

# Questioning Former Jakarta Governor's Judicial Review

[AntoniusHerujiyanto AH13\_180218]



The noted Islamic lawyer from ACTA or the Alliance of Loving the Mother Land, Habiburokhman, has questioned the legal aspects of the judicial review of the two-year sentence that the former Jakarta governor Basuki “Ahok” Tjahaja Purnama received after he was found guilty of blasphemy.

Ahok’s Judicial review [JR] has been widely carried on Indonesian social media.

According to the Islamic lawyer, Ahok’s action has been contradictory to the decision made by the judges (on 8 June 2017).

He was not sure whether or not Ahok’s JR of blasphemy conviction based on judge’s ‘mistakes’, namely, the decision in Buni Yani case.

[In September 2016, Ahok was reported to the police for blasphemy after Buni Yani uploaded an edited clip version of Ahok’s speech in Jakarta’s Pulau Seribu district. Ahok said that his political opponents used a contentious interpretation of a Quranic verse to convince people not to vote for non-Muslim public officials.]

Believing that Ahok’s reason to file the review was not strong, Habiburokhman said Sunday (on 18 February) that Article 263 of KUHAP or the Criminal Code demanded three requirements to meet before filing a judicial review.

First, there should be the so-called novum, showing the existing evidence that was not presented in court. Secondly, when the judge made a blunder, and thirdly, when there was found an unsystematic application of the law.

[The verdict in the case of Buni Yani was based on the Law on Electronic Transactions and Information (UU ITE). He was charged for inciting hatred among groups of peoples. This is precisely the triggering fact for Ahok to file his judicial review.]

Habiburokhman also said that the Supreme Court or MA had not been very informative [such as carried it on its official website] about the very judicial review.

The North Jakarta District Court had, however, suddenly announced that the first hearing on the very Ahok’s JR was scheduled for Monday (on 26 February).

Source:

*Robi\_voa-islam/read/politik-indonesia/2018/02/18/56135/acta-pertanyakan-dasar-hukum-pk-ahok-yang-viral/#sthash.zYcpKkg c.dpbs, “ACTA Pertanyakan Dasar Hukum PK Ahok yang Viral (ACTA questions legal basis of Ahok’s Judicial Review)”, in Indonesian, 18 Feb18.*

## Broadcast Time

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