

Angry response to international pressure to keep Indonesian cleric in jail

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Just a fortnight before he was due to be released from jail, Indonesian police last Friday declared Islamic fundamentalist cleric Abu Bakar Bashir to be a “suspect” and thus subject to interrogation over new terrorism charges. Under the country’s anti-democratic laws, Bashir can be detained for up to six months without trial while the police investigation proceeds.

The announcement followed heavy-handed US and Australian pressure on Indonesian authorities to keep Bashir in detention and has provoked angry protests from Islamic organisations inside the country.

Bashir was initially detained in October 2002, following the horrific bombings in Bali that left 202 dead and many more injured. President Megawati Sukarnoputri, who had already been under pressure from Washington and Canberra to more actively back the “war on terrorism”, rapidly issued a decree providing for detention without trial for vaguely-worded crimes of terrorism.

Bashir was finally charged and put on trial in April 2003, but not over the Bali bombings. He was accused of a treasonous conspiracy to topple the government and establish an Islamic state. More specifically it was alleged that he headed the underground organisation Jemaah Islamiah (JI), had been involved in a plot to assassinate Megawati, and authorised a series of church bombings in December 2000. Additional immigration charges were dredged up, related to Bashir’s exile in Malaysia from 1985-1999.

Bashir has consistently denied any involvement in terrorism. While he and fellow cleric Abdullah Sungkar founded JI in the early 1990s and were politically responsible for the reactionary ideology that justifies terrorism, no evidence was produced in court directly linking Bashir to specific attacks. The court convicted Bashir of treason and the immigration charges, but

found there was insufficient evidence that he was JI’s leader or involved in the assassination attempt and church bombings. He was sentenced to four years jail.

Last month Indonesia’s Supreme Court overturned the treason conviction and halved the sentence, making Bashir due for release on April 30. The original verdict had been based on the tenuous argument that an “element of initial implementation of subversion had been proven” because Bashir and Sungkar had founded JI. The Supreme Court decision immediately triggered international opposition and a sustained behind-the-scenes campaign by the US and Australia to find a means of keeping Bashir in jail.

According an article in the *New York Times*, US Ambassador to Indonesia Ralph Boyce appealed to President Megawati, police officials and the heads of several Islamic organisations to continue Bashir’s detention. Boyce met last month with Syafii Maarif, head of Muhammadiyah, Indonesia’s second largest Islamic organisation. Maarif explained in the *Republika* newspaper last week that the purpose of the ambassador’s visit had been to ask him to urge the Supreme Court and police to act against Bashir.

Boyce denied the allegation, but there is ample evidence that US and Australian officials have been involved in pushing to extend Bashir’s detention. During a visit to Jakarta last month, US Secretary of Homeland Security Tom Ridge claimed that Bashir had “deep involvement” in terrorist activities.

Australian ambassador David Ritchie was also involved. “We have been talking to the Indonesians. It disquiets us that he may be out of jail,” he explained to the *New York Times*. In comments quoted by Agence France-Presse, Australian Foreign Minister Alexander Downer expressed his satisfaction at last Friday’s announcement, adding: “This is, of course, an internal

matter for the Indonesians but we have had quite considerable contact with Indonesian authorities over the last few weeks on this matter.”

Indonesian authorities have expressed their annoyance over the blatant interference in the country’s legal system. Foreign Ministry spokesman Marty Natalegawa declared: “We are troubled by America’s, and Australia’s, views on Abu Bakar Bashir. We would like to ask them to be more circumspect, more economical in expressing their views.”

Natalegawa pointedly explained that the “running commentary” by US and Australian officials did not “add value” to the legal case against Bashir. Indonesian police and legal officials have repeatedly complained that, while insisting Bashir is a terrorist mastermind, the US refuses to hand over key JI suspects, such as Riudan Isamuddin, also known as Hambali, to help make the case against him.

At this stage, there is no indication that the Indonesian police have any further evidence against Bashir. In making the announcement last Friday, Indonesia’s police chief General Da’i Bachtiar did not specify what charges would be laid.

The overt US and Australian pressure, the lack of evidence and the anti-democratic nature of the anti-terrorist laws have all produced a hostile reaction inside Indonesia. Bashir’s lawyer Mahendradatta told the media: “People are beginning to see the realities of this case. It is so transparent how our police are trying to please the Americans. They only moved against Bashir after the Americans started screaming about keeping him in jail.”

Din Syamsudin, secretary general of the Indonesian Ulama Council (MUI), made a statement on Tuesday, declaring: “This is an injustice and an aberration from the norm. We are asking our law enforcers to resist foreign intervention.”

Hidayat Nur Wahid, leader of the Islamic-based Prosperous Justice Party, visited Bashir in his cell on Saturday. He told Reuters that he was against terrorism but objected to foreign intervention. “I am worried that those who blindly accuse others of being terrorists without having evidence are the real radicals and terrorists.” The Prosperous Justice Party gained about 7 percent of the vote in Indonesia’s parliamentary election.

Significantly, the police decision was timed to take place after the April 5 election. Papers were filed with the Jakarta Prosecutor’s Office on April 8. But anger over the renewed detention of Bashir could yet become a political issue in the next round of voting, which takes place on July 5 for the presidency.



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