
“DOESN’T EVERYONE SUPPORT *SHARI’A*?” JOURNALISM AND COMPETING ETHICAL STANDARDS IN ACEH, INDONESIA

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What do Muslims in Aceh mean when they say they “support,” “defend,” or “care about” *shari’a*?

On the one hand, *shari’a* is the “way” or “path,” a set of obligations and rules for a good life that every Muslim should follow. On the other hand, *shari’a* can also mean “Islamic law”—or, in the case of Aceh, a set of man-made ordinances regulating behavior and providing harsh punishments for those who stray. Two seminal studies of *shari’a* in Aceh have recently suggested that *shari’a* is both an “experiment in social engineering” ideally leading to social transformation, and a highly personal means of becoming a “better” Muslim.¹ Although my study is informed by both works, the focus is slightly different. In the case under consideration, nearly everyone involved invoked *shari’a* to defend or justify an ethical position that he or she had otherwise already reached.

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¹ See: Michael Feener, *Shari’a and Social Engineering: The Implementation of Islamic Law in Contemporary Aceh, Indonesia* (Oxford: Oxford University Press, 2013), xi; and David Kloos, *Becoming Better Muslims: Religious Authority and Ethical Improvement in Aceh, Indonesia* (Princeton: Princeton University Press, 2017), 1.

Recent scholarship in anthropology has focused on the seeming contradiction between religion as a “grand scheme” of moral imperatives, and an everyday practice in which people negotiate, occasionally circumvent, and otherwise try to reconcile God-given mandates with the reality of their daily lives. Islam, for example, is not only what Samuli Schielke and Lisa Debevec have called a “normative doctrine” or “comprehensive metaphysical moral and spiritual order,” but also a set of practices and beliefs that are “very sincere in some moments and contradictory in other[s].”² Like Schielke and Debevec, I take everyday practice as a starting point, and focus on those moments in which “people navigate a complex and inconsistent course of life partly by invoking a higher moral, metaphysical, and spiritual order.”³

Related work in the study of ethics has posited that, aside from the normative morality of religion, human behavior is also governed by the “rough road” of the everyday “entangling of lives” that exist outside of Islam, sectarian, and religious identities.⁴ In the case of the 2012 dispute over journalism ethics and *shari‘a* in Aceh, triggered by the circumstances of a teenager’s death (described later) and the focus of this article, the road was often encumbered by a thicket of personal and professional relations that had nothing at all to do with Islam. In this way the differing views of *shari‘a* held by journalists in Banda Aceh parallel the informal discussions of press ethics that take place within newsrooms, journalists’ listservs, and among the public at large. Like *shari‘a*, the Code of Ethics mandated by the 1999 Indonesian Press Law is something that everyone formally “supports,” but which is still highly contested in everyday practice.

Background: *Shari‘a* in Aceh

As is well-known, Aceh has been seen as “special” by both law and reputation since Dutch colonial times. The Acehnese perceived the armed struggle against the Dutch to be a holy war, thus contributing to the view of Aceh as a place of religious fanaticism. After independence in 1945, disappointment at the failure to transform Aceh into a religious polity culminated in the outbreak of an armed rebellion in 1953, and the attempt to establish an “Islamic State of Indonesia.” This conflict ended in 1962, when the central government in Jakarta granted Aceh special autonomy in the realm of religion, education, and local custom.⁵

The discovery of oil and natural gas in North Aceh in the early 1970s led to more unrest and demands for political independence, along with the establishment in 1976 of the Free Aceh Movement (Gerakan Aceh Merdeka, GAM). The resulting armed struggle, which is estimated to have claimed between twelve and twenty thousand lives, lasted more than twenty-five years.⁶

² Samuli Schielke and Lisa Debevec, *Ordinary Lives and Grand Schemes: An Anthropology of Everyday Religion* (New York: Berghahn Books, 2012), 1.

³ Schielke and Debevec, *Ordinary Lives and Grand Schemes*, 2.

⁴ Hayder Al-Mohammad and Daniela Peluso, “Ethics and the ‘Rough Ground’ of the Everyday: The Overlappings of Life in Postinvasion Iraq,” *HAU: Journal of Ethnographic Theory* 2, 2 (2012): 50.

⁵ Kloos, *Becoming Better Muslims*, 3–4.

⁶ Edward Aspinall, *Islam and Nation: Separatist Rebellion in Aceh, Indonesia* (Singapore: NUS Press, 2009), cited in Kloos, *Becoming Better Muslims*, 4.

With the fall of President Suharto in 1998, successors B. J. Habibie and Abdurrahman Wahid each tried to resolve the Aceh conflict with offers of special status. In 2002–03, Aceh Governor Abdullah Puteh issued a series of bylaws regulating creed, worship, and religious symbolism, as well as criminal sanctions for gambling, illicit sexual relations, and the use of intoxicants. However, because of the violent and ongoing clashes between GAM and the Indonesian military (Tentara Nasional Indonesia, TNI), these regulations “made only a modest impact on Achenese society.”⁷

The 2004 tsunami changed everything.⁸ A peace agreement with GAM was signed in 2005, and the armed movement was transformed into a political party, the Aceh Party, which has held power more or less ever since. In 2006, new regional regulations (the Law on Governing Aceh) were passed by the People’s Consultative Assembly in Aceh (Dewan Perwakilan Rakyat, or DPR Aceh), giving local authorities the power to enforce Islamic criminal bylaws (*qanun jinayat*). These included, as mentioned, prohibitions against gambling, the consumption of alcohol, and improper relations between the sexes.

The Case

On the night of September 3, 2012, sixteen-year-old Putri Erlina and her female friend were detained by the Wilayatul Hisbah, or “*shari’a* police,” in Langsa. Their offense was being out after midnight in an open field. After being questioned for hours and told not to engage in such behavior again, the two were sent home, as they had committed no punishable offense. Putri went to her aunt’s house in Aceh Timur.

Before Putri was released, however, the Wilayatul Hisbah contacted a local reporter from *Prohaba*, a broadsheet devoted to sex, crime, and mysticism. The reporter did a quick story, which was published the next morning with the headline “Dua Pelacur ABG Dibeureukah WH” (Two teen prostitutes detained by WH [*Shari’a* Police]).⁹

Two days later, Putri returned to her father’s house in Langsa. Her father and older brother were there when she returned, but left shortly thereafter to attend a wedding party. When they came home some hours later, they discovered that she had hanged herself. On September 10, two days after Putri was buried, her family found a farewell note, in which she said that she had never sold herself, but that she had shamed the family.

At this point, the stories about what happened begin to diverge. AJI Banda Aceh, the local branch of the national Alliance of Independent Journalists (Aliansi Jurnalis Independen), called a press conference on September 17, and said that *Prohaba*, which

⁷ Feener, *Shari’a and Social Engineering*, xvii.

⁸ The magnitude 9.0 earthquake and resulting tsunami is estimated to have killed more than 131,000 people in Aceh province alone. Shannon Doocy, Abdur Rofi, Claire Moodie, Eric Spring, Scott Bradley, Gilbert Burnham, and Courtland Robinson, “Tsunami Mortality in Aceh Province, Indonesia,” *Bulletin of the World Health Organization* 85, 4 (2007): 275.

⁹ “Dua Pelacur ABG Dibeureukah WH,” *Aceh Tribune News*, September 4, 2012, <http://aceh.tribunnews.com/2012/09/04/dua-pelacur-abg-dibeureukah-wh>. *Aceh Tribune News* is the online version of *Prohaba* and *Serambi Indonesia*.

is owned by *Serambi Indonesia*, Aceh's biggest and most prominent newspaper, had violated the journalists' Code of Ethics as codified in Press Law.

According to Taufik Al Mubarak, who was at that time the head of AJI Banda Aceh's organization division, there were no *Serambi* journalists at the press conference. Regardless of whether this was true, there were *Serambi* journalists on AJI's internal mailing list, and it was comments that had been published on this listserv that raised the newspaper's ire.¹⁰ According to Yarmen Dinamika, *Serambi's* managing editor, AJI officials had said that Putri Erlina killed herself because of the headline in *Prohaba*. *Serambi's* editors could not tolerate these accusations, and on September 25 filed a police report under Indonesia's criminal code (KUHP, Kitab Undang-undang Hukum Pidana), demanding that Taufik Al Mubarak be charged with *mencemarkan nama baik*, or criminal defamation.¹¹

Meanwhile, on September 19, Eko Maryadi, the head of AJI Indonesia, and Maimum Saleh, the head of AJI Banda Aceh, filed a formal complaint with the Indonesian Press Council, stating that *Prohaba*, *Aceh Tribune News*, and the Medan newspaper *Waspada* had violated the journalistic Code of Ethics.¹² Senior journalist and press activist Leo Batubara, the former deputy chair of the Indonesian Press Council, led a team of five Press Council members who convened a hearing in Medan.¹³

Mediation failed, and on October 25 the Press Council issued an evaluation and recommendation from Jakarta. All three publications were found to have violated the journalistic Code of Ethics, and it was suggested that they apologize to the family of Putri Erlina, and give her relatives the right to reply. The Press Council refused to rule on whether the story in *Prohaba* had led to Putri's suicide, as such a question was outside of its jurisdiction.

Before going into the conflicting narratives that came out of the tragedy, it is important to explain the role of the Press Council, which owes its creation to Indonesia's landmark 1999 Press Law. Signed into law by President Habibie on September 23, 1999, as one of his last legislative acts, UU Pers no. 40/1999 has received widespread acclaim as a model press law. Batubara, who was at that time the head of the Indonesian Newspaper Publishers' Association, called it a "masterpiece."¹⁴ By effectively eliminating state control of print media, the 1999 Press Law redefined Indonesian press-government relations. Yet Indonesian courts have not been consistent in using the law in cases involving the press.

¹⁰ Taufik Al Mubarak, interview, December 22, 2017.

¹¹ "Prohaba Lapor Plh Ketua AJI ke Polisi," *Aceh Tribune News*, September 26, 2012, <http://aceh.tribunnews.com/2012/09/26/Prohaba-lapor-plh-ketua-aji-ke-polisi>

¹² *Waspada* had stated that Putri came from a "broken home" (English in the original) and "plunged into the black world because of economic pressure." See Pernyataan Penilaian dan Rekomendasi (PPR) Dewan Pers Nomor: 15/PPR-DP/X/2012, 16/PPR-DP/X/2012, and 17/PPR-DP/X/2012.

¹³ Press Council working group expert Christiana Chelsia Chan explained that Medan was chosen for logistical reasons (Medan features many more flights and hotels than does Banda Aceh) and to save money. Interview, July 27, 2018.

¹⁴ Leo Batubara, email to author, October 23, 2007. For a history of the 1999 press law, see Janet Steele, "The Making of the 1999 Indonesian Press Law," *Indonesia* 94 (October 2012): 1–22.

The 1999 Press Law guaranteed freedom of the press, eliminated licensing as a means of controlling the press, removed the government's ability to ban publications, and limited the power of the government to introduce subsequent regulations on the press. It also removed restrictions on who might practice journalism, and guaranteed the rights of journalists to join associations of their own choice; to seek, acquire, and disseminate ideas and information; to be free of censorship; and to refuse to divulge the names of their sources. Significantly, and for the first time, the law also provided penalties of fines or imprisonment for those who attempted to restrict press freedom (rather than the reverse), and allowed for self-regulation of the press through the establishment of an independent press council and a Journalistic Code of Ethics (Kode Etik Jurnalistik).

Of course, as Hafez has argued, it is important to distinguish formal codes of ethics from the more informal discussions of ethics that take place within the broader public sphere. Indonesian journalists today still face a number of serious challenges—most notably from the defamation provisions of the criminal code that are at odds with the Press Law.¹⁵ The criminal code contains at least forty clauses that can be used against journalists.¹⁶ Although the Press Council is supposed to adjudicate in media disputes—and despite a 2005 Supreme Court ruling that the Press Law should be used in all cases involving the press—authorities continue to undermine the council's mandate by bringing defamation charges to the courts.

Competing Narratives

Serambi Indonesia is, as noted earlier, the most important newspaper in Banda Aceh. Founded in 1989, its story is in many ways a classic example of the obstacles faced by those who wished to establish a print publication under Suharto's New Order government.¹⁷ The newspaper was the idea of Governor Ibrahim Hasan (1986–93), who helped broker a series of meetings between the would-be publishers of the paper and Jakob Oetama, the founder of the Jakarta-based daily *Kompas*.¹⁸ The new paper would use the required SIUPP (Surat Izin Usaha Penerbitan Pers, Press Publisher's Business Permit) of an existing weekly called *Mimbar Swadaya*, and would be one of twenty newspapers in Kompas-Gramedia's Divisi Pers Daerah, or regional press division.¹⁹

In his history of *Serambi*, Chaerol Riezal has noted not only the difficulty of reaching an agreement between *Kompas*, the owners of *Mimbar Swadaya*, and the governor, but also of obtaining the necessary permits from Indonesia's department of information. In addition to the usual administrative and financial hurdles, such a deal

¹⁵ Kai Hafez, "Journalism Ethics Revisited: A Comparison of Ethics Codes in Europe, North Africa, the Middle East, and Muslim Asia," *Political Communication* 19 (2002): 225–50.

¹⁶ <https://freedomhouse.org/report/freedom-press/2017/indonesia>

¹⁷ David T. Hill, *The Press in New Order Indonesia* (Jakarta: Pustaka Sinar Harapan, 1994).

¹⁸ H. Sjamsul Kahar, "Harian Serambi Indonesia, Beginilah Riwayat Awal," in Darmansyah, ed., *Perjalanan di Lintas Sejarah: 20 Tahun Serambi Indonesia*, (Banda Aceh: PT Aceh Media Grafika, 2009).

¹⁹ In many ways, the founding of *Serambi* resembled the founding of *Suara Timor Timur*, including the role of Valens Gowa Doy. See Janet Steele, "The Voice of East Timor: Journalism, Ideology, and the Struggle for Independence," *Asian Studies Review* 31, 3 (2007): 261–82.

required approval for both a name change and a switch from weekly to daily publication.²⁰ The paper would be called *Serambi Indonesia* (“the veranda of Indonesia”), a reference to “Serambi Mekka,” or the veranda of Mecca—a name that is often given to Aceh.

Despite the benefits of financial support, equipment, management assistance, and training for journalists, affiliation with Kompas-Gramedia came at a cost. *Kompas*, a paper that Benedict Anderson once described as the New Order’s newspaper *par excellence*, was widely assumed to be connected to the Catholic Church, an obvious liability in majority-Muslim Aceh.²¹ The paper was also known for a style of journalism that senior Indonesian editor Rosihan Anwar described as *jurnalisme kepiting*: “crab-like” journalism that engaged with power by moving ahead when conditions were good and retreating when they were not.

Kompas’s style of reporting was certainly useful in Aceh during the political conflict, when journalists were caught between the Free Aceh Movement and the Indonesian military. Riezal’s history of *Serambi* describes the period between 1999 and 2004 as a “low tide ... characterized by gunfire, kidnapping, and criminal acts.” And it was not only the journalists who came under attack—it was also the circulation staff, the front office, the agents, the people who delivered the papers, and the drivers. During this five-year period, as many as eight company cars were burned “by unknown people.”²²

Attacks on *Shari’a*

Nurdinsyam has the look of a crime reporter. A straight shooter, the fifty-something chief editor of *Prohaba* has a gravelly voice and the hardened demeanor of someone who has seen it all. We met at a noisy coffee shop in Banda Aceh, where he appeared to know nearly everyone.²³ Nurdinsyam was the managing editor of *Prohaba* at the time of the story’s publication, and he is adamant: there was nothing wrong with the headline in *Prohaba*, or with the use of the word *pelacur* (prostitute), because Putri had already confessed as much to the *shari’a* police at 4:00 in the morning when she was detained. “We got that word from her own doings,” he said. “There were witnesses.”

²⁰ Chaerol Riezal, “Perkembangan Surat Kabar Serambi Indonesia (1989–2015)” (Skripsi Program Studi Pendidikan Sejarah Fakultas Keguruan Dan Ilmu Pendidikan Universitas Syiah Kuala Darussalam, Banda Aceh, 2016), 54.

²¹ Quoted in Ignatius Haryanto, “Journalism *Kepiting*” [Crab journalism], *Pantau* (June 3, 2002), <https://www.pantau.or.id/?/=d/181>. As AJI’s Taufik Al Mubarak explained to me, “Before, the Aceh people were a bit resistant to *Serambi Indonesia* because they knew that in the background was *Kompas*, which is Catholic. So the rumor emerged that one rupiah from the sale of each issue of *Serambi* went to the church. So because of this they had a *ceramah* [speech] that denied this was Catholic media. And after that *Serambi* had a regular column called *Konsultasi Agama Islam* [Islamic Consultation]. It was done by Professor Muslim Ibrahim, the former head of MPU [Majelis Permusyawaratan Ulama, Ulama Consultative Council]. The column emerged after there were a lot of attacks on *Serambi*” (interview, Taufik al-Mubarak, December 22, 2017).

²² Riezal, “Perkembangan Surat Kabar Serambi Indonesia,” 122–25.

²³ Nurdinsyam, interview, December 22, 2017.

“She was a young girl, she was often in the street, night until morning, and she was connected with free sex,” he said. Moreover, he continued, the word “*pelacur*” doesn’t even have to refer to sex:

Pelacur is not limited only by *nafsu biologis* [biological lust]. It can also be forsaking one’s self-esteem, or dignity. For example, a journalist doesn’t work in keeping with his profession. But he works by receiving money, envelopes from another person. He is prostituting his profession. A teacher, he doesn’t teach what’s true, but has another profession outside and ignores his students. He is prostituting his profession. So there are wider meanings than “selling yourself” for sex. But it is a general meaning, people who sell themselves.

Pointing out that *Prohaba* is like “yellow journalism” everywhere—“you’ve seen *Pos Kota* in Jakarta, right?”—Nurdinsyam concluded that the only reason the paper gets special attention is because it’s in Aceh, and outsiders want to use it to attack *shari’a*. “Because it happened in Aceh,” he said, “an area that is under scrutiny, an area that is being watched by everyone, it became an opportunity for them to enter and attack Aceh. Who are ‘they’? Media friends, human rights activists. They entered, and the headline was the door they used to enter and attack *shari’a*.”

According to Nurdinsyam, there were even darker forces at play. The attack on *Prohaba* was not only driven by a desire to *menggugat* (sue or rebuke) *shari’a*, it was also strongly influenced by outsiders with an international anti-*shari’a* agenda. Even national media, such as *Tempo*, which had published a cover story that was critical of the way in which *shari’a* had been implemented in Aceh, were part of the problem, he said. And when outsiders and those with a “secular” agenda, such as Human Rights Watch and *Tempo*, got involved, there was no choice but to establish an organization that would defend *shari’a*. This, he said, led to the founding of KWPSI (Kaukus Wartawan Pembela Syariat Islam), the Caucus of Journalists who Defend Islamic *Shari’a*. Nurdinsyam’s position is straightforward: the people of Aceh want *shari’a*, and it is the law. KWPSI was established to ensure that *shari’a* would be implemented in Aceh in accordance with the law.

Together with friends, we made the group in order to create a caucus of journalists who agreed to advocate for the implementation of *Shari’a* Islam in Aceh. I felt that *shari’a* was facing a challenge from outside, and from our own journalists as well. We are Muslim journalists, and we wanted the decisions of Aceh to be implemented in a proportional way. Meanwhile, there are some friends from overseas, like Human Rights Watch, that protest the implementation of *shari’a*. But there are already regulations, there are already laws that have already been studied and socialized and received by the public. We wanted the implementation of this in Aceh. And we want the implementation to take place in the way that has already been outlined.²⁴

The Company Man

Yarmen has worked at *Serambi Indonesia* for nearly his entire career, and is now the paper’s managing editor. A friendly man in his early fifties, Yarmen is devoted both to

²⁴ Nurdinsyam, interview.

Serambi and to quality writing. During my visit to Banda Aceh in December 2017, Yarmen was unfailingly helpful, introducing me to the chief editor of *Prohaba*, and opening doors that would allow me to attend the Wednesday night “*pengajian*,” or religious study meeting of the “Caucus” (KPWSI). Yet at the same time, he was very careful to focus on and reinforce *Serambi*’s view of the matter. His recounting of the Putri case is precise.

The night of the occurrence, a young girl named Putri and her friend were in a field called Lapangan Sudirman, in Langsa. She was captured by the Wilayatul Hisbah at 4:00 in the morning. Indeed, at that time in Aceh there is no law that says a woman can’t sleep in a field. But the problem is that she’s in a place that’s not appropriate, in the middle of a field that’s dark. “Why are you there?” they ask.

She said that she was intentionally in the field, and ordered there by her *germo*, her boss. The boss’s name is Kak Dewi. For what? If there is suddenly a man who wants to book them, the transaction will take place there. If he doesn’t like her, in the house of Ms. Dewi there is still a stock of other women who are ready to be invited on dates.

So Putri was captured, and taken to the office of WH, and interviewed. She gave her identity. She was asked “what were you doing there at this hour? By 12:00 you should have gone home.” She explained again. Therefore, your profession is what? “A comfort woman” [*wanita penghibur*], she answered. She admitted it! It’s in the BAP [*Berita Acara Pemeriksaan*, the official report of the investigation]. “Are you are a virgin?” they asked. “I’m no longer a virgin,” she answered, “because I have had sex with my boyfriend.” Then she signed the report.

The next morning, at around 8:00, the head of the *shari’a* police for Langsa telephoned a *Prohaba* journalist. If you come to the office of WH, there is a woman who was captured at 4:00 AM, and she is now being processed.

Next the journalist came, met with Putri, and interviewed her. Putri asked that what she said not be made into a story. Why not? Because she was worried about her older brother. Because when she had gone out at night, she had lied to her brother. She had said she was sleeping at her friend’s house, but when she was captured she was sleeping in a field. So she was afraid.

But if all requests like that were granted, there would not be any articles about sex cases in Aceh. If the *Shari’a* Police have processed it, it will be become a story. Now, this *Prohaba* story quoted her statement in the BAP that she had confessed that she was a whore. So she had confessed, and she had signed.²⁵

There is no reason to doubt the truth of what Yarmen says, but, as AJI pointed out in its *Shari’a News Watch*, stories like the one published in *Prohaba* represent a certain literalist style of reporting on the implementation of *shari’a*. In Yarmen’s view, Putri had signed a confession, so *Prohaba* had the right to use the word *pelacur*. Admitting that it would have been better had the paper used the words *tersangka*

²⁵ Yarmen Dinamika, interview, December 19, 2017.

(accused of) or *terduga* (suspected of), he said that there was otherwise nothing wrong with the story.

Assuming that Putri's "confession" was obtained fairly, why didn't the paper use it in its story? According to Yarmen—who acknowledged that the Press Council ruled that the paper had erred in not including the official report in the story—it was probably because of a lack of space. "We didn't include it because the story had to be shortened and so the background wasn't perfect," he said. "But we couldn't be mad at our journalist because the background was there in the BAP, and we photocopied it. And yes, if it were to be written again, the research from Langsa should have been included, including the BAP."²⁶

Reporting on *Shari'a*

One of the key issues behind the dispute over the *Prohaba* story was how the implementation of *shari'a* was being covered in Aceh. As Nurdinsyam had suggested, there was concern about this, including from organizations outside of Indonesia. One such organization was the Ford Foundation, which funded a grant to Indonesia's Alliance of Independent Journalists to monitor reporting. The program was called "Program Mendorong Media Sehat dalam Pemberitaan Syariat Islam di Aceh" (Program to Promote Healthy Reporting on Islamic *Shari'a* in Aceh). The program included forums, trainings, and a bi-monthly publication called *Shari'a News Watch*, which was first published in March 2012, just a few months before the Putri Erlina case occurred.

AJI was established in 1994 after the banning of *Tempo*. Standing for independence from political power and voicing a strong "anti-amplop" (anti-envelope)²⁷ stance, it represented a generation of young journalist activists who rejected the cozy relations with power that were more typical of the PWI (Persatuan Wartawan Indonesia, Indonesian Journalists' Association). Such friendly relations were typical of *Serambi Indonesia*—which *Serambi* journalists and critics alike agree has been the recipient of considerable local government advertising, especially since the 2004 tsunami. Many seasoned journalists resent AJI members as self-righteous upstarts, and some of this rhetoric was reflected in the attacks on both AJI and *Shari'a News Watch*.²⁸

For its first Focus Group Discussion, AJI invited national Press Council Member Agus Sudiby, who applauded AJI's efforts to monitor local media, saying that this program would indirectly help the Press Council, as one of its duties "is to keep an eye on the application of the Journalistic Code of Ethics."²⁹ Noting regretfully that

²⁶ Yarmen, interview, December 19, 2017.

²⁷ Sources hoping for favorable coverage will often give envelopes of money to journalists. AJI has taken a strong stand against this practice.

²⁸ Former *Tempo* editor Bambang Harymurti, himself a founder of AJI, and Leo Batubara believe that bad feelings between AJI and PWI underlay the conflict between AJI and *Serambi Indonesia*. Others confirmed this, but as some individuals, such as Yarmen, were members of both organizations, this was impossible to prove. For a history of AJI, see Janet Steele, *Wars Within: The Story of Tempo, an Independent Magazine in Soeharto's Indonesia* (Jakarta: Equinox Publishing, 2005), 254–57.

²⁹ Mukhtaruddin Yakob, "Kabar dari FGD [Focus Group Discussion]: Jauh Dari Harapan," *Shari'a News Watch* 1, 1 (2012): 1.

local institutions didn't seem to appreciate what a focus group discussion was, Mukhtarrudin said that, although invited to participate, the Dinas Islam Shari'a (Shari'a Islam Council) had sent only "staff," while *Serambi Indonesia* did not respond to the invitation at all.

AJI Banda Aceh published six issues of *Shari'a News Watch*. The quality of research it conducted was impressive: quantitative analyses of the types of sources quoted and used, analysis of photos, and textual analysis of stories pertaining to *shari'a* cases. *Shari'a News Watch* minced no words in pointing out that many stories about *shari'a* used vulgar language, ignored the presumption of innocence, and focused largely on women as victims. Typical media accounts were one-sided, using only sources from the Wilayatul Hisbah and police. Photographs were almost always of women. An analysis of four months of stories found that 210 of the 229 stories examined from fifteen media outlets (local, national, and online) used what AJI called "technical reasoning," which had the effect of "rationalizing the facts" or appearing to "approve of the process of arresting citizens caught violating the *qanun*, despite the fact that media should always maintain a 'skeptical attitude' while reporting the news." Concluding with the importance of covering both sides, the article noted, "unfortunately this [style of reporting] is only used with the declarations of formal sources such as the Wilayatul Hisbah. Meanwhile those who are [arrested or captured in raids] don't get a place in the media," and incidents of violence against those who are detained are not reported on at all.³⁰

Shari'a News Watch found *Prohaba* to be among the worst if not the worst violator of the journalists' Code of Ethics.³¹ For example, a study published in the first edition examined eighteen examples of media, both print and online, including not only local papers (such as *Serambi Indonesia*, *Harian Aceh*, *Rakyat Aceh*, *Metro Aceh*, and *Prohaba*), but also national papers (such as *Kompas*, *Republika*, the *Jakarta Post*, and *Koran Tempo*). Of the seventy stories published in February 2012 that focused on arrests by the *Shari'a* Police, ten appeared in *Prohaba*, with *Metro Aceh* coming in second with eight stories. The other papers generally had one or two stories. Of the ten *Prohaba* stories, nine of them focused on illicit sexual relations.³²

In some ways, AJI's findings are not surprising. Yarmen explained that since its founding in 2007, *Prohaba* has focused on crime. Whereas *Serambi*, the parent company, focuses largely on "politics and sports, education, society, and the environment," surveys showed that what the people of Aceh were really interested in were stories of politics, sports, and crime. "So the decision from my seniors was made," Yarmen said. "*Serambi* would continue to be a paper for the middle class and above, while stories about crime—if we did not do them ourselves, they would clearly be done by someone else. The morality was not yet fixed, and so it was better if we did them ourselves."³³

³⁰ See, for example, Maimum Saleh, "Candu Reasoning," *Shari'a News Watch* 1, 2 (2012): 4–5.

³¹ The three worst offenders were *Prohaba*, *Rakyat Aceh*, and *Metro Aceh*, but *Prohaba* was singled out for vulgar language. Riza Nasser, "Analysis Isu Syariat di Media: Luput Menulis Proses Hukum," *Shari'a News Watch*, 1, 1 (2012): 6.

³² Nasser, "Analysis Isu Syariat di Media," 7.

³³ Yarmen, interview, December 19, 2017.

Journalism and Islam

Although the principles of journalism may be universal, they are understood and expressed within particular political and cultural contexts. In my research on journalism and Islam, I have found that Muslim journalists in Indonesia and Malaysia see many connections between the principles of journalism and the teachings of Islam.³⁴ The pursuit of truth, the need to verify, even the importance of maintaining independence of power all have parallels in Islam, as does the injunction never to repeat something of a sexual nature about someone else without evidence. For example, what Indonesians routinely refer to as “trial by the press” is strikingly similar to Islamic prohibitions against gossip, libel, and other forms of defamation.³⁵ In a text on journalism and Islam, Indonesian State Institute for Islamic Studies (Institut Agama Islam Negeri, IAIN) Sunan Ampel journalism instructor Faris Khoirul Anam noted that reports of sexual impropriety may not be published until they have been proven in a court of law—even if a confession has been made in front of a journalist.³⁶ Article 3 of the Code of Ethics states that Indonesian journalists should always check and recheck their information, report news in a balanced way, uphold the principle of the presumption of innocence, and not mix facts with opinion that passes judgment. An explanation beneath Article 3 elaborates that “opinion that passes judgment” is the private opinion of the journalist, something different from “interpretive opinion,” which is “the opinion of the journalist based on the facts.” The idea that the press shouldn’t “judge” someone thus bears a strong resemblance to the Islamic injunction against *fitnah* (slander) or repeating gossip before these accusations have been proven in a court of law.³⁷

The precise nature of good journalism is heavily contested in Indonesia, not only among industry practitioners, but also in the wider public sphere. In Aceh, while some organizations such as the Press Council and AJI are committed to journalistic ethics based on international codes and those enshrined in the Press Law, others, such as KWPSI, seem to be drawing upon “*shari‘a*” in defense of *Prohaba*’s news judgment. But given the clear injunction against gossip, how is it possible to defend even the existence of *Prohaba*? Yarmen’s defense of *Prohaba* and its relationship to Islam is interesting, if somewhat tortured:

Now, the morality that we developed at the time pointed to the Qur’an. The Qur’an doesn’t only contain stories of good behavior, but also of things that are bad, meaning that there are examples of things that you should do, as well as examples of things that you shouldn’t do.

³⁴ See Janet Steele, *Mediating Islam: Cosmopolitan Journalisms in Muslim Southeast Asia* (Seattle: University of Washington Press, 2018), 11–15.

³⁵ Janet Steele, “Trial by the Press: An Examination of Journalism, Ethics, and Islam in Indonesia and Malaysia,” *The International Journal of Press/Politics* 18, 3 (2013): 342–59.

³⁶ Faris K. Anam, *Fikih Jurnalistik: Etika & Kebebasan Pers Menurut Islam* (Jakarta: Pustaka Al-Kautsar, 2009), 57.

³⁷ “Wartawan Indonesia selalu menguji informasi, memberitakan secara berimbang, tidak mencampurkan fakta dan opini yang menghakimi, serta menerapkan asas praduga tak bersalah,” Kode Etik Jurnalistik, taken from the website of the Press Council, <http://www.dewanpers.org/dpers.php?x=kej&y=det&z=7cc41713ba1b1dc60f2f5f6421866712>, June 28, 2012. See also Steele, “Trial by the Press,” 351–52.

Therefore *Prohaba* since its very beginning told about social pathologies [drinking, gambling, inappropriate contact between the sexes]. *Prohaba* could be categorized as a newspaper for what I call SDM—*seks, darah, dan mistik* [sex, blood, and mysticism].³⁸

The Founding of KWPSI

Journalists connected with *Serambi Indonesia* are united in their view that had the Alliance of Independent Journalists simply reported the newspaper to the Press Council, that would have been okay—but that it was wrong of AJI to hold a press conference and publicly accuse *Prohaba* of causing Putri's death. This was *fitnah*, they said. Yarmen, for example, also came up with alternative explanations for why Putri might have killed herself. Perhaps it was murder—it would have been easy enough to enter her small house, and why was she all dressed up and wearing makeup on the day of her death? Or perhaps there was even an unwanted pregnancy. Why else might her father have changed his mind and refused to allow an autopsy?³⁹ Although Yarmen, like Nurdinsyam, is very careful not to say that there was any proof that these alternative explanations might be true, he nevertheless raised them.

For journalists who side with AJI, however, these explanations are *konyol*, or ridiculous.⁴⁰ They point to the note that was found in her bag several days after her death:

Dad, please forgive me, I caused you shame with everyone. But I swear that I've never sold myself to anyone. That night I just wanted to watch a keyboardist at Langsa; I was just hanging out in a field with my friends.

I don't know what to do anymore. Just let me look for my own life now. I'm no use anymore ... I hope you don't hate me ... Dad, I'm so sad I can't meet you, please forgive me. And my brothers too. I love you Dad.⁴¹

For Taufik Al Mubarak and his friends at AJI, it was clear that Putri had killed herself because she was depressed and under pressure (*tertekan*) as a result of the story in *Prohaba*. In their eyes, *Serambi* was wrong. "Putri was sixteen years old," Taufik said. "And if you are going to call someone a prostitute, you have to have

³⁸ Yarmen, interview December 19, 2017.

³⁹ Yarmen, interview, December 22, 2017.

⁴⁰ Uzair, interview, December 22, 2017.

⁴¹ Putri was obviously agitated when she wrote the note, and used a lot of slang. The translation is mine. Here is the original: "Ayah ..., maafin Putri ya yah, Putri udah malu-maluin ayah sama semua orang. Tapi Putri berani sumpah kalau Putri gak pernah jual diri sama orang. malam itu putri cuma mau nonton kibot (keyboard/organ tunggal-red) di Langsa, terus Putri duduk di lapangan begadang sama kawan-kawan Putri.

Sekarang Putri gak tau harus gimna lagi, biarlah Putri pigi cari hidup sendiri, Putri gak ada gunanya lagi sekarang. Ayah jangan cariin Putri ya ... !!, nanti Putri juga pulang jumpai ayah sama Aris (adiknya). Biarlah Putri belajar hidup mandiri, Putri harap ayah gak akan benci sama Putri, Ayah sayang kan sama Putri ... ???"

Putri sedih kali gak bisa jumpa Ayah, maafin Putri ayah... Kakak sayang sama Aris, maafin kakak ya ... (Putri sayang Ayah)." See "Malu Dituduh Pelacur oleh Polisi Syariah Aceh, Putri Memilih Bunuh Diri," <http://forum.idws.id/threads/malu-dituduh-pelacur-oleh-polisi-syariah-aceh-putri-memilih-bunuh-diri.443341/>

proof—in Islam too! Accusing someone of *zina* (adultery), you need proof.”⁴² When asked about Yarmen and Nurdinsyam’s point that Putri had already confessed to being a prostitute in the BAP or official report, Taufik retorted, “We didn’t make it into an issue whether or not Putri was a prostitute. This is her concern. But accusing her of being a whore, without concrete evidence, this is not permitted.”

“Read the Press Council’s decision,” he added.

For Taufik and his friends at AJI, it is clear that what was really at stake was the honor (*martabat*) of *Serambi Indonesia*. When the journalists who established the Caucus to defend Islamic *shari’a* walked out, what they were really defending was the newspaper, not Islamic *shari’a*. “It’s like this,” Taufik said. “KWPSI used the religious sentiment to attack AJI. Because people here are the most enthusiastic when they are invited to defend religion. So it was as if what was done by AJI was an attack on Islamic *shari’a*, but it was not. At AJI there are many who are more pious (*lebih alim*) than those at *Serambi*.”⁴³

KWPSI

A cool breeze floats through the second floor of the open-air Rumoh Aceh, a traditional house converted into a restaurant.⁴⁴ Fifteen or so young men are sitting on the balee [raised platform] listening intently to the lesson. Yellie, Ihan, and I are late in arriving, and we sit in the back. I whisper to Yellie, “why are there no other women here”? Yellie explains that it’s because the program starts at 9:00 PM, and it’s difficult to go home when it ends.

The room has a portable loudspeaker system, which drowns out the sounds of motorcycles on the street below. The ustad [religion teacher], Dr. Abizal, a professor of Dakwah at the National Islamic University Ar-Raniry, is speaking on the topic of tolerance towards non-Muslims. Although everyone seems to be listening intently, it was clear that I was the intended audience. When I later commented on this, everyone was pleased, although I don’t think they understood that what I was really wondering was what they talk about when there is no international visitor present.

KWPSI meets every Wednesday night for a *pengajian*, or lesson. I was told that the subject is always topical, and that the meeting is open to everyone, including non-journalists. On the night I attended, most of the people there seemed to be non-journalists. When the session was over, probably two-thirds of the men who greeted me offered their hands, and nearly everyone wanted to have a picture.

When I met Arif Ramdan, one of the founders of KWPSI, he told me that at the beginning, the plan was to establish a kind of advocacy group. “Don’t make news stories that are negative about the *qanun*,” he said. “People who do wrong, violate the *qanun*, write about that—go ahead! But don’t be negative about *shari’a*. Things that are wrong, please improve them. But don’t say that *shari’a* is wrong, too.”⁴⁵ According to

⁴² Taufik, interview.

⁴³ Taufik, interview.

⁴⁴ I attended KWPSI’s *pengajian* on December 20, 2017.

⁴⁵ Arif Ramdan, interview, July 30, 2018.

Arif, the establishment of the Caucus attracted a lot of attention, including from groups who wanted to use it for more radical ends.⁴⁶ He refused these offers, saying, “We were founded to raise the consciousness of journalists, so that they would be good and truthful in their reporting. Radical Islam—I didn’t want that.”

The group’s membership has fluctuated. Arif said that today, KWPSI’s WhatsApp group consists of thirty journalists and about sixty-six non-journalist “sympathizers,” which makes it approximately the same size as AJI Banda Aceh. The Caucus also has a five-member board of advisors that comprises many of Aceh’s senior journalists, including *Serambi* publisher Sjamsul Kahar, Harun Keuchik Leumiek (*Harian Analisis*), and Bustaman Ali (PWI). All five members of the board began working during the Suharto era, all are members of PWI, and all are perceived as being close to political power. Although Arif said that KWPSI receives no funding from the local government, he acknowledged that it attracts “donations” from Islamic organizations that care about its mission. It also attracts donations from local businesses that would perhaps like to be seen as defenders of *shari’a*.⁴⁷

What is the point of KWPSI? Even after attending a session, it is not clear to me why *Shari’a* Islam in Aceh needs defending. Although its critics suggest that the Caucus was established only to defend the interests of *Serambi*, it is nevertheless true that after five years the organization is still going strong.

Discussion: Whose *Shari’a*?

Tempo editor Jajang Jamaludin is based in Jakarta. About one week after Putri’s suicide, he, together with Lhokseumawe reporter Imram MA, wrote a story about the case for the magazine’s “Law” section. Among other things, the story noted that there had been rumors that Putri was connected with a *germo*, or pimp, and that she had “confessed” in a signed statement to the *Shari’a* Police. Observing that neither of these things could be confirmed, Jajang said that they were not relevant to the story anyway.⁴⁸

In addition to a detailed chronology of the girl’s arrest, detention, and death, *Tempo*’s story pointed to several “odd” aspects of what the police ultimately ruled to be a suicide.⁴⁹ Although the magazine’s report mentioned the story published in *Prohaba*, it did not point to it as the cause of Putri’s death. The *Tempo* article concluded, instead, with a quote from the head of the National Commission on Violence Against

⁴⁶ Arif was somewhat cagey about explaining what he meant by this, saying only “They telephoned me each morning. From Solo. When I say Solo, you know, right? I had to say ‘the Caucus is not like that, we are not a *gerakan aksi* [action movement].” Home to many militant groups, Solo has been described as Indonesia’s “radical heartland.” See I Made Sentana and Tom Wright, “A New Generation of Terrorists Graduates in Indonesia’s Radical Heartland,” *Wall Street Journal*, January 17, 2016.

⁴⁷ One such group was Bank Aceh. Uzair, the CEO of Aceh’s Radio Antero, pointed out that many businesses in Aceh would be willing to give money to KWPSI in order to be recognized for their support of *shari’a*. As proof, he showed me a handsome black jacket emblazoned with the KWPSI logo on one side and the words “Bank Aceh Shariah” on the other.

⁴⁸ Jajang Jamaludin, interview, January 11, 2018.

⁴⁹ These included the way in which her knees were bent and her feet touching the floor, and the fact the beam from which she was hanging was only a few inches above her head.

Women, expressing the hope that Putri would be the last victim of these “repressive regulations.”⁵⁰

Despite Jajang’s careful construction of the story, *Tempo* magazine was attacked as “anti-*shari‘a*” in “Islamic media,” such as *Hidayatullah*.⁵¹ As a result, Jajang, a graduate in politics from Bandung’s Padjajaran University, who has worked at *Tempo* since 2000, was labeled a disciple of “godfather” Goenawan Mohamad. He told me that he even received a call on his personal cell phone from someone who asked, “Are you still a Muslim? Do you still pray?” He said that he had responded, “Yes, I am Muslim, but I come from a tradition of tolerance.”⁵²

Tempo, which I’ve described elsewhere as “cosmopolitan” if not exactly “liberal,” has reported extensively on the implementation of *shari‘a*.⁵³ A cover story published nearly a year before Putri’s death focused not only on *shari‘a*’s formal implementation in Aceh, but also on its partial implementation in other regions. The magazine pointed out that local bylaws discriminated against women—who are most affected by regulations regarding both dress and behavior—and the poor. Those who were caned most often, according to the magazine, were those who had violated the *qanun* that forbids gambling, and these individuals were generally from the lower classes. *Tempo* quoted Rusydi Ali, the head of the Aceh *Shari‘a* Council, as explaining the discrepancy this way: “There are never any big fish gamblers who are caned because usually they gamble in Medan, Singapore, or stay in Aceh in private homes or other secret places, so it is difficult to prove.”⁵⁴

Moreover, as *Tempo*’s sources pointed out, although it is possible to appeal a decision of the *shari‘a* court, most of the people who get caught in raids are either unaware of this or do not have the financial means to hire a lawyer who can defend them. “Because of this,” the magazine concluded, “there have been many accusations of unfairness in the implementation of the *qanun*, which only sweep up the little guy. [The poor] tend to be resigned to their punishment. Meanwhile, the rich have more of an opportunity to escape the legal net because they are willing to pay for an expensive lawyer.”⁵⁵

Michael Feener observed much the same thing in his analysis of a feature called “text messages to the editor” in *Metro Aceh*, a yellow paper owned by the *Jawa Pos* group that competes with *Prohaba*. He noted “the widespread opinion that the state *shari‘a* regulations have tended to be disproportionately applied to the ‘lower and marginal classes.’”⁵⁶

⁵⁰Jajang Jamaludin and Imran MA., “Surat Terakhir Dari Putri,” *Tempo*, September 17, 2012. Goenawan Mohammad’s *Catatan Pinggir* of September 17, 2012, entitled “Leda,” was published “in memory of Putri, 16 years old, who killed herself after being called a prostitute by the syariah police in Langsa, Aceh.”

⁵¹“Tulisan *Tempo* yang Menyakiti Umat Islam,” *Hidayatullah.com*, October 12, 2012, <https://www.hidayatullah.com/redaksi/surat-pembaca/read/2012/10/12/1634/tulisan-Tempo-yang-menyakiti-umat-islam.html>

⁵² Jajang, interview.

⁵³ Steele, *Mediating Islam*, chapter 5.

⁵⁴ “Tajam ke Bawah, Tumpul ke Atas,” *Tempo*, August 29, 2011.

⁵⁵ “Tercoreng Dakwaan Mesum,” *Tempo*, August 29, 2011.

⁵⁶ Michael Feener, “Hand, Heart and Handphone: State *Shari‘a* in the Age of the SMS,” *Cont Islam* 7 (2013): 22.

Thus, it was not only those from outside Aceh who want to “attack” *shari‘a*. Indeed, as *Jakarta Post* editor Nezar Patria told me, although “everyone in Aceh supports *shari‘a*,” there are plenty of criticisms as to how it has been implemented.⁵⁷

The Press Council’s Decision, AJI’s Apology

The case of *Prohaba* was settled quickly. The Press Council issued its findings on *Prohaba*, *Aceh Tribune News*, and *Waspada* on October 25, 2012. As previously noted, the Press Council found that all three publications had violated the journalists’ Code of Ethics, ruling that each had violated Article 3, which states: “Indonesian journalists always test information, report in a balanced way, don’t mix fact and judgmental opinion [*opini yang menghakimi*], and apply the principle of innocent until proven guilty.”⁵⁸

Meanwhile, AJI apologized to *Serambi*, and settled out of court. The decision to do so did not sit well with several members of the organization, who told me privately that they were “disappointed” and “did not agree.” The decision to apologize had been a pragmatic one—there was considerable concern that if an agreement was not reached, Taufik would go to jail.

No Clear Consensus

As Robert Hefner has noted, “Ethical understandings are not hermetically sealed from the world, but rather emerge from the efforts of real human actors who engage Islamic traditions even as they are involved in other life projects and influenced by other ethical norms”⁵⁹ In the case of *Prohaba* versus the Alliance of Independent Journalists, everybody involved claimed to support *shari‘a*, and was 100 percent convinced of the righteousness of their positions. While critics of *Serambi Indonesia* argued that the establishment of KWPSI had more to do with defending the honor of the newspaper than it did with defending Islamic *shari‘a*, the perception that *shari‘a* was being attacked by outsiders—the Ford Foundation, Human Rights Watch, and even “liberal” media like *Tempo*—only added fuel to the fires that were already burning along the “rough road” of everyday entanglements.

There was considerable self-interest at stake in each of the positions outlined. This self-interest became particularly obvious in discussions of the proposed Qanun Penerbitan dan Penyiaran (Publishing and Broadcasting Bylaw). Under consideration by the local people’s consultative assembly, the proposed ordinance would, according to *Serambi* managing editor Yarmen, regulate how *ustad* were interviewed by female newscasters, and monitor billboards to make them more in keeping with *shari‘a*. Like Yarmen, *Prohaba* managing editor Nurdinsyam—who otherwise supports the implementation of *shari‘a* in Aceh—is also opposed to these proposed *qanun*, calling

⁵⁷ Nezar Patria, interview, January 4, 2018. Nezar is also the son of *Serambi*’s publisher.

⁵⁸ See Pernyataan Penilaian dan Rekomendasi (PPR) Dewan Pers Nomor: 15/PPR-DP/X/2012, 16/PPR-DP/X/2012, and 17/PPR-DP/X/2012.

⁵⁹ Robert Hefner, “*Shari‘a* Law and the Quest for a Modern Muslim Ethics,” in *Shari‘a Law and Modern Muslim Ethics*, ed. Robert Hefner (Bloomington: Indiana University Press, 2016), 3.

them unnecessary. There is already the Press Law, he argued, and publishing and broadcasting should stay outside of the realm of government regulation. Yet just how principled is this stand? A quick look at *Prohaba* reveals not only vulgar language, but also photos of “celebrities” wearing clothing that is hardly *shari‘a* compliant. The proposed ordinance would not only regulate broadcasting and billboards, they would probably shut down *Prohaba* as well.

By now it should be clear that although “everyone” in Aceh supports *shari‘a*, “*shari‘a*” means very different things to different people, and even those who follow *shari‘a* in their own lives may object to positive law regulating behavior for themselves and others. As Lombardi has noted, the irony of this kind of “Islamic law” is that the judges who apply the code “simply apply the rule as written, and ... [need not] have any knowledge of how the law [was] derived.”⁶⁰

The case of Putri Erlina suggests that divisions within the journalists’ community over competing ethical standards reflect a larger controversy within the public sphere, and that as of yet there is no clear consensus on the implementation of Islamic criminal bylaws in Aceh. Similarly, in the Alliance of Independent Journalists’ accusation against *Prohaba*, and *Serambi*’s counter-accusation against AJI, both parties claimed that there had been a violation of the fundamental ethics of journalism—whether it was the injunction not to report without evidence, or the crime of defamation. In this way, the discussion of press ethics resembles the discussion of *shari‘a*—something that everyone formally “supports,” but which is still highly contested in everyday practice. With its reputation and potentially thousands of dollars of advertising revenue at stake, *Serambi* used the most powerful weapon in its arsenal—the anti-defamation law—against the Alliance of Independent Journalists. Although everyone I spoke with invoked *shari‘a* to defend or justify an ethical position he or she had already reached, the actual route there was not only “rough,” in many cases it also had nothing at all to do with Islam.

⁶⁰ Clark B. Lombardi, quoted in Hefner, “Sharia Law and the Quest for a Modern Muslim Ethics,” in *Shari‘a Law and Modern Muslim Ethics*, ed. Hefner, 11.

