International Journal of Law
ISSN: 2455-2194; Impact Factor: RJIF 5.12
Received: 01-08-2020; Accepted: 15-08-2020; Published: 02-09-2020
www.lawjournals.org
Volume 6; Issue 5; 2020; Page No. 19-23

Law and pluralism in legal protection for minority in Indonesia

Agus Suprijanto
Faculty of Social and Sports Sciences Education Universitas PGRI Semarang, Indonesia

Abstract
This study tries to undertake a thorough study of how legal pluralism in Indonesia that is the result of assimilation of three legal forms (ie customary law, Islamic law and common law law) serves as a basis for enforcing laws for minority communities in Indonesia, particularly in cases Conflict between the BTPs as a minority part of the Muslim community as the majority group in Indonesia. Law and Pluralism are concept that show how a legal validity can be applied to a pluralistic society. In Indonesia, its pluralism is being questioned as minorities like Chinese-descend ethnicity being harassed. This raises question on how is the concept of legal pluralism in Indonesia and How can fairness principles be applied in dealing with conflicts between minorities and the majority in Indonesia. The research is conducted using qualitative approach relying on literature and law review.
Research shows that Pluralism is an indisputable fact and is therefore a very important object of study given that justice in law can not only be based only on the positive legal system but also the laws prevailing in society. The existence of the majority and minority groups is something that is certain to happen, and therefore the opposition between the two groups becomes commonplace and should be dealt with fairly so that social justice can be achieved for both groups. This study attempts to deepen discussion of legal pluralism in Indonesia and the legal aspect to achieve social justice for both minority and majority in Indonesia.

Keywords: Law, Pluralism, Minority, Indonesia

Introduction
Legal pluralism, generally defined by Griffiths [1] as a situation where two or more legal systems work side by side in a similar field of social life, or to explain the existence of two or more social control systems in one area of social life, Hooker describes it as a situation where two or more legal systems interact in one social life, then F. Von Benda-Beckmann [2] adding it as a condition whereby more than one legal system or institution works side by side in activities and relationships within one community group.
The concept of legal pluralism is generally contrasted with the ideology of legal centralism. Ideology of legal centralism is defined as an ideology that calls for the enactment of state law as the only law for all citizens, regardless of the existence of other legal systems, such as religious law, customary law, and all forms of local regulatory mechanisms Which empirically lives and thrives in people's lives [3]. So clearly the ideology of legal centralism tends to ignore the social and cultural pluralism in society, including the local legal norms that are actually embraced and obeyed by citizens in the life of society, and often more obeyed than the laws created and enforced by the state. Therefore, borrow the words from Griffiths [4] that define "*Legal pluralism is the fact. Legal centralism is a myth, an ideal, a claim, an illusion. Legal pluralism is the name of social state of affairs and it is a characteristic which can be predicted of a social group",* the enforcement of legal centralism in a community of socially and culturally diverse communities is simply an impossibility.
The concept of legal pluralism presented Griffiths, distinguish it into two kinds, namely weak legal pluralism and strong legal pluralism. According to Griffiths, weak legal pluralism is another form of legal centralism because although it recognizes the existence of legal pluralism, but state law is seen as superior, while other laws are united under state law and recognize the diversity of the legal system, The contradiction between the so-called municipal law as the dominant system (state law), with servient law that is inferior as is customary and religious law [5].
Meanwhile the concept of legal pluralism is strong, which, according to Griffiths [6] is the pluralism of the legal order existing in all (groups) of society, all existing legal systems are seen as equal in society so there is no hierarchy that shows the legal system higher than others. Griffiths himself incorporates the views of some scholars into a strong legal pluralism that is the living law theory of Eugene Ehrlich, that is the rule of law that lives out of the normative order,

[1] I Nyoman Nurjaya,(2011), "Perkembangan Pemikiran konsep Pluralisme Hukum", paper, presented on : "Mempertanyakan Kembali Berbagai jawaban" Conference, 11- 12 oktober 2011, p. 10.
[2] Mirza Satria Buana,(2016), Living adat Law, Indigenous Peoples and the State Law: A Complex Map of Legal Pluralism in Indonesia, International Journal of Indonesian Studies, Spring 2016, p. 132.
[3] Arksal Salim,(2010), Dynamic Legal Pluralism in Indonesia: Contested Legal Orders in Contemporary Aceh, The Journal of Legal Pluralism and Unofficial Law, Vol. 42, Issue. 61, 2010.
[4] Martitah, (2013), Legal Pluralism And Strengthening The State Nation In Indonesia, International Journal of Business, Economics and Law, Vol. 3, Issue 3, 2013.
[5] Sulistyowati Indro, (2003), Pluralisme hukum dan Masyarakat Saat Krisis dalam Hukum dan Kemajemukan Budaya, Jakarta, Yayasan Obor Indonesia, p. 67.
[6] Alfitri, (2008), Religious Liberty in Indonesia and the Rights of "Deviant" Sects, Asian Journal of Comparative Law, Vol. 3, Issue. 1.

which is contrasted with the laws of the state, in which case Ehrlich actually not only shows that there is The abyss between law in the books and the rules of social life, but also that they are genuinely different categories [7].

One of the thinkers who can be categorized into the new thinkers of the concept of Pluralism is Franz Von Benda-Beckmann [8] Who say that is not enough to show the social field of course there is a diversity of laws, but what is more important is what is contained in the diversity of the law, how do these legal systems interact with each other, and how the existence of different legal systems It together in a particular field of study. Then there's Gordon Woodman [9] Which provides a variety of views of legal pluralism that see it at the level of the individual who is the subject of legal pluralism so that in order to study current legal pluralism, it is time to not be based on the maping of the legal universe, as it increasingly does not simplify the legal phenomena in complex societies . See that legal pluralism also exists in the folk law system, such as religious law, customs, and other "competing" customs, and must also deal with the legal system of the state as well as its plural nature. Pluralism in state law comes not only from the formal division of normative jurisdiction such as regulation of corporate bodies, political institutions, economic bodies and administrative bodies within a single system, but also in many situations it can be found Choice of law in situations of conflict of law which, as Kleinhans and MacDonald have in principle put it [10]: *"state law itself typically comprises multiple bodies of law, with multiple institutional reflections and multiple sources of legitimacy".*

In general, the complexity of the common legal system entity we can categorize into the legal system of the state, represented by the civil law and common law legal system, and the legal system of the people, represented by the customary law of each region and Islamic law. The complexity of legal pluralism, both in the legal system of the state and the legal system of the people in everyday life, can always be found in various other legal systems besides state law, namely customary law, religious customs, agreements or social conventions Others that have been "biased" by the community. It is necessary to realize that in this case state law is not the only reference governing the social relations of citizens in daily life. All such legal systems become a reference and are equally influential in the behavior of insiders interacting with others and when each of the different legal systems meet in a case, it usually happens that the conflict, although it may also be the opposite. Examples of cases that we can see in the form of conflict are riots occurring in various places in the country some time ago, such as the Aceh crisis with the Free Aceh Movement / GAM (1976), Papua crisis with Free Papua Movement (1965), crisis Ambon, which triggered the split between nations by faith (1999/2000), poso crisis that also nuanced SARA in central sulawesi (1998), Dayak-Madura incident from the event sanggau leddo in west kalimantan (1996) and sampit in central kalimantan (2001) (2002), Sunni-Shiite events in Sampang, Madura (2012) incident in Papua (2015), and the The latest is the conflict between the community with the Governor of Jakarta Basuki Tjahaja Purnama (BTP) which occurred in the year 2017.

The conflict between the community and the BTP is one of the conflicts that shows a conflict between the minority (ie BTP) and the majority Indonesian Muslim community, and the international spotlight due to Indonesia's position of placing itself as an example of pluralism in the world. The BTP became a minority both based on its lineage as a Chinese descendant, as well as from its Christian religion. The conflict between the BTP and the community came about because of reports from the public who questioned the politically charged statements of the BTP, in which BTP alluded to the majority's beliefs and made it an example of unrighteousness and hence considered an act of harassment or defamation of religious belief by the people.

Departing from the principle of freedom of expression in the concept of a democratic country, where everyone has the right to express his opinion in public, many people consider that the attitudes and behavior of BTP is part of democracy. Meanwhile, based on the principles of human rights protection, what is revealed by the BTP is one form of hate speech that has the effect of degrading human dignity and human dignity, and therefore there are those who question the statement of the BTP.

This study attempts to examine how law enforcement for minorities in Indonesia is linked to the principle of Legal Pluralism in Indonesia. The study focuses on law enforcement for BTPs that are part of a minority group in Indonesia who get opposition from the majority group.

Research's Problems

This study tries to undertake a thorough study of how legal pluralism in Indonesia that is the result of assimilation of three legal forms (ie customary law, Islamic law and common law law) serves as a basis for enforcing laws for minority communities in Indonesia, particularly in cases Conflict between the BTPs as a minority part of the Muslim community as the majority group in Indonesia. In order to conduct the study, then asked the questions that will be used as a basis in conducting research, among others:

1. How is the concept of legal pluralism in Indonesia?
2. How can fairness principles be applied in dealing with conflicts between minorities and the majority in Indonesia?

Discussion

a. The Concept of Legal Pluralism in Indonesia

The legal system in Indonesia and its development can not be separated from the history of the nation and the development of economic globalization and law in the past until now. Trade and colonization not only bring the world's commodities to the world market, but also bring new laws to this country. At least, as a result of the development of economic and legal globalization taking place in Indonesia, there are four coexisting legal systems in Indonesia, namely Customary Law, Islamic Law, Civil Law and Common Law [11].

It starts with customary law which is a law that lives in

[7] Timothy Lindsey,(2009), Law and Society in Indonesia, Journal of International Human Rights, Vol. 13, No. 8.

[8] Simon Butt,(2009), Islam, the State and the Constitutional Court in Indonesia, Pacific Rim Law and Policy Journal, Vol. 19, Issue. 1.

[9] Melissa Crouch,(2012), Law and Religion in Indonesia: The Constitutional Court and The Blasphemy Law, Asian Journal of Comparative Law, Vol. 7, Issue. 1.

[10] Elson, R. E.,(2010), Nationalism, Islam, "Secularism", and The State in Contemprorary Indonesia, Australian Journal of International Affairs, Vol. 64, Issue 3.

[11] Erman Rajagukguk,(2005), Ilmu Hukum Indonesia: Pluralisme, Paper, Bandung, 2 April 2005.p. 2.

different Indonesian people of different ethnic groups. The term adat itself is derived from Arabic, which when translated in Indonesian means "custom" [12]. Customary law is a habit in society that is adhered to by its members and it has sanction if it is not followed. According to Bellefroit [13], Customary law as the rules of life which, although not enacted by the ruler, but still respected and obeyed by the people with the conviction that these rules apply as law. As for the field of customary law, according to Ter Har [14] In his book "Beginsel en stelsel van het Adat-Recht" includes:

1. Community law
2. Land rights
3. Land transactions
4. Transactions in which the land is involved
5. Accounts payable law
6. Institution / foundation
7. Personal law
8. Family law
9. Marriage law
10. Law of offense
11. Past influence of time

In its development, this customary law developed along with the development of the community, so that the largely unwritten customary law then got its place in formal court decisions, so that over time the development of customary law can be followed through court decisions. As in the Supreme Court's decision. 391 K / Sip / 1969 on the legitimacy of grants made by the heirs to the heirs who harm other heirs.

Until now Adat Law is still alive in some places and not infrequently cause some problems, especially related to Ulayat land. Customary law also causes unability in the field of family law in Indonesia because it is related to the culture of the local community.

In addition to Customary Law, the spread of Islam in Indonesia accompanied by the establishment of Islamic empires and empires in the archipelago, also brought the influence of Islamic law. In some areas where adherents of Islam are strong, Islamic law has permeated and blended with the daily life of society so that Islamic law can not be separated from the customs and culture of society. As for example in western Sumatra and Aceh, people apply Islamic law in the field of marriage and inheritance. So in the history of legal conversation, Islamic law that coexists with customary law, gives birth to what legal debate is applied to the local community.

Then when Dutch colonialism peddled its power to the archipelago of the archipelago in the form of colonialism, Dutch colonialism as well as bring the arrival of Dutch law derived from the Code Napoleon. This law is incorporated into the Civil Law system or the continental European originating from France and France passing it from Roman law which is oriented to the laws contained in Corpus Iuris Civilis made in Justinian's period [15]. The special characteristic of the Civil Law is first, the law is the legislative product; secondly, the law is the rule of law; third, strongly influenced by Roman law perception; fourth, all continental European legal system or Civil Law codified in a legislation, the fifth , The court decision in the continental or Civil Law system is not the first legal source, but only the statements of the law, the sixth, the Common Law gives a very important place to the court, whereas in the Continental or Civil Law system it is not so, the law is not only prosecution but Much of the general function, seventh, duality of customary law and propriety as Common Law is unknown in the Continental European or Civil Law system of the eight, all Civil Law systems differ in substance and procedure between civil law and administrative law [16].

Based on the principle of concordance, the law in Netherland, automatically applies to residents in the Dutch East Indies which began in 1848. The population of the Dutch East Indies was divided into three groups: Europe, the Foreign East, Bumi Putra. Non-European population groups can submit themselves to European law either voluntarily or secretly. This European codification of the Civil Code (Civil Code), the Book of Commerce (KUHDagang), and the Book of Criminal Law (Criminal Code). In its development various materials in the Civil Code and KUHDagang after independent Indonesia separated themselves in the form of a separate law such as the Basic Agrarian Law, Labor Law, Limited Liability Company Law, Brand Law, Trade Secrets Act. In its own country the three books of this law have been subjected to many changes, in Indonesia the changes occurred with the birth of various new laws that were once incorporated in the Civil Code, KUHDagang and KUHPidana. The amendment of this law also occurs because of judicial decisions that establish interpretation of the law and eventually become jurisprudence.

In its development, this customary law developed along with the development of the community, so that the largely unwritten customary law then got its place in formal court decisions, so that over time the development of customary law can be followed through court decisions. As in the Supreme Court's decision. 391 K / Sip / 1969 on the legitimacy of grants made by the heirs to the heirs who harm other heirs.

Until now Adat Law is still alive in some places and not infrequently cause some problems, especially related to Ulayat land. Customary law also causes unability in the field of family law in Indonesia because it is related to the culture of the local community.

In general, the complexity of the common legal system entity we can categorize into the legal system of the state, represented by the civil law and common law legal system, and the legal system of the people, represented by the customary law of each region and Islamic law. The complexity of legal pluralism, both in the legal system of the state and the legal system of the people in everyday life, can always be found the existence of various other legal systems besides state law, namely customary law, religious customs, Others that have been "biased" by the community. It is necessary to realize that in this case state law is not the

[12] Bewa Ragawino,(2008), Pengantar dan Asas-Asasa Hukum Adat indonesia, Bandung, Fakultas Ilmu Sosial dan ilmu politik Universitas Padjajaran, p.1.

[13] Nadirsyah Hosen,(2005), Religion and The Indonesian Constitution: a Recent Debate, Journal of Southeast Asian Studies, Vol. 36, Issue 3.

[14] Naomi Johnstone,(2010), Indonesia in The “REDD”: Climate Change, Indigenous People and Global Legal Pluralism, Asian-Pacific Law and Policy Journal, Vol. 12, Issue 1.

[15] John Glissen & Frits Gorle,(2007), Sejarah Hukum Suatu Pengantar, Bandung, Refika Aditama.

[16] W. Friedman, Legal Theory, as translated in Indonesian by Muhammad Arifin , (2003), Teori dan Filsafat Hukum, Jakarta, PT. Raja Grafindo Persada, p. 163-165.

only reference governing the social relations of citizens in daily life. All such legal systems become a reference and are equally influential in the behavior of insiders interacting with others and when each of the different legal systems meet in a case, it usually happens that the conflict, although it may also be the opposite.

Although cultural factors play an important role in the unity of the nation, the key to integrating this nation is not the commonality of culture, religion and ethnicity, but because of the State of Unity which accommodates the common political ideals, overcoming all class of individual.

b. The Justice principle of Pancasila that can be applied in dealing with conflicts between minorities and the majority in Indonesia

The issue of conflict between the BTP and the Muslim community is a reflection of the conflict between the BTPs as a minority (both ethnic minorities and religious minorities) with Indonesians (ethnic majority as well as religious majority). This review will not discuss further the process of settling BTP cases as a minority and its conflict with the majority, but rather addressing the principles of justice that should be taken in order to resolve conflicts between minorities and the majority in Indonesia.

The handling of problems that become conflicts between the majority minorities in Indonesia can actually be solved by using Pancasila which is the legal basis of the Indonesian nation. Pancasila is grundnorm which is the ideal of Indonesian law (rechtidee) and the foundation in the formation of law. Pancasila is meta juristic which becomes the highest basic norm. Grundnorm is abstract, assumed by the intellect of the human mind, unwritten and has universal and supreme power of validity for the positive legal order, although its existence is not included in the positive legal order. The position of Pancasila as grundnorm, is above Staat Grundgesetz (Basic Rules of State); Formal Gesetz (Formal Act); And Verordnung en auto- nomesatzung (Implementing Rules) [17].

Pancasila is a fundamental staat norm that has a constitutive function and regulative function. According to Muladi, "Pancasila is the guiding star to test and give direction to positive law in Indonesia. Pancasila becomes a margin of appreciation doctrine ". Thus the position of Pancasila in the development of law is very important, because it contains ideological values, namely the national ideological values contained in Pancasila; Historical values, namely birth values based on the history of the Indonesian nation; Sociological values, ie values that grow with the culture of society; Juridical values, ie values in accordance with legislation; And philosophical values, that is, values are based on a sense of justice and truth. Therefore, the values contained in Pancasila do not exist that are contrary to the religious values contained in the scriptures. As a legal development paradigm, Pancasila becomes a guide in the formation of law in Indonesia, namely: 1) Laws must protect the entire nation and ensure the integrity of the nation and therefore there should be no law that instills seed disintegration; 2) The law must ensure social justice by giving special protection to the weaker classes so as not to be exploited in free competition against strong groups; 3) Law must be built democratically as well as build democracy in line with the state law; 4) The law should not be discriminatory on the basis of any primordial bond and should encourage the creation of religious tolerance based on humanity and civilization [18].

Thus, Pancasila is a home for pluralism. Therefore, to address issues of diversity and diversity, a pluralistic approach is essential. Legal pluralism is the most appropriate approach to overcome these problems. Legal pluralism offers a plurality-focused model for understanding the law by considering three main elements, natural law (ethic / moral / religion), positive law, and socio-legal [19]. There is a constant interaction between the three elements. Legal pluralism places a comprehensive and holistic understanding of law in order to achieve substantive justice.

SARA issues can be solved with this approach. The issue of SARA is not solved only by positivistic approach (state positive law), because basically the laws and regulations have limitations that can lead to deadlock of the rules, while the dynamics of society and the problem is increasingly complex. Substantive justice will be lost if justice is sought through law in the books. Therefore, another aspect of the approach that can help reveal and seek to resolve this problem is through a socio-legal approach.

State positivism and law society should not be value-free. The presence of state laws and laws that live in society must be full of value. Moral, ethical, and justice values can not be separated from the law. The law should not be sharp down and blunt upward. The law should not be selective. The law also may not be traded for a particular interest. The judge is not the mouthpiece of the law (la bouche de la loi) which only states what is stated in the chapters. Judges play more than that. The judge must be able to use spiritual intelligence to dare to find new ways that can bring about justice. The judge must be able to search the inner meaning with his conscience and create a new measure of law. The law is run with the principle of caring, feeling, and involvement of the weak group [20].

In the concept of legal pluralism, the Society is a group of people who have a moral entity with guided religiosity respectively. On the other hand, humans also become part of society and the characteristics that construct it and on the other hand, society is also part of the state entity that can not be separated from the state of positive law. Legal pluralism seeks to absorb these three dimensions in a circle of legal formalization applicable to society as individuals, part of society as well as part of citizens subject to applicable state law. Nevertheless, the circle of legal pluralism that is created remains unable to absorb the pluralism residue present in each dimension and place it fixed on each dimension as a force that can not be ignored.

The diversity and religious issues that exist in Indonesia are part of the complexity of prismatic and pluralistic societies. Indonesian society has characteristics that are in the three dimensions. The Indonesian people are the people of Godhead who are guided by their respective religions and beliefs. Morality and ethic religion values grow with the beliefs of the Indonesian people. All religions and beliefs of

[17] Hans Kelsen,(2012), Introduction to Theory of Law :Indonesian Language Edition,, Bandung: Nusamedia, p. 115-116.

[18] Moh. Mahfud MD.,(2010), Membangun Politik Hukum, Menegakkan Konstitusi ,Jakarta: Rajawali Press, p. 56.

[19] Werner Menski,(2015), Perbandingan Hukum dalam Konteks Global; Sistem Eropa, Asia dan Afrika :Indonesian Language Edition., Bandung: Nusa Media, p. 244-247.

[20] Satjipto Rahardjo,(2005), Hukum Progresif: Hukum yang Membebaskan, Jurnal Hukum Progresif, Vol. 1, No. 1, April 2005, PDIH Undip, Semarang.

mutual dialogue within Pancasila's house, dialogue the noble values of religious teachings. All noble values in the religious teachings are compatible and Pancasila is able to accommodate them to be tied in the frame of the Unitary State of the Republic of Indonesia.

The natural law approach can be pursued through religious leaders who sit together reconciling in an inward, in the sense of advising and conveying the content of scripture to their diverse peoples about the goodness of life, tolerance, social life and avoiding the fragmentary efforts that will undermine the national feeling. Interreligious leaders can also communicate to the general public empathy and concern about the unity and unity, and join hands to seek re-integration of the nation.

The peaceful delivery of aspirations is part of keeping the unity and unity of the nation. Communication and reconciliation between religious, religious and state positivism law is essential. Dialectics must be established among religious people, religious leaders and government. The dialectic of legal pluralism must also be present, to synergize the solution of the problem, not only from one dimension of state positivism law alone, but also to the law society and to return to the values of ethic religion ethics.

Conclusion

The complexity of legal pluralism, both in the legal system of the state and the legal system of the people in everyday life, can always be found in various other legal systems besides state law, namely customary law, religious customs, agreements or social conventions Others that have been "biased" by the community. It is necessary to realize that in this case state law is not the only reference governing the social relations of citizens in daily life. Legal pluralism in Indonesia grows and develops not apart from the history of the nation and the development of economic globalization and law in the past until now.

Based on the discussion of the problems in this study, it can be concluded that the plurality of peoples must be understood by using the right approach also, namely legal pluralism, not to diversity and harmony is injured due to problem solving using improper legal understanding dimension. SARA problems that arise can be seen from three different dimensions and can be synergized, namely by natural law approach, law society and state positivism. Religious leaders can use the natural law approach to reinternalize the values of religion and tolerance. The government should also look wisely that protest movements against religious and ethnic defamation have arisen in tandem with the diversity and diversity within society. Movements not only anticipated will likely lead to riots and anarchism, but also help to guard until aspirations can be communicated peacefully and heard by the head of state. Law enforcement as a form of state positivism law work is also guarded by its implementation so as not to be affected by certain interests so that it can lead to the destruction of the nation. State positivism law must be able to hold the natural law and law society, in order to obtain the best decision based on moral values ethic religion and based on social values.

References

1. Glissen, John dan Frits Gorle.Sejarah Hukum Suatu Pengantar. Bandung: Refika Aditama, 2007.
2. I Nyoman Nurjaya, Perkembangan Pemikiran konsep Pluralisme Hukum, Makalah untuk dipersentasekan dalam Konferensi Internasional tentang Penguasaan Tanah dan kekayaan Alam di Indonesia yang sedang berubah: "Mempertanyakan Kembali Berbagai jawaban", Hotel Santika jakarta, 11- 12 oktober 2011.
3. Indro, Sulistyowati. Pluralisme hukum dan Masyarakat Saat Krisis dalam Hukum dan Kemajemukan Budaya. Jakarta, Yayasan Obor Indonesia, 2003.
4. Kelsen, Hans. Pengantar Teori Hukum, edisi terjemahan. Bandung: Nusamedia, 2012.
5. Moh. Mahfud MD. Membangun Politik Hukum, Menegakkan Konstitusi. Jakarta: Rajawali Press, 2010.
6. Menski, Werner. Perbandingan Hukum dalam Konteks Global; Sistem Eropa, Asia dan Afrika, terj. Bandung: Nusa Media, 2015.
7. Rahardjo, Satjipto. Hukum Progresif: Hukum yang Membebaskan. Jurnal Hukum Progresif. 2005; 1:1.
8. Ragawino, Bewa. Pengantar dan Asas-Asas Hukum Adat indonesia. Bandung: Fakultas Ilmu Sosial dan ilmu politik Universitas Padjajaran, 2008.
9. Rajagukguk, Erman. Ilmu Hukum Indonesia: Pluralisme, paper yang disampaikan pada Diskusi Panel dalam rangka Dies natalis ke-37 IAIN sunan Gunung djati, Bandung, 2005.
10. Friedman W. Legal Theory, terjemahan Muhammad Arifin dengan judul Teori dan Filsafat Hukum. Jakarta, PT. RajaGrafindo Persada.
11. Alfitri. Religious Liberty in Indonesia and the Rights of "Deviant" Sects, Asian Journal of Comparative Law. 2008; 3:1.
12. Buana, Mirza Satria. Living adat Law, Indigenous Peoples and the State Law: A Complex Map of Legal Pluralism in Indonesia. International Journal of Indonesian Studies, Spring, 2016.
13. Butt, Simon. Islam, the State and the Constitutional Court in Indonesia, Pacific Rim Law and Policy Journal. 2010; 19:1.
14. Crouch, Melissa. Law and Religion in Indonesia: The Constitutional Court and The Blasphemy Law. Asian Journal of Comparative Law. 2012; 7:1.
15. Elson RE. Nationalism, Islam, "Secularism", and The State in Contemprorary Indonesia, Australian Journal of International Affairs. 2010; 64:3.
16. Hosen, Nadirsyah. Religion and The Indonesian Constitution: a Recent Debate, Journal of Southeast Asian Studies. 2005; 36:3.
17. Johnstone, Naomi. Indonesia in The "REDD": Climate Change, Indigenous People and Global Legal Pluralism. Asian-Pacific Law and Policy Journal. 2010; 12:1.
18. Martitah. Legal Pluralism And Strengthening The State Nation In Indonesia, International Journal of Business, Economics and Law. 2013; 3:3.
19. Salim, Arksal. Dynamic Legal Pluralism in Indonesia: Contested Legal Orders in Contemporary Aceh, The Journal of Legal Pluralism and Unofficial Law. 2010; 42:61.
20. Lindsey, Timothy. Law and Society in Indonesia, Journal of International Human Rights. 2009; 13:8.