

Light Sentences for Attack on Christians in Indonesia Condemned

Human rights and Christian leaders said a West Java court's light sentence for Islamic extremists who injured a church pastor and an elder will encourage more violence and religious intolerance.

After those involved in the Sept. 12, 2010 clubbing of the Rev. Luspida Simanjuntak and the stabbing of elder Hasian Lumbantoruan Sihombing of the Batak Christian Protestant Church (Huria Kristen Batak Protestan, or HKBP) in Ciketing received sentences of only five to seven months, the Setara Institute for Democracy and Peace released a statement asserting that the judges' panel was acting under pressure from Muslim extremists.

"The public will think that violence, intolerance, and obstruction of worship are part of their religious worship and duties," the institute stated regarding the Feb. 24 sentences.

After prosecutors decided to file minor charges citing "insufficient evidence" for assault charges, the judges issued verdicts that have injured people's sense of justice, and the light sentences set a "rotten" precedent for strengthening the rule of law in Indonesia, according to the institute.

"Specifically, the verdict neither is a deterrent nor does it educate the public that violent acts in the name of religion are serious matters," according to the Setara statement.

Saor Siagian, attorney for the church, told Compass that the facts of the case had shown that the assailants should have been charged with joint assault under Section 170 of Indonesia's penal code, which could have resulted in sentences

of five to nine years. Instead, prosecutors opted to charge them only with maltreatment under Section 351.

The alleged planner of the attack, Murhali Barda, head of the Bekasi chapter of the Islamic Defenders Front (FPI), received a sentence of only five months and 15 days for "disorderly conduct" (Section 335) even though he should have been prosecuted for incitement and joint assault, Siagian said.

"The trial brought to light facts that pointed toward incitement by Murhali Barda via Facebook, text messages, and orders to the defendants to attack the congregation of HKBP on Sept. 12, 2010 at Ciketing," said Siagian. "If he had been charged with Section 170 he would have been facing a five-to-nine-year sentence, and Section 160 [incitement] carries a six-year sentence. These are both felonies."

Judges of the State Court in Bekasi, West Java handed down a seven-month sentence to Adjil Ahmad Faisal, who stabbed church elder Sihombing; the prosecutor had asked for sentence of 10 months. Ade Firman, who clubbed Pastor Simanjuntak hard enough to send her to the hospital for treatment, was given a six-month sentence; prosecutors had requested an eight-month sentence. Two under-age defendants were found guilty and turned over to their parents.

Along with Barda of the FPI, eight other defendants received sentences of five months and 15 days: Ismail, Dede Tri Sutrisna, Panca Rano, Khaerul Anwar, Nunu Nurhadi, Roy Karyadi, Kiki Nurdiansyah, Suprianto and one identified only as Ismail; prosecutors had asked for six-month sentences.

During the trial, 100 members of the FPI demonstrated in front of the courthouse, demanding that Barda and the others be immediately released. As each sentence was read out, the demonstrators shouted "Allahu Akbar [God is greater]."

The lawyer for Barda, Shalih Mangara Sitompul, said the verdicts brought about peace between both parties. His client

was found guilty of incidents that took place on Aug. 1 and 8, 2010, he said, questioning why the Sept. 12 attack became the basis for criminal prosecution as Barda did not even encounter Pastor Simanjuntak on that date.

Sitompul said he would appeal the verdict.

Pastor Simanjuntak said the light sentences showed that the state was unable to fully enforce the law.

"This country is more afraid of the masses than standing for justice," she said. "That's what happened in the state court in Bekasi. With heavy hearts we accept the verdict."

The stabbing victim, Sihombing, said that he was not surprised by the light sentences.

"The verdicts were not just, but I don't know what else to do," he said. "I've just got to accept things."

Indonesia is a country that follows the rule of law, he said, and therefore it is not right to give a light sentence for stabbing.

"Even so, as a Christian and elder of the congregation, I have forgiven the person who attacked me," he said.

Attorney Siagian said the sentences will fail to act as a deterrent.

"It passively encourages future violence in the name of religion by radical groups against minorities – not only against the HKBP church, but also against citizens in other areas," he said. "Also, the verdict shows that the judge sides with those who committed violent acts in the name of religion, and it is a threat to pluralism and diversity in Indonesia."