



## Current Polarization: Religion and Sexual Wellbeing for Earning Equal Rights for Sexual Health and Reproductive Rights in Indonesia

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**ABSTRACT:** Indonesia has presented the Law (UU) on the Crime of Sexual Violence (TPKS), which was ratified by the People's Representative Council (DPR) on 13 April 2022. The TPKS Law is a complete, fair and formal basis for victims of sexual violence. In fact, sexual health and reproductive rights is a basic human right, so it must be recognized, protected, and everyone must be ensured to get it. This paper is conducted for answering question: what is the stories and its meaning about religion and sexual wellbeing for earning equal rights for sexual health and reproductive rights in Indonesia? Applying narrative research, this study has lived experiences of individuals and groups related to religion and sexual wellbeing. As the research result, the researcher concluded that whatever cases found, if there is contestation and polarization in the societal or political dynamics around this, there are probably two positions visible. One position can be called progressive and the other conservative. It could also be framed as secular and religious; and or pro-choice and pro-family. There may be certain language in context for showing and framing actors who disagree on issues of sexuality and gender. Polarization dynamics tend to make two positions visible.

**Keywords:** Polarization; Religion; Sexual Wellbeing

**ABSTRAK:** Indonesia telah mengajukan Undang-Undang (UU) tentang Tindak Pidana Kekerasan Seksual (TPKS) yang disahkan oleh Dewan Perwakilan Rakyat (DPR) pada 13 April 2022. UU TPKS merupakan landasan yang lengkap, adil dan formal bagi korban kekerasan seksual. Padahal, kesehatan seksual dan hak reproduksi merupakan hak asasi manusia, sehingga harus diakui, dilindungi, dan setiap orang harus dipastikan mendapatkannya. Tulisan ini dibuat untuk menjawab pertanyaan: bagaimana cerita dan maknanya tentang agama dan kesejahteraan seksual untuk memperoleh persamaan hak atas kesehatan seksual dan hak reproduksi di Indonesia? Menerapkan penelitian naratif, penelitian ini memiliki pengalaman hidup individu dan kelompok yang berkaitan dengan agama dan kesejahteraan seksual. Sebagai hasil penelitian, peneliti menyimpulkan bahwa apapun kasus yang ditemukan, jika terjadi kontestasi dan polarisasi dalam dinamika sosial atau politik di sekitar ini, kemungkinan besar akan terlihat dua posisi. Satu posisi bisa disebut progresif dan yang lainnya konservatif. Itu juga bisa dibingkai sebagai sekuler dan religius; dan atau pro-pilihan dan pro-keluarga. Mungkin ada bahasa tertentu dalam konteks untuk menampilkan dan membingkai aktor yang tidak setuju dengan isu seksualitas dan gender. Dinamika polarisasi cenderung membuat dua posisi terlihat.

**Kata Kunci:** Polarisasi; Agama; Kesejahteraan Seksual.

### A. INTRODUCTION

Gender and sexual socialization are important processes that influence sexual behavior and (risks to) health and well-being (Termeuleun et al., 2020), in Indonesia (as in many other places), research and interventions related to youth sexual and reproductive health often take health- or risk-based approaches, with an explicit or implicit focus on preventing premarital sex. In addition, the 1945 Constitution of the Republic of Indonesia which become the basis of

all existing laws guaranteeing that every person has the right to live in physical, spiritual and physical prosperity and health.

Law No. 36 of 2009 concerning Health mandates that everyone has the right to obtain information, education and counseling regarding reproductive health that is correct and accountable. And PP 61 of 2014 concerning reproductive health has included adolescent reproductive health as a type of service which is a series of activities aimed at adolescents in order to maintain reproductive health; and in article 11 no. 1 it is stated that adolescent reproductive health services aim to prevent and protect adolescents from risky sexual behavior and other risky behavior that can affect reproductive health (Direktorat Sekolah Dasar, 2020); and preparing youth to live a healthy and responsible reproductive life. In article 12 it is explained that one of these services is carried out through the provision of communication, information, and education in the process of formal and non-formal education.

It indicates, Indonesia has very clear law related to sexual wellbeing for people. But in fact the existing regulations do not have a positive impact on children in Indonesia because of the fact that sexual violence continues to befall children which causes the child's psychology to become disturbed so that the child experiences severe trauma which causes mental disturbance in the process its growth and development . Many children who suffer from prolonged trauma, even more shockingly, are victims of sexual abuse as children, become perpetrators of sexual crimes as adults. This case must receive intensive state attention, because it concerns the future of the nation's children . The 2021 Annual Notes (CATAHU) describe various spectrums of violence against women that have occurred throughout 2020 and there are the highest cases in new patterns that are quite extreme, including, the increase in the number of dispensations for marriage (child marriage) by 3 times which is not affected by the pandemic situation, namely from 23,126 cases in 2019, an increase of 64,211 cases in 2020 (Komnas Perempuan, 2021). In short, more socialization get more cases. Why should be like that?

In the aspect of religion, especially for Islam in Indonesia, the understanding of how sexual wellbeing protected is also socialized. One student's thesis concluded that understanding in the fulfillment of sexual rights from the perspective of the al-Qur'an distinguished in three respects. First, the right of 'ibadah which is placed at the highest level. Second, the rights of ahwâl syakhshiyah (personal law) which are more directed to autonomous rights or private rights. Third, mu'amalah rights which are public rights. This right offers a reinterpretation of religious teachings, namely, regarding sexual relations for both men and women. Starting from self-preservation efforts (QS. an-Nûr/24:30-31), equality (QS. al-Baqarah/2:228), accountability (QS. Âli 'Imrân/3:36), as well as defending women from polygamous marriage (QS. an-Nisâ/4: 3). The solution is, first, strengthening family resilience that is *sakinah, mawaddah, warahmah*. Second, build an ideal and quality society. Third, public policy arrangements that are women-friendly (Murni, 2020). Additionally, Discussion of sexuality in the al-Qur'an tends to focus on sexual relations as husband and wife rather than sex as an individual human right. Thus, the discussion of marriage as the institutionalization of social-sexual relations obtains a fairly complete explanation compared to sexuality as the

right of every person (Hannah, 2017) . So, what a best regulation presented for the human sexual wellbeing.

The problems was coming out when those both perception, religion and the law (Indonesia), implemented to protect and process cases related to sexual violence and harassment. The polarization action of how solve that cases is something debatable for people because of different principles and perspectives. By the opening above this study has focus of study about what is the stories and its meaning about religion and sexual wellbeing for earning equal rights for sexual health and reproductive rights in Indonesia in the perspectives of religion (Islam) and sexual wellbeing.

The word related 'sex, sexuality' sometimes is no really open-terms for some in Indonesia. It may be called taboo, or it is very private understanding to be shown. As Rachel Spronk discuss the concept of sexuality, she explained that Sexual desire is mostly stimulated in connection with others, which can be physical, emergent, or virtual. Lastly, sexual desire is also influenced by the social context. As in, what is culturally seen as arousing, but also, by what is deemed forbidden or proper. There are three levels one by one. First, sexuality is personal because it is a vehicle for powerful feelings that are experienced very privately. They experience this intensely because it happens through our bodies. It is about a personal experience of sexual practices, which can be both pleasurable as well as painful. We sometimes refer to "my sexuality" to indicate this personal dimension of sexuality. It is also the domain of sexual identity(Spronk, n.d.). Second, sexuality is interpersonal. When engaging in sexual practices, sexuality is often an intimate exchange between people, which varies in intensity and meaning depending on the kind of relations. Sexual relations are valued for personal fulfilment and for cultural ideas of gender and personhood. And third, sexuality is socially constructed. We often think of sexuality as biologically defined, but this is a tale of chromosomes, hormones, and other genetic factors. In Indonesia itself, sexuality is not formally socialized to schools and university but it is became extracurricular. It means it is only presented outside the classroom, or formally presented to certain department for university.

The problems come out when this sexuality has wrong pathway in socialization, it will get misleading. It is just example, watching video about sexual activity that done by immature kids; it would be effected badly and wrong to other kids, or others namely sexual violence without knowing that that was wrong as some cases had happened both reported or unreported.

In addition, Islam in Indonesia has perspectives about sexuality. Sexuality has become part of the history of mankind connection with religion. There are two types of relationship between sexuality and religion. First, sexuality as something that must be shunned, because it is related to the myth of the fall of humans from heaven. Second, sexuality is seen as something normal, even important in life, because it helps shape human history(Tobroni, 2017). In addition, he right to sexual pleasure implies that men and women have equal rights to sexual pleasure. The way to earn that pleasure, in other hand, should pay attention to sexual health and reproductive rights for both men and women. So, there will be no sexual violence and or sexual harassment.

The point then, is the current polarization. The researcher is adopted from MOOC that talking about “Religion and Sexual Wellbeing”, it’s simply like one helpful concept. It is that of grand schemes, as it captures how people connect to certain traditions. These traditions are often associated with foundational or holy persons and texts, as well as certain practices or rituals and ideas about the past and the future. Religion is perhaps the most obvious example of such a grand scheme, and one that tends to be highly visible as a grand scheme in contestations over sexuality (Groningen, n.d.). Of course, there are different perception available.

This research has purpose to present the narration, describes, in some detail, the setting or context within which sexual wellbeing occurred. Lastly, the researcher is actively present during the study and openly acknowledges that his or her report is an interpretation of the participant’s experiences such as news-taken, or story with initial names.

## B. RESEARCH METHOD

Research method used to this study is applying narrative research. The researcher of narrative research focus on a single individual, often describe special or important events in the individual’s life, place the individual within a historical context, and try to place themselves in the research by acknowledging that the research is their interpretation of the participant’s life (Fraenkel & Wallen, 2009), and seek to understand the lived experience of an individual or small group (Ary et al., 2010). Practically, at this study researcher try to describe the way of earning sexual health and reproductive right as the right to sexual wellbeing. This would take some cases, story and news (for unwanted of sexual wellbeing), then it would be connected to religion and law (norms) which is possible to cause to be present polarization for people in Indonesia.

## C. RESULT AND DISCUSSION

This part is going to present some literature related to: sexual wellbeing, sexual health, reproductive right, equality (for pleasure) in the perspective on religion, and polarization. For very early sub topic, researcher is going to have a look to sexual wellbeing. What is it? Sexual wellbeing is closely related to how governance protect sex and sexuality for people. Sexuality is also of concern to governmental public health policies. Public health is the science and practise of preventing disease, of prolonging life, and of improving the quality of life, and governments invest much in this. For matters concerning the birth rates, sexually transmitted diseases, to sexual violence, sexuality is an important aspect of public health. As public health efforts are concerned with the prevention of ill health, the focus is on dealing with problems resulting in disease.

The notion of sexual and reproductive health rights is used to work towards this goal, and for good reasons (Rachel Spronk, n.d.). Sexual wellbeing is imperative to public health as a marker of health equity, a meaningful population indicator of wellbeing, a means to capture population trends distinct from sexual health, and an opportunity to refocus the ethics, form, and practices of public health (Mitchell et al., 2021). Sexual health itself is (WHO definition) is revolutionary in acknowledging positive sexuality, public health approaches remain focused

on risk and adverse outcomes. Additionally, health is a universal right and our governments must work to achieve that. However, focusing on problems, by definition, excludes other topics that are also part of sexuality, such as affection, intimacy, or pleasure. Studying unwanted pregnancies, sexually transmitted diseases, or sexual violence is important, but pushes aside the more positive aspects of sexuality. As such, it generates partial knowledge about sexuality if we look at the whole of what we call sexuality. In other words, the term sexual health is defined so as to work towards the absence of problems related to health (Rachel Spronk, n.d.).

The next literature is talking about reproductive health. There are some articles talk about that. In Indonesia, reproductive health is educated since early years of child till mature or adolescent, such as: functions of women and male reproductive organs (P. P. Dewi, 2018) and There are various ways of sexual outlet, both of which can be done alone (self-service), as well as those that require a partner (Hapsari, 2019). According to ICPD and Health Law no. 36 of 2009, Reproductive Health is: A state of complete physical, mental and social well-being, which is not solely free from disease or disability, relating to the reproductive system, as well as its functions and processes (Direktorat Sekolah Dasar, 2020).

Largely, it is also educated by religion of Islam. Here the look, first, in the process of human reproduction, the element of water is more dominant mentioned in the Qur'an than the element of earth. The word *nutfah* in Arabic means a drop that can wet. There are also those who understand the word in the sense of the meeting of sperm and ovum (Willya, 2012). Second, the orientation of sex education aims to explain the ethics of channeling sexual needs correctly so that they do not fall prey to acts of sexual deviance. Sex education is not only limited to an introduction to anatomy, physiology, venereal diseases and deviant sexual behavior, but more than that sex education forms children's emotional maturity and attitudes in responding to their sexual instincts (Ilham, 2019). There is good description available.

The last one is talking about polarization. As the previous line, polarization in this study means some differentiation or various perception about what and how sexual wellbeing gain with paying attention to reproductive health. If it is focused on cases, there are a lot of cases that are caused by the lack of sexual knowledge. For instance, it is known that Indonesians is not foreign to the fact that its country's sexual harassment cases are on the rise (Anggrainie Ayu Rachmadevi, n.d.). Currently, Indonesian schools teach limited aspects of reproductive health across their subjects. What little sex education we have is still restricted to abstinence and STD threats. There is little to no focus on consent, sexuality and other gender-sensitive issues (Luthfi T. Dzulfikar, 2019). The polarization about sexual wellbeing is born from the internet consumption of how get pleasure with sex, from religion which is teach women to always follow men's sex instinct and society of how best practices to sexuality.

The discussion here, is trying to having narration about the understanding of sexual wellbeing. Some perception says that sex is all about human pleasure. Although, people (including children and adolescent) in Indonesia are Muslim, they have got about sexual education; they want to get sensation or fantasy in having sex both alone or with partner. Pleasure may be the key to the successful working of the reproductive systems of humans. However, for all the enjoyment sexual relationships can provide, there are countervailing forces

of guilt and disappointment at work on the individual psyche. Religious and social norms enforce limits on sexual expressiveness (Hull, 2008). Those activities in the sense of love, if not; that would be violence or harassment.

Reading that abstract below (Griffitt, 1975):

“Male (30) and female (30) college undergraduate subjects were shown five photographic slides depicting different heterosexual behaviors and one slide depicting solitary masturbation by a person of the same sex as the subject. Subjects rated the extent to which they found each of the slides sexually arousing and pleasant or unpleasant and indicated how many times they had personally engaged in each of the depicted activities. Following exposure to the slides, sexual arousal and emotional reactions were assessed. Contrary to the propositions of Kinsey et al. (1953), female heterosexual experience was equal to or superior to masturbation experience as an indicant of female sexual reactivity to the erotic materials. Among males, masturbation experience was superior to heterosexual experience as an indicant of sexual reactivity. The role of affective reactions to sexual experiences as determinants of sexual responsiveness is discussed.”

Taking that story of research-based, of course burning the polarization. How sexual activities in a good practices without any norms rejection, because some limitations in Islam, such as: Islam also teaches the principles of health, cleanliness and purity of birth and inner (R. Dewi, 2019). In Islamic teachings, sex is an important part, as well requirements for sex with human existence. More than that, the lesson places sex as love, if it is practiced according to Islamic law and arranged in a blessed marriage. Therefore, marriage is highly emphasized in Islamic teachings, because sex outside of marriage cannot be regulated in Islam, because it can harm other people (Mubhar et al., 2021). Contrary, today having sex before marriage is something common or trending for adolescent. It is all about how to get sex pleasure safely, such as using condoms. But, that is not Islam. That is only trends come out from the media or internet. So, in the case of sexual wellbeing is not only about having sex but also it is about take care the reproductive organs.

The next one is about follow the sexual instinct without paying attention of reproductive health. In this case is much related to having sex to gain any fantasy. In the last one of couple get any violence or harassment without any feeling or hurt. Risky sexual behavior in youth needs special attention. The 2017 Indonesian Demographic and Health Survey (IDHS) (BKKBN, 2017) revealed that around 2% of young women aged 15-24 years and 8% of young men of the same age admitted to having had sexual intercourse before marriage, and 11% of them experienced pregnancy-unwanted. Among women and men who had premarital sex, 59% of women and 74% of men reported having sex for the first time at the age of 15-19 years (PMB BRIN, 2021). More than that, it may also followed by sexual abuse, violence or harassment in the name of love.

It must be understood that love is not always having pleasure through sex, especially without marriage. Islam says recorded historically, Islam since 1443 years ago introduced sex education. Good ones narrated in the al-Qur'an and As-Sunnah of the Prophet Muhammad SAW. Sex education in Islam is given to Islamic children as guidance, distribution and

explanation of sexual problems to children since they are familiar with problems related to sex and marriage (N, 2021). In other hand, more taught means more violation. It is caused trends and society permit the relation without marriage. Behind that one, parents sometimes not really see what they are doing behind.

The last, it may be the most underlined. Gaining sexual wellbeing is meaning doing sexual activities with violence. As some news reported, such as killing partner (with or without any marriage relationship). The specific manifestations of violence in relation to sexuality; (1) the level of coerced sexual violence (rape), (2) war crimes, (3) violence in prison, (4) pornography (Gerald Santuary, 2021). The types of marriage found in the study of violence against women which are based on culture include (1) Connected Marriages (2) Running Friends (3) Blind Love Marriages (4) Grebeg/Catch/Mudemu Marriages (6) Forced Marriages Due to Pregnancy and Having Sexual Relations and (7) Early Marriage (Perempuan, 2019). Uniquely, it is not claim as sexual violence by the society, but it is hereditary culture.

Those all polarization is not limited, more socialization means more cases blow up. In other hand, Islam and Governance had planned the regulation for sexual wellbeing through protecting reproductive health. The last note is equality, means all sexual wellbeing is not limited to men, it is also for women.

#### D. CONCLUSION

The concluded remarks for this paper are as following, first, Islam and Indonesia had very clear and best regulation about sexual wellbeing. Second, the current polarization about sexual wellbeing is closely related people or group's perception of how gain the sexual pleasure, the al-Qur'an and Hadist interpretation; and also the plural sex education from media. The last one, sexual wellbeing is not only about having sex but also it is about sexual health and reproductive completely equal for both men and women. The different perception about sexual wellbeing for unequal or mislead, may come out sexual abuse, violence and harassment.

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