

Indonesian Church Wins Legal Battle to Worship in Building

Christians have won a court battle restoring the right to worship in their building in Depok City, West Java.

Depok Mayor Nur Mahmudi Ismail on March 27 had revoked the building permit for a multipurpose building and house of worship for Gereja Huria Kristen Batak Protestan (HKBP) church following protests by Muslims. A court in Bandung on Sept. 17 rescinded the order that revoked the church building permit, paving the way for congregants to resume worship there.

Head Judge A. Syaifullah read the decision of the three-judge panel, which found the mayor's reasoning for canceling the building permit inadequate. The mayor had said that most people living near the church objected to its building in Jalan Pesanggrahan IV, Cinere Area of Depok City.

"These objections by the local residents should have been raised when the building permit was going through the approval process, not protesting afterwards," said Syaifullah.

Syaifullah added that the mayor also should have taken the views of church members into consideration.

"In this case, the revocation of the building permit was based upon the objections of one group in the community without considering those from the church," he said.

Construction of the church building had begun in 1998, shortly after the permit was issued, but halted soon afterward due to a lack of funds. When the project began anew in 2007, members of a Muslim group from the Cinere Area of Depok City and neighboring villages damaged the boundary hedge and posted protest banners on the walls of the building. Most of the protestors were not local residents.

The court determined that lawyers for the church successfully demonstrated that church leaders had followed all Depok City procedures for the building permit. Betty Sitompul, vice-chair of the HKBP church building committee, stated that the church court win was a victory for all Christians.

"We won because we had followed all the procedures and had completed all the required documents," she said.

In early June the church had filed suit against the mayor's action in a provincial court in Bandung, with church lawyer Junimart Girsang arguing that the mayor's revocation of the permit was wrong.

Girsang said that the court had finally sided with justice for all Indonesians.

"The judges made the right decision and had no choice, because all of the papers for the permit were done properly," he said.

The church had been meeting in a naval facility located about three miles from the church building since the permit was revoked, causing great inconvenience for church members, many of whom did not have their own transportation.

In South Sumatra Province, another HKBP church outside the provincial capital city of Palembang is trying to overcome objections by Muslim protestors in order to complete construction of its building in Plaju.

Church leaders acknowledge they had not finished the application process for a permit before beginning construction. They said they went forward because after they applied to the mayor of Palembang, he told them to talk with the governor of South Sumatra. After talking with Gov. Alex Noerdin and securing his approval on Feb. 10, church leaders began construction on a donated plot of 1,500 square meters only to face a demonstration by members of several Muslim organizations on June 27.

The South Sumatra Muslim Forum (FUI Sumsel) organized the demonstration. Carrying a copy of a mayoral decree dated May 2009 ordering a halt to construction, the protestors gathered outside the building site, listened to speeches and then destroyed a bridge leading to it before demanding that the government ban the building project.

Applications for church permits are often fraught with difficulty in Indonesia, leaving many congregations no choice but to worship in private homes, hotels or rented conference facilities. Such gatherings leave churches open to threats and intimidation from activist groups such as the Front Pembela Islam (Islamic Defenders Front), in recent years responsible for the closure of many unregistered churches.