

Judges Rule Indonesian Church Can Worship

A court in West Java Province has revoked a local decree that forbade Christian activities of a church in Bekasi and has ordered officials to allow the Christians to establish a place of worship.

After months of conflict and legal battles, the State Administrative Court in Bandung on Sept. 3 revoked the Dec. 31, 2009, decree prohibiting Christian activities of Batak Christian Protestant Filadelfia Church (Huria Kristen Batak Protestant, or HKBP Filadelfia) in Jejalan village, Bekasi.

The church had argued that the decree, along with the closure of their worship building on Jan. 12, resulted from pressure by Islamic groups that did not represent the wishes of the area residents.

The Rev. Palti Panjaitan of HKBP Filadelfia said he was happy that the church at last had found fair authorities who based their decisions on the rule of law, "unlike the regent of Bekasi, who often has been unjust in making a decision by tending to side with a small group of people."

Since 2008 HKBP Filadelfia has sought permission for a place of worship from Bekasi Regent H. Sa'duddin, who declined to grant it under pressure from a small group of Islamists called the Forum Islamic Ummah Jejalen Raya Bekasi, according to church leaders. The group succeeded in pressuring the Bekasi district to seal the church's temporary worship place on Jan. 12.

As a result, the church had been holding services on a strip of roadside land in front of the temporary site, using umbrellas to protect them from the intense heat of the sun and from sudden rainstorms.

The judges, identified only as Setiobudi, Irna and Susilowati, ruled that the regent of Bekasi should issue a permit for the church to establish a place of worship.

"This point is important because if the regent of Bekasi does what the judge said, then we will build our church and no longer serve in the hot sun and the rains that sometimes come unexpectedly," Panjaitan said.

He said the church will give notice to the area residents, government officials and security forces to accept the decision of the administrative court.

The regent was given 14 days to appeal, and a member of the church legal team, Parasian Hutasoit, said that the regent has no legal grounds to reject the judges' decision.

"The decree of the regent of Bekasi is contrary to the constitution of 1945, which is the constitutional foundation of the Republic of Indonesia," Hutasoit said. "The decree had violated Article 28 of the constitution, which guarantees freedom of religion. Also, it was contrary to Article 29, which guarantees freedom of worship and Law No. 39, 1999, concerning human rights."

HKBP Filadelfia is now able to worship in the building that was sealed by the regent in January, he said.

Regent Sa'duddin had ruled that the church needed to find a new place to construct its prospective permanent church building because local residents had rejected it—even though the church had secured approval from local residents when it submitted its application for a permit in 2008.

The local government never acted on the application, and Islamist organizations organized protests to pressure government officials to deny approval. The church on March 30 filed suit against Sa'duddin for unilaterally closing their building under construction.

Hutasoit said church leaders would try to approach the regent to discuss the matter further.

“We need not hurry to do that because all that happens is God’s plan,” he said.

If efforts prove unsuccessful, then the church leaders will proceed to enforce the judges’ ruling through legal means, he said.