R. Michael Feener


In 1999, the government of Indonesia offered the province of Aceh ‘Special Status’ as part of a broader effort to end the protracted separatist conflict in the region. The law contained, among others, the formal right to implement (a local formulation of) Islamic law. In subsequent years, the Acehnese provincial government implemented a series of bylaws and local regulations on creed, worship, and Islamic symbols, ‘proper’ Muslim dress, as well as the criminal persecution of the use of intoxicants, gambling and illicit relations between (marriageable) men and women. This intervention in the legal system did not end the conflict. Instead, it took another tragedy—the 2004 Indian Ocean tsunami—to create the conditions for successful peace talks, and, eventually, the signing of peace in August 2005.

The implementation of Shariʿa in Aceh is sometimes presented as a natural consequence of the assumed orthodoxy and rebelliousness of the Acehnese people. Other, better informed analyses have maintained that the Acehnese have ‘never asked for Shariʿa’ and that the decision to implement Islamic law was little more than a strategy or a ‘trick’ on the part of the central government to discredit the (essentially secular) Free Aceh Movement (Gerakan Aceh Merdeka, GAM). Both interpretations, according to Michael Feener, are wrong. Instead, he presents a larger and more complex story of Shariʿa law in Aceh, which is grounded in local history, the gradual integration of Acehnese religious and political elites in national institutions and ideological frameworks, and the Indonesian interpretation (and application) of law as a ‘tool’ for effecting social change. Based on the analysis of a staggering amount of primary data, including vernacular literature, archival materials, government reports, newspaper articles, and interviews, this book presents a ‘fine-grained picture of both the structural design and the everyday work of one of the most complex experiments with the implementation of Islamic law in the contemporary world’ (p. 276).

Feener’s main argument is that the implementation of Shariʿa law in Aceh constitutes an experiment in social engineering. For Islamists, it is commonly thought, the proper application of Islamic law is the ultimate goal. But in Aceh, Shariʿa is regarded as a means to an end, rather than an end in itself. The more ambitious aim is to create a perfect society, based on a ‘complete Islam’ (*Islam yang kaffah*) and populated by perfect people. Shariʿa, put briefly, is part of a wider, deliberative and systematic effort to re-order society on the basis of a
A coherent set of future-oriented ethical ideals. In order to achieve this vision, Shari‘a proponents believe, involvement of the state is necessary. The ideological basis of Shari‘a implementation in Aceh is what Feener refers to as the ‘da‘wa paradigm’, a synthesis of Islamic scripturalism, economic developmentalism, and Indonesian nationalism first developed during the early New Order period and supported, primarily, by (a segment of) the urban middle class. The da‘wa paradigm is an Indonesian, not an exclusively Acehnese, phenomenon.

What is special about Aceh, Feener argues, is that the province has functioned as a kind of ‘laboratory’ for the development of new institutions of state Islam.

The fact that Shari‘a in Aceh is not limited to formal legal institutions calls for ‘an historical and ethnographic, rather than a doctrinal approach’ (p. 7). While the book focuses on the institutions and actors that have driven the implementation of Islamic law forward, it is thus sensitive to the contexts in which they have emerged and carry out their work. The setup of the book is thematic rather than chronological. Following on the first introductory chapter, Chapter 2 provides a general overview of historical developments from the rise of the Acehnese Sultanate in the sixteenth century until the present. Subsequent chapters then proceed to discuss particular elements of the state Shari‘a legal system, and their social, political and historical background, including the State Islamic Institute Ar-Raniry (1960) (Chapter 3) and the Consultative Council of Ulama (Majelis Permusyawaratan Ulama, MPU, 1965) (Chapter 4). In 1975, the MPU was expanded by Soeharto to become a national organization, the Indonesian Council of Ulama (Majelis Ulama Indonesia, MUI). Both the IAIn and the MPU/MUI have played crucial roles in the process of drafting Islamic legislation in Aceh, which is the focus of Chapter 5.

Chapter 6 concentrates on the development of Aceh’s Islamic courts. One of the important conclusions in this chapter is that, in fact, there is not a very big difference, in terms of everyday practice and the nature of most cases, between the Islamic courts in Aceh and its counterparts elsewhere in Indonesia. While the images of public canings—a Shari‘a punishment—have made international headlines, criminal cases have constituted only a minor part of the cases, most of which concern issues of family law (marriage, divorce and inheritance). This observation is an important correction of the simplistic view (prevalent especially in the West) that Shari‘a law revolves solely or primarily around the punishment of alleged ‘sinners’. I would have been interested to know more about the possible impact of the implementation of Shari‘a law on the ways in which family law cases are settled, or its consequences for the (traditionally strong) position of women in Acehnese society. In my view, this might have been a useful addition to what is otherwise a lucid and comprehensive analysis.