

UGM Law Expert: Anand Krishna Case, Gossip and Fabrication


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YOGYAKARTA-UGM criminal law expert, Prof. Dr. Edward Omar Sharif Hiariej, SH, M. Hum., assessed that the case of sexual abuse done by an interfaith spiritual leader in Indonesia, Anand Krishna, is a fabrication of certain parties and only a gossip. This is based on the fact that the case is not qualified to be brought to court due to the minimum number of witnesses and necessary evidence. "In terms of the number of witnesses and evidence, it does not meet the criminal elements to be brought to court. But this is still forwarded to the court which indicates the existence of fabrication in the case of Anand Krishna," Edy said in a discussion of Controversy on Anand Krishna's Case at UGM University Club (UC), Tuesday (31/5).

Edy added that all witnesses have also stated that they did not really see the occurrence of sexual harassment committed by Anand Krishna in March 2009. In addition, the autopsy report did not mention that the doctor had found signs of sexual violence while the complainant's (TR) hymen is still intact. "Such evidence reinforces the belief that there is very little proof of case of sexual harassment alleged to Anand Krishna," Edy said who also became an expert witness in the trial of Anand Krishna.

Case of sexual harassment, according to Edy, is very subjective. To be able to determine a case of sexual abuse is also difficult, especially dealing with witnesses. "Even in the Islamic religion is also very firmly said if there are no three witnesses, the case is immediately dismissed. In this case not even a single witness claimed to have seen it," he said.

A former member of Parliament, Utami Pidada, in the discussion insisted that the law in Indonesia can be established based on justice. Do not let the law enforcement violate the norms of justice so that it will be a public laughingstock. "Our society has been educated so that you should never violate the norms of law and justice," Utami said.



Utami sees there will be harm to TR because she gave fabricated report. She will have physical and material losses because the community will label her as object of sexual harassment even if it is only fabrication. In addition, if the trial is completed, the fate of TR in the future will be not clear, either. "Woman's position is vulnerable in society and often becomes the object of fabrication by other interests so that their existence and position needs to be strengthened," she added.

Likewise, Father Sapto Raharjo from Pancasila Moral Reconciliation Movement said that to enforce law in Indonesia is by promoting the principles of justice. In his view, if a case does not have strong evidence and witnesses, it should be immediately discontinued and not forwarded to the court, as in the case of Anand Krishna. It is feared if the case is continuously ignored, it will gradually become a bad precedence for law enforcement in Indonesia. "In the end it would only take an innocent victim. After Anand Krishna who will be next? Currently, Yogyakarta and Sri Sultan HB X are also being fooled by irresponsible party who harms us related to the specialty status of Yogyakarta," Romo Sapto said.

As it is known, Anand was reported by TR (compliant who is also his student) on charges of obscenity as stated in Paragraph 1 of Article 294 of the Criminal Code and Article 294 Paragraph 2 of the Criminal Code Jo Article 64 Paragraph 1 of the Criminal Code. Anand Krishna had also been reported in the case of book royalties and religious desecration. On June 8, 2011, there will be hearing at South Jakarta District Court.

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