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INDONESIA

TWO JEHOVAH'S WITNESSES IMPRISONED

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SUMMARY

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A retired school teacher and a retired civil servant have been tried and sentenced to jail terms for leading a Jehovah's Witness group. Suyadi, aged 56, and Sukasmin, aged 62, were found guilty by the District Court of Wonogiri, in Central Java, of organizing and leading an illegal organization. The court also ruled that the two had created unrest within the community by disseminating the teachings of a banned organization. Suyadi, named as the leader of the group, received a prison sentence of three and a half years while his assistant, Sukasmin, was sentenced to two years.

Adherents of the Jehovah's Witness faith have been active in Indonesia since the 1950s. The faith, its doctrines and its practices, were declared illegal in December 1976, by an order of the Attorney General (S.K. No. 129/JA/XII/1976). The government considers the doctrines of the Jehovah's Witnesses to be in conflict with "normal" Christian teachings and with national laws. Although the Indonesian Government professes to follow a policy of religious tolerance, the decision to ban the Jehovah's Witness faith effectively limits religious freedom and enforces religious orthodoxy.

Amnesty International regards Suyadi and Sukasmin as prisoners of conscience, detained for the non-violent expression and dissemination of their beliefs, and is calling for their immediate and unconditional release. It believes that existing legislation outlawing certain religions or belief systems on the grounds that they are unorthodox or constitute a threat to public order, is being used to imprison people solely on the basis of their beliefs. It urges that the enforcement of legislation be reviewed in order to ensure that it is not used to imprison people in violation of their internationally recognized rights to freedom of conscience and religion or contrary to the government's announced policy of religious tolerance.

This summarizes a three-page document, Indonesia: Two Jehovah's Witnesses Imprisoned (AI Index: ASA 21/09/89) issued by Amnesty International in August, 1989. Anyone wanting further details or to take action on this issue should consult the full document.

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INDONESIA: TWO JEHOVAH'S WITNESSES IMPRISONED

Introduction

A retired school teacher and a retired civil servant have been tried and sentenced to jail terms for leading a Jehovah's Witness group. Suyadi, aged 56, and Sukasmin, aged 62, were found guilty by the District Court of Wonogiri, Central Java, of organizing and leading an illegal organization. The court also ruled that the two had created unrest within the community by disseminating the teachings of a banned organization. Suyadi, named as the leader of the group, received a prison sentence of three and a half years while his assistant, Sukasmin, was sentenced to two years.

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Background

Suyadi, a retired Junior High School teacher and father of eight, was brought up a Protestant. In 1964 he began to study the teachings of the Jehovah's Witnesses and two years later was baptised by a Jehovah's Witness leader in the town of Purwokerto. In the same year, he moved to Wonogiri, to continue his work as a school teacher. In Wonogiri, he began to disseminate the literature and the doctrines of the Jehovah's Witnesses door to door.

In about 1975, he is said to have organized a Jehovah's Witness group in Wonogiri. The group, numbering about twenty people, generally met twice a week at his home for Bible study and discussion. When Suyadi was not present, the meetings were led by Sukasmin, the second defendant in the case. A retired civil servant from Kampung Banaran, Wonoboyo, Wonogiri, and father of ten children, Sukasmin was baptized as a Jehovah's Witness in 1971. His house was used as a regular meeting place for local adherents of the Jehovah's Witnesses between 1987 and 1989.

The Charges and Trial

Suyadi and Sukasmin were charged with organizing and leading an illegal organization under Article 169 of the Indonesian Criminal Code (KUHP). They were punishable under this article because the doctrine and activities of the Jehovah's Witnesses had been declared illegal in 1976. Article 169 falls within the category of "crimes against public order". The relevant sections of Article 169 read as follows:

- 1) Involvement in an organization which has as its objective the committing of criminal acts, or involvement in other organizations banned by general legislation, is punishable by a prison sentence of a maximum of six years...
- 3) For the founders or leaders of such organizations, the sentence may be increased by one third.

During the trial, the prosecution attempted to bolster the case against the defendants by using theological arguments. For example, the prosecution cited Romans 13 in support of the contention that a Christian must obey the government (Kedaulatan Rakyat, 1.6.89). A Protestant Minister who appeared as an "expert witness", supported this argument, and added that Jehovah's Witness teachings were "capable of leading people astray" (Kedaulatan Rakyat, 13.6.89).

The court challenged the beliefs of the Jehovah's Witnesses on other grounds as well. The defendants and other adherents of the faith who appeared as witnesses were asked why, if they accepted the Bible as their Holy Book, they did not simply go to church with other Christians. They explained that, while they did indeed use the Bible, their interpretation of its message differed from that of other Christians. One of the points of difference was in the matter of whether or not the church in a physical and institutional sense was necessary to worship God.

In an exchange between Suyadi and one of the judges on the subject of the illegality of the Jehovah's Witness faith, Suyadi is reported to have asked: "As a Christian, then, how am I supposed to worship?" The judge reportedly replied: "You are free to worship according to the norms of the Jehovah's Witness sect, but first you must leave Indonesia, and go some place like America" (Kedaulatan Rakyat, 22.6.89).

The defendant Suyadi stated that he would continue to worship according to his religion, regardless of the government's regulations. He would not challenge the government's right to issue such regulations, but would fulfill what he believed to be an obligation to worship as God desired. He said "I have not acted in an extreme way. Nothing that I have

done is in conflict with the Bible or with Pancasila" (Kedaulatan Rakyat, 12.7.89). Pancasila, a set of five fundamental principles including belief in one God, is Indonesia's national ideology; deviation from or criticism of Pancasila is punishable by law.

The second defendant, Sukasmin, is said to have accepted that his actions were in conflict with the law, and to have indicated his regret. In his final statement, he said: "Perhaps I will establish my own church or join a different Christian congregation..." (Suara Merdeka, 21.6.89).

Witnesses for the prosecution, including an intelligence officer of the Wonogiri District Military Command (KODIM 0728), testified that the defendants had persisted in their illegal activities despite warnings from military and government authorities. The first warning was allegedly given on 24 January 1986. Suyadi denied that he had received any such notification. In fact, he claimed that all of his meetings and door-to-door campaigns had been conducted with the knowledge and the approval of the local authorities. Under questioning, it was revealed that the military witness who made the allegations had no firsthand knowledge of the alleged warnings, having learned about them from his superior only the day before (Kedaulatan Rakyat, 7.6.89).

In addition to the charge of having formed and led an illegal organization, Suyadi and Sukasmin were accused of undermining public order through their religious activities. The prosecution claimed that their activities "caused serious restlessness and could disturb the peace, public order and religious harmony in Wonogiri" (Kedaulatan Rakyat, 3.7.89). A witness for the prosecution, a military intelligence officer of the KODIM 0728, said that breaking government regulations and disseminating forbidden teachings from house to house were actions which threatened national security (Suara Merdeka, 14.6.89).

More serious still, he said, at least one of the Jehovah's Witness meetings had been held at the home of a former PKI (Communist Party of Indonesia) political prisoner. The PKI was banned and hundreds of thousands of suspected "communists" were either killed or imprisoned after an attempted coup in 1965 was blamed on the party. More than two decades later, former "PKI prisoners" and their families continue to be regarded as a potential threat to national security. The suggestion of a link between the Jehovah's Witnesses and the PKI amounts to an unproven allegation that the motives of the Jehovah's Witnesses were not strictly religious but political and subversive. Even where no evidence is provided, such an allegation can be very damaging.

The prosecution also alleged that members of the group had demonstrated a lack of respect for the national flag, by refusing to salute at official flag-raising ceremonies. The defendants and witnesses for the defence explained that their religious beliefs did not permit them to salute the flag. Suyadi's son, Sutamar Widayasakana, aged 19, testified that he had been expelled from high school because "I was regarded as unwilling to show proper respect for the flag". (Kedaulatan Rakyat, 25.5.89). Suyadi himself said that his conscience and his understanding of the precepts of his religion did not allow him or other Jehovah's Witnesses to salute. "We are afraid to raise our hand [to salute the flag] because we fear the wrath of God" (Suara Merdeka, 21.6.89). The judge responded by saying that this was a misunderstanding of the Bible. The "expert witness" referred to above, testified that an unwillingness to respect the flag was "unacceptable in Indonesia".