
REVIEW ESSAY

ISLAM IN INDONESIA,
POST-SUHARTO:
THE STRUGGLE FOR THE
SUNNI CENTER

Jajang Jahroni. *Defending the Majesty of Islam: Indonesia's Front Pembela Islam, 1998–2003*. Chiang Mai: Silkworm Books, 2008. 72 pages.

Susan Blackburn, Bianca J. Smith, and Siti Syamsiyatun, eds. *Indonesian Islam in a New Era: How Women Negotiate Their Muslim Identities*. Clayton: Monash Asian Institute, Monash University Press, 2008. 212 pages.

Nadirsyah Hosen. *Shari'a and Constitutional Reform in Indonesia*. Singapore: Series on Islam, Institute of Southeast Asian Studies, 2007. 272 pages.

M. B. Hooker. *Indonesian Syariah: Defining a National School of Islamic Law*. Singapore: Institute of Southeast Asian Studies, 2008. 344 pages.

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These are exceptional times for the study of Islam in Indonesia. During the New Order period (1966–1998), most Indonesianists made passing references to Islam and Muslims, not least of all when describing the Suharto regime's efforts to "depoliticize" Islam. But the in-depth study of Muslim affairs remained the preserve of a small group of historians, anthropologists, and religious-studies scholars, joined on occasion by the errant political scientist.

Since the fall of the Suharto regime in May 1998, however, the study of Islam in Indonesia has undergone a spectacular multidisciplinary growth. Students of Islamic

studies well-versed in Arabic and Middle Eastern history have highlighted the ties between Indonesia and centers of learning in the Middle East. Feminists and gender-studies scholars have thrown light on Muslim women and women's associations, long understudied by comparison with their counterparts in the Middle East. Political scientists have asked whether religion contributed to the violence of the post-Suharto period, and whether a significant realignment of Islam and politics is taking place today. Venturing beyond what have long been the two pillars for the anthropological study of Indonesian Islam—Islam as *practiced* in diverse settings, and Islam as rationalized in associational bodies like the Muhammadiyah and Nahdlatul Ulama (NU, the revival of Ulama)—ethnographers have explored new modes of Islamic organization and communication, in everything from television preaching and neo-Sufi mysticism to pious gangsterism.¹

Ever since Clifford Geertz published his classic study on the religio-organizational streams known as *aliran*,² it has been a truism of research that Islam in Indonesia is pluralized and contestive, and that developments in national politics inevitably have an impact on those in the religious field. Since the end of the Suharto era, the devolution, competition, and realignment that have brought about “a fundamental renegotiation of boundaries ... and the (re-)definition of group identities”³ have catalyzed a parallel renegotiation of the social forms and meanings of Islam. To the great benefit of all interested in Indonesia, researchers have responded to this contestive pluralization with intelligence and vigor.

It is this combination of pietist vitality and continuing political uncertainty that makes research on Islam in contemporary Indonesia so bracing and important. Each of the four books under consideration in this review illustrates this point in an important way. Each is written from a different disciplinary perspective, but together the books offer vital insights into just where, intellectually and politically speaking, Indonesian Islam is going.

Defenders of Islam?

At a modest seventy-two pages, Jajang Jahroni's *Defending the Majesty of Islam* is the slimmest and least theoretically ambitious of these four books. Nonetheless, Jahroni's study offers a highly readable account of the origins and early development of Indonesia's most notorious “anti-vice” militia, the Islamic Defenders Front (Front Pembela Islam, FPI). Jahroni is a senior researcher and faculty member at the prestigious Center for the Study of Islam and Society (Pusat Pengkajian Islam dan Masyarakat, PPIM) at the Hidayatullah State Islamic University in Jakarta. During

¹ For examples and discussion of these trends, see Greg Fealy and Sally White's important new book, *Expressing Islam: Religious Life and Politics in Indonesia* (Singapore: ISEAS, 2008); and Andrée Feillard and Rémy Madinier, *La Fin de l'innocence? L'islam indonésien face à la tentation radical de 1967 à nos jours* (Paris: IRASEC, 2006).

² Clifford Geertz, *Religion of Java* (Glencoe, IL: Free Press, 1960); and Clifford Geertz, *The Social History of an Indonesian Town* (Cambridge, MA: MIT Press, 1965).

³ Henk Schulte Nordholt and Gerry van Klinken, “Introduction,” in *Renegotiating Boundaries: Local Politics in Post-Suharto Indonesia*, ed. Henk Schulte Nordholt and Gerry van Klinken (Leiden: KITLV Press, 2007), p. 3.

2002–03, he and his PPIM colleagues carried out field studies of the neo-Salafist militants that came to prominence just after Suharto's resignation.⁴ This new book adds a few details to the earlier team study, but differs most significantly in its effort to provide a broader—and occasionally sympathetic—comment on the relation of the FPI to Indonesia's larger Muslim community. These contextualizing comments are the only portions of this insightful little book that are likely to prove controversial.

Jahroni opens his analysis with remarks on the status of Islam under the New Order, and then moves into the body of his argument with a biographical portrait of the best known of FPI leaders, Habib Muhammad Rizieq Syihab. Born in 1965 into a mixed-Hadhrami and Betawi family claiming descent from the Prophet Muhammad (as indicated with the honorific title, *habib*), Rizieq, in his early childhood, was not a distinguished religious student. His father died when Rizieq was one, and his mother sent him to state schools and even a Christian junior high school. Jakartans familiar with Rizieq have told me that, in his teen years, Rizieq was something of a ne'er-do-well prone to fighting.⁵ After graduating from high school, and at the urging of relatives concerned about his reputation for troublemaking, Rizieq attended the Saudi-financed Institute for the Study of Islam and Arabic (Lembaga Ilmu Pengetahuan Islam dan Bahasa Arab, LIPIA) in Jakarta. A year later he was awarded a scholarship to study Islamic law at the Muhammad ibn Saud University, in Riyadh, Saudi Arabia, where he studied from 1983–90. After completing his studies and teaching briefly in a Riyadh high school, he returned to Indonesia in 1992 and began his career as a preacher and a teacher at an Islamic senior high school in the Tanah Abang district in central Jakarta.

It was in this tough urban setting, Jahroni explains, that Rizieq first realized the pervasiveness of gambling, drugs, and prostitution in Indonesian society. He soon resolved to combat the vice, citing the hallowed Qur'anic injunction to "command right and forbid wrong" (*amr bil ma'ruf wah nahi al-munkar*). Invocation of this injunction, one should add, has been a regular feature of modern Islamist politics in Muslim-majority countries. The appeal allows activists to legitimate their usurpation of state authority by claiming to act on the basis of divine law, rather than that merely human.⁶ As was brilliantly demonstrated with Rizieq and the FPI, the tactic also allows self-appointed moral vigilantes to outflank and defy the Muslim community's established scholars and authorities.

It was only several years later that Rizieq was able to make his dream an organizational reality. On August 17, 1998, just three months after Suharto's ouster, Rizieq and other conservative Islamic leaders came together at a Ciputat *pesantren* (Islamic boarding school) to establish the FPI. Tellingly, Jahroni reveals, the group's professed aims included not just the desire to combat vice (*maksiat*), but a determination to respond to alleged human rights violations against Muslims, since,

⁴ See Jamhari and Jajang Jahroni, ed., *Gerakan Salafi Radikal di Indonesia* (Jakarta: Raja Grafindo Persada, 2004).

⁵ Interviews with FPI activists, in Ciputat, March 8, 2003.

⁶ On the centrality of this ethical injunction in Muslim politics from early times to today, see Michael Cook, *Commanding Right and Forbidding Wrong in Islamic Thought* (Cambridge: Cambridge University Press, 2000). See also Andrée Feillard and Rémy Madinier's discussion of "une légitimité de substitution," in *La fin de l'innocence?*, pp. 116–21.

the FPI founders claimed, the government and democracy activists would not (p. 21). The charge that the National Commission for Human Rights (Komisi Nasional Hak Asasi Manusia, KOMNAS HAM) and liberal NGOs are Christian-biased and anti-Muslim has remained a leitmotif of FPI rhetoric to this day. As Jahroni notes, this charge lay behind the FPI's attack on the KOMNAS HAM headquarters after the commission released a report on the 1983 Tanjung Priok massacre that, according to the FPI, downplayed the number of Muslim deaths in the incident. The antipathy also prompted a second FPI attack on the commission (not mentioned by Jahroni) on June 23, 2000, on the eve of the commission's formal investigations into the Indonesian military's role in the post-plebiscite violence in East Timor in 1999.⁷

From early on, journalists and policy analysts speculated that the FPI's ability to carry out its actions with apparent legal impunity might have something to do with the organization's ties to members of the post-Suharto military and political establishment.⁸ Jahroni addresses this question directly, and offers a nuanced judgment. On one hand, he explains, during the FPI's early months, "the military reportedly gave a great deal of support, such as money and military training" (p. 18). He adds, "No less than General Djaja Suparman, the Jakartan military commander, and General Nugroho Djayoesman, the Jakarta police commander" participated in the meeting celebrating the first anniversary of the FPI's founding. It was not just the military command, moreover, who occasionally lent the FPI a hand. President B. J. Habibie, Suharto's successor, "gave a huge amount of money to several Muslim groups, including the FPI" (p. 20). In an interview with Jahroni, Misbahul Anam, the FPI secretary-general, denied that the FPI was among the Muslim militias mobilized as civilian security forces (*pam swakarsa*) in the run-up to the November 1998 Special Session of the People's Consultative Assembly (p. 20). However, journalists I interviewed in Jakarta in July 2000, and Ian Douglas Wilson's just-published ethnohistory of the FPI,⁹ suggest Anam's claim is without merit.

Although Jahroni does not challenge Anam's characterization directly, he observes that, even after Habibie aides stopped working with the FPI, "high ranking military officials still maintained their relationship" because "the military needed an organization like the FPI" to help deflect attacks from anti-military reformists (p. 21). Jahroni also notes that when Hamzah Haz became vice president in 2001, "he frequently attended" FPI meetings and, "according to one source," provided "a great deal of support" when the new chief of police, General Sofyan Yacop, took public exception to FPI rampages (p. 21).

Even while highlighting ties between the FPI and some in the political elite, however, Jahroni rightly rejects the charge that the FPI was merely a puppet of

⁷ See Robert W. Hefner, "Muslim Democrats and Islamist Violence in Post-Soeharto Indonesia," in *Remaking Muslim Politics: Pluralism, Contestation, Democratization*, ed. Robert W. Hefner (Princeton, NJ: Princeton University Press, 2005), pp. 273–301.

⁸ A point forcefully made, for example, in John Sidel's, *Riots, Pogroms, Jihad: Religious Violence in Indonesia* (Ithaca, NY, and London: Cornell University Press, 2006), pp. 138–39.

⁹ Whereas Jahroni completed field research for his book in 2003, Ian Douglas Wilson has had the advantage of time and additional research to probe further into the FPI's history. See his extraordinary "Continuity and Change: The Changing Contours of Organized Violence in Post-New Order Indonesia," *Critical Asian Studies* 38,2 (2006): 265–97; and "'As Long as It's Halal': Islamic *Preman* in Jakarta," in *Expressing Islam*, ed. Greg Fealy and Sally White, pp. 192–210.

establishment patrons. The FPI, he points out, clashed with security forces on repeated occasions. Although Jahroni does not mention the incident, one among the FPI's founders, Cecep Bustoni, was shot dead in May 2000 after some in his militia had violently attacked a wedding celebration sponsored by a family with ties to the army's special forces (the FPI had objected to the music and dance visitors were enjoying at the reception).¹⁰ When the FPI no longer served their interests, elite politicians withdrew their support. Most important, the FPI leadership has consistently demonstrated that it had its own religious and political aims, and these have only imperfectly meshed with those of any established elite.

Jahroni's study offers another important insight into the FPI's ideological schemes. He notes that, unlike, say, Jafar Umar Thalib's Laskar Jihad, the FPI did not make an effort to cultivate ties with militants in other countries (p. 23). Although some of its membership had studied in the Middle East, Jahroni argues that the FPI was, and remains, an Indonesia-focused organization. Similarly, while internationalist groups like the Hizbut Tahrir (the Party of Liberation) have demanded that the Indonesian state be replaced with a caliphate, the FPI makes its members swear an oath "to guard the unity of the Republic of Indonesia"; FPI leaders also insist "it does not really matter whether the RIU is an Islamic state or a Pancasila State as long as it gives Muslims the opportunity to live in accordance with Islamic teachings" (p. 41).

Critics might charge that this characterization of the FPI as nationalistic may be simplistic. If the *shari'ah* teachings according to which the FPI and others hope to live include notions like the classical concept of "protected minorities" (*ahl al-dhimma*), then living in accordance with the law would indeed transform the republic and Indonesian citizenship. In this sense, Jahroni's endorsement of Rizieq's claim that the implementation of Islamic law would only affect Muslims, and thus not open a "Pandora's box" of conflict over citizenship (pp. 48–9), is unduly optimistic.

Throughout the book, and to his credit, Jahroni takes pains to balance a critical realism with an even-handed respect for the FPI activists he came to know. As the book draws to a close, the sympathetic phrasings increase. Jahroni takes exception to Martin van Bruinessen's characterization of the FPI as thuggish, observing that "It is simply the expression of Muslims' dissatisfaction with law enforcement in Indonesia" (pp. 43, 51). Noting the FPI's easy, "Indonesian" manner in matters of smoking and conversation, Jahroni comments, "it is obvious that their Islamism is very much like that of Muslim people in general" (p. 44). In the book's closing paragraph, Jahroni writes that the FPI's response to the turmoil of the post-Suharto period "is simply an expression of Indonesian Muslims' disillusionment with the existing social and political situation" (p. 58).

One understands what Jahroni is getting at here. He wants to emphasize, I think correctly, that many ordinary Muslims share the FPI's concern with the plague of drugs, criminality, pornography, and prostitution that swept Indonesia in the post-Suharto period. This argument has merit. The Western scholarly community has highlighted the material hardships Indonesians have suffered in the post-Suharto period, but they have shown less appreciation for the public's concern over what is widely perceived as the collapse of public morality.

¹⁰ Feillard and Madinier, *La Fin de l'innocence?*, p. 118.

Recognizing areas of ethical overlap between the FPI and a broader Muslim public, however, must not obscure the differences. Notwithstanding the down-home habits of the rank-and-file, on matters of jurisprudence and theology Rizieq's ideas lie outside Indonesia's Sunni center (see below), showing clear neo-Salafist or "Wahhabi" influences. Tellingly, in an interview published in *Tempo* in September 2008, Sahal Mahfudh, NU's Rais Aam Syuriah, and the chairman of the powerful National Council of Indonesian Muslim Scholars (Majelis Ulama Indonesia, MUI), stated flatly that Rizieq's views are not in line with the NU mainstream, as Rizieq has claimed, but "Wahhabi."¹¹

A second and more fundamental difference is that the FPI has exploited public moral anxieties to challenge not merely centers of vice, but prodemocracy students, human rights activists, Christian evangelicals, defenders of Muslim tolerance, and, since 2005, non-conformist Muslim groups, like the Ahmadiyah.¹² The Ahmadiyah community has seen its mosques shuttered, its offices ransacked, and its members driven from their homes. Although the Muslim public may not endorse the Ahmadiyah claim to be mainstream Muslims, most appear shocked by the brutality of the FPI attacks.

There is a broader lesson here. In the name of public order and morality, Islamist militias in the post-Suharto era have made the public arena more chaotic and insecure. Their activities have done great harm to the image of Indonesia and Indonesian Islam internationally. Militia actions have also created a multiplier effect, encouraging self-appointed religio-political entrepreneurs to exploit the public's moral concerns for personal ends. This "moral racketeering," as Ian Douglas Wilson has so aptly put it, "takes advantage of gaps in state power to gain economic and political concessions."¹³ It is a tactic that responds to the religious concerns of "Muslim people in general" rather less perfectly than it does the narrow aims of its perpetrators.

At Last Observed

In their edited volume on *Indonesian Islam in a New Era*, Susan Blackburn, Bianca J. Smith, and Siti Syamsiyatum present us with portraits of Muslim women working to renegotiate their religious identities in the turbulent post-Suharto period. During these years, the editors note, Islam "has become ever more prominent than before in society and politics" (p. 1). But so, too, they point out, has Muslim feminism. "The feminist orientation of most of the Indonesian authorities in this book would have been inconceivable just ten years ago" (p. 1). The book's chapters also bear witness to one of the most remarkable new trends in Indonesian studies: the fact that "it is Indonesian rather than Western women who are now producing the bulk of scholarship on woman and Islam in Indonesia" (p. 3).

¹¹ See "Sahal Mahfudh: Kita Majemuk, Kaya Budaya dan Tradisi," *Tempo-online* 32,37 (September 29, 2008), accessed September 27, 2008.

¹² See the International Crisis Group, "Indonesia: Implications of the Ahmadiyah Decree," Asia Briefing No. 78 (Jakarta and Brussels: International Crisis Group, July 7, 2008).

¹³ Wilson, "'As Long as It's Halal,'" p. 208.

In their introduction, the editors point out that one of the reasons Indonesian Muslim women have moved so quickly to fill the research gap on gender and Islam is that Western researchers were slow to take up the issue.¹⁴ Endorsing Mark Woodward's critique of the American anthropologist Clifford Geertz,¹⁵ the editors argue that the tardiness reflected the fact that for many years foreign researchers were convinced that "Indonesia is not really Islamic" (p. 5). There was a tendency to confuse the plurality of ways of being Muslim with the idea that Indonesian Islam is somehow less "authentic" than that practiced in the Middle East. However, the movement of Indonesian women scholars to positions of prominence in the study of Islam and gender also reflects a basic educational reality: the fact that many are graduates of state-Islamic colleges and universities (State Islamic Institutes, IAIN; State Islamic Universities, UIN) and thus command the knowledge required to address the jurisprudential arguments relating to women and gender in Islam.

Each of the seven chapters that follow the introduction expands on these themes in a different way. In Chapter One, Nina Nurmila provides a gripping social history of polygyny debates in modern Indonesia. Nurmila prefaces her history with an analysis of the so-called polygyny verses in the Qur'an (4:3), and summarizes the critical reinterpretation of the passages made by polygyny opponents. She goes on to observe that at about 4 to 5 percent (and less than half that figure in Java), the rate of polygyny in Indonesia prior to 1974 was moderate. Even in that period, however, women's organizations struggled to restrict the practice. The 1974 Marriage Law was intended to do the same quietly by requiring the first wife's approval and a husband desiring a second wife to petition a court. In practice, as Mark Cammack, Helen Donovan, and Tim B. Heaton have also recently pointed out,¹⁶ many men circumvented the law by not registering their second marriage, placing the second wife and her offspring in severe legal jeopardy. Nurmila ends her chapter with a discussion of life-history materials from interviews with some seventy-four people involved in polygynous marriages. The personal narratives are touching, and Nursila's analysis respectfully restrained.

In Chapter Two, Rachmah Ida adopts a media studies approach to analyze the special Indonesian television soap operas (*sinetron*) designed to attract Muslim viewers during the fasting month of Ramadan. Ida shows that, more serious religious issues to the contrary, the mini-dramas dedicate much of their religious attention to superficial treatments of women's headcoverings (*jilbab*, *kerudung*). In these and other regards, the

¹⁴ Many important works anticipated the upsurge in interest in Muslim women in the post-Suharto period, including: Suzanne Brenner, "Reconstructing Self and Society: Javanese Muslim Women and 'the Veil,'" *American Ethnologist* 23,4 (1996): 673-97; and Lucy Whalley, "Virtuous Women, Productive Citizens: Negotiating Traditions, Islam, and Modernity in Minangkabau Indonesia" (PhD dissertation, University of Illinois, 1993). While *Indonesian Islam in a New Era* was in press, three other path-breaking works on women negotiating Muslim identities appeared: Clarissa Adamson, "Globalization, Islam, and the Idea of 'Woman' in Post-New Order Java" (PhD dissertation, The George Washington University, 2004); Pieterella van-Doorn Harder, *Women Shaping Islam: Indonesian Women Reading the Qur'an* (Urbana, IL: University of Illinois Press, 2006); and Rachel Rinaldo, "Mobilizing Piety: Women, Islam, and the Public Sphere in Indonesia" (PhD dissertation, University of Chicago, 2007).

¹⁵ Mark R. Woodward, *Islam in Java: Normative Piety and Mysticism in the Sultanate of Yogyakarta* (Tucson, AZ: University of Arizona Press, 1989).

¹⁶ See Mark E. Cammack, Helen Donovan, and Tim B. Heaton, "Islamic Divorce Law and Practice in Indonesia," in *Islamic Law in Contemporary Indonesia: Ideas and Institutions*, ed. R. Michael Feener and Mark E. Cammack (Cambridge, MA: Harvard University Press, 2007), pp. 98-127.

"Islamic" *sinetrons* display all the trademark characteristics of celebrity adulation, religious commodification, and light-on-the-cuff piety that have loomed large in other media in the post-Suharto period.¹⁷

In Chapter Three, Lugina Setyawati moves the topic of women and Islam in a decentralized direction, exploring how in Riau during the post-Suharto period Islamic aspects of Malay identity have been hitched to the cart of a resurgent regionalism. In a story that has parallels with developments in Aceh, West Sumatra, West Java, Lombok, and South Sulawesi, the wearing of headscarves, the use of Arabic lettering, and the mandating of religious education and congregational worship have gone hand in hand with an affirmation of regionally-based *adat* (custom). In Riau and some of these other provinces, however, the *adat* affirmed is one cleansed of those customs that reform-minded scholars and bureaucrats deem un-Islamic (p. 76). Equally important, and also as in other parts of post-Suharto Indonesia, "Women have been the main objects" (p. 79) of these elite-promoted reconstructions of popular identity. Setyawati adds an important general point here: although the negotiations involved in re-inventing these regional traditions may have been "dominated by male elites ... women's organisations act not only as supporters of government policy, but also as executors" (p. 92). Women's agency, we are reminded, is not just dedicated to the cause of liberal-*emancipation*.

In Chapter Four, the Australian anthropologist Bianca J. Smith provides the volume's only in-depth assessment of women engaging a non-standard variant of Islam, namely, *kejawen* Islam as practiced in a village south of Yogyakarta. Like most New Order Javanists, the women among whom Smith lived think of themselves as Muslims, albeit of an *Islam Jawa* variety. The rituals they enact involve the presentation of prayers and food offerings to guardian and ancestral spirits, most exemplarily at the village *dhanyang*—a type of spirit shrine, one can add, once common across East and Central Java, but no longer. Although Smith does not specifically address the issue, the dismantling of *dhanyang* shrines and their associated guardian spirit ritual complex has been a central aim of Islamic reform for the better part of a century. In Java, the anti-*dhanyang* campaign peaked in the New Order period, with the result that many *dhanyang* shrines, once maintained by whole communities, have been destroyed or "privatized," greatly weakening public institutional supports for the Javanist traditions Smith highlights.¹⁸ As Smith deftly shows, however, these Javanist traditions were an arena in which women so predominated that they were central to the very "(re)production and maintenance of village religion" (p. 97).

¹⁷ See, for example, Greg Fealy, "Consuming Islam: Commodified Religion and Aspirational Pietism in Contemporary Indonesia"; Julia Day Howell, "Modulations of Active Piety: Professors and Televangelists as Promoters of Indonesian 'Sufisme'"; and James B. Hoesterey, "Marketing Morality: The Rise, Fall, and Rebranding of Aa Gym," in *Expressing Islam*, pp. 15–39, 40–62, and 95–112, respectively. In the same thematic vein, see C. W. Watson's delightful, "A Popular Indonesian Preacher: The Significance of AA Gymnastiar," *Journal of the Royal Anthropological Institute* (N.S.) 11 (2005): 773–92.

¹⁸ A point illustrated for the Yogyakarta region in Bambang Pranowo, "Creating Islamic Tradition in Rural Java" (PhD dissertation, Monash University, 1991); and Hyung-Jun Kim, "Reformist Muslims in a Yogyakarta Village" (PhD dissertation, Australian National University, 1996). For comparable analysis of the decline of *abangan* public ritual in the Pasuruan and Malang regions in East Java, see my "Islamizing Java? Religion and Politics in Rural East Java," *Journal of Asian Studies* 46,3 (August 1987): 533–54.

Smith rightly observes that the centrality of women in Javanist ritual has not received the attention it deserves in Western scholarship. She blames the neglect on male ethnographers who, following Clifford Geertz, have presented the male-only portion of the *slametan* (communal religious meal) as the core Javanist ritual, ignoring the ritual exchanges, food preparation, and prayers in which women loom so large. This is an important point, but the now-extensive Java ethnography on women ritual experts, mixed-gender rites-of-passage, and the economics of ritual reproduction suggests that the neglect of women's ritual roles may not be quite as extensive as Smith implies. But this in no way detracts from her central message: that through their labor, food offerings, and specialized ritual learning, Javanist women "actively (re)produce particularised aspects of *kejawen* [Javanist] Islam" (p. 111).

In Chapter Five, Eka Srimulyani seeks to redress the lack of research on women Islamic scholars in Indonesia through an examination of Pesantren Salafiyah Seblak, a religious boarding school in Jombang led by women scholars (in conjunction with male relatives) for the past three generations.¹⁹ The wife of the school's founder, Nyai Khoiriyah, assumed the school's leadership after her husband's death in 1933, and it has stayed in women's hands ever since. What makes the history so fascinating is that Khoiriyah was the second child of the most influential traditionalist Islamic scholar of the twentieth century, KH Haysim Asy'ari. She studied in Mecca and soon established herself as a scholar in her own right. Despite these accomplishments, Khoiriyah and her scholar-daughters had to strike a delicate if familiar balance: if they were to participate in public religious life they had consistently to demonstrate that they were capable of keeping up a "well-managed domestic space" (p. 133).

In Chapter Six, Siti Syamsiyatun turns the book's gaze in a modernist Islamic direction, examining the history and cultural politics of the Nashiyatul Aisyiyah (referred to in shortened form as Nasyiah), the young women's branch of the Muhammadiyah. Founded in 1931 for women of the ages twelve to forty, Nasyiah today has some four million members. Since the 1980s, Nasyiah has also been an active center for Muslim feminism. As Syamsiyatun points out, the growth of critical women's scholarship in Nasyiah has benefited from the movement of women into Islamic higher education. In 1988, women constituted just 3 percent of the postgraduate student body at the flagship state Islamic universities in Jakarta and Yogyakarta; ten years later, they were 20 percent of the student population (p. 142). With a firm grounding in religious scholarship, Muslim women have moved in growing numbers into public preaching, Islamic courts, and regional religious councils.

Syamsiyatun points out that Nasyiah activists have always rejected radical secularist variants of feminism, emphasizing the importance of heterosexual marriage and Islamic notions of sexual modesty (p. 148). While taking exception to secularist assaults on Islamic normativity, however, Nasyiah activists have rejected practices they regard as un-Islamic and anti-woman, including temporary marriage and unrestricted polygyny (p. 150). In the late 1990s, Nasyiah also spearheaded efforts to give women greater representation on Muhammadiyah executive boards. By the early 2000s, Muhammadiyah was well ahead of the traditionalist NU in this effort. Today,

¹⁹ A notable exception to the neglect is Jajat Burhanuddin, ed., *Ulama Perempuan Indonesia* (Jakarta: Gramedia and PPIM Syarif Hidayatullah, 2002).

however, a cloud hangs over this bright story. At the 2005 national congress of the Muhammadiyah, provincial representatives defied national directives on affirmative action; they also voted to remove several then-serving women from the national executive committee. The incident was part of a conservative turn on gender issues that has taken place in several Muslim mass organizations since the mid-2000s.

Notwithstanding these setbacks, the long-term situation of women in mainstream Muslim organizations remains promising. Women's progress in higher education continues unabated. Although surveys and interview data indicate that the Muslim public and Muslim scholars are somewhat un-liberal on matters of religious tolerance and attitudes toward the West, on questions of polygyny, divorce, and women's rights Indonesian Muslims have notably moderate views.²⁰ There are also signs that the Muslim public is growing impatient with the women-unfriendly activities of the "anti-vice" militias, and with the in-your-face antics of male proponents of polygyny, like the restaurant owner and "Polygamy Award" sponsor, Puspo Wardoyo.²¹ The gender reformation of which groups like Nasyiah are part has experienced setbacks, but is far from over.

In the book's last chapter, Amelia Fauzia offers an unfamiliar angle on women in Indonesian Islam, examining their role in religious philanthropy. For the past ten years, students of Muslim politics around the world have looked to philanthropic organizations, hoping that these oft-overlooked institutions might be places where gender-equitable and democracy-friendly "habits of the heart" are quietly cultivated. At first sight, Indonesia looks promising in this regard. Fauzia analyzes the varieties of philanthropic practices in Islam, the relative importance of each variety in the Indonesia setting, and the rates of Muslim women's participation. She shows that Indonesians donate far more generously to religious organizations than they do to secular ones. In general, however, Indonesian women's representation in philanthropic organizations in Indonesia remains low compared to men's participation, especially where the charitable activity in question is managed through a government bureau (p. 176). There are exceptions to the pattern, however. The Muhammadiyah operates some 330 registered orphanages, and its adult women's wing, the Aisyiyah, plays the central role in their management (p. 180).

In the introduction to their volume, Blackburn, Smith, and Syamsiyatum point out that the book's essays are written from a critical feminist perspective (p. 1). The editors cite, but do not respond to, Saba Mahmood's post-feminist problematization of Western and Muslim feminism,²² with its deconstructionist claim that gender theorists need to recognize that there are "other ways of flourishing" than those dedicated to dignity, fairness, and autonomy for women. Indirectly, however, the essays in this book speak eloquently to that critique. They demonstrate that, for growing numbers of Muslim women, the values of dignity and justice for women are intrinsic to Islam's

²⁰ I discuss survey data in support of this view in "God's Law Revisited: Human Rights and Democracy in Islam," in *Religion and the Global Politics of Human Rights*, ed. Thomas Banchoff and Robert Wuthnow, (Oxford: Oxford University Press, forthcoming 2009).

²¹ See, for example, Kathy Marks, "Indonesia and the Polygamy Stir-Fry: Why Men Need More than One Wife," *The Independent*, July 8, 2004 (www.independent.co.uk/news/world/asia/indonesia-and-the-polygamy-stir-fry-why-men-need-more-than-one-wife-552423.html), accessed on October 14, 2008.

²² Saba Mahmood, *The Politics of Piety: The Islamic Revival and the Feminist Subject* (Princeton, NJ: Princeton University Press, 2005).

modern flourishing. In engaging these and other issues, this book is a major achievement. It should be required reading for anyone interested in women and Islam in the post-Suharto era.

Islam Constitutionalized

If *Indonesian Islam in a New Era* demonstrates that IAIN-trained women are in the vanguard of efforts to rethink Islam and gender, Nadirsyah Hosen's *Shari'a and Constitutional Reform in Indonesia* demonstrates that IAIN scholars are at the forefront of the debate on Islamic law and politics. Hosen is a lecturer in the Faculty of Law at the University of Wollongong, Australia, and serves as an executive representative for the Nahdlatul Ulama in that country. He earned his bachelor's degree in Islamic law at the UIN Syarif Hidayatullah in Jakarta, where he has also taught. The present book is a revision of a dissertation that he wrote for a second PhD, this one at the Faculty of Law at the National University of Singapore.

The book's main concern is the process of constitutional reform in Indonesia from 1999 to 2002, especially as the reform touched on questions of Islamic law and constitutional polity. The book is presented as an Indonesian case study, but it is actually much more. Hosen's analytic versatility, depth of knowledge on matters of *shari'a* and liberal political theory, and clarity of exposition make this book not just a local study, but an important contribution to the global debate on Islamic law and constitutionalism.

The book is divided into seven chapters, including an introduction and conclusion. The first of the substantive chapters provides an overview of debates in the broader Muslim world between Islamist advocates of *shari'a* as the constitutional basis of the state, and their secularist opponents. Hosen defines constitutionalism in terms of nine features, the three most important of which are a separation of powers, sovereignty of the people through democratic government, and limits on government powers through effective protections for individual rights (p. 29). Islamist authors like the South Asian scholar Abul A'la al-Maududi reject constitutionalism on the ground that the *shari'a* is immutable, sovereignty belongs to God, and constitutionalism effects an un-Islamic separation of religion and politics (pp. 30–32). Secularists accept portions of the Islamist argument on Islamic law, but use it to draw an opposed policy conclusion. The secularists insist that, because the *shari'a* imposes few limits on government and relegates non-Muslims and women to a second-class status, it is unacceptable as the basis of a modern state.

Hosen invokes the distinction now widely used in Indonesia, between formal and substantive understandings of *shari'a*, to advocate what he describes as a middle path between secularism and Islamism. Like many contemporary Muslim theorists,²³ he agrees with secularist critics that the classical *shari'a* relegates non-Muslims to a subordinate status and allows an insufficient separation of powers. Rather than rejecting *shari'a* outright, however, Hosen argues that the proper response to these

²³ Among the most critical exponents of this view is Abdullahi Ahmed An-Na'im; see his *Islam and the Secular State: Negotiating the Future of Shari'a* (Cambridge, MA: Harvard University Press, 2008), especially pp. 128–37.

deficiencies is to reinterpret the law “in the line of democracy and constitutionalism” (p. 36). In this he draws on the thought of contemporary Muslim scholars like Abdullahi Ahmed An-Na`im and Muhammad Sa`id Al-Ashmawy, both of whom advocate an “emancipated understanding of *shari`a*, stressing its original meaning as a ‘path’ or guide, rather than a detailed legal code” (p. 38). Drawing, in addition, on the arguments of Khaled Abou El Fadl, he relativizes the formalist understanding of God’s law, insisting that a legal code inspired by God’s law must never be confused with the divine will itself (p. 39). If one works from these epistemological premises, Hosen believes, “most of the regulations in Islamic law, including the status of non-Muslims and women in Islamic societies, may be amended, changed, altered, and adapted to social change” (p. 39–40).

This conclusion contradicts the arguments of formalists, who invoke verse 5:3 in the Qur’an to claim that the law that God has provided is comprehensive and perfect (p. 42). Hosen counters that the perfection to which God was referring was that of divine mandates, prohibitions, and worship, not Muslim politics. Hosen rejects the secularist demand for the privatization of religion, then, but also wants nothing of the Islamist idea that the Qur’an and Hadith are all that is needed for an Islamic constitution. In Hosen’s view, God has provided, not a blueprint for an Islamic state, but “basic principles for human civilization”; these are compatible with any political order that affirms equality, government by consultation (*shura*), and the citizenry’s right to appoint and remove the head of state (pp. 44–45). To develop the terms for such a constitutional order, Hosen argues, requires a new *ijtihad* (exercise in independent reasoning) built on an understanding of the broader purposes of God’s law (the *maqasid al-shari`a*).²⁴

In his discussion of human rights, in Chapter Four, Hosen uses a similar analytic tack to take exception to views like those enshrined in the 1981 Universal Islamic Declaration of Human rights, which insist that liberal versions of human rights are incompatible with Islam on the critical questions of women, non-Muslims, and freedom of religious expression. Here again Hosen argues for a new *ijtihad* to bring Muslim understandings of God’s law in line with universalistic models of human rights.

In the book’s middle chapters, the author adds yet another level of detail to his argument, bringing his theoretical discussion of *shari`a* and constitutionalism down into the gritty realities of Indonesian politics. He provides concise overviews of the debates on *shari`a* and state in 1945, the 1950s, and the early post-Suharto period. The chapters also add a welcome wealth of original detail from the 1999–2002 period, when Islamists attempted to reintroduce the Jakarta Charter and, later, to amend article twenty-nine of the Indonesian constitution so as to enable Muslims to implement *shari`a*.

Having reviewed these contests, Hosen stands back and offers several general observations. He points out that, whereas in the late 1950s the constitutional struggle

²⁴ Efforts like Hosen’s to rethink Islamic law in terms of “public interest” (*maslaha*) and the law’s higher aims are a key feature of contemporary reformist scholarship on Islamic law. For an overview, see Felicitas Opwis, “Islamic Law and Legal Change: The Concept of *Maslaha* in Classical and Contemporary Islamic Legal Theory,” in *Shari`a: Islamic Law in the Contemporary Context*, ed. Abbas Amanat and Frank Griffel (Stanford, CA: Stanford University Press, 2007), pp. 62–82.

was polarized along *aliran* (religio-political streams) lines between observant Muslims (*santri*) and nominal or heterodox Muslims (*abangan*), the contests of 1999–2002 were split along a new divide: that pitting Muslim formalists against substantivists (in alliance with Christians and other multiconfessional nationalists). The formalists wanted an uncontextualized implementation of the law, while substantivists held that “*shari‘a* should be reinterpreted in line with democracy and constitutionalism” (p. 94). The realignment of which Hosen speaks, one might add, was itself reflective of two other recent developments in the religious field. First, most of Indonesia’s non-Sunni or nominal Muslims, like the *abangan* of Java, have moved to the orthodox Sunni center. Second, and no less important, the move to the Sunni center has *not* breathed new life into the Islamist political projects of the 1950s, because most of the Muslim public has embraced the idea that democracy is compatible with Islam. I return to these points in the conclusion below.

Citing poll data that indicate most Muslims support efforts to implement *shari‘a*, Hosen’s second observation is that such findings obscure the fact that most Muslims’ understanding of *shari‘a* “is looser, more abstract, than that [favored] by the formal *shari‘a* group” (p. 95). The survey data do not contradict election results, then, where supporters of substantivist understandings of Islam have repeatedly prevailed over formalists. In Chapter Six, Hosen cites the poor showing of the United Development Party (Partai Persatuan Pembangunan, PPP) and the Crescent and Star Party (Partai Bulan Bintang, PBB) in the 2004 elections to argue that the “90 percent of Indonesian people are not in favour of the PBB’s and PPP’s campaign to implement *shari‘a* at the state level” (pp. 200–201). This conclusion is almost certainly stronger than the electoral evidence allows, but the general point is still sound. In matters of national politics, substantivist understandings of God’s law have consistently trumped the formalist. Whether this will remain the case at the provincial and district levels is another question, which Hosen, with his focus on constitutional debates in Jakarta, does not discuss.

Hosen’s book is one among a small but important body of literature at the interface of Islamic studies and political theory reassessing the question of Islam and constitutionalism. Hosen’s book stands out for its great intellectual range, and the author’s ease in fields as diverse as Islamic jurisprudence, religious history, political theory, and comparative law. In his Introduction, Hosen cites the views of H. Patrick Glenn approvingly. Glenn is a comparative legal theorist whose *Legal Traditions of the World* has been rightly celebrated as inaugurating a new chapter in comparative legal theory.²⁵ Glenn argues for a mode of thought he calls “multivalent thinking,” which recognizes the distinctiveness of different legal and civilizational traditions, but rejects the radical relativist claim of their absolute incommensurability.²⁶ I know of no case study that has demonstrated the wisdom of Glenn’s claim more brilliantly than Hosen’s.

²⁵ H. Patrick Glenn, *Legal Traditions of the World* (New York, NY: Oxford University Press, 2000).

²⁶ *Ibid.*, pp. 41–45.

God's Law and Nation

At 344 pages it is no literary behemoth, but M. B. Hooker's *Indonesian Syariah* is a big book, both in ambition and achievement. This may not be immediately apparent to readers who first pick up this dense volume. The author of one of the most important historical studies of Islam in Southeast Asia ever written,²⁷ Hooker is a specialist of Islamic law and jurisprudence (*fiqh*). Like many scholars of the law, he approaches his topic, not sociologically, but by listening to argumentation, logic, and reference. He then stands back and contextualizes the current of thought he has just presented, juxtaposing it to legal streams in other times and places. For the ardent political sociologist eager to get to the "facts of the case," this manner of presentation may appear lumbering. However, there is no better way to come to terms with the discourse and rationales of Islamic law. For those willing to stick with Hooker's presentational methodism, this book opens up a world of Islamic legal thought.

In entitling his book *Indonesian Syariah*, Hooker no doubt intended to be a bit provocative. Conservative Islamists insist that God's law is comprehensive and unchanging, and they take exception to those who insist it requires contextualization. Islamist scholars press so hard to collapse the gap between the *shari`a* and legal interpretation that eventually, in their eyes, there is no hermeneutic at all: just God's law, irrefutable and clear to all willing to see. In titling his book as he has, however, Hooker is not signaling his allegiance to liberal Islamic hermeneutics. Indeed, on a number of topics, including questions of religious pluralism and Muslim feminist efforts to reform the Compilation of Islamic Law (Kompilasi Hukum Islam, KHI), Hooker declines to go too far down the liberal path. He is aware of just where the center of Muslim legal opinion lies, and appears concerned to keep Indonesian voices, rather than his own, at center stage. So the title's evocation of an Indonesian variant of Islamic law is not a defiant deconstruction, but a reminder that the meanings of God's law always emerge out of dialogue with local circumstances.

With Indonesian *shari`a* as his subject, the next challenge for Hooker is to decide how to get such a vast topic in focus. There is, after all, the codified *shari`a* of the state Compilation of Islamic Law; the sloganized *shari`a* of Islamist militias; the down-to-earth *shari`a* of village preachers; and the *shari`a* philosophized and cosmopolitized in the State Islamic University system. Where to begin?

Hooker answers this question, not by way of an *a priori* definition, but pragmatically, looking at the range of discourses and institutions Indonesians have developed for defining, teaching, and enacting *shari`a* values in the world. Hooker focuses on *shari`a* in six fields, and gives each a separate chapter: (1) the state, especially Islamic courts; (2) philosophy, that is, the law as developed in intellectual treatises; (3) college curricula for teaching the *shari`a*; (4) collections of Friday sermons by mosque preachers; (5) the management of the pilgrimage (*hajj*); and (6) regional social movements advocating implementation of God's law.

A political scientist or sociologist might well wonder, Why not just get on with it and provide a neat analysis of which *shari`a* discourses are hegemonic, and which are in decline? But Hooker's point is that, to understand *shari`a*, one has to recognize the

²⁷ M.B. Hooker, *Islamic Law in South-East Asia* (Singapore: Oxford University Press, 1984).

varied methods and interpretations that characterize different approaches to the law. Hooker may also sense that, in this post-Suharto moment, the politics of Islamic law is so multifarious that it is premature to speak of settled hegemonies.

The discussion of *shari`a* and the state traces the history of both from colonial times to today. In the Netherlands East Indies, "syariah was selected out" (p. 3), through the artifice of the "reception theory" developed by Dutch legal scholars. But the classical canon survived in *pesantren* and *fatwas*. It was then reasserted in the early independence era in public proposals and debates, only to be pushed back by a constitutional system that was, in concept and application, "conceptually European" (p. 6). The establishment of the Department of Religion and the new republic's religious courts, however, kept the idea of the *shari`a* alive, albeit restricted to family law and pious endowments. This changed with the 1991 Compilation of Islamic Law, which extended the reach of the law. However, Hooker observes, the Compilation also changed the law's practice and meaning. "'Islamic law' means the syariah as this is expressed in the totality of the *fiqh* texts and the discussions surrounding them up to present," which is to say, "literally millions of texts" (p. 17). Islamic codes designed for modern bureaucratic states cannot do justice to this corpus. Indeed, they represent a voluntary adoption of "Western forms," typically undertaken in the name of legal renewal (p. 17). The reductionism they effect may be a practical necessity, Hooker argues, but the change is no less momentous: the classical *fiqh* texts are "no longer primary" (p. 1). Ironically, even those who call for the establishment of an "Islamic" state are obliged to engage in a similar process of selection and "legal borrowing from outside the syariah" (p. 1).

Hooker provides a concise summary of the processes through which the Compilation of Islamic Law was created (pp. 17–25), as well as the Muslim-feminist Counter Legal Draft produced in 2004, which attempted unsuccessfully to revise key portions of the Compilation. "What was needed at the time was a careful and focused explanation of the issues," Hooker observes. The bitterness of the exchange between supporters and opponents of the Counter Legal Draft guaranteed that, in the end, there was no real dialogue, but "the re-enforcement of fixed positions" (p. 26).

In Chapter Two, Hooker provides one of the best summaries currently available of the main currents of thought in New Order and post-Suharto Indonesia as regards the modern relevance of the *shari`a*. Michael Feener's *Muslim Legal Thought in Modern Indonesia*²⁸ takes a more panoramic and intellectualist approach to many of the same issues, but Hooker's chapter has the advantage of aggregating and thematizing the diverse schools more concisely. Readers interested in a forty-page report on the state-of-the-field can be assured that this summary is the best currently available.

The first philosophical stream Hooker identifies includes those idealists who believe that the *shari`a* "'properly understood,' fulfills all the conditions necessary to constitute a true legal system" (p. 43), and responds to all political and ethical challenges. Included in this group are old-era activists like Persatuan Islam and post-Suharto radicals like the Hizbut Tahrir and the Islamic Defenders Front. In one of the many asides that make this chapter so engaging, Hooker examines the writings of the

²⁸ R. Michael Feener, *Muslim Legal Thought in Modern Indonesia* (Cambridge: Cambridge University Press, 2007).

FPI's Habib Rizieq Syihab and observes dryly that his arguments show "a high degree of theological illiteracy," illustrating an "essentially personal view" of the law (p. 47).

Hooker also assesses the view of scholars who have promoted a localization or Indonesianization of the law (pp. 50–57). The chapter's treatment of Nurcholish Madjid's legal philosophy (pp. 65–71) provides one of the better synopses currently available, although, surprisingly, it does not discuss Madjid's ideas on Islam and modernity. These emerged from Madjid's life-long interest in the sociology of religion and historical sociology, and had a powerful influence on his understanding of the modern context to which Islamic law has to be accommodated.²⁹ Well before Patrick Glenn demonstrated the importance of the notions, Madjid was a transcivilizational and multivalent thinker *par excellence*.

Chapters Three and Four are concerned with the way in which different visions of the *shari'ah* are produced, reproduced, and changed in different milieus. Chapter Three examines this production of knowledge in the law school curricula developed by the Department of Religion and Indonesia's State Islamic Universities. Hooker observes that the core curriculum in both institutions "is neither simplistically Islamic nor predominantly secular in its approach" (p. 95). He expresses concern about the way in which an "all pervasive national curriculum" (p. 98, cf. p. 111) may negatively affect the educational autonomy of Indonesia's Islamic boarding schools. In one of the less thoughtful asides in this invigorating survey, Hooker speaks dismissively of the courses on Western political thought in the state Islamic colleges, noting that their presence is "not surprising given that the curriculum is itself a Western construction" (p. 115). This intellectual jab does not begin to do justice to the epistemological and cross-cultural issues to which these courses speak. They are examples of efforts by Muslim educators to respond to the challenge of cross-cultural commensurability raised by scholars like Nadirsyah Hosen and Patrick Glenn. They illustrate the truth at the heart of Glenn's epistemology, to which Hooker says he, too, subscribes: that key features of the "West" are already "in" Islamic civilization, and key features of "Islam" are endogenous to the "West."

In general, however, Hooker's survey gets Islamic education right. He ends by noting that "in some respects" the *shari'ah* curriculum is broader than the academic study of law in Western universities (p. 122). More generally, he observes, the *shari'ah* curriculum has largely succeeded in its attempt to accommodate "two forms of legal reasoning" (p. 127), those of classical Islam and the West.

Chapter Four begins with the observation that Friday sermons (*khutbah*) are "the main vehicle through which the 'ordinary' Muslim ... knows the syariah" (p. 129). After an in-depth examination of several collections of published sermons, Hooker offers a comment that will startle readers accustomed to simplistic characterizations of the New Order regime and Islam. The published sermons, Hooker finds, demonstrate that preachers retained a "fair degree of independence" from the New Order state. Indeed, the sermons "show little evidence of any slavish reproduction of the somewhat

²⁹ The centrality of the concept of modernity in Madjid's thought has been widely discussed, but for a recent overview see Andi Faisal Bakti, "Islam and Modernity: Nurcholish Madjid's Interpretation of Civil Society, Pluralism, Secularization, and Democracy," *Asian Journal of Social Science* 33,3 (2005): 486–505.

primitive state ideology of that time" and instead indicate that preachers tended "to consider it part of their duty to criticize the state and its functionaries" (p. 173).

Chapter Five examines "syariah in the bureaucracy," looking at the way in which the state manages the annual pilgrimage. Hooker examines not merely the history of bureaucratic administration, but the way in which the state attempted, but never fully succeeded, at shaping the meaning of the event for pilgrims.

The book's last substantive chapter, Chapter Six, will be the one most eagerly read by students of Indonesian politics. It examines *shari'ah* draft legislation from Aceh, South Sulawesi, West Sumatra, and the Council of Indonesian Mujahidin (Majelis Mujahidin Indonesia, MMI). The Regional Autonomy Laws (No. 22/1999 and No. 25/1999) devolved law-making powers to regions and municipalities, but did so with the important qualification that religious affairs were to remain the responsibility of the Department of Religion. Regional proponents of Islamic law have challenged this division of labor, doing so directly in Aceh. Elsewhere the challenge has been made by presenting the *shari'ah*-oriented legislation as a matter of, not religion, but public order. Until the Supreme Court clarifies the status of *shari'ah* legislation in national law, the constitutionality of the *shari'ah* legislation will remain unclear.

In the meantime, however, analyses like Hooker's offer important insights into what happens to *shari'ah* when it is drawn into the rough-and-tumble of post-Suharto politics. The Aceh regulations (*qanun*) are the most extensive. Hooker summarizes the main regulations, and describes the tension that exists between the governor's office (which got its own Dinas Syariah, Department of *Syariah*, in May 2000) and the Consultative Council of Ulama (Majlis Permusyawaratan Ulama, MPU). The Aceh regulations have several notable features, including a strong emphasis on enforcing Islamic dress, especially for women, and the requirement that the regional government and community institutions take actions to defend against "deviance, atheism, and superstition" (p. 250). Were they so imprudent to do so, groups like the Jakarta-based "Network of Liberal Islam" (Jaringan Islam Libera, JIL) would almost certainly not be able to set up shop in Aceh without running afoul of these regulations. Aceh has a morals police, too, regularly criticized for its lack of professionalism. In general, Hooker concludes, the uncertainty surrounding the meaning, scope, and enforcement of *shari'ah* in Aceh leaves the law "open to the vagaries of politics and social attitudes," unwittingly contributing to a "trivialization or secularization of divinely inspired law" (p. 259).

Although Hooker has a respectful regard for *shari'ah*, a similar note of concern runs through his descriptions of *shari'ah* legislation in other districts. He notes, for example, that the West Sumatra legislation is "very good and consistent" (p. 269) in form. However, when it comes to enforcement, the overriding concern is once again "the conduct of women in public," and those charged with upholding the law are "ill-trained and aggressive young men" (p. 269). In these circumstances, the field is left "wide open for political opportunism as well as the harassment of women" (p. 269).

The MMI code appears to be at even greater odds with the spirit of the historical *shari'ah*. Hooker notes that, "the code is very narrow in being focused on punishment, in particular penalties for sexual misconduct" (p. 279). The standards of proof required by the *fiqh* to impose punishments are ignored, and the entire document "willfully

ignores" recent literature by Middle Eastern scholars writing from within the classical *fiqh* tradition. As Tim Lindsey and Jeremy Kingsley have observed in a separate but important article, the MMI text has influenced draft legislation in several provinces, all of which are "severe in their treatment of women and religious minorities." In these and other regards, the MMI text is "is not a Code so much as a coded political message: a call to support a conservative vision of Indonesia rooted in a Middle Eastern past, not the Indonesian present."³⁰

Hooker is a scholar of Islamic law, and when in his epilogue he pauses to present recommendations for *shari`a* formulation in Indonesia, he adopts, not a secularist posture, but one that assumes that some formalization of the *shari`a* is a necessary and important part of any Muslim society. But he has little patience for those like the Hizbut Tahrir, who argue that a caliphate and a codified *shari`a* are all that is needed to "save" Indonesia. What is needed, Hooker argues, is intellectual rigor as expressed in a new *qiyas*, that is, a systematic application of reasoning by analogy, a technique that allowed Muslim jurists in the past to accommodate the law to the changes of their age (p. 294).

The methodology Hooker recommends is a subtle one, and it resembles proposals made by innovative Muslim jurisconsults in other parts of the world. The fact is, however, that it is not for lack of sophisticated Muslim scholars that the *shari`a* promoted in so many parts of Indonesia has taken a reductionist and mean-spirited turn. The problem is that, although it enjoys a moment of relative autonomy in its conception, as it moves toward social enactment, legal thought always becomes embedded in powers and agencies that subject it to their own cultural interests and instrumentalities. It is for this reason that no treatment of Islamic law is complete until it examines the social powers and agencies that propel the law from the world of intellectual production to its public authorization and disciplinary application.³¹ For the moment, in Indonesia, *shari`a* politics in many districts is under the undue influence of heavy-handed militants intent on using the *shari`a*, not as a vehicle for conveying God's guidance and blessing, but as club with which to divide and conquer political enemies.

Hooker is aware of this dilemma, and he may be right to take the high road of principle rather than digging too deep into practical politics. One of the great benefits of this book, then, is that, by the time readers have finished their trek through its rich landscape, they, too, can appreciate that the variants of *shari`a* proposed by some of today's activist groups are an impoverishment of a rich and still-living legacy.

³⁰ Tim Lindsey and Jeremy Kingsley, "Talking in Code: Legal Islamisation in Indonesia and the MMI Shari`a Criminal Code," in *The Law Applied: Contextualizing the Islamic Shari`a*, ed. Peri Bearman, Wolfhart Heinrichs, and Bernard G. Weiss (London and New York, NY: I. B. Tauris, 2008), pp. 295–320, citation from p. 313.

³¹ This theoretical point is vividly illustrated in Egyptian historical practice in Clark B. Lombardi, *State Law as Islamic Law in Modern Egypt: The Incorporation of the Shari`a into Egyptian Constitutional Law* (Leiden: Brill, 2006).

Conclusion: The Struggle for the Sunni Center

Several conclusions emerge from the varied views of Indonesian Islam offered in these books. The first touches on a bittersweet political reality: that the dominant currents in *shari`a* politics during the post-Suharto era have not yet matched the quality of Islamic thought developed in state Islamic universities and discussion groups during the late New Order. Muslims in Indonesia entered the post-Suharto period with one of the most prolific and far-ranging intellectual corpuses in the world, second only, arguably, to that of Shi`i Iran. For a few shining moments, some observers believed that Muslim intellectuals would contribute to the creation of that rare combination of gifted intellectual leadership and mass-based support that theorists of democratic transitions, like Guillermo O'Donnell and Philippe Schmidt,³² have long recognized as necessary for an enduring break with authoritarian rule.

That hope is not gone—in both intellectual content and practical achievement, post-Suharto Islam still has many shining lights, and the political situation as a whole, though complex, remains promising. But those who had hoped that the civic-pluralist currents in Indonesian Islam might be easily scaled up into supports for democracy and civic pluralism have been sobered by the fact that the devolution and competitive pluralization of the post-Suharto era have left their mark on Islamic affairs as well. The fissiparous tumult of the period, and the sense of moral and economic crisis felt by much of the public, have allowed well-organized militants to project a coercive influence disproportionate to their actual representation in society. Until Indonesia develops a more effective system of civil security and legal enforcement, this imbalance will continue to have a baneful effect on religious and political affairs.

The second conclusion is more hopeful, and touches on a question recently raised by political scientists of Indonesia. The question might be summarized as follows: Now that Indonesia's "small town wars"³³ have subsided and a new electoral regime appears regularized and "remarkably stable,"³⁴ are the old divisions of *santri* and *abangan* likely to reappear? Or, as Andreas Ufen has recently asked, are entirely "new religious divides ... being constructed"?³⁵

In answering this question, one has to remember how unusual, in religio-political terms, the late 1950s were, and how different things are today. The *aliran* polarization of the 1950s was distinctive, not just for the way it linked mundane village affairs to volatile national conflicts (a theme rightly highlighted in Clifford Geertz's essays from the period³⁶), but for the way in which it slowed and even reversed processes of Islamization and Islamic reform moving steadily across the archipelago since the mid-

³² Guillermo O'Donnell and Philippe C. Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies* (Baltimore, MD: Johns Hopkins University Press, 1986), especially pp. 48–56.

³³ The phrase is from Gerry van Klinken's important *Communal Violence and Democratization in Indonesia: Small Town Wars* (London and New York, NY: Routledge, 2007).

³⁴ Marcus Mietzner, "Comparing Indonesia's Party Systems of the 1950s and the Post-Suharto Era: From Centrifugal to Centripetal Inter-Party Competition," *Journal of Southeast Asian Studies* 39,3 (October 2008): 431–53, citation from p. 431.

³⁵ Andreas Ufen, "From *Aliran* to Dealignment: Political Parties in Post-Suharto Indonesia," in *South East Asia Research* 16,1 (March 2008): 5–41, citation is from p. 37.

³⁶ An especially well-crafted example is "Ritual and Social Change: A Javanese Example," in Clifford Geertz, *The Interpretation of Cultures* (New York, NY: Basic Books, 1973), pp. 142–69.

nineteenth century. The political polarization of the 1950s gave rise to a parallel polarization in the religious field, characterized by open opposition to and even apostasy from Islam.³⁷

The interplay of religion and politics during the New Order was complex and changed from the early to the late New Order period. But its eventual effect was to diminish this religious centrifugalism, and strengthen what can be described as Indonesia's "Sunni center." Most among the once-nominally Islamic populations, including the *abangan* in Java, *Wetu Telu* in Lombok (a unique combination of Islam and ancestral- and guardian-spirit veneration), and others, turned toward the normative Islam of the Sunni center. They did so in part as a result of the transformation of the traditionalized social worlds in which these non-Sunni Islams were embedded. But the heirs to these localized variants of Islam were also affected by the programs of state-mandated religious education and "religionization" (*agamaisasi*), which made the propagation of non-Sunni versions of Islam politically untenable.³⁸ Although this change in orientation benefited greatly from New Order policies on religious governance, most of the Islamization programs were carried out, not by the state alone, but through collaborations across the state–society divide, typically between the Ministry of Religious Affairs and Muslim social welfare associations, including the Muhammadiyah, Nahdlatul Ulama, and even the Dewan Dakwah Islamiyah Indonesia (DDII, Islamic Propagation Council of Indonesia). Although in some provinces today *adat* is experiencing a healthy revival,³⁹ in Muslim areas it is an *adat* cleansed of non-Sunni impurities. Though one can still find a few old-style *abangan* in a few parts of rural Java, any broad-based revival of Indonesia's non-Sunni Islams is unlikely, to say the least.

But it is important to understand what this means for public Islamic culture. If the more florid expressions of non-Sunni Islam are today diminished, the pluralism of Indonesia's Sunni center is not. By any measure, Indonesian Sunnism remains richly pluralistic, both in its social organizations and cultural temperaments. Precisely because this is the case, the question of the types of policies and institutions that should be devised to manage that pluralism—the religious governance question—will remain a contentious issue for the indefinite future. The volatility of this issue has recently been demonstrated by the varied public response to efforts by the Council of Indonesian Ulama (MUI), as well as authorities in Aceh and several districts, to suppress what they regard as "deviationist" currents in Indonesian Islam.⁴⁰ The

³⁷ See Hefner, "Islamizing Java?"; Robert W. Hefner, "Hindu Reform in an Islamizing Java: Pluralism and Peril," in *Hinduism in Modern Indonesia: A Minority Religion between Local, National, and Global Interests*, ed. Martin Ramstedt (London and New York, NY: RoutledgeCurzon, 2004), pp. 93–108; and Margaret L. Lyon, "Politics and Religious Identity: Genesis of a Javanese-Hindu Movement in Rural Central Java" (PhD dissertation, University of California–Berkeley, 1977); and Philip van Akkeren, *Sri and Christ: A Study of the Indigenous Church in East Java* (London: Lutterworth Press, 1969).

³⁸ For discussions of *agamaisasi* in Lombok, see Sven Cederroth, "From Ancestor Worship to Monotheism: Politics of Religion in Lombok," *Temenos* 32 (1996): 7–36; and Leena Avonius, "Reforming *Wetu Telu*: Islam, *Adat*, and the Promises of Regionalism in Post-New Order Lombok" (PhD dissertation, Leiden University, 2004).

³⁹ For an overview, see David Henley and Jamie S. Davidson, "In the Name of *Adat*: Regional Perspectives on Reform, Tradition, and Democracy in Indonesia," *Modern Asian Studies* 42,4 (2008): 815–52.

⁴⁰ See Piers Gillespie, "Current Issues in Indonesian Islam: Analysing the 2005 Council of Indonesian Ulama Fatwa No. 7 Opposing Pluralism, Liberalism, and Secularism," *Journal of Islamic Studies* 18,2 (2007): 202–40.

council's decisions have not resolved the question of religious governance, however, but simply given it a new public urgency.

Although the question of religious pluralism remains contentious, there is another characteristic of today's religio-political situation that is not. As William Liddle and Saiful Mujani have noted,⁴¹ the majority of Muslims have long since embraced the idea that democracy is compatible with Islam. As a result, most feel that there is no need to revisit the polarizing arguments of the 1950s on the state's ideological foundation. In this sense, Marcus Mietzner is right to talk about the prevalence of "centripetal" trends in political party competition today, as opposed to the "centrifugal" instability of the 1950s. Inter-party rivalries during the latter period, Mietzner argues, became so polarized that the central disputes "took place at the far ends of the ideological spectrum." Today, by contrast, and despite the anti-systemic appeals at the Islamist fringe, "the vast majority of Indonesians, and Indonesian Muslims, do not favour a change in the political system."⁴² No less important, I would want to add, the big parties that vie for the center differ only marginally on basic questions concerned with Islam, democracy, and the religious legitimacy of the political system as a whole.

It goes without saying that not everyone has joined the parade to the political center. A small but well-organized Islamist flank continues to demand a politics based on a putatively authentic Islamic foundation. Some among these groups, like the Hizbut Tahrir and the Hidayatullah movement,⁴³ continue to make headway toward their goal of building vertically integrated networks of religious scholars, *madrasas* (Islamic schools), political parties, and businesses. They are also generally anti-systemic in their political views. In other words, these groups are attempting to produce a new and rejectionist *aliran* stream—this at a time when most evidence indicates that the descendants of the *aliran* of the 1950s have little interest in anti-systemic radicalism, and are, in any case, less politically cohesive than ever.

There is little evidence to suggest that the divisive, *aliran* "wannabes" are going to be able to mount an anti-system challenge any time soon. But recent events demonstrate that that does not mean that they will be consigned to the margins in all public affairs. On issues like the Ahmadiyah, anti-pornography legislation, and the treatment of women and minorities in new regional by-laws, the anti-systemic *aliran* have used their media savvy, ideological cohesion, and organizational muscle to influence broader debates.⁴⁴ In other words, they have had an influence on cultural and political matters that is greater than warranted by their actual numbers in society. The challenge as post-Suharto politics moves forward will be to make sure that new *alirans'* initiatives are conducted without violence and with respect for the current rules of the political and religious game. If these conditions are met, over the long run the actions

⁴¹ See especially Saiful Mujani and R. William Liddle, "Politics, Islam, and Public Opinion," *Journal of Democracy* 15,1 (2004): 109–23; and also "Leadership, Party, and Religion: Explaining Voting Behavior in Indonesia," in *Comparative Political Studies* 40,7 (2007): 832–57.

⁴² Mietzner, "Comparing Indonesia's Party Systems of the 1950s and the Post-Suharto Era."

⁴³ On the cultural and political history of the Hidayatullah Movement, see my "Islamic Schools, Social Movements, and Democracy in Indonesia," in *Making Modern Muslims: The Politics of Islamic Education in Southeast Asia*, ed. Robert W. Hefner (Honolulu: University of Hawai'i Press, 2009), pp. 55–105.

⁴⁴ See, for example, Lindsey and Kingsley, "Talking in Code," p. 313.

of these groups need not be antithetical to Indonesia's democracy, although they may well give it a more conservative cultural face.

This last example points to what may be, for the future of politics and Indonesian Islam, a decisive matter. It is not the breadth of theological or jurisprudential divides that presents the greatest challenge to Indonesia and Islam in the post-Suharto period. It is the task of building a political, legal, and public-ethical framework with sufficient legitimacy and reward to continue to bring people to the center, even as they hold to their different identities and self-interests. Notwithstanding the violence of the early post-Suharto period and outbreaks of religious vigilantism today, there are signs that such a practical framework, a public culture for the great center, may be emerging, although it could yet be damaged by freelancing vigilantes. On matters of religion, the framework will not likely be fully liberal in the contemporary Western sense of the term, with all that that has come to mean for individual autonomy, sexual choices, and personal freedoms. But the structure may be enough to contain the anti-system ambitions of those at the fringes. If it can do this, the framework will allow the great experiment with democracy and plurality with which Indonesia's Muslims have been engaged for the past generation to continue, and perhaps even edge forward.