R. Michael Feener


R. Michael Feener’s latest book is an important, engaging, and broadly interdisciplinary contribution to studies of Islamic law and society in Indonesia and the Muslim world generally. Feener’s earlier scholarship focused largely on Islamic law and legal thought in present-day Indonesia as a whole, although he has also written about Shi’ism (and other topics) across and beyond Southeast Asia. In this long-anticipated volume he turns to the Indonesian province of Aceh, in northern Sumatra, whose late-19th-century inhabitants were famously depicted by Dutch Orientalist Christiaan Snouck Hurgronje in his pioneering two-volume study, _The Achehnese_ (1906). Partly because of Snouck Hurgronje’s work, Acehnese have long been renowned for their Islamic piety and their steadfast resistance to Dutch colonial rule. Acehnese are also well-known in the literature for at least three other reasons. They waged an extensive military and political struggle against central authorities in post-colonial Indonesia both to retain reasonable shares of the province’s oil, mineral, and forest resources, and to achieve a meaningful measure of regional autonomy. They were on the receiving end of a 1999 decision by central authorities to introduce Shariʿa into their province, a decision (described by some Acehnese and outside observers as bringing “an unwanted gift from Jakarta”) that was motivated partly by strategic concerns to undercut the Free Aceh Movement (_Gerakan Aceh Merdeka_). And they suffered horrendous losses of life and property as a consequence of the December 26, 2004 Indian Ocean tsunami that is estimated to have killed more than 170,000 people in their province alone.

Feener’s main goal in this meticulously documented volume is to provide “a new analytic perspective on contemporary calls for the implementation of Islamic law as future-oriented agendas for social transformation” (p. xi). The perspective he has in mind accords analytic priority to the use of Islamic symbols, idioms, and discursive traditions for purposes of (re)socialization and forward-looking social and ethical change, what he calls, following jurisprudential scholar Roscoe Pound – whose classic _Social Control Through Law_ (1942) has been translated into Indonesian and is widely cited (and misappropriated) by various groups of Indonesian elites – “social engineering.” In clarifying this

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objective, or, more precisely, the novelty of his approach, Feener advances four sets of contentions. First, that the academic literature on Aceh and Indonesia as a whole has dwelled excessively on the use and abuse of Islamic symbols, idioms, and attendant religious resources in contestations among political elites seeking to seize the state apparatus or otherwise gain electoral or attendant power (pp. xi-xii, 16). Second, that “there is more to the study of Shari’a in Aceh than just politics” (p. 9). Third, that while the introduction of Shari’a into Aceh beginning in 1999 was indeed a mostly top-down affair, “the religious and ethical dimensions of the project have a history of their own and potentially a … longer future ahead of them than do the alternating successes and failures of any particular political parties” (p. 9). And fourth, that “studies of Islamic law in contemporary societies need to move beyond the abstractions of political ideologies and elite power plays” (p. 16).

Most readers of Feener’s book will probably concur with the second and third of these contentions. The first, like the fourth, is more problematic, and more difficult to evaluate on the basis of the material that Feener presents. This is partly because Feener never clearly identifies the principal purveyors of the conventional wisdom at issue (but see pp. 103 and 203 n. 70), and is thus frequently engaged in a kind of shadow boxing, though he seems to have in mind scholarly perspectives that build on the insights of Marxist-inflected political economy or are otherwise informed by the disciplines of government and political science. Because Feener does not clearly specify the corpus of literature that is the target of his criticism, it will be difficult for many readers to accept his claims as to the originality of his approach. More relevant perhaps is whether the burgeoning literature concerning Islamic law and society in Indonesia and elsewhere in the Muslim world is as narrowly cast and reductive as Feener contends. In my judgment – and I suspect that many readers will concur with this view – it is not.

The strength of the book, then, does not lie in the relative distinctiveness or novelty of Feener’s analytic approach, though his methodological rigor and the vast range of sources he draws upon are very impressive (see pp. 288–329). Its cogency derives instead from the incisive, deeply nuanced empirical contributions that it makes to our understanding of macro-institutional developments in Acehnese Islam in the past few decades, particularly Acehnese leaders’ experiments with the implementation of Shari’a by-laws (known locally as qanun) bearing on alcohol, gambling, sexual impropriety, and (mostly female) dress codes to bring about the ethical transformation of individual citizen-subjects and society as a whole. (Feener mentions in a footnote a number of studies in the publication pipeline that will offer more micro-institutional perspectives on Aceh; these will no doubt provide valuable complements to his