



Politics of Religious Control during Indonesia's Old Order Period (1945-1966)

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ABSTRACT

This paper seeks to trace the issue of religious policy that intertwined during the Old Order period. If carefully examined, the crucial religious issue in the early years of Indonesia's independence was the very strong presence of kebatinan (mystical belief systems) both in politics and in the social realm. This situation later gave rise to two highly effective instruments in limiting religious life. Those two tools were the Coordination Body for the Oversight of Community Belief Systems (Badan Koordinasi Pengawas Aliran Kepercayaan Masyarakat, abbreviated as Bakorpakem) and Law Number 1/PNPS/1965 concerning the Prevention of the Misuse and/or Blasphemy of Religion. Thus, this paper intends to review the socio-political background that, in turn, produced these two unmistakable religious mechanisms that restricted the space for religious expression. An important note that emerges from the story of religious policy during the Old Order period lies in these two nodes: Bakorpakem and Law Number 1/PNPS/1965. Those two religious "safeguards" were effective front line defenses against the flood of splinter religious streams, including kebatinan. It can be asserted that during the Old Order period, Bakorpakem and PNPS 1965 became early catalysts that then generated a discourse of "official religion" versus "unofficial religion." This reality clearly demonstrates that in Indonesia, religion was not a mere theological or sociological category. More than that, religion was a matter of politics an instrument for distinguishing it from local belief systems or kebatinan.



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1. Introduction

The context of religious life in Indonesia has always been an integral part of political processes. This consequence emerges because the formation of state-religion relations is highly plastic, allowing religion to always remain at a point of intersection with politics. The state constantly strives to assert itself at every level of societal life, including religion.

What deserves attention in this dynamic is the enigma of the state's attitude toward the existence of religions. Does the state intend to accommodate or deny the religions that exist, whatever their form, into the fold of regulation and the constitution? In the language of Jean Jacques Rousseau (2003) does the state grant a positive title? This is a parameter approaching legitimacy as a measuring instrument: whether the state protects, guarantees, and fulfills its

obligation as an institution that delivers comfort for religious expression. Franklin I. Gamwell stated that the state's accommodative attitude must be manifested in a democratic constitution (Gamwell, 1995).

The narrative regarding state policy toward religion in Indonesia is a very complex discussion. Throughout different eras, the portrayal of religious-political dynamics has always been accompanied by give-and-take. Nonetheless, the formula to observe religious life more intensively for greater focus is the Old Order government era.

If carefully pursued, the vital religious issue in the early years of Indonesia's independence was the powerful influence of *kebatinan* belief systems both in political and social spheres. This situation later produced two highly effective suppressive instruments on the question of limiting religious life: the Coordination Body for the Oversight of Community Belief Systems (*Bakorpakem*) and Law Number 1/PNPS/1965 concerning the prevention of misuse and/or blasphemy of religion.

2. Methods

This study employs a qualitative method with a socio-historical approach to explore the dynamics of religious policy during Indonesia's Old Order period. It seeks to investigate how the state sought to control religious groups, particularly through the establishment of regulatory bodies and legal instruments. By examining historical documents, government policies, and political discourses, this research aims to uncover the underlying motives and implications of such religious regulations.

Thus, this paper aims to explore the socio-political background that subsequently produced these two undeniable religious instruments that limited the religious space especially splinter religious groups distinct from mainstream religious communities. Furthermore, the examination may extend to see the initial process of distinguishing between "official religion" and "unofficial religion."

3. Results and Discussion

3.1 *Bakorpakem* and Efforts to Maintain "Religious Order"

The storyline regarding the emergence of these two repressive devices can only be understood by grasping the socio-political situation in the post-independence era. At that time, as described by Niels Mulder in *Mysticism and Everyday Life in Contemporary Java: Cultural Persistence and Change*, it was said that so many *kebatinan* groups emerged. The Department of Religious Affairs reported that by 1953 there were more than 360 *kebatinan* groups throughout Java (Mulder, 1978: 3).

These groups played a decisive role, such that during the 1955 elections, Islamic parties failed to secure a majority, gaining only forty-two percent of the vote. Mulder noted this period as one in which Islam fragmented and syncretism or Javanese mysticism emerged.

Mulder recorded that mystical organizations attracted attention both from Javanese mystics and from the Department of Religious Affairs. In 1951, Wongsonegoro actively organized *kebatinan* in the Committee for Organizing a Philosophy and Mysticism Meeting and, in his political party, Partai Indonesia Raya (PIR), reached out to various mystical sects and invited them to organize under his patronage (Ali, 1986: 58).

Also in 1951/1952, a very surprising statement came from K.H. Agus Salim one of the national figures who helped formulate Pancasila and the 1945 Constitution. In the Ministry's 1951/1952 Agenda he wrote an article titled *The Ministry of Religious Affairs in the Republic of Indonesia*. In it he expressed the idea of religious freedom as follows (quoted from Djohan Effendi, 2001: 116-117):

"In this work we intend to show interest in the freedom of religion. How that freedom must be understood in our country, which is based on belief in the One Almighty God. Can we, under the principles of the state, recognize the freedom of belief of people who negate God? Or religions that acknowledge multiple gods or share the divine? Certainly! Because our foundational legislation, as well as that of any state possessing civilized norms, recognizes and guarantees freedom of belief provided, of course, it does not violate the rights of others, social decorum, public order, and peace."

This statement from Agus Salim was truly phenomenal. At a time when the government was seeking to eliminate nonreligious belief systems perceived as "not religion," he took the opposite stance. His statement did not merely provide a guarantee for non-belief, but also the right to acknowledge atheism or polytheism despite Indonesia being a state founded on belief in a Supreme God. His view was no mere pretext, as nobody doubted his Islamic faith or national loyalty.

In 1952, during a session of the People's Representative Council (*Dewan Perwakilan Rakyat*), M. H. Dimiyati demanded that the *kebatinan* belief systems be outlawed. It was then proposed that the Department of Religious Affairs develop a definition of religion. At that time essential elements of religion were formulated: Prophet/Messenger, holy scripture, foreign acknowledgment as a religion. At that point, opposition from the Hindu-Balinese community emerged (Subagya, 1995: 116). In the end, the definition was never enshrined in regulation.

One year later specifically in 1953 the Department of Religious Affairs reported the existence of 360 new religions in Indonesia. Within the Department, a policy emerged organizing PAKEM as one of the bureaus. Originally, PAKEM stood for *Pengawas Aliran Kepercayaan Masyarakat* (Oversight of Community Belief Systems). But in various regions, its meaning varied: some saw it as preventive oversight, others as simply a review body, and still others as research and development for community belief systems.

In 1955, the BKKI (*Badan Kongres Kebatinan seluruh Indonesia*) was founded under the leadership of Mr. Wongsonegoro. That same year, the first BKKI congress took place in

Semarang, from August 19 to 21. In 1957, the BKKI urged President Sukarno to formally recognize *kebatinan* as equal to “religion.” In 1959, the DPR requested a formal definition of religion. The then Minister of Religious Affairs, K.H. Wahib Wahab, proposed requirements for religion, which included revelation, prophets-messengers, holy scriptures, and a life code for adherents. He reaffirmed this in 1961. According to this formulation, *kebatinan* was not expected to be recognized as religion. However, this definition never materialized into formal law.

It was in this environment of increasingly powerful *kebatinan* belief systems that Bakorpakem emerged. Bakorpakem became a kind of “police institution” for the splinter belief systems that proliferated in the 1950s and 1960s.

Bakorpakem was first established by Prime Minister Ali Sastroamidjojo under the name Inter-Departmental Committee for Reviewing Belief Systems in Society (*Interdep Pakem*) by Decree Number 167/PROMOSI/1954 (Baso, 2005: 240). The committee was chaired by R.H.K. Sosrodanukusumo, Head of Central Investigation Division at the Attorney General’s Office of the Supreme Court. Their mandate was similar to that later practiced by Bakorpakem: to examine and investigate the form and objectives of belief systems (Hamidi and Abadi, 2001: 160-161).

To make Interdep Pakem’s duties more effective, the Attorney General’s Office formed the Division for Religious and Community Belief Movements in 1958. In 1960, this division was elevated to the Pakem Bureau, tasked with coordinating the oversight of belief systems in society alongside other government agencies to maintain public order and the common interest.

Then, by means of Circular Letter of the Attorney General’s Department, Central Pakem Bureau Number 34/Pakem/S.E./1961 dated April 7, 1961, PAKEM offices were established in every province and district. Among the bureau’s duties was to monitor, observe, and oversee the movements and developments of all religious movements, all *kebatinan* belief flows, and to examine or study books and brochures of religious or belief movements both domestic and foreign in origin.

The duties of PAKEM were further clarified in Attorney General Instruction Number 1/Instr/Secr/1963 dated February 5, 1963, regarding Resolution of Issues in the Field of Religious Belief [Pakem] in the Attorney General’s Office. It set the oversight directed at phenomena that could obstruct national development in two categories: (1) teachings or movements capable of causing disturbances to public order or security; and (2) teachings or movements capable of harming their adherents or society at large, whether mentally, spiritually, or materially.

Subsequently, Attorney General M. Kadaroesman SH issued Instruction Number 5/Secr/1963 dated March 8, 1963, concerning attention to (a) religious books; (b) training methods within religious or belief movements. This indicates that state oversight of

emerging splinter religions became a core function of state policy. Thus, the Old Order era can also be categorized as an era in which state intervention in religion was enormously intensified.

Even before the emergence of Law Number 1/PNPS/1965, prohibitions had already been effectively enforced. A few notes on traditions of adjudicating belief systems before 1965 may help illustrate the severity of systematic state targeting against adherents of religions and indigenous belief systems. The regulations included:

1. Prime Minister of Indonesia Ir. Djuanda's Decree Number 122/PROMOSI/1959 concerning the banning of the Eyang religious organization in Ciamis.
2. Presidential Decree of the Republic of Indonesia Number 264 of 1962 banning organizations such as Liga Demokrasi, Rotary Club, Divine Club Society, Vrijmetsclaren Loge (Grand Lodge of Indonesia).
3. Presidential Decree of the Republic of Indonesia Number 34 of 1963 banning the Theosophical Society, Indonesian Branch headquartered in Jakarta, along with its lodges and federations throughout Indonesia as prohibited organizations.

On that basis, one can understand that the spirit of Bakorpakem was to "protect religion." And it is also undeniable that there was a spirit to maintain state stability at that time. For Sukarno, a group of religion that felt "defiled" also meant a threat to his power.

The monitoring function carried out by PAKEM continues today in line with its original purpose. Indeed, much of its core function is embedded in Law Number 16 of 2004 on the Attorney General's Office. Under that law, Article 30 paragraph 3 states that the Attorney General's Office is also tasked in the field of public order and safety by, among other things, "(c) monitoring the distribution of printed publications; (d) monitoring belief systems that may endanger society and the state; and (e) preventing misuse and/or blasphemy of religion." This effective state control left local adherents of indigenous belief systems held by various ethnic or sub-ethnic groups in Indonesia in a precarious position.

A simple question might be posed to challenge the authority of this institution in religious affairs. Put plainly: why does the prosecutor's office have an interest in interfering in religious and belief matters in society?

We return to the constitutions that once governed Indonesia, specifically the 1950 Provisional Constitution (*UUDS 1950*). Article 43 paragraph 3 stated that "The authorities must provide equal protection to all recognized religious associations and groups," and paragraph 4: "The authorities must supervise that all religious associations and groups comply with the law, including unwritten legal norms." These two clauses also appear in the 1949 Constitution of the Republic of the United States of Indonesia (*UUD RIS*) Article 41 paragraphs 1 and 2 with identical wording.

By including the phrase “recognized religion” and “supervision,” the government indirectly gained the authority to formally recognize, protect, and grant assistance only to official religions. This is the formal legal foundation establishing the history of the discourse on “official religion.”

Across three laws that have applied since 1961, 1991, and 2004, the position of the prosecutor’s office in overseeing belief systems (religion) has remained intact. The oversight of belief systems, as a duty of the Attorney General’s Office, appears in Law Number 16 of 2004 on the Attorney General’s Office, in Law Number 5 of 1991 on the Attorney General’s Office, and in Law Number 15 of 1961 on the Fundamental Provisions of the Attorney General’s Office.

In Law Number 16 of 2004, this duty forms part of general responsibilities concerning public order and safety. Similarly, in Law Number 5 of 1991, and in Law Number 15 of 1961 it appears among general provisions. Therefore, in principle, such a duty has been entrusted to the Attorney General’s Office from era to era. The differences, if any, lie only in the arrangement of the articles. In Law Number 16 of 2004 the oversight duty appears in Chapter III Article 30 paragraph 3(d). A similar provision is in Law Number 5 of 1991 in Chapter III Article 27 paragraph 3(d), while in Law Number 15 of 1961 that function is enshrined in Chapter I Article 2 paragraph 3.

3.2 Law No. 1/PNPS/1965 and the Blasphemy Punishment

In 1965, Presidential Decree (Penetapan Presiden or PP) No. 1 hereafter referred to as PNPS 1965 was issued by President Sukarno, who at the time also held the title of the Great Leader of the Revolution, on January 27, 1965. This decree pertained to the Prevention of Religious Abuse and/or Blasphemy. PNPS 1965 later became a tool to shield officially recognized religions from the "attacks" of deviant sects. Its status was later elevated into law through Law No. 5 of 1969, which ratified several presidential decrees into official laws.

The idea behind PNPS 1965 originated from the First National Law Seminar in 1963, which, among other topics, discussed religious offenses in the Penal Code (Ropi, 2007). One of the speakers, Oemar Seno Adji, stated that religious offenses in the Penal Code needed thorough review as part of future legal reforms. He argued:

“... [D]oesn’t the acknowledgment of the principle of Belief in the One and Only God as the prima causa in the Pancasila State, alongside Article 29 of the 1945 Constitution, justify even obligate the creation of religious offenses in the Penal Code?... Religion in our legal reality is a fundamental factor. Can we not understand that this factor may serve as a solid basis for reviving religious offenses?” This perspective helped inspire the creation of PNPS 1965, complete with its embedded religious offenses. Like the emergence of *Bakorpakem*, PNPS 1965 was born out of a climate of fear regarding mystical beliefs. To understand the reasons behind PNPS 1965, the explanations provided within the decree itself are revealing of the government's strict limitations on the freedom of mystical movements.

Explicitly, this concern is addressed in Part I, point 2 of the general explanation of PNPS 1965: "It has become evident that recently, throughout almost all of Indonesia, numerous mystical streams or belief organizations have emerged that contradict religious teachings and laws."

From the government's perspective, these movements were seen as causing legal violations, threatening national unity, and desecrating religion. Consider the phrase: "...it is clear that mystical streams or belief organizations that misuse and/or use religion as a foundation have recently multiplied and have evolved in a direction that seriously endangers existing religions." The phrase "existing religions" is key.

The inclusion of this phrase indicates that the purpose of PNPS 1965 was not only to serve as a Great Wall protecting major religions but also to reinforce the notion of "recognized religions" in Indonesia. Thus, PNPS 1965 became both a defense and a form of protection for "existing religions."

This becomes even clearer in point 5 of the general explanation of PNPS 1965, which states: "...with this Presidential Decree, there is by no means any intention to disturb the right to exist of religions that had already been recognized by the government before this decree was enacted." Notice the phrase "religions already recognized." With this phrasing, the existence of official religions is not merely discursive; certain religions in Indonesia both "exist" and are "recognized," implying the presence of unrecognized, constitutionally unsupported religions.

The meaning of "recognized religions," as it appears in PNPS 1965, remains ambiguous on two levels: legal and socio-practical. Legally, prior to PNPS 1965, there was no specific regulation identifying which religions were recognized (except the 1950 Provisional Constitution, which was annulled by the July 5, 1959 Presidential Decree). Practically, the recognized religions are also unclear what exactly were these religions before PNPS 1965? Despite this ambiguity, we can turn to certain clauses in PNPS 1965 that reinforce the discourse of official religion. Article 1 reads: "Every person is prohibited from deliberately, in public, conveying, recommending, or seeking public support for an interpretation of a religion adhered to in Indonesia, or conducting religious activities resembling those of that religion, where such interpretations and activities deviate from the core tenets of that religion."

Article 1 refers to "religions adhered to." In its explanation, the decree identifies these as Islam, Protestantism, Catholicism, Buddhism, and Confucianism. The legitimacy of these religions, according to the explanation, is rooted in their historical presence in Indonesia. Since these six religions are embraced by almost the entire population, they are entitled not only to constitutional guarantees under Article 29(2) but also to legal protection under this law.

However, the explanation continues: "...this does not mean that other religions, such as Judaism, Zoroastrianism, Shintoism, Taoism, are banned in Indonesia. They are granted full guarantees under Article 29(2) as long as they do not violate provisions of this regulation or other laws."

In contrast, mystical belief systems (*kepercayaan*) are viewed by the government as non-religious. For them, the government seeks to steer their development toward a "healthy" understanding of the principle of Belief in the One and Only God.

An analysis of Article 1 and its explanation underscores the authoritative language of the official religion discourse in PNPS 1965, with terms such as "religion adhered to," "existing religions," and "recognized religions." These phrases warrant deeper examination in light of the power-knowledge structure embedded within PNPS 1965.

In principle, all religious citizens receive guarantees. But those guarantees are stratified: "full guarantees" versus "basic guarantees." Full guarantees imply constitutional protection as well as state support against heterodox interpretations. Basic guarantees, on the other hand, describe protection without recognition or support.

From this exploration, the notion of official religion begins to take form. Official religions include Islam, Protestantism, Catholicism, Hinduism, Buddhism, and Confucianism. These receive state support for institutional development. Others are not denied existence but are excluded from constitutional equality. They are, metaphorically, the state's illegitimate children, whereas the six official religions are its legitimate ones.

A fundamental question remains: On what basis are these six religions recognized as official? PNPS 1965 offers only vague justifications: historical legitimacy and widespread adherence. But these two criteria lack strong legal grounding. Moreover, couldn't other non-official religions also meet these two conditions? Turning to mystical beliefs: Based on PNPS 1965, their position is extremely weak. Their existence is not acknowledged as a legitimate form of belief. They are instead deemed unhealthy religious movements to be corrected by the state.

In the explanation of Article 1, the state adopts two approaches: First, the six religions receive state protection and assistance. Second, other religions only receive basic constitutional guarantees. While mystical believers are technically allowed to worship, they receive no state facilities and are often treated differently compared to both the six official religions and the examples mentioned in Article 1's explanation.

Another critical note concerns the phrase "religious activity" as outlined in Article 1. The explanation defines this broadly to include naming a belief as a religion, using religious

terminology in teachings or rituals, and conducting worship. The Ministry of Religious Affairs is authorized to assess such activities and determine their religious legitimacy. This clearly grants the Ministry of Religious Affairs the power to decide what qualifies as a religion essentially making it a theological judge of orthodoxy versus deviation, of “healthy” versus “unhealthy” teachings.

Another crucial aspect of PNPS 1965 is the religious offense it creates. These are further codified in Article 4, which refers directly to Article 156a of the Penal Code. This article, included under Chapter V on Crimes Against Public Order, covers acts expressing hostility, hatred, or contempt toward others based on religion, ethnicity, race, etc. These provisions aim to protect minorities from majority abuses.

Article 4 reads: "A new article shall be added to the Penal Code as follows: Article 156a Anyone who deliberately, in public: a. expresses feelings or commits acts that are essentially hostile, abusive, or blasphemous toward a religion adhered to in Indonesia; b. with the intention of preventing others from adhering to any religion based on belief in the One and Only God; shall be punished with imprisonment for a maximum of five years."

This article thus regulates two types of offenses: religious deviation and anti-religion acts. Religious deviation involves misinterpreting religious teachings or conducting religious-like activities that deviate from the core tenets of an official religion. This includes naming a belief as a religion, using religious terms, or performing rituals resembling those of a recognized religion. Such activities are deemed to obscure the purity of religious teachings.

Anti-religion offenses fall into two categories: blasphemy and incitement to irreligion. Blasphemy involves hostile or insulting acts against religious teachings, expressed through speech, writing, or public behavior. Incitement to irreligion involves public efforts to persuade others not to follow any religion based on the belief in the One and Only God.

Unlike common offenses, the procedure for handling religious deviation and anti-religion offenses is distinct. If an individual commits religious deviation and the offense meets legal criteria, prosecution cannot proceed immediately. Even after investigation, the government's only option is to issue a strong warning through a Joint Decree (SKB) by the Minister of Religious Affairs, Attorney General, and Minister of Home Affairs.

However, if the offense is committed by a group or sect, the President may take action based on recommendations from the same three officials. This may involve disbanding the organization or declaring it illegal.

In contrast, anti-religion offenses are processed like regular crimes investigation, prosecution, and trial without intermediate administrative warnings or group

dissolution. In practice, Article 156a has been used to prosecute individuals and organizations accused of blasphemy.

4. Conclusions

An important note to highlight from the story of religious policy during Indonesia's Old Order lies in two key instruments: *Bakorpakem* and Law No. 1/PNPS/1965. These two religious security tools effectively served as the frontline to stem the tide of deviant religious streams, including *aliran kebatinan* (mystical or spiritual movements).

In practice, these two instruments of repression operated effectively and mutually reinforced each other, especially through control functions that often resulted in the labeling of certain religious practices as heretical. Based on its formative experience, *Bakorpakem* can be seen as playing a continuous role across different regimes: the role of surveillance and control. Once a group is deemed heretical, the options are to either return to the "right" path or be eliminated.

The position of *Bakorpakem* is indeed highly problematic. It claims to maintain public order, yet does so by undermining private beliefs. In such a situation, the legitimacy of *Bakorpakem* deserves to be questioned. How does *Bakorpakem* determine the standard by which a belief system is classified as heretical? Methodologically, *Bakorpakem's* decisions on religious matters are difficult to justify juridically, academically, or theologically. It must be emphasized that during the Old Order, *Bakorpakem* and the 1965 PNPS Law became the initial catalysts for the emergence of the discourse on "official" and "unofficial" religions.

Rita Smith and Susan Rodgers (1987), in the introduction to their book *Indonesian Religions in Transition*, explain that the *politics of religion* in Indonesia leads to two main implications. First, the emergence of a category of "people who do not yet have a religion." Second, an ambiguity in which many individuals formally and administratively adhere to one of the "recognized religions" while continuing to practice their older traditions.

This reality clearly demonstrates that in Indonesia, religion is not merely a theological or sociological category. More than that, religion is a matter of politics an instrument used to distinguish it from *kepercayaan* (local beliefs) or *kebatinan*. Religion becomes a discourse space, a site of contestation between competing regimes of truth upheld by each religion, often not on equal footing, with one dominating the others. Religion becomes a marker of identity, such that no identity is complete without its religious dimension (Dhakidae, 2003: 513). Unfortunately, this process has often been accompanied by exclusion, marginalization, and denial.

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