite FPI's rejection of electoral democracy as being antithetical to Islamic, Wilson (2014) argues that FPI now plays a *particular kind of politics shaped by the broader framework of Indonesia's decentralized electoral system*. FPI has gone from a violent approach to more moderate methods, and in the last three years have begun to participate in formal politics at both the national and local level. Examples of such tendencies have been identified in the sections above. Wilson (2014: 2) argues that *the FPI has carved out a niche for itself in the political landscape by intentionally prizing open social tensions and instigating moral panics through which is has sought to situate itself as a broker; as a kind of morality racketeer*. This strategy of approaching politicians is similar to the strategy referred to by Törnquist (2009) as *the direct-democracy approach,* which stresses the value of participating in informal arrangements in order to gain representation. The interesting here is then to see if LGBT organizations have made use of similar strategies in order to gain representation, and whether they have received the same effect or not as the Islamic fundamentalists.

Wilson (2014) argues that the "anti-democracy" stance has become a valuable and popular from of political capital, but what is FPI's preferred alternative? FPI does not reject the Pancasila as a national ideology, but instead argues that it's Islamic foundations have been misinterpreted and subverted by Western notions of majority-rule democracy and values of liberalism and secularism (Wilson 2014: 4). FPI instead visualizes a middle ground between

Islamists who reject the Constitution and the republic as a whole, and that of secular and authoritarian nationalists who reject liberal forms of democracy, a concept referred to as *NKRI Bersyariah* (ibid). As showed in sections above, FPI and other Islamist groups conduct street protests, mobilizations and aggressive around select issues chosen to generate maximum publicity, but they have also looked at the possibility of directly contesting via the democratic system they clearly reject, with the argument that Islamic parties, such as PKS, have lost their way by forming alliances with secularists, or through embracing non-Muslims as candidates, a strategy FPI later dropped as it involved too many compromises (ibid). FPI instead encourages Muslims to choose candidates and support political parties that shows a commitment and reflects the concerns of the *ummah*, ultimately in order to end the democracy (Wilson 2014: 6). This strategy of maintaining its position as informal actors allows Islamic fundamentalists to conduct a more confrontational policy as it does not have to make any concession towards formal actors, such as politicians, in order to collaborate. This choice by FPI to stay outside electoral politics gives them little chance to change the society from within, and the question is then how far are politicians willing to comply with FPI's demands?

6.3 New Islamic Populist and PKS

In Indonesia, like in most democracies, vast sums of cash are necessary condition for competing in elections, but it does not alone guarantee victory. Parties therefore must find means to persuade voters to select particular candidates, which also makes them consider features of candidates that may broaden their appeal to voters, such as ethnicity and religion (Ford and Pepinksy 2015: 152-153). As the left-right cleavage has been absent in Indonesia, the working-class voters have the potential to both expand the party's appeal and to tap into one of the largest organized constituencies in Indonesia, and help to defeat other parties in the electoral arena (ibid). Official statistics from March 2016 shows that the national poverty rate in Indonesia was at 10.86 per cent. The poor can therefore constitute a major vote bank and eventually their support could be the difference between electoral success and failure (Savirani and Aspinall 2017: 12).

As the working-class constitutes as electorate in the New Islamic Populism it is also important to consider the strength of the labor union when analyzing the political capacity of the New Islamic Populism. In order to analyze whether the New Islamic Populism and PKS pose as a

threat to the LGBT community, it is relevant to look at the mobilization strategy of the labor unions and their immediate and most important concerns.

6.3.1 Political inclusion vs. exclusion

In Indonesia, the rise of the New Islamic Populism is related to the diminish of the leftish challenges, where poor and labor communities closely relate to the Left was wiped out during the 1960's and since then never been able to mobilize as a mass force.

Similar to the Islamic fundamentalists, the labor movement and citizenship is a question of economic and social rights rather than civil and political rights. The Freedom of Speech Law of 1998 marks a change in terms of political rights in Indonesia, where members of the public are allowed to organize almost any kind of public protest provided they inform the police at least three days in advance (Juliawan 2011: 354). In the time-period of 2011-2013 there have been several protest campaigns, and on three particular issues; the minimum wage, the elimination of outsourcing, and social security policy. Among the strongest labor unions, KSPI and FSPMI, have since the 2014 election been supporting PKS and its coalition with Gerinda (the Great Indonesia Movement Party) (Lane 2018: 2). The President of KSPI and KSPMI, Said Iqbal, has even stood as a PKS candidate in the 2009 parliamentary elections (ibid: 6). The result of these campaigns and collaborations with parties, such as PKS, has led to many of their demands being adopted into the government regulations, such as the increase of minimum wage adopted by the Minister of Labor's Decree, as well as social security policy for all citizens with health insurance, a right which previously only was provided to formal workers, civil servants, and members of the military (New Internationalist, 11 January 2018). Despite these positive developments, corporations and the State now attempt to restrict the power of unions, by designing industrial estates "national vital objects", de facto banning industrial actions and eliminated the annual negotiations over minimum wage increases (ibid). President Jokowi Widodo signed the Government Regulation No. 78/2015, which was meant to stipulate a measured annual wage increase that takes into account the current year's inflation and gross domestic product growth rates (Jakarta Post, 27 October 2015). This new regulation on minimum wage issued in 2015 weakens organized labor's ability to address more alarming issues in the future such as occupational health and safety (New Internationalist, 11 January 2018). In Jakarta, hundreds of members of various labor organizations, including the Indonesian Metal Workers Federation and the Indonesian

Workers Union Association, gathered in front of the City Hall to protest the new provincial minimum wage. The argument for the protest was that the minimum wage was not in line with the campaign promise of Jakarta Governor Anies Baswedan, and also not in line with Law No. 13/2003, which stipulates that the basic cost of living, inflation and economic growth is taken into account in the setting of the minimum wage (Jakarta Post, 10 November 2017).

The weakened capacity of the labor unions to address alarming issues such as occupational health and safety can force labor unions to mobilize broader with other minorities who are concerned with the same issues, and in that way strengthen the position of them as informal actors.

6.3.2 Authority and legitimacy

Speaking of authority and legitimacy in the context of political capacity relates to actor's ability to transfer their symbolic and political power. Under the New Islamic Populism, PKS create legitimacy through the *ummah*. The *ummah* highlights a mass of socially and economically deprived but morally upright "ordinary people" who stand opposed to immoral elites (Hadiz 2014: 128), and obviously have less symbolic and political power. This concept of socially and economically deprived people fits well within the working-class, with the continuation of oppression towards the working-class and with struggle for minimum wage and health service. Albertazzi and McDonnel (2008) argue that this a hallmark of populist ideology in general (ibid). The *ummah* provide a sense of belonging to those who find no place for themselves (Hadiz 2018: 6).

Amongst scholars of Indonesian politics there is an assumption that there must be a close link between religious identity and political identity (Hamayotsu 2016: 226). The concept of the New Islamic Populism contradicts this as it understands the *ummah* in national, rather than Pan-Islamic terms. PKS recruitment strategy is an example where socio-religious identity means little, and PKS are able and willing to mobilize and recruit members from a mixed religious sociological background, ranging from the traditionalist to the modernist (ibid: 229). I therefore argue that the New Islamic Populism could build legitimacy from those who also do not necessarily work for the unity of Muslims under one Islamic state as their first priority.

In Indonesia the typically bigger and better-networked Chinese businesses became entrenched medium-sized business owners with little economic capital who identify with the cause of an *ummah* and the inability to overcome bigger businesses due to the free market competition (Hadiz 2018: 6). We can therefore expect the New Islamic Populism to receive support from people who did not benefit from the predominant form of state-business alliances during that period, now tend to lay their hopes on organizations who work to advance the social and economic position of the ummah (ibid). However, as the New Islamic Populism does not aim at mobilizing on religious identity, this also constitutes what Hadiz (2018) refer to as "suspension of difference" within which the *ummah* is imagined to be homogenous in spite of internal sociological diversity stimulated by the economic modernization process. This internal diversity makes these alliances fragile and the maintenance of that suspension of difference even more vital. This could be maintenance through the common narrative about perennial marginalization (Hadiz 2018: 2).

6.3.4 Mobilization and organization

The concept behind the New Islamic Populism aims to embrace both sections of the urban middle class, poor and even peripheralised sections of the bourgeoisie (Hadiz 2014: 128).

The Indonesian development process produced large numbers of urban poor but the quality of working class organizations remained poor (Hadiz 2014: 138). With the implementation of democracy, the political space was widened and made available to, for example, NGOs and other who wished to advocate on behalf of the poor (Savirania and Aspinall 2017: 12). The working-class and labor groups in Indonesia have struggled to mobilize. Juliawan (2011: 352) argues that the new Trade Union Law of 2000 has placed too much emphasis on freedom of association and few requirements of starting a new union, which ultimately has led to "extreme fragmentation" where the rapid growth of labor union is seen as "proliferation rather than consolidation" of trade unions. The labor movement also failed to mobilize as one unified group on the electoral stage, and therefore lack the opportunity to form meaningful labor partisanship (Juliawan 2011: 353). This weak organization of working class made sure the traditional left-right cleavage structure in party system become absent in Indonesia. PKS, who stands out as the most proponents of a New Islamic Populism (Hadiz 2014), saw this opportunity to mobilize broad, and attract members from various socio-cultural backgrounds (Hamayotsu 2016: 230). PKS has in particular been successful in religious-based

student and youth associations at secular elite universities, but also the more traditional Muslims. As mentioned already, this internal diversity does, however, make these alliances fragile, but could be maintenance through the common narrative about perennial marginalization (Hadiz 2018: 2). This is also here the *leftist challenges* comes in. Hamayotsu (2016: 232) argues that the reason for PKS success in recruiting committed Muslim youth have two structural conditions: 1) *students who come from rural areas to urban cities finds a common ground in PKS' moral guidance and communal bonds*, and 2) *young Muslims who wish to build a better political and social system, through social and political justice and reformation as a religious obligation*. That said, this wish to change society through electoral politics does not appeal to all groups of the Indonesian society. Islamist groups in particular have criticized PKS for being too secular in electoral politics and lack of devotion to call for governance according to Islamic law (Hadiz 2018: 6). This criticism of Islamic political parties being too secular creates resentment to the established political system. Especially alienated young people who are only precariously employed and not able to develop a collective identity with people in their fields of employment instead find vigilante groups, such as the FPI, more relevant to their everyday, in contrast to political parties or parties who claim to struggle for the members of the *ummah* through electoral politics (Hadiz 2018: 6). FPI argues that the Islamic community, the *ummah,* is under *serious attack from Western decadence, secularism, liberalism, and immorality, accelerated by rapid democratic reform* (ibid: 199).

Besides being too secular and struggling to reach precariously employed youth, PKS are, like most other parties in Indonesia, cash-strapped which makes it difficult for them to run campaigns and mobilize. Several figures from PKS have expressed their lack of economic support, this makes it difficult to confer to state elites competing in local government head elections (Buehler 2016: 126). Also, like several Islamists leaders, Islamist parties have struggled to mobilize supporters mostly due to various corruption and sex scandals. Examples of such scandals is PKS legislator Usep Ukaryana in 2013 who was arrested in 2013 for embezzling funds from a state program that subsidized fertilizer for poor farmers, and PKS chairman in South Sulawesi Luthfi Hasan Ishaaq who was accused for using the party's control over the Ministry of Agriculture to raise beef import quotas in exchange for money (ibid).

Besides PKS' lack of legitimacy and capacity to mobilize conservative Muslims, their strength to set the political agenda without interference from informal actors and institutions is now also challenged. We have in the past ten years seen that industrial workers have mobilized and now take to the streets, mainly to challenge government policies perceived as threats to their well-being, but also to show support non-labor causes (ibid: 352). The support of non-labor causes the labor unions to put forward more universal issues rather than single issue. This willingness to support non-labor causes also make them a natural collaborator for the LGBT community as they in many ways fight for the same social rights. Informant in interview 6 also reported of how they do take to the street with organizations such as labor unions.

PKS' lack of legitimacy and mobilization combined with the strengthened position of the labor unions in terms of mobilization in the streets could force politicians at the local and national level to make concessions to the labor agenda (Ford and Pepinsky 2015: 154), and make PKS less of a threat towards the LGBT community.

6.3.3 Politicization and agenda-setting

In the section above I explained how the mobilization strategy of the PKS has aimed at young Muslim from both moderate and more traditional sectors, and how they have developed a common narrative in the working-class. Further we saw how their more secular and electoral politics not necessarily grasps all Muslim groups in the Indonesian society

As Caraway and Ford (2017) argued, the Indonesian labor unions capacity to mobilize also explains their success in the policy domain. An article by Gibbings, Lazuardi and Prawirosusanto (2017) showed that groups representing informal traders mobilized support for political candidates at various levels on the basis of formal political contracts, and many labor unions have signed political contracts with candidates in local and national elections (Savirani and Aspinall 2017: 10). Political parties began in 2004 to approach leading union figures as the legislative election came close. This interest increased in the lead-up to the 2009 legislative election when large parties such as PKS, wooed trade unionists in the hope of securing the labor vote in union-dense districts (Ford and Pepinsky 2015: 152). PKS also conclude agreements with two of Indonesia's largest unions, FSPMI and SPM and agreed to place numerous union cadres as legislative candidates in union-dense localities (Ford and

Pepinsky 2015: 152: Caraway and Ford 2017: 453). On the 1st of April 2017, 13 trade unions also signed with two candidates in the Jakarta gubernatorial elections, where they gave their support to Anies Baswedan and Sandiago Uno, both candidates nominated by the PKS (Lane 2018: 2) The points included in the 13 political contracts made with labor unions included covered wages, labor hire, housing, public transport, unemployment social insurance, education, health insurance and workers' cooperatives (ibid)

Islamic party's willingness to adjust their political agenda in favor of the working-class is clear in the happening in Jakarta in 2017. In Jakarta, Ahok had been widely regarded as an able governor and had high approval and considered unbeatable (Hadiz 2017: 264). Despite his popularity, at an event prior to the election he warned his audience not to be fooled by those who use the Quranic verse Al-Maidah 51, which basically concerns whether Muslims can support non-Muslim leaders (Hadiz 2017: 264, Savirani and Aspinall 2017: 19). In addition to Ahok's statement, in 2016 there were more than 5700 families who were forced to move, where the evictions were arbitrary and being carried out without negotiations with evictees and without adequate compensation (Savirani and Aspinall 2017: 17).

In the aftermath of these happenings, most of Ahok's rivals avoided raising the religious issue directly in public election campaigning, such as campaign rallies and advertising, and instead urban planning and management as well as social welfare were issued. Among Islamic groups who did this is FPI (Hadiz 2014: 137). Ahok's action made him an easy target for FPI, which lead to the FPI mass mobilizations in defense of the Indonesian Ulema Council (MUI) who argued that Ahok deserved punishment for his remarks, combined with calls for Islamic solidarity with a familiar narrative about the systematic marginalization of the *ummah* (CNN, The Guardian, Hadiz 2017: 265). Ahok ultimately failed in being re-elected.

PKS' somewhat weaken legitimacy through corruption scandals give social movements representing the lower-class leverage towards politicians and incentive to support them in return for "political contracts" benefitting this group (Savirani and Asponall 2017: 10). This can also lead the already moderate Islamic PKS to become more moderate and open towards general rights also concerning the LGBT group.

6.3.5 Representation

> "*A party with a social democratic or left orientation could provide an umbrella under which unions could coalesce*" (Caraway and Ford 2017: 453).

As mentioned in the chapter on Islamic fundamentalists, Islamic parties, such as the PKS, have had to moderate their politics after entering the political sphere in order to form broad political coalitions. As PKS moderated their politics they have lost many possible voters to more radical forces such as FPI. PKS therefore found a new and possible electorate in the working-class. The political parties began in 2004 to approach leading union figures as the legislative election came close. This interest increased in the lead-up to the 2009 legislative election when large parties such as PKS wooed trade unionists in the hope of securing the labor vote in union-dense districts (Ford and Pepinsky 2015: 152). PKS also conclude agreements with two of Indonesia's largest unions, FSPMI and SPM and agreed to place numerous union cadres as legislative candidates in union-dense localities (Ford and Pepinsky 2015: 152: Caraway and Ford 2017: 453). On the 1st of April 2017, 13 trade unions also signed with two candidates in the Jakarta gubernatorial elections, where they gave their support to Anies Baswedan and Sandiago Uno, both candidates nominated by the PKS.

PKS did find a common narrative in the working-class, but the internal sociological difference within the electorate has proved to be challenging, where poor or lower-class Muslims do not identify themselves with the electoral politics, and rather turn to Islamist groups such as FPI. The labor groups have also shown tendency of being willing to support political individuals' despite of their religious identity. Whereas unions have had a tendency to compete against each other with their own representative, we have instead seen that labor unions across federation and confederation lines, in the lack of a common union candidate, supported pro-labor candidates (Caraway and Ford 2017: 455). Rieke Diah Pitaloka, representing the Indonesian Democratic Party of Struggle (PDI-P), made a reputation as an advocate for worker rights after she during her first term in the national legislature fought worker causes, grilled state officials, attended work rallies and collaborated with unions. The result was that many different unions formed a labor support network and campaigning for her (ibid). This example of Rieke from PDI-P also show how other parties who do not necessarily speak to the *ummah* per se but labor group in general also manage to mobilize working-class, even

though this example was a one-time event, it supports Hadiz (2014: 138) argument that PKS has showed itself as unable to forge cross-class alliances, revealed in recent Indonesian general election where they received between 7 and 8 % in 2004 and 2009.

However, knowing all this, the general impression is that PKS and working-class voting for them does not pose an immediate threat to the LGBT community. PKS's more moderate politic, or even commitment to electoral politics, makes them unappealing to those who find themselves in the peripheries sections of the bourgeoisie such as poor youth who are radical Islamists and more receptive of hostile attitudes towards the LGBT community. On the other end, the labor group in general have also showed willingness to the collaborate with minorities such as the LGBT community and is less likely to jump on the "anti-LGBT train" as they in many ways fight for the same recognition as the LGBT community.

6.3.6 Strategy

The strategy in the New Islamic Populism appears quite clear. In the absence of political parties representing the "leftist-challenges", parties such as the PKS now use the reference to the *ummah* as a way to mobilize those who typically find themselves in the working-class. PKS' mobilization strategy is to embrace voters from mixed religious sociological background. This missing link between religious identity and political identity creates what Hadiz (2018) refer to as "suspension of difference" within, and the New Islamic Populisms goal is to maintenance this international sociological diversity through the common narrative of perennial marginalization (Hadiz 2018: 2). What we have seen in the sections above is that labor unions have indeed supported politicians who speak in favor of the working class, but that their support is not limited to PKS only, and stretches to those parties who are more secular, such as the Rieke PDI-P, who do not appeal or refer to the *ummah* in particular. In addition to this, PKS cannot make inroads into the urban lower class, as this group rather turn to more radical Islamist groups (Hadiz 2014: 139). With the specific reference to the *ummah*, the proponents of a New Islamic Populism in Indonesia do not appeal to the ethnic Chinese minority within the Indonesian big bourgeoisie, and the aim to use the common narrative of perennial marginalization seem to fall too short in terms of maintaining the internal sociological diversity among these electorates. Hadiz (2014: 140) argues that the absence of

credible challenges from the left will ensure the New Islamic Populist tendency to persist, but without necessarily making greater inroads into state power any time soon.

6.4 Local politicians and electoral candidates

We remember from the chapter about local regimes how they consist of both formal/informal actors as well as formal/informal institutions. If we follow the definition put forward by Bayo and Samadhi (2017), formal actors are those with formal power, such as regional leaders, members of legislature or members of political parties. In this chapter I will analyze the political capacity of politicians in the context of direct elections. The analyze will not restrict such politicians to their religious identity and therefore refers to politicians representing various political parties in Indonesia.

6.4.1 Political inclusion vs. exclusion

Under the section of political inclusion versus exclusion I have referred to citizenship and the rights which follows from being a citizen. In the case of local politicians and electoral candidates in Indonesia I will look into how or if politicians manage to argue why rights under citizenship do not apply to the LGBT people.

In order to understand the political capacity of politicians and how they manage to suppress the LGBT community we will have to understand how the formal and informal institutions function in Indonesia. Eriksson and Skoog (2005) argues that the strength of formal institutions depends on the degree of legitimacy it receives from the members of society (Bayo and Samadhi 2017: 17). Before moving on it is important to remember that Indonesia is an incredibly large country and that the strength of formal institutions vs. informal institutions will vary among the different local regimes.

While actors are the players of the game, the institutions form the rules (Eriksson and Skoog 2005: 20). In the same way as we have formal and informal actors, we also have formal and informal institutions. Levitsky (2004) understand formal institutions as "*rules that are openly codified, in the sense that they are established and communicated through channels that are widely accepted as official*", whereas informal institutions are "*socially shared rules, often unwritten and communicated and enforced outside of official channels*" (Bayo and Samadhi

2017). Formal and informal institutions can co-exist, and are in many ways depended on each other (Eriksson and Skoog 2005: 20). Informal institutions will be covered under the section regarding authority and legitimacy.

Formal institutions are regulated following the legislative and executive bodies, such as the Constitution. The Indonesian Constitution covers human rights in Article 28, and touches upon rights under citizenship such as the right to associate and to assemble, the right to equal treatment before the law, and basic needs such as education and work. Article 28D (4) also state that every person shall have the right to citizenship status. However, the Constitution also contains possible restrictions. The informant in interview 3 specifically referred to Article 28J in the Indonesian constitution. Article 28J (2) states that, *in exercising his rights and liberties, each person has the duty to accept the limitations determined by law for the sole purposes of guaranteeing the recognition and respect of the rights and liberties of other people and of satisfying a democratic society's just demands based on considerations of morality, religious values, security, and public order* (UNESCO, certified English translation). This reference to morality, religious values, security and public order in a democratic society touches upon the concept of Pancasila, the official ideology of the Indonesian state, which revolves around five principles – democracy, humanitarianism, justice, monotheism, and unity (Brown, McLean and McMillan 2018: 115). The reference to the Pancasila in Article 28J (2) means that this article exceeds all other rights covered under Article 28 in the Constitution. The informant in interview 3 reported that this reference to Article 28J (2) is a challenge that repeats itself in court, especially in the case where LGBT people are involved.

6.4.2 Authority and legitimacy of local politicians

The concept of authority and legitimacy relates to actor's capacity to transfer their capital of various kind in their favor (Stokke and Selboe 2009). In the last section I pointed to the argument put forward by Eriksson and Skoog (2005), that the strength of formal rules depends on the consistency with the informal institutions, such as socio-cultural rules of society (Bayo and Samadhi 2017).

The implementation of direct elections in Indonesia in 2004 was partly to strengthen the district governments by direct popular legitimacy. A consequence of this could be that

electoral candidates might feel tempted to seek un-institutionalized support, and the informal actors and institutions will, presumably, be of greater importance.

What we have seen in Court is that politicians now tend to connect the formal institutions directly to the Pancasila. The informant in interview 3 expressed the difficulties of referring to the Constitution in Court, and the increasingly use of referencing to Article 28 J (2), which refers to the Pancasila, Indonesia's national ideology. Article 28J (2) states that religion and moral is above human rights. Iskandar (2016) argues that this reference to the Pancasila in post-Soeharto Indonesia has failed to recognize the need for systematically develop constitutional safeguards for individual rights. With the increasing presence of radical Islamists, this reference to Article 28J (2) is apparently legitimized through the current socio-cultural rules in the Indonesian society.

This attempt at to build stronger linkages between formal and informal institutions can also be reflected through the several attempts from conservative groups to enforce religious and moral standard in the laws and regulations. In 2017 a petition from the conservative group Family Alliance aimed at making gay sex and extramarital sex illegal. The petition is currently up the Indonesian Parliament, who in 2018 will consider amending the nation's criminal code, where the ultimate goal is to prosecute same-sex and extramarital sex (Asean Today, 23 December 2017).

I will go more in-depth to these laws and regulations in the section about politicization and agenda-setting. To understand how such attempt at criminalizing homosexuality have legitimacy to actually enter the Members of Parliament I will look at how electoral candidates and politicians now mobilize in order to enter the political sphere.

6.4.3 Mobilization and organization

"*The Sultan has become an important actor for the resistance towards the LGBT community*" (Interview 6).

As seen in the section above, the implementation of direct election in 2004 could explain why politicians now legitimize their decisions by referencing to the Pancasila and possibly achieve direct popular legitimacy. This appear as an attempt to mobilize the more conservative voters.

Islamic fundamentalists new strategy of engagement with the State and the community, combined with the implementation of direct election in 2004 and candidate-centered electoral system, has laid the foundation and incentives for personalistic and un-institutionalized support. Especially with the moderation of PKS' policy agenda and the Islamic fundamentalists experience of oppression makes Islamic fundamentalist a particular "easy" group of voters to mobilize.

An example of authority's willingness to accept violent behavior can be shown through the Sultan who did not acknowledge the violence that occurred during an LGBT protest in Yogyakarta, initiated by Islamic fundamentalists (Interview 6). On the 11th of August in 2016, Reuters reported on how LGBT people suffered a sudden public backlash after a central government minister in January 2016 claimed that LGBT people should be barred from University campus. The Presidential spokesman Johan Budi said in a text message to Reuters that "*as a citizen, whoever the person is will have his rights protected, without looking at his sexual preferences*", but further followed up by stating that "*if LGBT means a mass movement to influence other parties to become like them, then there's no room here*" (Reuters 08 November 2016).

Minister of Religious Affairs, Lukman Hakim Saifuddin has also sent mixed signals. In February 2016 he said that "*We cannot be hostile toward nor hate LGBT people as they are also citizens of the state*", and then followed up by saying that "t*his does not mean that we condone or allow for the LGBT movement to shift the religious values and the identity of the nation*". On the 18th of December he again expressed mixed signals when he encouraged Indonesian's to nurture the LGBT people by reacquainting them with religious teaching,

while at the same time state that there is no religion that tolerates LGBT action (Human Rights Watch, 19 December 2017).

This tendency for politicians to send somewhat mixed signals was also made clear through the interviews with LGBT organizations and activists. Informant in interview 4 told me that they had successfully been invited to the Minister of Religious Affairs where the parties involved expressed the understanding that LGBT people are also like the regular citizen who need an income in order to support oneself. These examples give an accurate picture of how the formal actors such as politicians legitimize their actions by referring to informal institutions, and approach informal actors in order to mobilize.

6.4.4 Politicization and agenda-setting

> "*They (politicians) categorize LGBT as a proxy war, as a threat to the country*" (Interview 3).

Whereas one previously took in use of laws against pornography to criminalize the LGBT, there is also now an attempt to categorize the LGBT as a threat to the country through the argument that the movement for gay rights in Indonesia is a modern warfare, where Westen nations try to undermine the country's sovereignty (BBC, 29 February 2016). The Minister of Defence, Ryamizard Ryacudu, has categorized homosexuality as a national security threat on the basis that it is kind of a modern warfare that undermines the country's sovereignty (Huffington Post, 10 February 2018).

The increased importance of informal actors and institutions in order for politicians to build legitimacy and mobilize voters will also affect the political agenda-setting. Informant in interview 3 reported of many efforts to criminalize homosexuals, where conservative groups try to enforce religious and moral standard in the laws and regulations. In 2017, a petition from the conservative group Family Alliance aimed to make gay sex and extramarital sex illegal. The nine judges who voted were five to four against the petition, with the argument that the proposal exceeded the court's mandate, and it would require the creation of new laws, which lies in the mandate of the Indonesian Parliament (Asean Today, 23 December 2017).

Despite the reject of the petition, the Indonesian Parliament will in 2018 consider amending the nation's criminal code, where various drafts of the criminal code have appeared, which seeks to prosecute same-sex and extramarital sex.

> *"In direct elections, political parties may lose control over the campaign process as candidates' electoral machineries and supportive popular organisations, families and networks, as well as professional canvassers become more imperative"* (Djani and Törnquist 2017: 38).

Ichsan Soelistio, a legislator from Indonesia's ruling PDI-P said they reject full criminalization and conservative elements of the draft, but that they "*have agreed to accept a law which allows prosecution of sex outside marriage and homosexual sex, but only if one of the sexual partners or their family members report the crime to police*" (The Washington Post, 9th February 2018). Soelistio's argument for accepting a law restricting various form of sex was to avoid public taking matter into their owns hand, and therefore the best way to protect LGBT and other at-risk communities (ibid). This is a good example of how the increasing presence of FPI in formal politics has created contentious politics, where authorities identify a threat and make precautions in order to discourage contention (Tarrow 2011).

The increased presence of Islamic fundamentalists and their ability to steer the politics in its favor can also be seen through authorities' reluctance to strike down on unlawful actions. On the 23rd of February 2016 there were masses associated with the Islamic Forum of Yogyakatya (FUI) who held a public rally against the presence and the legality of the LGBT movement in Yogyakarta. The coordinator for the National Alliance of Unity in Diversity, Agnes Dwi Rusjiati, urged the state to protect the LGBT movement (Tempo, 02.23.16). At the same time the Yogyakarta Police stopped the activist group Solidaritas Perjuangan Demokrasi (SPD), supporters of the LGBT community, from staging a rally (the Jakarta Post, 02.25.16). Human Rights Watch reported on the 23rd of January 2017 how Indonesian police are helping militant Islamists carry out their anti-LGBT agenda. The incident referred to happened in South Sulawesi province in Indonesia, where the police, after complaints put forward by the Islamic Congregation Forum, canceled a public sports and cultural event involving transgender people (Human Rights Watch 01.23.17).

6.4.5 Representation

> *"... they (politicians) are afraid of supporting LGBT people because it might affect them being re-elected* (Interview 4).

In the introduction chapter I addressed the problem of dominating elites and poor standards of popular representation. An essential element in democracy is the control public affairs on the basis of political equality. This requires appropriate institutions as well as citizen control over the elected representatives (Törnquist 2009: 6). Chandhoke (2009: 33-34) argued that for civil society groups to exercise some degree of control over the representative they have to connect institutionally with established modes of representation and create institutional links between civil and political activity.

In Indonesia, democracy has been implemented as a top-down process, where institutions are designed by the central government to promote functional democracy (Bayo and Samadhi 2017: 12). Soeharto's resignation failed to end the oligarchy's domination in the country as the moderate elite dominated the political pacts and negotiations, and maintained their privilege (Hiariej 2017: 100, 103). The continuation of elite domination is illustrated through the Jakarta gubernatorial election in 2017 and the 2015 Jambi gubernatorial election, where all candidates have a massive personal wealth ranging from 1.5 billion to 26 billion rupiahs, and there are many more examples (The Diplomat, 24 January 2018).

As the oligarchy to some extent remained in Indonesia, the non-elite forces such as the civil society- and popular sector-based groups and activists have tried to influence policymaking processes by developing alliances with some elements of the ruling elite (Hiariej 2017: 101). Hiariej (2017:104) further argues that they are generally inadequate for improving popular representation.

My general impression after the interviews with LGBT organizations and activists were conducted, was that they do approach individuals with a lot of symbolic capital such as Ministers in different departments and religious leaders in their local regime. Informant in

interview 4 expressed that there are certain politicians who could be potential allies, but that the party system (direct election) prevent them from expressing their support as they are afraid supporting LGBT people will prevent them from being re-elected. The LGBT community in particular have little leverage towards politicians in return for support. This will be elaborated on in the chapter on LGBT organizations political capacity.

A democracy baseline survey conducted between 2003 and 2014 (Priyono et al. 2007; Samadhi and Warouw 2009; Savirani and Törnquist 2015) reveal that Indonesia has been able to develop a formal democracy and to some extent prevent the domination of clientelism. However, democratic institutions remained weak, and clientelism is combined with a new form of patronage distribution (Hiariej and Stokke 2017: 4). Political clientelism is when someone provide personal favors such as jobs, contracts, welfare support and money, ultimately in return for electoral support. In other words, clientelism favors those who can give the politicians something in return. In 2013 the Transparency International presented an Index report where the Index scores countries and territories on a scale from 0 (highly corrupt) to 100 (very clean), where Indonesia was 114 out of 177 countries and with a score of 32, compared to number 1 with a score of 91 (Transparency International, Corruption Perceptions Index 2013). There are several examples of bribing in Indonesian politics, and the bribes also stretch to several legislators and Court judges. In 2015, the Jakarta Anti-Corruption Court gave three years of sentence to a legislator from the PDI-P for accepting bribes (Jakarta Globe, 24 November 2015). On the 4th of September Reuters reported that a former Indonesian Constitutional Court judge, Patrialis Akbar, was jailed for eight years after accepting bribes to influence court rulings. Patrialis Akbar was the second Constitutional Court judge to be sentenced in the last three years. In 2014, the former head of Indonesia's Constitutional Court, Akil Mochtar, was sentenced to life in prison for accepting bribes and money laundering in local elite dispute (UK Reuters 30 June 2014). These two evictions of Constitutional Court judges in the last 3-4 years illustrates how political clientelism also creates weak legislative institutions.

6.4.6 Strategy

> *"There are four minorities in particular who are politicized in election campaigns; papua, religious minorities, LGBT community and communists. Which one of these minorities being targeted depends on the politicians"* (Interview 6).

With the continuation of the elite-dominated political space even after the fall of Soeharto in 1998, the formal actors such as politicians and other influential individuals still dominate the decision-making. Despite this elite-domination, with the implementation of direct election in 2004 as a way of achieving greater direct legitimacy, the strength of the formal actors and institutions are now highly depended on the informal actors and institutions in their local regime. What we have seen in the sections above is that politicians now tend to politicize issues which are forced through more radical channels, in order to mobilize voters who historically have felt less represented in the political sphere. The Islamist groups have in particular experienced reluctance from politicians in terms of cooperation, but Wilson (2014) argue that this group of supporters can be can be an important tool for politicians, as appealing to this groups of conservative Islamists and their sympathizers entails minimal political concessions. Adopting a hardline stance against soft political targets such as sexual and religious minorities appears as a potentially easier electoral path for some parties and candidates in order to mobilize groups, instead of promising or negotiate around demands such as increase in minimum wage with the growing trade union movement, or developing policies aimed at reducing the growing poverty levels in Indonesia (Wilson 2014: 7). However, this strategy does not appear very long-term. In the period leading up to the 2014 elections one could identify a considerable degree of renewed interest amongst political elites in engaging with the FPI, which raises questions about their own commitment to democracy (ibid). FPI has clearly stated that they are anti-democratic where their ultimate goal is to form an Islamic state and laws according to the Shari'a. Sections above have showed how politicians are willing to politicize issues related to the LGBT community, even to the extent where parties such as PDI-P, who in general are reluctant to collaborate with FPI, now look at the possibility of criminalizing the LGBT community. How far are politicians willing to stretch in order to mobilize voters? At this point the issues put forward have created little concessions, but what will the politicians do when Islamist groups such as FPI require even more radical and fundamental changes in the State structure.

6.5 LGBT organizations and activists

LGBT is an initialism capturing a broad minority of lesbian, gay, bisexual and transgender. Identity is by della Porta and Diani (1999) referred to as social actors recognizing themselves as a part of a broader group. If we follow della Porta and Diani's (1999) understanding of identity, it is easy to assume that those who identify themselves within this categorization also recognize the same struggles and therefore see themselves as a part of broader groups. However, historically this has not necessarily the case in Indonesia as the transgender community were among the first sex- and gender-based marginalized communities in Indonesia who got involved in social movements (Oetomo 2001; Minza et al. 2017: 280), and the lesbian and gay movement came later. The waria's were in particularly reluctance to collaborate with lesbian and gay's as they believed that the waria should be distinguished from the gay community, in addition to the fear that of becoming mere objects in projects managed by gay-led organizations (Minza et al. 2017: 286).

Even within the transgender community in Indonesia there is diversity and dynamic. The diverse condition of the waria's is, according to Minza et al. (2017: 280), related residence, religiosity, the difference of ages, professions, and their understanding of their own identities and struggles. The diverse condition of the waria's appears especially between the senior waria and the young waria. While many senior waria still are reluctant to collaborate with the LGBT community, the young waria movement rests not only on the basis of cultural identity.

6.5.1 Political inclusion vs. exclusion

> *"Last year (2017), we assisted almost 141 gay men … unfortunately, when it comes to the investigation stage the victims got pressured from the police and cancelled our Power of attorney, therefore we cannot assist them in the court"* (Interview 3).

We approach the issue of political inclusion vs. exclusion through the dimension of citizenship, where we follow Stokke's (2017) understanding which embodies four dimensions: membership, legal status, rights and participation. Further we understand these rights under civil, political and social rights. This section is also the most critical for the

LGBT community.

Nationally, there is no specific law against homosexuality in Indonesia, and they are legally entitled the same rights as every other citizen. Nonetheless, informant in interview 3 expressed difficulties of referring to formal rules, such as the Constitution, with the increasing reference to Article 28J (2) in the Indonesian Court in LGBT cases. Article 28J (2) is a reference to Pancasila, Indonesia's political ideology, which states that religion and moral is above human rights. Ultimately this means that Article 28J (2) exceeds all other rights under Article 28. These rights touches upon all rights under citizenship.

Civil rights including right to individual security and privacy, access to justice and legal representation, among others, are in particular important, as Beetham (2007) argues that without these right all other rights under citizenship will in turn be ineffective. Many LGBT people experience difficulties in receiving legal aid. A good example of this is from the 23rd of May 2017 when police detained 141 men who allegedly were holding a gay party at a sauna. The 141 gay men were legally assisted, but when arriving to the investigation stage the victims were pressured to cancel the Power of attorney, which meant that they could not be legally assisted. Senior detective Mr. Nasriadi claimed that 10 of those arrested in this raid could be charged under Indonesia's anti-pornography laws (Straits Times, 23 May 2017).

With the absence of a national law against homosexuality, the reference to the pornography and other laws have commonly been used in order to turn down on unwanted behavior. The director of the Community Legal Aid Institute in Jakata, Ricky Gunawan, referred to the increase of police targeting LGBT groups using pornography law. On the 9th of October 2017 58 Indonesians and foreigners were arrested at a Jakarta sauna popular with gay men, allegedly for violating the country's pornography law. The law on pornography was passed in 2008 and have by been criticized by legal experts for being too vague, as it prohibits any public depiction of sex for profit, but in practice is being used against politically vulnerable groups (Washington Post, 12 October 2017). In cases where LGBT-related prosecutions have taken place in reference to the Penal Code (KUPH) these have fallen under the crime of molestation, regulated by Article 292 of the KUPH, the same Article used for punishing sexual abuse of children, among others. As previously mentioned, there is currently an amendment being discussed within parliament which proposes to expand this Article and make homosexuality in adults illegal, with nine years' maximum penalty (Lifegate, 12 March 2018).

Gunawan has stated that the situation for the LGBT community has turned to worse since 2016, after a number of high-level politicians made statements portraying LGBT communities as immoral or a threat to the nation (ibid). The Guardian reported that the Minister of Defense in Indonesia, Ryamizard Ryacudu, linked the LGBT movement to proxy war, and according to Tempo Magazine, he said "*it's dangerous as we can't see who our foes are, but out of the blue everyone is brainwashed – now the (LGBT) community is demanding more freedom, it really is a threat*" (the Guardian, 22 February 2017, Washington Post, 2 Feburary 2018).

> *"…We would not have a renewal or extension of license to work and conduct our work at the country level. So this is why we develop specific strategy with the local organizations here. That is the most challenges for the organizations depended on the license"* (Interview 4).

The LGBT also experience limitations in terms of political rights, such as the right to participation in public arena, the right to vote and stand for office as well as form political organizations and parties and protest. On the 20th of February 2018, The Telegraph reported that the Indonesian city of Depok will set up a "taskforce" in order to curb the LGBT activists. Informant in interview 6 expressed the difficulty of protesting freely without the interruption of Islamic fundamentalists, and also points to the upcoming election in 2019 as one of the factors that makes it difficult for the LGBT to turn to the streets. Informants in interview 4 and interview 5 also reported about difficulty of participating in demonstrations at the grassroots level, as they are depended on the license to work there, given by the government.

Beetham (2007) understand citizenship beyond the civil and political rights, and refers to the social rights. Beetham (2007: 353) argues that even though the social rights are less intrinsic than civil and political rights in defining democracy, they are an important condition for democratic rights and the integrity of democratic institutions. Minza et al. (2017) supports the need for a broader understanding of citizenship, particularly in the context of the waria movement, where they point to cultural rights as an important element. In terms of social rights, the waria in particular experience difficulties in receiving health care and other rights that requires national identity card. Having an identity card will allow the waria access to

fundamental rights such as decent work and guarantee healthcare from the state, even the right to travel with public transportation (Minza et al. 2017: 284). The lack of ID card makes it difficult for the waria in particular as they have difficulties getting a decent job and often have to turn to the street in order to have an income, often selling drugs or work as prostitutions (Interview 9). Indonesia do not have a national law criminalizing the sex industry, however, many officials interpret laws to apply to sex work. Amongst these are Penal Code Article 277 regarding crimes against decency, Article 296 on acts of obscenity by others as a livelihood, Article 297 on trade in women, as well as Article 505 on vagrancy offense and Article 506 concerning living on the earnings of a female sex worker (Sexual Rights Database). Even though there is no national law criminalizing the sex industry, the sex industry is governed by a range of sub-national, local laws and regulations, so in certain areas sex work can legally be conducted under the management of local government regulations, while other districts have regulations making all forms of sex work illegal or apply Shari'a law (e.g. Aceh Province) (ibid). Examples of criminalizing the sex industry is the event that took place in Jakarta, where the police raided a sauna on the 23rd of May in 2017. Another example of criminalizing the sex industry is from the 8th of October 2017 when Indonesian police arrested 51 people, allegedly as a crackdown on sex work in Jakarta. The police targeted men at a hotspot for gay men and claim they were engaging in prostitution, where some could face up to six years in prison under pornography and prostitutions laws (the Guardian, 8 October 2017).

6.5.2 Authority and legitimacy

How organizations and activists gain authority and legitimacy depends on its economic, social, cultural and coercive capital (Törnquist 2013: 57). In 2016, the Indonesian Psychiatrist Association (PDSKJI) classified homosexuality, bisexuality and transgenderism as mental disorders, which can be cured through proper treatment, with the argument that sexual tendencies are triggered by external factors, such as the influence of a person's social environment (The Jakarta Post, 24 February 2016). Such classifications contribute to weaken the legitimacy of the LGBT community.

As the LGBT community already have little symbolic and political power, the capacity to represent the community or approach representatives is highly influenced by their position in the society. In terms of power structures these vary amongst the different organizations and

activists, which can be reflected through what formal/informal arrangements they approach. Exactly what channels the different organizations make use of will be addressed in a later section.

The different informants interviewed consisted of large national as well as international organizations, to the smaller local ones. What seemed to repeat itself is the difference in capacities these organizations hold. In the case of the LGBT community, their social capital also varies. Large LGBT organizations who have existed for a longer period of time claim they receive positive response when approaching authorities due to their legitimacy from community. This allows them to operate on three levels; the local community, the society, and the state (Interview 4). We also have the somewhat smaller organizations, such as the transgender organizations. The transgender community in Indonesia was among the sex- and gender-based marginalized communities in Indonesia who first got involved in social movements (Minza et al. 2017: 280), and therefore also more familiar among the general Indonesian. Informant in interview 9 stated that transgender people in general receive more acceptance amongst individuals at state level compared to those of gay and lesbian, and that "*…the sultans brother proudly claims he is the father of the waria, but when other LGBT members ask for support he doesn't dare*" (Interview 9). On the other side, transgender people are particularly vulnerable in terms of economic capital, as transgender people often have no higher education and difficulties in getting a decent occupation due to the lack of ID card. Whereas lesbian and gay people arguably could more easily blend into the rest of society, the right to expression is a core concept in transgender people's identity.

6.5.3 Mobilization and organization

> *"The LGBT organizations have realized that we cannot work within ourselves only. If you go to the public only with the LGBT community and without any allies it will not do anything. We have done that so many times and it did not work"* (Interview 4).

An aspect in LGBT organizations aims and strategies I wished to looked closer at is how the community mobilize. Turner (1992) argued that weak civil movements will produce

"citizenship from above" (Hiariej 2017: 89), and Törnquist (2013) points to broad alliances being positive.

As mentioned in the beginning of this section, the history and understanding of LGBT as a community is associated with diversity and different dynamics. LGBT movements are by most theorists considered to fall within the "New Social Movement" which are often thought to be dealing with identity politics and seek recognition for new identities and lifestyles (Ferree 2005: 141). Critics of NSM argues that identity politics promote fixed identity categories which, according to Kauffman (1990), results to an inability to form coalitions and major social change (Bernstein 2002: 532). Bernstein (2002) disagree with the notion that identity movements always engage in identity or expressive politics, and rather visualizes a new approach called "political identity". In the years of 1998-2000 when women's movement and LGBT movements was at greater length established, the LGBT movement in Indonesia was still divided into the categories of lesbian, gay and transgender, and although they knew of each other, they were more concerned with individual rights (Khanis 2013). The waria movement was afraid that collaboration with the gays would make the waria's mere objects in bigger projects managed by gay-led organizations (Minza et al. 2017). Whereas cooperation with LGB organizations was not a priority for the senior waria movement, the young waria are better able to reconcile between identity politics and politics of recognition in translating the direction and strategies of their movement, and now see the opportunities by collaborating with the LGBT community (ibid).

Today there is national network called GWL-INA who function as an advocate- and coordinating body that helps strengthen the capacity of community organizations. GWL-INA has since 2017 consisted of 68 community-based organizations in 25 provinces listed as members. This closer collaboration among the LGBT community was also made very clear through my informants who, while still being concerned and working on particular issues such as health, legal aid, or advocacy work, were all working closely with each other. Informant in interview 5 was also hosting a debate in the evening with other activists and organizations concerned with the rights of the LGBT.

This mobilization strategy does not limit to the LGBT community alone. All informants participating in this study referred to their collaboration with other minority organizations, and women's movements in particular. The women's movement has historically been more open towards sexual minorities such as the LGBT. In 1998, the Indonesian Women's

Coalition (Koalisi Perempuan Indonesia, KPI) was established in order to defend the interest of women, which also included sexual rights and sexual identity for Lesbian groups through sector 15[3] (Khanis 2013: 129). Since 2000, organizations such as the Ardhanary Institute (AI), established in 2005 by a member of the 15 sectors of KPI, gave voice and defend the right of lesbian, bisexual and transgender (LBT) persons. In 2013 the Women's Human Rights National Commission issued a report on gender identity-based violence, and the women's movement has started to see gender, identity and sexual orientation as fundamental to the movement and does not only recognizes two gender categories (ibid: 130-31).

A gay organization named GAYa NUSANTARA (GN) has through monitoring and documenting of LGBTI human rights in Indonesia, tried to mainstream its groups along with human rights matters and engage with "mainstream-democracy" activists. Since 2013, there are 21 LGBT organizations and 19 "mainstream" organizations that have been involved in thus LGBTI human rights programs (Khanis 2013: 135). There was recently conducted a protest outside Indonesia's House of Representatives in Jakarta where hundreds of activists from Civil Society Alliance to Reject the Draft Criminal Code, consisting of feminists, LGBT people, sex workers, indigenous people and labor union members (Voa News, 12th February 2018). Although the most sensational part of the revision is to criminalize various form of sex, the revision also affects less-obvious groups such as indigenous people who frequently engage in customary law marriages that are not recognized by the state, and therefore could be prosecuted for performing extramarital sex (ibid). Informant in interview 4 also stated that they tend to support other minorities such as farmers, even though they know there will be no intersectionality between LGBT and farmers, but they do it as a way of supporting them and show that they also fight for the right to the same social justice (Interview 4).

In terms of approaching the representative and mobilize support from Government officials, the capacity to do so is highly influenced by their position in the society. In terms of power structures there is quite a variation amongst the different organizations and activists, and whether they approach actors through formal/informal arrangements. To make use of an example we have an international organization operating in Indonesia and working on issues

[3] Sector 15 is a part that focuses on issues for lesbian, bisexual and transgender (F to M) matters. KPI has 15 sectors that represent different interests pertaining to women's issues, such as migrant workers, people with disabilities, domestic workers etc (Khanis 2013)

related to the LGBT. Informant in interview 4 state that they pproached the minister of religion, and were successfully invited. On the downside, international organizations who are depended on their license in order to work are also forced to be somewhat quite in the "hallway" in terms of protesting and co-operating with the LGBT community at grassroots level (Interview 4). On the other end we have the activists and organizations who work towards the transgender community. As previously showed, the transgender community are often less educated and have difficulties finding decent occupations, due to the lack of ID cards. This gives the transgender people weaker institutional links towards individuals at the state level. Informant in interview 9 stated that they were "*fully aware of their capacity…. we focus on the grassroots and build strong bases on personal levels*". Activists and organizations interviewed clearly expressed the awareness of the difference in power structures, and within the bigger federation of activists and organizations advocating LGBT rights, they develop their own advocacy strategy, where the smaller organizations focus on grassroots level and the bigger organizations focus on lobbying individuals at state level.

6.5.4 Politicization and agenda-setting

> *"The MSM[4] and transgender have the same issues. We work with them in the same frame, mind, we are not working with them separately. Sometime organizations focus on one issue, there are many organizations working on only MSM or transgender, but we have sessions including both"* (Interview 2).

We saw in the section above that the gay and lesbian and transgender now better mobilize and organize within the community as well as with other minorities such as the women's movement and labor unions. Even though collective action is an important concept in democracies, Törnquist (2013: 59) argues that the strength of collective action can vary with whether policies are about single issues and targeted benefits or more general programs and universal benefits.

[4] Men who have sex with men

Previously the waria community were in particular more concerned with their issues, whereas the young waria movement now focus on the interest of the waria community beyond the level of recognition (membership) but also demands legal status, including participation and the right to work, education, healthcare and marriage (Minza et al. 2017: 284). These are all fundamental human rights and does not only limit to the waria community.

> *"In the past I felt as a LGBT activist, but now I feel as a human rights defender"* (Interview 2).

Informant in interview 3 reported of how LGBT organizations work intersectional, where they do not only work on the right to privacy but also do advocacy on areas such as labor and land rights (Interview 3). The demonstration in front of the House of Representatives on the 12th of February, consisting of feminists, LGBT people, indigenous and labor groups, is a good example of this. Even though LGBT organizations in Indonesia now tend to work more closely with other minorities in the civil society, it makes little sense to speak of economic and social rights if the civil and political rights are not ensured. Following the argumentation put forward by Beetham (2007) it would be most fruitful to focus on civil and political rights as they need to be in place before speaking of those of economic and social rights. The reason for this is that these in turn will be ineffective.

The right to personal security and access to justice were mentioned by several organizations and activists as the major issues for LGBT people, but rights as access to health and education were also important issues. My general impression is that the smaller organizations are concerned with everyday rights such as health and education, while the bigger organizations who worked towards Government officials are more concerned with rights related to the civil and political. This might sound like the smaller organizations do not see the importance of the civil and political rights, but in the light of their mobilization strategy this might make more sense. As the smaller organizations work more towards the grassroots it is also safe to assume that they more often interact with LGBT people who are concerned with everyday struggles such as access to health and education. LGBT organizations who have more legitimacy and bigger in size will instead have the capacity to bring civil and political rights to the table to Government officials. Finally, in regards to the transgender community, one should understand the advocacy for the right to health access, education and decent occupation in the context of the right to ID cards, and ultimately the right to status as citizen.

6.5.5 Representation

> *"We don't care how slowly it progress as long as we don't stop. Every little thing matter"* (Interview 9).

Chandhoke (2009) argues that the degree of control the lobby groups can exercise over elected representation, depends on the presence of a vibrant civil society, its institutionally connection to the established representatives, as well as institutional links between civil and political activity.

In the section on mobilization I showed how the different LGBT organizations have tried to seek support from different actors. These actors can be someone with social capital, such as religious leaders, or politicians, or even individuals or groups at the grassroots level. The power structure seems to be of importance also here. Large organizations operating as a federation seem to have more legitimacy from community and therefore experience a greater willingness from authorities to actually listen. This does not mean that politicians or people with social capital are willing to speak their case, but at least they are invited for sessions where they discuss the different challenges the LGBT community experience on a daily basis (Interview 4). As previously mentioned, some LGBT organizations do approach political support through Government officials. The Minister of Health and others attending a meeting with LGBT organizations and other minorities expressed their understanding of LGBT people as regular human being who also need to find income in order to support themselves, but even though they have received positive feedback, they do not believe that these politicians would be brave enough to speak in favor of the LGBT community (Interview 4). Informant in interview 4 further referred to the Minister of Religious Affairs, and how he actually does not wish to criminalize LGBT people, but that he also has to answer to the Indonesian Constitution. I specifically referred to the Minister of Religious Affairs in the section about local politicians, where I discussed his mixed signals regarding the LGBT community, where he first state that they are also citizens of the state, but that this not necessarily mean that they are allowed to shift the religious values and the identity of the nation (Human Rights Watch, 19 December 2017). This example support informant in interview 4 that the importance of

answering to Pancasila exceeds the Minister of Religious Affairs wish not to criminalize LGBT people. The downside with large international organizations working on LGBT issues who do have certain respect from the State are also depended on the working permission and therefore tend to avoid demonstration or are less confrontational (Interview 4). This reliance on work permission prevents large international LGBT organizations from taking part in the direct-democracy approach, through informal arrangement such as popular movements. Smaller LGBT organizations do participate in demonstrations, but the right to protest has in particular been under challenge.

These examples support Hiariej's (2017) argument that civil society- and popular sector-based groups have tried to influence policymaking processes by developing alliances with some elements of the ruling elite, but that these groups are still inadequate for improving popular representation (Hiariej 2017: 101-104).

> *"Politicians are the one who decide whether the fundamentalists can act the way they do, while the religious leaders are the one with the capital to change the social norms in the society"* (Interview 8).

As the LGBT community in general struggle to achieve any formal and informal representation, both in terms of substantive representation in the political sphere and symbolic through religious leader or others with social capital, several informants interviewed reported that they occasionally approach religious leaders in their community, and that religious leader have more power to influence the society, as politicians change their mind in the middle of their political year (Interview 8). Even though some LGBT organizations approach their religious community, when asking them whether they experience a lot of resistance from these religious leaders, many reported that they tend to approach the leaders or communities who already seem more friendly towards the LGBT community, and that a reason for this is the fear for their own security. A religious leader of the second-largest Muslim organization in Indonesia urged people to boycott of Starbucks, arguing that the international coffee chain's pro-gay stand risks ruining the religious and cultured core of the Southeast Asian nation (Reuters, 1 July 2017). Abdul Somad, Islamic preacher from Indonesia recently published a video on YouTube where he said that God would drag people out of the Jannah

for spending their money in an establishment that support the LGBT community (News Week, 30 April 2018).

6.5.6 Strategy

In the theory chapter I addressed two different approaches to social movement strategies. LGBT movements are by theorists considered to fall within the "New Social Movements" (NSM) category as they occupy a space of non-institutional politics, and aim at self-transformation that engage in action aimed at reproducing the identity on which the movement is based (Offe 1985; Currier 2007: 13; Bernstein 2002: 534). Identity politics refers to politics based on essentialist or fixed notions. In the case of lesbians and gay men, homosexuality is seen as fixed, whether it is conceived of as a result of nature (genes, hormones, etc.) or of nurture – etched indelibly in early childhood socialization resulting in a unitary identity that cannot be altered (Bernstein 2002: 532). Following the history of the LGBT community and how they tended to mobilize makes them easily fall within the identity politic approach. Critics of the identity politics is that the theory lacks the capability to produce meaningful social change, as the focus on narrow minority-based political rights will not result in transformative cultural change (Bernstein 2002: 533). In the context of the LGBT community in Indonesia, this problem of transformative cultural change is most highly relevant. With the continuation of repressing the LGBT community, informant in interview 4 reported of how they have struggled to gain any support when only working within the community itself. They have now realized that they need to connect more broad and collaborate with other minorities concerned with the same fundamental enshrined in citizenship (Interview 4). Whereas the LGBT community previously spoke of LGBT rights, they now define it as human rights. The strength of their ability to set the political agenda depends on the collective action, but also whether the group focus on single issues vs. universal issues. The LGBT community now participate in informal arrangements, such as demonstrations related to labor rights and land rights.

LGBT organizations current strategy now seem somewhat closer to the political process approach Even though individuals from the LGBT community do approach Government officials and receive varying response, the repression of the LGBT community is not only limited to the state and central authority, where they also experience massive anti-LGBT campaigns from informal actors such as Islamic fundamentalists and FPI. This support Ferree's (2015: 141) argument that the political process approach fails to identify how

gender-based movements are repressed, as it is not only through state but also through violent and non-violent mobilization by radical Islamic forces in an attempt to silence the LGBT community. The LGBT organizations strategy apparently does not fall within neither of these two categories, supporting Berstein's (2002) argument for an integration of political process approach and identity theory, a "political identity".

.

7.0 Conclusion

In this "mystery case study" I have explored several possible reasons for the decreasing rights of the LGBT community in Indonesia. The topic of interest was chosen on the grounds of the democratic deficit that has been identified in Indonesia, where the initial research question was "*In the light of Indonesia's democratic institutions apparent capacity to foster civil and political freedoms, how do we explain the recent years decreasing rights of the LGBT community?*".

Törnquist's (2013) six points to political capacity was analyzed in the context of different actors, where it has also proved fruitful to focus on actors who relate to the state and economic organizations as well as on groups, organizations and individuals. In order to understand the complex situation of the LGBT community in Indonesia it was important to keep in mind how all these actors are all interrelated and how they influence each other in the light of their political capacity. Eriksson and Skoog's (2005) emphasis on the dynamics between formal and informal actors as well as formal and informal institutions was most helpful when analyzing the complexity of the research question and sub-questions. Actors covered were Islamic fundamentalist represented through the Islamist group FPI, PKS and the concept of the New Islamic Populism, local politicians and electoral candidates in the light of direct elections, and finally, civil society movement through the LGBT community.

The first sub-question relates to how the democratic institutions affect the situation of the LGBT community. In order to answer this question, I first have to address the history of the implementation of democracy in Indonesia. After Soeharto's resignation in 1998, the implementation of democracy occurred as a top-down-process, where the institutions were designed by the central government, and the moderate elite who already dominated the political sphere maintained their privileges through political pacts and negotiations. The civil society under the New Order also found it difficult to mobilize structures below the provincial level which made it difficult for them to plant local roots. In order to meet this issue of oligarchy, some civil society and activists have tried to influence the policymaking process by developing alliances with elements of the ruling elite. This is exactly what has happened in the case of the Islamic fundamentalists, it must, however, be noted that this attempt at engaging with the State came as a reaction to their experience of oppression. Whereas FPI previously went for a more violent approach they have now begun to participate in formal

politics at both the national and local level. This point touches the second sub-questions related to whether Islam is a contributing factor to the decreasing rights of the LGBT

As the democracy in Indonesia was implemented as a top-down process, the institutions were designed by the central government with a singular and homogenous design, and did not consider the size of the country or its diverse population. In order to build more direct legitimacy, the Indonesian state implemented direct elections in 2004, where individuals are allowed to directly elect the heads of regional governments. The explanation for FPI's ability to participate in formal politics at national and local level is due to the implementation of direct election. Islamic fundamentalists have in general lacked any form of representation, both in terms of substantive and descriptive, due to the moderation in political agenda from Islamist parties such as PKS. FPI, who are anti-democracy, has therefore focused on staying outside the formal politics and rather mobilize at grassroots level. This ability to build an extensive grassroots has created incentives for politicians to approach them in a more willingly way than previously, as this group constitutes a major vote bank. The capacity to mobilize this groups could possibly be the difference between electoral success or failure.

Whereas Buehler (2016) explain the underrepresentation of Islamist group as a reaction to political institutions encouraging coalitions across ideological spectrum, Nasr (2009) view this as Islamic parties' failure in mobilizing secular political concern such as jobs, public services and economic growth. With the now more well established labor union movement this has become a particular interesting group who deserves more attention. What we have seen is that traditional and more moderate Islamic party such as PKS appeals to this electorate with the specific reference to the *ummah.* Despite its background as an Islamic party, PKS aims at attracting members from various socio-cultural backgrounds. PKS have to some extent succeeded in mobilizing individuals from different socio-cultural background and there are several examples of labor unions supporting politicians who advocate rights concerning their group in particular. The issue is that this group offers what Hadiz (2018) refers to as suspension of difference, where it is vital to find a common narrative in order to maintenance this group, such as the perennial marginalization. The problem here is that even though there are many who identify with the cause of the ummah, those outside the working group who do not identify with the electoral politics tend to support more radical groups such as FPI, while those within the working-class who are more secular support politicians regardless of the religious identity of the party. This lack of loyalty to PKS corresponds with scholars on

Indonesian politics who argue that there must be a close link between religious identity and political identity. PKS therefore do not pose as an immediate threat to the LGBT community.

The final aspect examined relates to the aims and strategies of the LGBT and if it affects the rights of the LGBT community. Hiariej (2017) argues that the social movements in Indonesia are still fragmented and without visionary ideology. Historically, there are a lot of empiricism supporting this statement. However, speaking to the many LGBT organizations and activists it was clear that the LGBT community has to some extent realized the need to collaborate and mobilize broader in order to achieve any kind of progress. Many reported of collaboration with women's movement, religious minorities and labor union movements. Their strategy in terms of State vs. grassroots depended largely on their legitimacy within the civil society. The LGBT organizations have realized its strengths and weakness, where those with less symbolic and political power rather look for support at grassroots level, while larger and well-established LGBT organizations aim toward formal actors such as politicians who holds more symbolic and political power. At the same time, several informants viewed informal actors with cultural capital, such as religious leader, as the most vital actors in a long-term perspective. These findings indicate a contrast to the previous reluctance to collaborate outside their fixed identity. LGBT organizations now tend to follow what Bernstein (2002) define as "political identity" strategy, where they have both political and cultural goals. If we follow Törnquist's reasoning on collective action and universal issues one would think that we at least would see some improvement in the situation of the LGBT community, considering the community's previous reluctance to collaborate.

While the political capacity of the LGBT community without doubt is weak on several levels, this mostly relates to their political exclusion in terms of rights followed under citizenship. One way to explain this increasing marginalization of the LGBT rights since 2015 can be found in the nationwide democracy survey and follow-up studies conducted in the period after the implementation of liberal democracy in Indonesia. Even though informants reported of stagnation in core institutions related to citizenship and law, governance and representation, the liberties and civil society were still the few expectations. The relatively stable conditions for the civil society can explain why the situation for the LGBT in post-2000 for a long time was at least bearable, while the stagnation in core democratic institutions explain the worsening situation in the recent years. With the persisting oligarchy and clitentelism, political bribes now stretch all the way to the legislative, weakening the formal institutions in

society. This has been a particular challenge in the context of the LGBT community, who increasingly experience violations on their right to access justice and legal aid.

The final question is then "why exactly the LGBT community"? One would think that with the moderation of Islamic parties' political agenda that this group would be less exposed. This brings us again back to the implementation direct election, and the dynamics between formal vs. informal actors and institutions. Islamic fundamentalists have overcome their political exclusion and poor symbolic and political power with a change in strategy, where they now engage in formal politics through the encouragement of supporting certain politicians, while at the same time build a strong grassroots, making them an attractive and important electorate in upcoming elections in their local regime. FPI has managed to create what Tarrow (2011) refer to as contentious politics, where authorities adjust their behavior to whether they experience threats or possibilities, giving FPI the upper hand.

I argue that this contentious politic would not been possible without the implementation of direct election, where the formal actors and institutions are now more depended on the legitimacy of informal actors and institutions. The implementation of direct-election will at first glance support *the direct-democracy approach*, stressing the importance of how direct participation through informal arrangements can achieve some form of representation. The problem with this approach is that it does not consider the difference between organizations as rights-bearing citizens and people who lack capacity to promote their rights, in addition to ignoring religion and ideology as contributing factors (Törnquist 2013: 61). This argumentation put forward by Törnquist (2013) finds support in my findings, where Islamic fundamentalists have been able to mobilize for representation, while those who still lack the capacity to promote their rights, such as the LGBT community, are still underrepresented in the society despite its engagement in informal arrangements. These findings also support the argument put forward by Van Klinken and Berenschot (2014), in that bureaucratic power and informality can create religious favoritism.

The aim of this thesis was to explain the recent years decreasing rights of the LGBT community, where sub-question related to weak democratic institutions, the influence of Islam, and social movement strategy were developed in order to provide a fruitful analysis. In short, the answers that I have arrived at are that the implementation of democracy in Indonesia occurred as a top-down process, where an attempt to achieve direct legitimacy through direct elections in local regimes has led to the increasing importance of informal

actors and institutions. FPI's change in strategy and more emphasis on State engagement, while still staying outside the electoral politics, has made them able to steer the political agenda in their favor. This has then lead to the decreasing rights of the LGBT community, as hardline stance against soft political targets such as sexual and religious minorities appear as a potentially easier electoral path for some parties and candidates in order to mobilize groups.

Bibliography

Andersen, Svein S. (2006), Aktiv informantintervjuing, in Norsk Statsvitenskapelig Tidsskrift Vol. 22, pp. 278-298

Asean Today (2017), *The Indonesian Politicians pursue the LGBT community for political gain*. Available from: https://www.aseantoday.com/2017/12/the-indonesian-politicians-pursue-the-lgbt-community-for-political-gain/ (Accessed on the 17th of April 2018)

Asplund, Knut (2009), Resistance to Human Rights in Indonesia: Asian Values and Beyond, in *Asia-Pacific Journal on Human Rights and the Law*. Cambridge University Press

Australian Federation of Aids Organisations (2012) *Regional Feature: The GWL-INA: the formation of a national network of gay men, transgender and MSM in Indonesia*. Available from: https://www.afao.org.au/article/regional-feature-gwl-ina-formation-national-network-gay-men-transgender-msm-indonesia/#n4 (Accessed on the 11th of April 2018)

Bayo, Longgina Novadona, Purwo Santoso and Willy Purna Samadhi (2017). *In Search of Local Regimes in Indonesia. Enhancing Democratisation in Indonesia*. Yayasan Pustaka Obor Indonesia

BBC (2016), *The Sudden Intensity of Indonesia's Anti-Gay Onslaught*. Available at http://www.bbc.com/news/world-asia-35657114 (accessed on the 18th of April 2018)

Beetham, David (1999), *Democracy and Human Rights*. Oxford: Polity Press, 1999

Beetham, David (2007) *Linking Democracy and Human Rights*. Available from http://www.tandfonline.com/doi/pdf/10.1080/10402659708426076 (Accessed 5th of January 2018)

Bernstein, Mary (2002), *Identities and Politics, Toward a Historical Understanding of the Lesbian and Gay Movement*, in *Social Science History* 26 (3), pp. 531-581

Berry, Jeffrey M. (2002), Validity and Reliability Issues in Elite Interviewing, in PS: Political Science and Politics Vol. 35(4), pp. 679-682

Beyers, Jan and Caelesta Braun, David Marshall and Iskander De Bruycker (2014), Let's Talk! On the practice and methods of interviewing policy experts, in Interest Groups and Advocacy, Vol. 3(2), pp. 174

Bjurulf, Bo and Ole Elgström (2004) Negotiating transparency: the role of institutions, in *European Union Negotiations. Processes, networks and institutions*. (Ed. By Elgström and Jönsson). London: Routledge

Brown, Garrett, Ian McLean and Alistair McMillan (2008), *The Concise Oxford Dictionary of Politics and International Relations*. Oxford University Press

Bryman, Alan (2004, 2016), *Social Research Methods*. Oxford University press

Buehler, Michael (2016), *The Politics of Shari'a Law: Islamist Activists and the State in Democratizing Indonesia.* Cambridge University Press

Caraway, Teri L. and Michele Ford (2017), Institutions and collective action in divided labour movements: Evidence from Indonesia, in *Journal of Industrial Relations*, Vol. 59(4), pp. 444-465. SAGE

Chandhoke, Neera (2009), What is the Relationship Between Participation and Representation?, in *Rethinking Popular Representation* (Ed. By Törnquist, Webster and Stokke). New York: Palgrave Macmillan

Channel News Asia (2017), Indonesia names Islamist leader a suspect in pornography case. Available from: https://www.channelnewsasia.com/news/asia/indonesia-names-islamist-leader-a-suspect-in-pornography-case-8893166 (Accessed on the 26th of April 2018)

Cherian, George (2016), *Hate Spin: The Manufacture of Religious Offense and Its Threat to Democrac*y. MIT Press

CNN (2016), *Indonesian President cancels Australia trip after violent protests*. Available from: https://edition.cnn.com/2016/11/03/asia/jakarta-islamist-governor-protest/index.html (Accessed on the 13th of April 2018)

CNN (2018), *Fear and horror among Indonesia's LGBT community as gay sex ban looms*. Available from: https://edition.cnn.com/2018/02/25/asia/indonesia-lgbt-criminal-code-intl/index.html (Accessed on the17th of April 2018)

Currier, Ashley McAllister (2007), *The Visibility of Sexual Minority Movement Organizations in Namibia and South Africa.* PhD. University of Pittsburgh.

della Porta, Donatella and Mario Diani (1999), *Social Movements: An Introduction*. Oxford: Blackwell Publishing

della Porta, Donatella and Mario Diani (2011*), Social Movements*. Oxford University Press

Djani, Luky and Olle Törnquist (2017), *Dilemmas of Populist Transactionalism. What are the prospects now for popular politics in Indonesia*? Polgrov Publishing

Erb M. and Priyambudi Sulistiyanto (2009), *Deepening Democracy in Indonesia? Direct Elections for Local Leaders (Pilkada).* Singapore: Institute of Southeast Asian Studies (ISEAS)

Ferree, Myra Marx (2000), Soft Repression: Ridicule, Stigma, and Silencing in Gender-Based Movements, in *Repression and Mobilization* (ed. C. Davenport, H. Johnston and C. Mueller). Minneapolis: University of Minnesota Press.

Freedman and Tiburzi (2012), Progress and Caution: Indonesia's Democracy, in *Asian Affairs: An American Review* Vol.39(3), p.131-156. Routledge

Gerring, John (2007), *Case Study Research: Principles and Practices*. Cambridge University Press

Gibbings, Sheri Lynn, Elan Lazuardi, and Khidir Marsanto Prawirosusanto (2017), Mobilizing the Masses Street Vendors, Political Contracts, and the Role of Mediators in

Yogyakarta, Indonesia, in *Journal of the Humanities and Social Sciences of Southeast Asia and Oceania*, 173 (2-3), pp. 242–272. Brill

Goodwin, Jeff and James Jasper (2004), *Rethinking Social Movements: Structure, Meaning and Emotion*. Rowman & Littlefield Publishers, Inc.

Hadiz, Vedi (2011), Indonesian Political Islam: Capitalist Development and the Legacies of the Cold War, in *Journal of Current Southeast Asian Affairs*. GIGA

Hadiz, Vedi. (2014), A New Islamic Populism and the Contradictions of Development, in *Journal of Contemporary Asia*, 44:1, 125-143. Routledge

Hadiz, Vedi (2018), Imagine All the People? Mobilising Islamic Populism for Right-Wing Politics in Indonesia, *in Journal for Contemporary Asia*. Routledge

Hamayotsu, Kikue (2011), Beyond Faith and Identity: Mobilizing Islamic Youth in a Democratic Indonesia, in *the Pacific Review*, Volume 24, pp.225-247.

Holzer, Boris (2014) Two Faces of World Society, in *From Globalization to World Society. Neo-Institutional and Systems-Theoretical Perspectives*. (Ed. By Holzer, Kastner and Werron). London: Routledge

Huffington Post (2018), *Indonesia's LGBTQ Community Rattled By Criminal Code Revamp Plan*. Available from: https://www.huffingtonpost.com/entry/indonesia-lgbtq-criminal-code-revamp_us_5a7fb9dde4b044b3821e1c8a (Accessed on the 18th of April 2018)

Human Rights Watch (2017), *Indonesian Police, Anti-LGBT Islamists Restart Snister Collaboration*. Available from: https://www.hrw.org/news/2017/01/23/indonesian-police-anti-lgbt-islamists-restart-sinister-collaboration (Accessed on the 17th of April 2018)

Human Rights Watch (2017), *Indonesian Religion Minister's Contradictory LGBT "Embrace"*. Available from: https://www.hrw.org/news/2017/12/19/indonesian-religion-ministers-contradictory-lgbt-embrace (Accessed on the 18th of April 2018)

Iskandar, Pranoto (2016), The Pancasila Delusion, in *Journal of Contemporary Asia*. Routledge

Jakarta Globe (2013) *West Java Governor Ahmad Heryawan: Little Intolerance Here.* Available from: http://jakartaglobe.id/news/west-java-governor-ahmad-heryawan-little-intolerance-here/ (Accessed on the 22th of April 2018)

Jakata Globe (2015*), PDI-P Lawmaker Adriansyah Jailed for 3 Years in Bribery Case*. Available from: http://jakartaglobe.id/news/pdi-p-lawmaker-adriansyah-jailed-3-years-bribery-case/ (Accessed on the 2nd of May 2018).

Jakarta Globe (2017) *Prabowo Expresses Gratitude to FPI Leader for "Saving Indonesia's Democracy"*. http://jakartaglobe.id/politics/prabowo-expresses-gratitude-fpi-leader-saving-indonesias-democracy/ (Accessed on the 22th of April 2018)

Jakarta Post (2015), *New Minimum Wage Formula Comes into Effect*. Available from: http://www.thejakartapost.com/news/2015/10/27/new-minimum-wage-formula-comes-effect.html (Accessed on the 22th of April 2018).

Jakarta Post (2016), *LGBT supporters in Yogyakarta prohibited from staging rally*. Available from: http://www.thejakartapost.com/news/2016/02/25/lgbt-supporters-yogyakarta-prohibited-staging-rally.html (Accessed on the 17th of April 2018)

Jakarta Post (2016), *Indonesian psychiatrists label LGBT as mental disorder*. Available from: http://www.thejakartapost.com/news/2016/02/24/indonesian-psychiatrists-label-lgbt-mental-disorders.html (Accessed on the 2nd of May 2018)

Jakarta Post (2017), *Indonesian Court rejects petition to outlaw premarital gay sex*. Available from: http://www.thejakartapost.com/news/2017/12/14/indonesian-court-rejects-petition-to-outlaw-premerital-gay-sex.html (Accessed on the 17th of April 2018)

Jakarta Post (2017), *Workers Pressure Anies on Minimum Wage Promise*. Available from: http://www.thejakartapost.com/news/2017/11/10/workers-pressure-anies-on-minimum-wage-promise.html (Accessed on the 22th of April 2018)

Juliawan, Benny (2011), Street-level Politics: Labour Protests in Post-authoritarian Indonesia, in *Journal of Contemporary Asia*, Volume 41 p. 349-379. Routledge

Kecia, Ali (2006), *Sexual Ethics & Islam*. Oxford, England: OneWorld Publishing

Khanis, Suvianita (2013), Human Rights and the LGBTI Movement in Indonesia, in *Voices From Asian Feminist Activism*, Vol. 19 No.1, pp – 127-138. Routledge

Kitschelt, Herbert (2000), Linkages between Citizens and Politicians in Democratic Politics, in: *Comparative Political Studies*, 33, 6-7, 845–879.

Lane, Max (2018), *The Politics of Wages and Indonesia's Trade Unions*. Southeast Asian Studies (ISEAS)

Leech, Beth L (2002), Asking Questions: Techniques for Semistructured Interviews, in *Political Science and Politics*, Vol. 35(4), pp. 665-668

Levy, Jack S. (2008), Case Studies: types, designs, and logics of inference, in *Conflict Management and Peace Science 25* (1)

Lifegate (2018), *Being LGBT in Indonesia, why Attacks on the Community Are Growing*. Available from: https://www.lifegate.com/people/news/lgbt-in-indonesia-attacks-increasing (Accessed on the 10th of April 2018)

Michele, Ford and Thomas B. Pepinsky (2015), Beyond Oligarchy: Wealth, Power, and Contemporary Indonesian Politics, in *Southeast Asian Studies* Vol.5 (3), pp. 575-578

Mietzner, Marcus, and Burhanuddin Muhtadi. (2017), 'Ahok's Satisfied Non-voters: An Anatomy http://www.newmandala.org/ahoks-satisfied-non-voters-anatomy/ (13th of April)

Minza, Wenty M., Makmym Wahid, Maesur Zaky and Zafira Rahmania Nur Shabrina (2017), Youth Movements and the Politics of Recognition and Redistribution, in *The Politics of Citizenship* (Ed. By Stokke and Hiariej). Yayasan Pustaka Obor Indonesia

Nasr, V. (2009), *Forces of Fortune: The Rise of the New Muslim Middle Class and What It Will Mean for Our World*. New York: Free Press.

National Sexual Rights Law and Policy Database, *Indonesia*. Available from: http://sexualrightsdatabase.org/static/country-373.html (Accessed on the 11th of April 2018)

Newsweek (2018), *Muslims who buy Starbucks will go to hell, says religious leader*. Available from: http://www.newsweek.com/muslims-who-buy-starbucks-will-go-hell-says-religious-leader-905592 (Accessed on the 2nd of May 2018)

Reuters (2014), *Ex-head of Indonesia's constitutional court jailed for life of graft.* Available from: https://uk.reuters.com/article/uk-indonesia-corruption/ex-head-of-indonesias-constitutional-court-jailed-for-life-for-graft-idUKKBN0F51Z420140630 (Accessed on the 19th of April 2018)

Reuters (2015), *In Indonesia, minorities under threat from Muslim hardliners*. Available from: https://www.reuters.com/article/us-indonesia-religion/in-indonesia-minorities-under-threat-from-muslim-hardliners-idUSKCN0SM2SO20151028 (Accessed on the 5th of April 2018)

Reuters (2017), *Indonesian court jails ex-judge for eight years in graft case*. Available from: https://www.reuters.com/article/us-indonesia-corruption/indonesian-court-jails-ex-judge-for-eight-years-in-graft-case-idUSKCN1BF142 (Accessed on the 19th of April 2018)

Reuters (2017), *Muslim leader urges Indonesians to boycott Starbucks over LGBT stand*. Available from: https://www.reuters.com/article/us-indonesia-starbucks-lgbt-idUSKBN19M36N (Accessed on the 2nd of May 2018)

Reuters (2017), *Indonesia passes law to ban organizations deemed against its ideology*. Available from: https://www.reuters.com/article/us-indonesia-islamists/indonesia-passes-law-

to-ban-organizations-deemed-against-its-ideology-idUSKBN1CT1JZ (Accessed on the 4th of May 2018)

Reuters (2018), *Criminal code revamp plan sends chill through Indonesia's LGBT community.* Available from: https://www.reuters.com/article/us-indonesia-lgbt-insight/criminal-code-revamp-plan-sends-chill-through-indonesias-lgbt-community-idUSKBN1FT2IO (Accessed on the 17th of April 2018)

Rowson, Everett K. (2012) *Homosexuality ii. In Islamic Law.* Available from: http://www.iranicaonline.org/articles/homosexuality-ii (Accessed 20th of September 2017)

Savirani, Amalinda and Edward Aspinall (2017), Adversarial Linkages: The Urban Poor and Electoral Politics in Jakarta, in *Journal of Current Southeast Asian Affairs*, 36, 3-34. GIGA

Savirani, Amalinda and Olle Törnquist (2015), *Reclaiming the State. Overcoming Problems of Democracy in Post-Soeharto Indonesia*. Penerbit Polgrov

Skoog, Gun Eriksson (2005) *Supporting the Development of Institutions – Formal and Informal Rules. An Evaluation Theme Basic Concepts*. Sida/UTV. Available from https://www.sida.se/contentassets/502276753e2c429b9c4e066ae0c16872/20053-supporting-the-development-of-institutions---formal-and-informal-rules.-an-evaluation-theme-basic-concepts_1886.pdf (Accessed 27th of January 2018)

Stokke, Kristian and Elin Selboe (2009), Symbolic Representation as Political Practice, in *Rethinking Popular Representation* (Ed. By Törnquist, Webster and Stokke). New York: Palgrave

Stokke, Kristian (2017), Towards and Analytics Framework, in *The Politics of Citizenship*. Yayasan Pustaka Obor Indonesia

Stokke, Kristian and Eric Hiariej (2017), *The Politics of Citizenship*. Yayasan Pustaka Obor Indonesia

Tarrow, Sidney (1998, 2011), *Power in Movement. Social Movements and Contentious Politics*. Cambridge University Press

Tempo (2016), *Anti-LGBT Supporters Blocks LGBT Rally in Jogjakarta Monument*. Available from: https://en.tempo.co/read/news/2016/02/23/307747639/Anti-LGBT-Supporters-Blocks-LGBT-Rally-in-Jogjakarta-Monument (Accessed on the 17th of April 2018)

The Diplomat (2018), *Politics in Indonesia: It's Business as Usual*. Available from: https://thediplomat.com/2018/01/politics-in-indonesia-its-business-as-usual/ (Accessed on the 30th of April 2018)

The Guardian (2016), *Jakarta protests: Muslims turn out in force against Christian governor Ahok.* Available from: https://www.theguardian.com/world/2016/dec/02/jakarta-protests-muslims-against-christian-governor-ahok (Accessed on the 13th of April 2018)

The Guardian (2016), *No room in Indonesia for gay rights, says president's spokesman*. Available from: https://www.theguardian.com/world/2016/aug/11/no-room-in-indonesia-for-gay-rights-says-president-spokesman (Acceased on the 17th of April 2018)

The Guardian (2017), *Indonesia police detain 51 men in raid on Jakarta "gay spa".* Available from: https://www.theguardian.com/world/2017/oct/08/indonesia-police-detain-51-men-in-raid-on-jakarta-gay-spa (Accessed on the 11th of April 2018)

The Guardian (2017), *Why LGBT hatred suddenly spoked in Indonesia*. Available from: https://www.theguardian.com/global-development-professionals-network/2017/feb/22/why-lgbt-hatred-suddenly-spiked-in-indonesia (Accessed on the 10th of April 2018)

The Guardian (2018), *the incident happened amid a crackdown on the LGBT community in the Muslim nation.* Available from: https://www.theguardian.com/world/2018/jan/29/indonesian-police-in-aceh-province-cut-hair-of-transgender-women (Accessed on the 5th of April 2018)

The Straits Times (2017), *141 men arrested over gay party in Jakarta*. Available from: http://www.straitstimes.com/asia/se-asia/141-men-arrested-over-gay-party-in-jakarta (Accessed on the 11th of April 2018)

Telegraph (2018), *LGBT "taskforce" in Indonesian city adds to fears of gay rights crackdown*. Available from: https://www.telegraph.co.uk/news/2018/02/20/lgbt-taskforce-indonesian-city-adds-fears-gay-rights-crackdown/ (Accessed on the 10th of April 2018)

Time (2017), *ISIS Unveiled*: *The Story Behind Indonesia's First Female Suicide Bomber*. Available from: http://time.com/4689714/indonesia-isis-terrorism-jihad-extremism-dian-yulia-novi-fpi/ (Accessed on the 1st of May 2018)

Time (2017), *Conservative Islam Has Scored a Disquieting Victory in Indonesia's Normally Secular Politics*. Available from: http://time.com/4747709/indonesia-jakarta-election-governor-islam-christianity-ahok-anies/ (Accessed on the 29th of April 2018)

Today (2017), *The rise of Indonesia's FPI and its push for syariah law*. Available from: https://www.todayonline.com/commentary/rise-indonesias-fpi-and-its-push-syariah-law (29th of April)

Tomsa, Dirk (2012), *Moderating Islamism in Indonesia: Tracing Patterns of Party Change in the Prosperous Justice Party*. Political Research Quarterly 65(3), 486-498. University of Utah

Transparency International (2013), *Corruption remains a global threat*. Available from: https://www.transparency.org/cpi2013/results (Accessed on the 19th of April 2018)

Törnquist, Olle (2009), The Problem is Representation! Towards an Analytical Framework, in *Rethinking Popular Representation*. (Ed. By Törnquist, Webster and Stokke). New York: Palgrave Macmillan

Törnquist, Olle, Neil Webster and Kristian Stokke (2009), *Rethinking Popular Representation*. New York: Palgrave Macmillan

Törnquist, Olle (2013), *Assessing Dynamics of Democratisation. Transformative Politics, new*

institutions, and the Case of Indonesia. New York: Palgrave

Törnquist, Olle with H. Hanif, E. Hiariej, W. P. Samadhi, and L. Savirani (2016) *Roots of Stagnation and Ways to Democratization 2.0: The Indonesian Message*. Oslo: Gyldendal

Umam A. and Akhmad Arif Junaidi (2017), *Political Islam: The shrinking trend of the future trajectory of Islamic political parties in Indonesia*. Masyarakat, Vol. 30(1), pp-1-12

UNESCO, *The Constitution of the Republic of Indonesia of 1945*. Avaliable from: http://www.unesco.org/education/edurights/media/docs/b1ba8608010ce0c48966911957392ea8cda405d8.pdf (Accessed on the 17th of April 2018)

van Klinken, Gerry (2009), Patronage Democracy in Provincial Indonesia, in *Rethinking Popular Representation* (Ed. By Törnquist, Webster and Stokke). New York: Palgrave Macmillan

van Klinken, Gerry and Ward Berenschot (2014) *In Search of Middle Indonesia. Middle Classes in Provincial Towns*. Brill

Voa News (2018), *Activists Protest Criminal Code Revisions in Jakarta*. Available from: https://www.voanews.com/a/activists-protest-criminal-code-revisions-in-jakarta/4250353.html (Accessed on the 30th of April 2018)

Watt, Peter A (2006), Principles and Theories of Local Government, in *Economic affairs* 26.1 p. 4-10. Institute of Economic Affairs (IEA).

Wafer, Jim (1997) *Muhammad and Male Homosexuality*, in Stephen O. Murray and Will Roscoe. Islamic Homosexualities: Culture, History and Literature. New York University Press

Washington Post (2018), *Once-tolerant Indonesia moves to outlaw gay – and extramarital – sex.* Available from: https://www.washingtonpost.com/world/asia_pacific/once-tolerant-indonesia-moves-to-outlaw-gay--and-extramarital--sex/2018/02/09/d82b7112-0b79-11e8-

998c-96deb18cca19_story.html?noredirect=on&utm_term=.5b6589f78d46 (Accessed on the 10th of April 2018)

Washington Post (2017), I*t's not illegal to be gay in Indonesia, but police are cracking down anyway*. Available from: https://www.washingtonpost.com/news/worldviews/wp/2017/10/12/its-not-illegal-to-be-gay-in-indonesia-but-police-are-cracking-down-anyway/?utm_term=.cdba209e38b5 (Accessed on the 10th of April 2018)

Warburton, Eve, and Liam Gammon. (2017), *Class Dismissed? Economic Fairness and Identity Politics in Indonesia.* Available from: http://www.newmandala.org/economic-injustice-identity-politics-indonesia/ (Accessed on the 13th of April 2018)

Weyland, Kurt (2017), Populism: A Political-Strategic Approach, in *the Oxford Handbook of Populism* (Ed. Kaltwasser, Taggart, Espejo and Ostiguy). Oxford University Press

Wilson, I. (2008), "As Long as It's Halal: Islamic Preman in Jakarta." In *Expressing Islam: Religious Life and Politics in Indonesia* (Ed. by G. Fealy, and S. White), 192–211. Singapore: Institute of Southeast Asian Studies (ISEAS)

Wilson, I. (2017), Jakarta: Inequality and the Poverty of Elite Pluralism. Available from: http://www.newmandala.org/jakarta-inequality-poverty-elite-pluralism/ (Accessed on the 13th of April 2018).

Wilson, I (2014), Resisting Democracy: Front Pembela Islam and Indonesia's 2014 Elections, in *ISEAS Perspective: Watching the Indonesian Elections 2014*. ISEAS

Wilson, I. (2015), *The Politics of Protection Rackets in Post-New Order Indonesia. Coercive capital, authority and street politics*. Routledge: London

Woliver, Laura R. (2002), Ethical Dilemmas in Personal Interviewing, in *PS: Political Science and Politics* Vol. 35(4), pp. 677-678

World Bank. (2016), *Indonesia's Rising Divide: Why Inequality Is Rising, Why It Matters and What Can Be Done.* http://pubdocs.worldbank.org/en/162614607050881 79/Indonesias-Rising- Divide-English.pdf (Accessed on the 13th of April 2018)

Appendix 1 – Letter to the Interviewees

To whom it may concern,

My name is Julie Elisabeth Sørensen, I am a master student at the University of Oslo, Norway, where I am currently writing a master thesis on LGBT rights in Indonesia. I have received a scholarship to conduct a field study and collection of data through the Power, Welfare and Development research project, a joint project between the University of Oslo and the University of Gadjah Mada in Yogyakarta. The background for the research study is the liberal democratization process in Indonesia and the decreasing rights of the LGBT community. I wish to look closer into how the local regime in the current region affects organizations promoting the rights of the LGBT community in terms of challenges, and what long-term strategies organizations apply in their approach to the local regime. Long-term strategy can refer to both how LGBT organizations collaborate with other organizations concerned with the promotion of minority rights, and/or their relationship with actors and institutions in the current local regime.

I am looking for both organizations and academics familiar with the LGBT community who are available and interested in being interviewed in the time period of February. The interviews will be of qualitative character with an interview guide outlined in advance of the interview, where questions drafted mostly will be open ended.

The interviews will be conducted in line with ethical guidelines and the interview is voluntary, which means that you are entitled to withdraw from the research study at any given time, both during and after the interview is conducted.

I hope that this sounds interesting and that would like to take part in the research study. I look forward to your response.

Kind regards, Julie Elisabeth Sørensen

Appendix 2 – Interview guide

Please state your name and the organization you work with
What is your position in the organization?

Could you take the most recent issue you've been spending time on and describe what you are trying to accomplish on this issue
Follow-up question:

a) (if necessary) what issue most recently came across your desk?
b) What issues do you most often deal with?
c) In your opinion, what are the most important LGBT issues? Why?

Have your organization collaborated with other organizations on this issue
Follow-up questions:

a) If so, what organization(s)?
b) If no, do you usually collaborate with other organizations? If so, what organizations?
c) If no, why not?

LGBT is an initialism capturing those who identify themselves as lesbian, homosexuals, bisexual and transgender. In regards to the different minorities within the community, do you approach LGBT issues as collective or fragmented issues?
Follow-up questions:

a) Do you consider the LGBT community as a collective or fragmented unity?
b) Have you experienced a shift in the LGBT community in terms of unity? Positive or negative? In what way?

Which actors do you approach when discussing this issue (related to q. 3 and 4)?
Follow-up questions:

a) People with social capital, individuals/groups at grassroots level, or politicians
b) In your experience, do these actors represent the LGBT community? How? Substantive, descriptive and/or symbolic

c) Have you experienced resistance towards the representation of the LGBT community in your region? If so, in what way?

When addressing this issue, did you make use of any channels?

Follow-up questions:

a) If yes, which channels? Informal arrangements such as popular movements and lobby groups, or for example intermediaries who express collective interests and ideas to elected political parties
b) If no, do you usually go through different channels in order to address LGBT related issues? Which ones? Informal arrangements vs. intermediaries
c) Have you experienced any challenges when making use of such channels? How?

Is there anything I have not asked you which you think I should have, or do you have any comments on some of the questions?