

Asian Journal of Law and Society - Decision on AJLS-AR-19-026

Dari: Asian Journal of Law and Society (onbehalf@manuscriptcentral.com)

Kepada: vicnalle@yahoo.com

Tanggal: Jumat, 10 Mei 2019 18.47 GMT+7

10-May-2019

Dear Mr. Nalle,

AJLS-AR-19-026 entitled "THE RISE AND FALL OF THE POLITICS OF LAW OF INTOLERANCE AGAINST INDONESIA'S ALIRAN KEPERCAYAAN" which you submitted to the Asian Journal of Law and Society, has been reviewed. The comments of the reviewer(s) and editor are included at the bottom of this letter.

While the reviewer(s) recognise the potential of your manuscript as a valuable contribution to the journal, they also suggest some major revisions to your manuscript. Therefore, I invite you to respond to the reviewer(s)' comments and revise your manuscript.

To revise your manuscript, log into <https://mc.manuscriptcentral.com/asianjls> and enter your Author Centre, where you will find your manuscript under "Manuscripts with Decisions." Under "Actions," click on "Create a Revision." Your manuscript number will be appended to denote a revision. You may also click this link to start your revision:

*** PLEASE NOTE: This is a two-step process. After clicking on the link, you will be directed to a webpage to confirm. ***

https://mc.manuscriptcentral.com/asianjls?URL_MASK=522b69efe8e142e5a62b7345bdad0e0d

When submitting your revised manuscript, you will be able to respond to the comments made by the reviewer(s) in the space provided. Please use this space to document any changes you make to the original manuscript. In order to expedite the processing of the revised manuscript, please be as specific as possible in your response to the reviewer(s).

In addition to addressing the reviewers' comments, please also ensure you follow the Instructions for Contributors closely when preparing your revision. The Instructions can be found here:

http://assets.cambridge.org/ALS/ALS_ifc.pdf

Because we are trying to facilitate timely publication of manuscripts submitted to the Asian Journal of Law and Society, your revised manuscript should be uploaded as soon as possible. We expect to receive your revision by 07-Jun-2019. If it is not possible for you to submit your revision by this date, please contact the Editorial Office to rearrange the due date. Otherwise we may have to consider your paper as a new submission.

Once again, thank you for submitting your manuscript to the Asian Journal of Law and Society and I look forward to receiving your revision.

Sincerely,

Dr. Thomas Coendet

Managing Editor, Asian Journal of Law and Society

thomas.coendet@oxon.org

Editor: Otto, Jan Michiel

Comments to the Author:

(There are no comments.)

Peer Reviewer: 1

Comments to the Author

Topic chosen by the author is hardly new. Similar topics can be found easily on the internet including those published in national journals. Including those that utilized a socio-political or socio legal approach or simply those that describe the socio-political background (ratio legis) of many discriminatory rules and regulations or those that justifies persecution of minority groups considered a threat to Islam.

In light of the need for originality (required to be accepted) it might be better to write on or refocus on the social and political significance of the Constitutional Court decision (97/PUU-XIV/2016, dated 18 October 2017) and how (a) it influence the reading of existing discriminatory rulings and regulations (b) whether the decision has any impact to government attitude in recognizing or repudiating the existence of communities adhering to traditional beliefs or religion (outside those 6 religion formally recognized by the state) and lastly (c) how Moslem communities (orthodox or modern) responds to the Court's ruling.

As a recommendation, given the impression that the original manuscript is written in Indonesia, please use a reviewer proficient in English which can identify and point out deficits or errors in the english version.

Lastly I personally don't think that articles written for international journals requires the mention of method. The author in the abstract mentions three different approaches (historical: history of law; politics of law approaches (politik hukum?) and the critical legal perspective. To use one approach consistently is sufficient.

Peer Reviewer: 2

Comments to the Author

This article is informative and important as it explains the 'intolerance and majoritarianism' issues in contemporary Indonesia. The author formulated good research questions and did very well in answering them by tracing back the politics of law in Indonesian history.

However, this article lacks of important information to make his/her explanation deeper.

It is like information about the social movement (includes women movement) which grows mushrooming in the society especially after the stepping down of the New Order Government. The Indonesian social movement has been very strong, they are fighting against all of forms of intolerance and promoting the rights of minority groups including minority religious groups or Aliran Kepercayaan. They are NGOs activist (including legal aid NGOs), academician and society member at large including activists from Aliran Kepercayaan itself.

It should be told how the activist and academician filed Judicial Review to the Constitutional Court for abolishing the UU PNPS no1/1965, the main discriminatory legal instrument against the Aliran Kepercayaan. When the Constitutional Court rejected the Judicial Review, we established and launched the public examination to criticize the decision. The group of public examination consisted of NGOs activist, Moslem scholar, and faculty of law teacher like me. We made public debate, and to socialize our thought by publishing a book entitled "Bukan Jalan Tengah" (Not the Balanced Way). It was a response to the

main reason of the Constitutional Court who rejected the judicial review for the sake of "Jalan Tengah" (the Balanced Way) for all parties. It seemed that the Constitutional wants to be looked as "neutral", but clearly that they are very legalistic in thinking.

Secondly it should be a bit broader data from the Aliran Kepercayaan member for experiencing discrimination in many aspects to make this article more "lively". But perhaps this is an article with documentary method, which –if I am not mistaken— the author did not mention anything about the methodology.

Finally, I would say, I would accept this article to be published to give more information about serious issues in the global world today: intolerance and majoritarianism issues with Indonesia as a case.

Asian Journal of Law and Society - AJLS-AR-19-026.R1

Dari: Asian Journal of Law and Society (onbehalfof@manuscriptcentral.com)

Kepada: vicnalle@yahoo.com

Tanggal: Minggu, 2 Juni 2019 16.06 GMT+7

02-Jun-2019

Dear Mr. Nalle,

Your revised manuscript entitled "THE RISE AND FALL OF THE POLITICS OF LAW OF INTOLERANCE AGAINST INDONESIA'S ALIRAN KEPERCAYAAN" has been successfully submitted online for consideration for publication in the Asian Journal of Law and Society.

Your manuscript ID is AJLS-AR-19-026.R1.

Please mention the above manuscript ID in all future correspondence. If there are any changes in your contact details, please log in to ScholarOne Manuscripts at <https://mc.manuscriptcentral.com/asianjls> and edit your user information as appropriate.

You can view the status of your manuscript at any time by checking your Author Centre after logging in to <https://mc.manuscriptcentral.com/asianjls>.

Thank you for submitting your manuscript to the Asian Journal of Law and Society.

Sincerely,
Asian Journal of Law and Society
Editorial Office

Asian Journal of Law and Society - AJLS-AR-19-026.R1

Dari: Matthias Vanhullebusch (editors@asianjls.org)

Kepada: vicnalle@yahoo.com

Tanggal: Jumat, 15 November 2019 05.52 GMT+7

Dear Mr. Nalle,

I hope this message finds you well. Please accept our apologies for our late response on your revision. The external reviewers and editors still want you to pay attention to the comments attached for your final revision.

Please read them carefully and highlight changes with track-changes on your paper. Please submit your final revision to this email address within 3 weeks' time.

Thank you for your kind cooperation.

Look forward to hearing from you.


Yours sincerely,


Matthias Vanhullebusch

Dr. Matthias Vanhullebusch (PhD, SOAS)

Chenxing Associate Professor, KoGuan School of Law, [Shanghai Jiao Tong University](#)
Visiting Scholar, Asia-Pacific Centre for Military Law, [University of Melbourne](#) (Spring 2020)
Senior Managing Editor, [Asian Journal of Law and Society](#) (CUP)
Series Editor, [Brill's Asian Law Series](#)
Series Editor, [Routledge Studies on Asia in the World](#)

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 AsianJLS IFC.pdf
231.1kB

 20191114 Nalle - Final comments for revision.docx
13.4kB

Re: Asian Journal of Law and Society - AJLS-AR-19-026.R1

Dari: victor nalle (vicnalle@yahoo.com)

Kepada: editors@asianjls.org

Tanggal: Kamis, 5 Desember 2019 19.33 GMT+7

Dear Dr. Vanhullebusch,

I have revised several sections in the manuscript based on comments from reviewers.

1. I have written the definition of "Aliran Kepercayaan" in the Introduction. But the explanation of " Aliran Kepercayaan" in the context of Indonesian politics is explained in the next section which explained the "Abangan" and "Santri" polarization.
2. I have checked page 2 related to statistical data about the disliked groups in Indonesia based on the survey. It seems that the conclusions from the statistics do not match the data presented. Therefore, I have made changes to the sentence in paragraph 2.
3. I have read the inappropriate use of the concept of "state" in the article. The argument that the state can end intolerance by repealing the law is changed by emphasizing the role of minority groups to restore their basic rights through constitutional forums. For a few sentences, using the word "government" is more appropriate than using the word "state". I have made several changes regarding this matter.
4. I have added the Bibliography based on the instructions on the website.

Thank you for the opportunity to revise this manuscript.

Regards

Victor Nalle

Pada Jumat, 15 November 2019 05.52.20 WIB, Matthias Vanhullebusch <editors@asianjls.org> menulis:

Dear Mr. Nalle,

I hope this message finds you well. Please accept our apologies for our late response on your revision. The external reviewers and editors still want you to pay attention to the comments attached for your final revision.

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Thank you for your kind cooperation.

Look forward to hearing from you.

Yours sincerely,

Matthias Vanhullebusch

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Chenxing Associate Professor, KoGuan School of Law, [Shanghai Jiao Tong University](#)
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Revised Dec 2019_Main document_THE RISE AND FALL OF THE POLITICS OF LAW OF INTOLERANCE.doc
227kB

Re: Asian Journal of Law and Society - AJLS-AR-19-026.R1

Dari: Matthias Vanhullebusch (editors@asianjls.org)

Kepada: vicnalle@yahoo.com

Tanggal: Kamis, 5 Desember 2019 21.20 GMT+7

Dear Mr Nalle,

Thank you for your kind message and revision. I'll go through it again and get back to you if I have further comments. Thank you for your kind patience.

Yours sincerely,

Matthias

Op 5 dec. 2019, om 13:33 heeft victor nalle <vicnalle@yahoo.com> het volgende geschreven:

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Re: Asian Journal of Law and Society - AJLS-AR-19-026.R1

Dari: Matthias Vanhullebusch (editors@asianjls.org)

Kepada: vicnalle@yahoo.com

Tanggal: Minggu, 8 Desember 2019 20.35 GMT+7

Dear Mr Nalle,

Hope this message finds you well.

I have thoroughly revised and edited your article. I still have a number of questions which have to be addressed. Would you be so kind to complete your final revision - with track changes - on the document in attachment before the end of next week?

Thank you for your kind cooperation.

Look forward to hearing from you.

Kind regards,

Matthias

Op 5 dec. 2019, om 15:18 heeft Matthias Vanhullebusch <editors@asianjls.org> het volgende geschreven:

Dear Mr Nalle,

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<Revised Dec 2019_Main document_THE
RISE AND FALL OF THE POLITICS OF LAW OF INTOLERANCE.doc>



20191205 Indonesia-P.doc
332kB

Re: Asian Journal of Law and Society - AJLS-AR-19-026.R1

Dari: victor nalle (vicnalle@yahoo.com)

Kepada: editors@asianjls.org

Tanggal: Senin, 9 Desember 2019 21.18 GMT+7

Dear Dr. Vanhullebusch,

I thank you for the revision and editing of my article. I have completed the final revision according to the comments you gave in the article. The revision - with track changes - has added the necessary footnotes, added the source of the website to the bibliography, and added 1 paragraph before section 2. Regarding the given names of the authors of the 2 articles in the bibliography, I have checked the references. Both authors have only one name (this is common in some ethnic groups in Indonesia).

Thank you for your kindness.

Regards,

Victor

Pada Minggu, 8 Desember 2019 20.35.23 WIB, Matthias Vanhullebusch <editors@asianjls.org> menulis:

Dear Mr Nalle,

Hope this message finds you well.

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20191209 Indonesia-P.doc
249kB

Re: Asian Journal of Law and Society - AJLS-AR-19-026.R1

Dari: Matthias Vanhullebusch (editors@asianjls.org)

Kepada: vicnalle@yahoo.com

Tanggal: Rabu, 11 Desember 2019 13.17 GMT+7

Dear Mr Nalle,

Thank you for your kind revision. Your article is ready for production now. You'll be contacted next by our colleagues from Cambridge University Press with your proofs.

Thank you for all your patience.

Kind regards,

Matthias

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<Revised Dec 2019_Main document_THE
RISE AND FALL OF THE POLITICS OF LAW OF INTOLERANCE.doc>

<20191209 Indonesia-P.doc>

Asian Journal of Law and Society - Decision on AJLS-AR-19-026.R1

Dari: Asian Journal of Law and Society (onbehalf@manuscriptcentral.com)

Kepada: vicnalle@yahoo.com

Tanggal: Senin, 24 Februari 2020 19:22 GMT+7

24-Feb-2020

Dear Mr. Nalle,

AJLS-AR-19-026.R1 entitled "THE RISE AND FALL OF THE POLITICS OF LAW OF INTOLERANCE AGAINST INDONESIA'S ALIRAN KEPERCAYAAN" which you submitted to the Asian Journal of Law and Society, has been reviewed and accepted. If case you have not seen them, the comments of the reviewer(s) and editor are included at the bottom of this letter.

I believe you have been notified of the approval of your manuscript. This email is necessitated by the need to "clear" your manuscript out of Scholar One System. Please be assured that the status of your manuscript is not being affected in any way, shape or form.

Because we are trying to facilitate timely publication of manuscripts submitted to the Asian Journal of Law and Society, your revised manuscript should be uploaded as soon as possible. We expect to receive your revision by 23-Mar-2020. If it is not possible for you to submit your final version by this date, please contact the Editorial Office to rearrange the due date.

We are actively promoting your forthcoming article through social media and shall be grateful if you could do too. Please share with us your Twitter handle so we can keep you further posted about forthcoming articles which may interest you. Thank you for your kind cooperation.

Once again, thank you for submitting your manuscript to the Asian Journal of Law and Society.

Sincerely,
Haozhou Lin
Managing Editor
Asian Journal of Law and Society

Editor: Otto, Jan Michiel
Comments to the Author:
(There are no comments.)

Peer Reviewer: 1

Comments to the Author

If i understand it correctly the author wish to narrate a story (describe and analyze) (1) the extent to which Law no. 1/PNPS/1965 became the basis for developing and implementing a policy of discrimination against minority groups, i.e. adherents of aliran kepercayaan which was/is still (up to present) considered by the government and Islamic groups to be a serious threat to Islamic orthodoxy (and by the government as potentially disturbing public order).

Aliran kepercayaan in this sense should be treated as different from distinguished from traditional/tribal or indigenous religious practices and beliefs. Arguably both adherents of aliran kepercayaan and traditional/tribal/indigenous beliefs, suffers from discriminatory government actions justified by the Law (1/PNPS/1965), but the socio-political background should be analyzed separately. Also take note that the term and concept of state and government (and government units) cannot be considered the same and thus used interchangeable. The second and most important issue, the author wish to convey is that after the fall of the new order government (and the establishment of the constitutional court) a breathing space was created for minority groups (adherents or indigenous population) to challenge discriminatory practices by using the legal avenue provided by the Constitutional Court. Unfortunately, the socio-political change which made this possible has not been adequately analyzed.

The point being made is that the claims of those who represented aliran kepercayaan or indigenous religious systems (challenging the Law no. 1/PNPS/1965 or other discriminatory laws) has been at first rejected and only latter (at the second or third try) obtain limited success (in terms of state recognition) and civil-political rights. Here too please take note that the Indonesian Constitutional Court, while arguably part of the State, cannot be viewed as inseparable part of the (executive) government.

Again, the author should take time and space to explain why the Constitutional Court decide to side with minority groups (adherents of aliran kepercayaan + traditional/tribal/indigenous religious beliefs).

In addition, even the government, as the author him/herself pointed out cannot be treated as a cohesive unit. It is mentioned that the Kejaksaan Negeri Jakarta (part of the executive) decide to ignore the latest constitutional court decision and continues the policy of exclusion and discrimination.

Please also take time to see closely and learn from the writing style commonly used by authors whose articles has been published by the Journal.

Suggestion: rewrite the article focusing on the socio-political background (and legal) aspects of Law 1/PNPS/1965 and how it changes and allows for a limited recognition of civil-political rights of minority groups (penganut aliran kepercayaan which the author should define and delimit at the beginning of the article.

Peer Reviewer: 2

Comments to the Author
I have read the article again.

I saw some additional important data/ information to figure out the issue on Politics of Law of Intolerance against Aliran Kepercayaan more clearly.

I would endorse this article under one condition: the style and format of the writing should follow the rule of the journal accordingly.