Contemporary Fiqh Studies
Vol. 1, No. 2, 2026, pp. 222–235
https://doi.org/10.66277/cfs.v1i2.456

Elkuator Research & Publication
E-ISSN: 3163-9364
https://e-journal.elkuator.com

Debating the Sociology of Sharia: A Critical Review of Legal Pluralism in Contemporary Muslim Societies

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Book under Review

Title: *The Sociology of Shari'a: Case Studies from Around the World (2nd Edition)*
Editors: Adam Possamai, James T. Richardson, and Bryan S. Turner
Publisher: Springer
Publication Year: 2023
Place of Publication: Cham, Switzerland
Extent: vi + 361 pages
ISBN: 978-623-384-920-3

Received: 16 July 2026 | Revised: 21 October 2026 | Accepted: 27 October 2026

Introducing the Sociology of Sharia

In Islamic legal discourse, Sharia is often discussed in terms of two opposing positions. On the one hand, it is perceived as a comprehensive and immutable religious legal system that demands formal recognition by the state. On the other hand, particularly in the political discourse of Western countries, Sharia is frequently portrayed as a threat to democracy, secularism, gender equality, and the rule of law. Despite their apparent opposition, both positions rest on the same underlying assumption: that Sharia constitutes a single, unified body of norms that can be transferred intact from religious texts into the framework of positive law, whether to be enforced or rejected. *The Sociology of Shari'a: Case Studies from Around the World* seeks to move beyond this reductive dichotomy. Edited by Adam Possamai, James T. Richardson, and Bryan S. Turner, the volume approaches Sharia not merely as a collection of theological norms or doctrines of Islamic jurisprudence (fiqh), but as a social phenomenon that is produced, negotiated, and practiced within diverse legal, political, and cultural structures and configurations of power.[1]

This book is the second edition, published by Springer in 2023 as part of the Boundaries of Religious Freedom: Regulating Religion in Diverse Societies series. Compared with the previous edition, most chapters have been updated, and the

[1] Refer to Adam Possamai et al., *The Sociology of Shari'a: Case Studies from Around the World* (Cham, Switzerland: Springer, 2023).

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book's geographical coverage has been expanded. It brings together studies from Muslim-majority countries, including Malaysia, Bangladesh, Turkey, Iran, and Morocco, alongside accounts from countries where Muslims constitute a minority, such as the Philippines, Australia, Italy, Germany, China, and South Africa.[2] This selection of cases reflects the book's central thesis: there is no universal model for understanding the place of Sharia in modern states. Rather, the form, scope, and authority of Sharia are continually shaped by colonial histories, state configurations, citizenship politics, community structures, and competition among legal actors.

The editors' conceptual framework draws on the idea of legal pluralism, which has long been developed within the sociology and anthropology of law. In his seminal essay, John Griffiths distinguishes between "weak" legal pluralism, which continues to position state law as the sole point of reference, and "strong" legal pluralism, which recognizes the coexistence of multiple normative orders within the same social field without automatically privileging any one of them.[3] Brian Tamanaha subsequently expands this framework by arguing that legal plurality is not an exotic phenomenon confined to developing countries, but rather a general condition that extends from the local to the global level, including in countries that claim to uphold a uniform rule-of-law system.[4] Drawing on this conceptual framework, the volume edited by Possamai, Richardson, and Turner presents Sharia not as an exception, but as one manifestation of the broader condition of legal pluralism. This approach also resonates with the renewal of the sociology of religion proposed by Armando Salvatore, who identifies knowledge, power, and civility as three analytical axes for understanding the broader social dynamics of the Muslim world. Significantly, this framework emerged partly through an intellectual dialogue with Bryan S. Turner, one of the volume's editors.[5]

Sharia as a Pathway, Normative Framework, and Social Practice

One of the book's conceptual strengths lies in its rejection of the understanding of Sharia as a singular "legal code." In their chapter, T. Jeremy Gunn and Omar Sabil trace the use of the term *sharī'a* in the Qur'an and question whether it originally

[2] "The Sociology of Shari'a: Case Studies from Around the World, Second Edition: Edited by Adam Possamai, James T. Richardson, and Bryan S. Turner, Cham, Switzerland: Springer, 2023 (Hb), 2024 (Pb), Boundaries of Religious Freedom: Regulating Religion in Diverse Societies, 361 Pp., £119.99 (Hb, Pb), ISBN 978-3-031-27187-8 (Hb), ISBN 978-3-031-27190-8 (Pb), ISBN 978-3-031-27188-5 (Eb)," *Journal of Contemporary Religion* 40, no. 3 (2025): 565–67.

[3] John Griffiths, "What Is Legal Pluralism?," *The Journal of Legal Pluralism and Unofficial Law* 18, no. 24 (1986): 1–55. Griffiths distinguishes between "weak" legal pluralism, which continues to position state law as the primary point of reference, and "strong" legal pluralism, which recognizes the coexistence of multiple normative orders within the same social field without automatically privileging any one of them.

[4] Brian Z. Tamanaha, "Understanding Legal Pluralism: Past to Present, Local to Global," *Sydney Law Review* 30, no. 3 (2008): 375–411.

[5] Sari Hanafi and Juan Javier Rivera Andía, "Armando Salvatore, The Sociology of Islam: Knowledge, Power and Civility," *International Sociology* 34, no. 2 (2019): 149–54; Armando Salvatore, *Islam and Statehood: Instituting the Ecumene* (New Jersey: John Wiley & Sons, 2026). Salvatore renews the sociological tradition of Max Weber and Bryan Turner by identifying knowledge, power, and civility as three central analytical axes for understanding the broader social dynamics of the Muslim world.

referred to "law" or instead functioned as a metaphor for a path to be followed.[6] This question is significant because, in contemporary debates, Sharia is often reduced to criminal law, family regulations, or formal symbols of Islamic authority. Historically and sociologically, however, Sharia encompasses a much broader domain, including moral orientations, personal ethics, rituals, social relations, and conceptions of the good life. Wael Hallaq provides a more comprehensive account of this historical transformation, showing how premodern Sharia functioned as a moral imperative dispersed across various social forums. It was only during the colonial period and the emergence of the modern nation-state that Sharia underwent processes of codification that increasingly made it resemble positive law as understood within the Western legal tradition.[7]

The distinction between Sharia as a normative divine ideal, fiqh as the product of human reasoning, and state law as a set of rules backed by coercive authority is essential to understanding the book as a whole. When Sharia enters state institutions, it is not simply "implemented"; rather, it first undergoes processes of selection, interpretation, codification, and administration. These processes transform Sharia from a plural normative tradition into a more standardized body of positive law. Accordingly, what is commonly described as the "implementation of Sharia" is fundamentally a sociopolitical process involving legislators, judges, religious scholars (*'ulamā'*), bureaucrats, civil society organizations, and the citizens subject to the resulting legal framework.

This framework brings the sociology of religion into conversation with the sociology of law. In the book's introduction, Turner, Richardson, and Possamai draw on legal pluralism to explain the coexistence of multiple normative orders within a single social space.[8] Although state law possesses formal authority, it does not necessarily serve as the sole guide to people's conduct. Religious norms, customary law, community-based mechanisms, and informal dispute-resolution practices may coexist, reinforce one another, or come into conflict with official law. Sally Engle Merry emphasizes that legal pluralism extends beyond formal juridical recognition to encompass forums, norms, and dispute-resolution mechanisms operating outside state institutions but nonetheless exercising tangible social authority within their communities.[9] Sharia, therefore, can be understood as a form of living law, whose normative force derives not solely from state recognition but also from its social legitimacy within Muslim communities.

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[6] T. Jeremy Gunn and Omar Sabil, "Sharīʿa in the Qur'an: A Word Meaning "Law" or a Metaphor Evoking "Path"?," in *The Sociology of Shari'a: Case Studies from Around the World,* 23–54.

[7] Refer to Wael B. Hallaq, *Sharīʿa: Theory, Practice, Transformations* (Cambridge: Cambridge University Press, 2009), particularly the discussion of the transformation of Sharia from a premodern moral tradition into codified state law in the modern era.

[8] Bryan S. Turner et al., "Introduction: Legal Pluralism and Shari'a," in *The Sociology of Shari'a: Case Studies from Around the World,* 1–22; Michael Kebede, "The Sociology of Shari'a: Case Studies from around the World, Edited by Adam Possamai, James T. Richardson and Bryan S. Turner: New York, Springer, 2015, Viii + 328 Pp., £72.00 (Hardback), ISBN 978-3-319-09604-9," *The Journal of Legal Pluralism and Unofficial Law* 48, no. 1 (2016): 156–58.

[9] Sally Engle Merry, "Legal Pluralism," *Law & Society Review* 22, no. 5 (1988): 869–96. Merry emphasizes that legal pluralism extends beyond formal juridical recognition to encompass norms, forums, and dispute-resolution mechanisms that operate outside state institutions but nevertheless exercise social authority.

Sharia in Muslim-Majority Countries

The first section of the book's case studies demonstrates that a Muslim-majority population does not automatically produce a unified system of Islamic law. Malaysia, for example, is presented as a country with three legal systems associated with Malay-Muslim identity, Indigenous communities, and non-Muslim populations. A. B. Shamsul demonstrates that this pluralism is not merely a juridical construct but also an instrument for managing social cohesion in a multiethnic and multireligious society.[10] The Malaysian experience illustrates the close relationship between religion, ethnicity, federalism, and the distribution of legal authority. This configuration requires readers to understand Sharia not simply as a theological matter, but also as an instrument of identity politics within a plural society. In Bangladesh, Habibul Haque Khondker examines the interaction between modern law, traditional dispute-resolution mechanisms known as *shalish*, and civil society activism.[11] Although *shalish* offers greater social proximity and accessibility than state courts, it can also reproduce gender hierarchies and the dominance of local elites. Civil society therefore plays an important role in challenging discriminatory practices without necessarily dismantling the social functions of local forums. This case demonstrates that legal pluralism does not invariably lead to empowerment. A non-state institution may provide an important avenue for access to justice while simultaneously perpetuating existing inequalities.

The study of Turkey reveals a different paradox. Ihsan Yilmaz examines the evolution of unofficial Muslim family law into a form of Islamist legal pluralism increasingly shaped by Islamic politics under Erdoğan.[12] Turkey has long been regarded as a model of strong secularism. Nevertheless, religious institutions and norms have continued to develop within social life, even when they have not been fully recognized by the state legal system. Subsequent political changes have created greater space for Islamic normativity. This experience demonstrates that state secularization does not necessarily eliminate religious law; rather, it may displace it into informal spheres, from which it can reemerge as political configurations change. Meanwhile, the case of Iran demonstrates that even a state formally founded on Islamic principles is not immune to legal pluralism and interpretive conflict. Roman B. Lewis and Mehran Tamadonfar examine divisions among the religious clergy, institutional rivalries, and pragmatic considerations within the legal system of the Islamic Republic of Iran.[13] An Islamic state is not a monolithic actor speaking with a single voice. Rather, it encompasses competing interests and authorities, including different schools of Islamic jurisprudence, religious institutions, state administrative imperatives, political interests, and societal demands. The study of

[10] A. B. Shamsul, "One State, Three Legal Systems: Social Cohesion in a Multi-Ethnic and Multi-Religious Malaysia," in *The Sociology of Shari'a: Case Studies from Around the World*, 57–76.
[11] Habibul Haque Khondker, "Modern Law, Traditional "Shalish" and Civil Society Activism in Bangladesh," in *The Sociology of Shari'a: Case Studies from Around the World,* 77-97.
[12] Ihsan Yilmaz, "Evolution of Unofficial Muslim Family Laws to Islamist Legal Pluralism in Erdogan's Turkey," in *The Sociology of Shari'a: Case Studies from Around the World,* 99–116; Compare with Ihsan Yilmaz, *Sharia as Informal Law: Lived Experiences of Young Muslims in Western Societies* (London: Routledge, Taylor & Francis Group, 2024).
[13] Roman B. Lewis and Mehran Tamadonfar, "The Clerics, Legal Schisms, and Pragmatism in the Islamic Republic of Iran," in *The Sociology of Shari'a: Case Studies from Around the World,* 117–139.

Morocco similarly reveals a degree of ambivalence in the relationship between religion, legislation, the monarchy, and social change.[14]

Taken together, these case studies lead to an important conclusion: Sharia in Muslim-majority countries is not a normative system that exists independently of politics. Its formulation and implementation emerge from negotiations among religious legitimacy, state interests, social change, and the need to maintain stability. This conclusion is consistent with Jan Michiel Otto's comparative study of twelve Muslim countries, which demonstrates that the status of Sharia in national legal systems varies considerably, ranging from merely symbolic recognition to its full incorporation into criminal and civil legislation.[15] In this regard, "Islamization of law" does not necessarily entail the direct expansion of religious teachings into the legal system; it may also involve the bureaucratization and politicization of religious authority.

Sharia in the Context of Muslim Minorities

The section examining Muslim-minority contexts broadens the analysis by demonstrating that Sharia may receive limited formal recognition, persist through informal practices, or become the subject of public controversy. In the Philippines, the existence of Sharia courts and the Code of Muslim Personal Laws demonstrate the formal recognition of Muslim personal law within a country whose population is predominantly Catholic.[16] This recognition is not merely a matter of religious freedom; it is also closely connected to the history of conflict, Bangsamoro identity, and the state's efforts to accommodate Muslim communities in the southern Philippines. The cases of Italy and Germany illustrate how European states seek to accommodate the religious needs of Muslim communities within the framework of secular constitutions. Vito Breda examines a model of Sharia accommodation in predominantly Catholic Italy, while Wolf D. Ahmed Aries, Cemil Şahinöz, and James T. Richardson demonstrate the process of trial and error in the relationship between Muslims, Sharia, and the German legal system.[17] The debates extend beyond the legal recognition of family law to encompass education, religious organizations, religious symbols, community-based mediation, and the position of Islam in the public sphere.

The study by Marie-Claire Foblets and Hatem Elliesie on the slaughter of animals without prior stunning demonstrates that controversies surrounding Sharia in

[14] Amal Idrissi and Hassan Filali Ansary, "Equivocal Attitudes to Religion in Moroccan Law and Society," in *The Sociology of Shari'a: Case Studies from Around the World,* 141–158.
[15] Jan Michiel Otto, *Sharia Incorporated. A Comparative Overview of the Legal Systems of Twelve Muslim Countries in Past and Present* (Leiden: Leiden University Press, 2010). Otto demonstrates that the status of Sharia in the national legal systems of Muslim-majority countries varies considerably, ranging from symbolic recognition to its full incorporation into legislation.
[16] Isabelita Solamo Antonio, "The Philippine Shari'a Courts and the Code of Muslim Personal Laws," in *The Sociology of Shari'a: Case Studies from Around the World,* 161–181.
[17] Vito Breda, "Shari'a Law in Catholic Italy: A Non-Agnostic Model of Accommodation," in *The Sociology of Shari'a: Case Studies from Around the World,* 119–137; Wolf D. Ahmed Aries et al., "Trial and Error: Muslims and Shari'a in the German Context," *The Sociology of Shari'a: Case Studies from Around the World,* 221–237.

Europe also extend beyond the domain of family law.[18] States must balance religious freedom, animal welfare, economic interests, and majority values. This suggests that debates over Sharia do not simply involve a confrontation between Islamic law and state law; rather, they bring together multiple rights and interests, each grounded in its own moral and legal claims.The chapter on Muslim women in Australia is particularly important because it challenges the portrayal of women as merely passive victims of religious law. Helen McCue and Ghena Krayem examine Muslim women's agency in a multicultural context, focusing particularly on changes in sports culture.[19] Agency, in this context, is not necessarily expressed through the rejection of religion. Rather, women may draw on Islamic values, symbols, and norms to negotiate their participation in public life. This perspective helps avoid two forms of reductionism: romanticizing Sharia as a system that is inherently just, and assuming that emancipation can only be achieved by abandoning religious identity. The experiences of China and South Africa further highlight the role of history and state power. Yuting Wang examines the practice of living Islam at the intersection of the sacred and the secular within China's political system, while Wesahl Domingo situates the struggle for legal recognition of Muslim personal law in South Africa within the historical trajectories of colonialism, apartheid, and constitutional democracy.[20] In both cases, legal recognition cannot be separated from identity politics, experiences of subordination, and the boundaries of citizenship.

Critical Reflections on Contemporary Sharia Studies

The final two chapters seek to elevate the findings of the case studies to a theoretical level. Richardson draws on William Chambliss's sociology of law to explain conflicts, structural contradictions, and temporary resolutions of demands for the recognition of Sharia in the United States, Australia, and Canada.[21] Law is understood not as the outcome of a settled consensus, but as the product of dialectical interactions among social groups with different resources and interests. Legal resolutions are therefore provisional: compromises accepted at a particular moment may be challenged again when the political landscape or public perceptions change. Possamai subsequently situates legal pluralism and Sharia within S. N. Eisenstadt's theory of multiple modernities and Jürgen Habermas's conception of the post-secular society.[22]

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[18] Marie-Claire Foblets and Hatem Elliesie, "Islam in Europe: Balancing Between Conflicting Values and Interests – The Case of Unanaesthetised Slaughter of Animals," in *The Sociology of Shari'a: Case Studies from Around the World*, 239–252.

[19] Helen McCue and Ghena Krayem, "Shari'a and Muslim Women's Agency in a Multicultural Context: Recent Changes in Sports Culture," in *The Sociology of Shari'a: Case Studies from Around the World*, 183–199.

[20] Yuting Wang,c"Between the Sacred and the Secular: Living Islam in China," in *The Sociology of Shari'a: Case Studies from Around the World*, 253–275; Wesahl Domingo, "The Case of the Recognition of Muslim Personal Law in South Africa: Colonialism, Apartheid and Constitutional Democracy," in *The Sociology of Shari'a: Case Studies from Around the World*, 277–300.

[21] James T. Richardson, "Contradictions, Conflicts, Dilemmas, and Temporary Resolutions: A Sociology of Law Analysis of Shari'a in Selected Western Societies," in *The Sociology of Shari'a: Case Studies from Around the World*, 303–324.

[22] S. N. Eisenstadt, "Multiple Modernities," *Daedalus* 129, no. 1 (2000): 1–29; Jürgen Habermas, "Religion in the Public Sphere," *European Journal of Philosophy* 14, no. 1 (2006): 1–25.

Modernity does not necessarily have to follow a single path of secularization that entirely displaces religion. Rather, each society may develop a distinct relationship among religion, law, the state, and the public sphere. Drawing on the Australian experience, Possamai proposes a multi-faith pragmatic modern approach as a third way between fragmented legal pluralism and legal universalism, which rejects all forms of religious particularity.[23] This proposal represents one of the most provocative contributions of the book. Recognizing diversity does not necessarily entail the establishment of entirely separate legal systems based on religious affiliation. Instead, the state can develop pragmatic forms of accommodation through general law, mediation, administrative policies, and public dialogue, provided that human rights, equality, and individual freedoms remain protected. This model seeks to preserve legal unity while acknowledging the reality that citizens may inhabit more than one normative world.

The legal pluralism framework that forms the backbone of this book owes much to the works of Griffiths and Tamanaha, as discussed earlier. Ironically, long before publishing "Understanding Legal Pluralism", Tamanaha had already offered a sharp critique of the concept in his essay. He argued that legal pluralism rests on analytically unstable foundations because the boundary between what counts as "law" and what constitutes merely a social norm or custom has never been established consistently.[24] If this distinction is disregarded, any form of social regulation risks being classified as "law" simply because it governs behavior, thereby depriving the concept of legal pluralism of its analytical distinctiveness. This critique of the conceptual foundations of legal pluralism, developed by Tamanaha himself, receives little explicit attention in the volume edited by Possamai, Richardson, and Turner. Yet this tension becomes particularly apparent when several chapters place informal forums such as shalish in Bangladesh alongside formal Sharia courts in the Philippines as equivalent "manifestations of legal pluralism," despite fundamental differences in their degree of state recognition, coercive authority, and institutional structure.

A more radical critique comes from Wael Hallaq. Whereas the volume edited by Possamai, Richardson, and Turner treats "state Sharia" as one variant of legal pluralism that can be accommodated within the framework of the modern nation-state, Hallaq argues that such a project is structurally impossible and inherently contradictory.[25] According to Hallaq, the modern state, with its unitary sovereignty,

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[23] Adam Possamai, "Shari'a and Multiple Modernities in Western Countries: Toward a Multi-Faith Pragmatic Modern Approach Rather Than a Legal Pluralist One?," in *The Sociology of Shari'a: Case Studies from Around the World*, 325–338.

[24] Brian Z. Tamanaha, "The Folly of the "Social Scientific" Concept of Legal Pluralism," *Journal of Law and Society* 20, no. 2 (1993): 192–217; Brian Z. Tamanaha, *Legal Pluralism Explained: History, Theory, Consequences* (Oxford: Oxford University Press, 2021). Tamanaha argues that the concept of legal pluralism rests on an unstable boundary between "law" and what constitutes merely a social norm or custom, thereby risking the loss of its analytical distinctiveness when applied without clear criteria.

[25] Wael B. Hallaq, *The Impossible State: Islam, Politics, and Modernity's Moral Predicament*, (Columbia: Columbia University Press, 2014). Hallaq argues that an "Islamic state," by any standard definition of what constitutes a modern state, is impossible and inherently contradictory because the unitary sovereignty and centralized bureaucracy of the modern state are incompatible with the dispersed and plural structures of legal authority in the premodern Islamic tradition.

centralized bureaucracy, and positivist-legislative production of law, is fundamentally incompatible with the premodern Islamic legal order, which rests instead on the dispersed authority of the ulama and plural forms of legal reasoning. If Hallaq's argument holds, what the book describes as the "implementation of Sharia by the state" is not merely an instance of pluralist accommodation but rather a process of domestication. Sharia is not simply reinstated; it is fundamentally transformed to make it compatible with the framework of the modern state. This perspective invites readers to question more deeply whether the term "Sharia," as used throughout the book, still refers to a phenomenon substantially continuous with the premodern Islamic legal tradition, or whether it has become something categorically different or entirely new.

This critique can be taken further by tracing the colonial origins of the concept of legal pluralism itself. Ratno Lukito, Daniel S. Lev, and Peter Fitzpatrick demonstrate that the separation of Islamic law, customary law, and state law in the Dutch East Indies was not a neutral description of normative diversity, but rather an instrument of colonial control. Through the receptie theory, the Dutch colonial government subordinated Islamic law to customary law, making its applicability dependent on social acceptance rather than recognizing it as an autonomous legal system.[26] The implications for the present discussion are significant. When Griffiths, Tamanaha, and subsequently Possamai, Richardson, and Turner employ "legal pluralism" as an ostensibly neutral analytical framework for examining the diversity of Sharia across the world, they risk unconsciously reproducing categories that originated in colonial efforts to divide and control indigenous legal authority.

Interestingly, this kind of decolonial critique does not necessarily align with Hallaq's structural pessimism. Santoso and his colleagues, in their study, adopt a more optimistic approach.[27] The first wave of Sharia-based local regulations (Perda Syariah) in Indonesia—including bans on alcoholic beverages, mandatory Muslim dress codes, and corporal punishment by flogging—has been criticized as a form of uncritical inheritance of colonial legal positivism. Drawing on Audre Lorde's famous formulation that "the master's tools will never dismantle the master's house," this first wave is seen as reproducing the very legal structures it seeks to challenge. By contrast, a second wave, described as "going beyond formalization," encompassing halal tourism regulations and policies to prevent child marriage based on maqasid sharia, is considered to have moved beyond this colonial framework through substantive reinterpretation of legal content. Yet an important question remains: if the legal "container"—the state's unitary sovereignty to authorize and enforce legal

[26] Ratno Lukito, *Legal Pluralism in Indonesia: Bridging the Unbridgeable* (London: Routledge, 2012); Peter Fitzpatrick, *The Mythology of Modern Law* (London: Routledge, 1992); C. A. O. van Nieuwenhuijze, "Islamic Courts in Indonesia. A Study in the Political Bases of Legal Institutions: By Daniel S. Lev. Berkeley: University of California Press. 1972. 281 Pp. $12.50," *Pacific Affairs* 46, no. 2 (1973): 349–350; Daniel S. Lev, *Islamic Courts in Indonesia: A Study in the Political Bases of Legal Institutions* (California: University of California Press, 1972). All three demonstrate that the separation of Islamic law, customary law, and state law in the Dutch East Indies through the receptie theory functioned as a technology of colonial control rather than as a neutral description of normative diversity.

[27] Lukman Santoso et al., "Islamising Policy or Decolonising Law? Constitutional Negotiation in Indonesia's Local Sharia Regulations," *Indonesian Journal of Islamic Law* 9, no. 2 (2026): 171–201.

instruments through local regulations—remains unchanged, does replacing punitive and symbolic "content" with progressive and substantive provisions genuinely dismantle the master's house, or does it merely renovate its interior while leaving its colonial foundations intact? This question does not negate the normative achievements of policies such as the prevention of child marriage. Rather, it highlights the need for more precise criteria of legal decolonization to distinguish structural transformation from the mere replacement of legal content within an unchanged institutional framework.

The tension among these three strands of critique—one questioning the conceptual boundaries of legal pluralism, another challenging the structural compatibility of Sharia with the modern state, and a third tracing the colonial origins of the legal pluralism framework itself—could, in fact, enrich the intellectual agenda of the book. However, since these critiques are not explicitly addressed by the contributors, readers need to consider the book's accommodative optimism alongside such structural and genealogical skepticism. This would prevent the thesis of the "future of legal pluralism," advanced by Turner and Richardson in the concluding chapter, from being accepted too uncritically.

Although the book bears the subtitle *Case Studies from Around the World*, its geographical coverage does not fully capture the diversity of global experiences. Indonesia, the world's largest Muslim-majority country, with a legal system that brings together Islamic law, customary law, state law, and decentralization, is notably absent as a dedicated case study. This omission is particularly striking because Indonesia offers an important laboratory for the sociology of Sharia. Its institutional and legal landscape encompasses religious courts, the Compilation of Islamic Law (Kompilasi Hukum Islam), Islamic economic law, religious organization fatwas, Aceh's qanun, local regulations with religious orientations, and locally embedded family law practices. John Bowen's study of Islamic legal reasoning in Aceh, for example, demonstrates the complexity of the interactions among Sharia, customary law, and modern conceptions of equality in Indonesia,[28] while Euis Nurlaelawati provides an in-depth examination of how religious court judges negotiate the Compilation of Islamic Law in everyday judicial practice.[29]

Robert Hefner also identifies post-Reformasi Indonesia as one of the most dynamic arenas for movements advocating the implementation of Sharia through local regulations, particularly following the decentralization of authority to district and municipal governments.[30] The absence of a dedicated chapter on Indonesia becomes even more puzzling given that R. Michael Feener has produced a detailed ethnographic and archival study of how the state Sharia system in post-tsunami Aceh

[28] Refer to John R. Bowen, *Islam, Law, and Equality in Indonesia: An Anthropology of Public Reasoning* (Cambridge: Cambridge University Press, 2003). Bowen demonstrates how Islamic legal reasoning in Indonesia unfolds through its engagement with customary law and modern conceptions of equality.
[29] Refer to Euis Nurlaelawati, *Modernization, Tradition and Identity: The Kompilasi Hukum Islam and Legal Practice in the Indonesian Religious Courts* (Amsterdam: Amsterdam University Press, 2010).
[30] Robert W. Hefner, *Shari'a Politics: Islamic Law and Society in the Modern World* (Indiana: Indiana University Press, 2011); Lukman Santoso et al., "Halal Tourism Regulations in Indonesia: Trends and Dynamics in the Digital Era," *Ijtihad : Jurnal Wacana Hukum Islam dan Kemanusiaan* 22, no. 1 (2022): 73-94. Studies of Indonesia in this context demonstrate how post-Reformasi decentralization opened up space for Sharia-oriented local regulations in a number of districts and municipalities.

was deliberately designed as an instrument of social engineering, shaped by modern da'wah discourses as well as global models of disaster reconstruction. Had this case study been included, it would have significantly enriched the book's comparative analysis.[31] The availability of such an extensive body of secondary literature further suggests that the absence of an Indonesian chapter cannot be attributed to a scarcity of research material, but rather points to an oversight in the book's comparative design. Although scholarship on constitutional reform and Sharia in Indonesia appears in the introductory references, the Indonesian experience has not been integrated into the book's main comparative analysis.[32]

The coverage of Africa and South Asia is also limited. Countries such as Nigeria, India, and Pakistan, for example, could have enriched the analysis of federalism, personal law, interreligious conflict, and constitutional politics. Although the distinction between "Muslim-majority" and "Muslim-minority" countries facilitates the organization of the volume, it risks giving demographic composition disproportionate analytical weight. Other factors—including state structures, colonial histories, authoritarianism, federalism, and judicial independence—may be more consequential than the size of a country's Muslim population. Moreover, the quality and methodological depth of the individual chapters are not entirely consistent, a common challenge in edited volumes. Some chapters offer strong theoretical engagement, whereas others are primarily descriptive and historical in orientation. The effort to bring the cases together through Chambliss's theory, legal pluralism, and multiple modernities becomes most evident in the concluding section.

The connections among the chapters would be more coherent if a common set of comparative questions had been established from the outset. These might include: Who has the authority to define Sharia? How are legal forums selected? Who benefits from particular legal arrangements, and who bears the risks? What mechanisms are in place to protect vulnerable groups? Such questions are already available within the literature on legal pluralism, particularly in Griffiths's distinction between weak and strong legal pluralism. However, they have not been explicitly adopted as guiding questions for all contributors from the outset. Gender has been addressed in the volume, but it has not yet become a fully consistent analytical lens across all the case studies. In practice, legal pluralism often has direct implications for women and children in matters of marriage, divorce, child custody, maintenance, and inheritance. The recognition of community autonomy does not necessarily translate into the freedom of individual community members. Accordingly, the analysis of Sharia requires a multilayered assessment that considers communal legitimacy, individual consent, substantive equality, and effective access to state courts.

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[31] Refer to R. Michael Feener, *Shari'a and Social Engineering: The Implementation of Islamic Law in Contemporary Aceh, Indonesia* (Oxford: Oxford University Press, 2013); Arskal Salim, *Challenging the Secular State: The Islamization of Law in Modern Indonesia* (Honolulu: University of Hawai'i Press, 2008). Feener provides a detailed account of how the state Sharia system in post-tsunami Aceh was designed as an instrument of social engineering, shaped both by modern da'wah discourses and global models of disaster reconstruction.

[32] Nadirsyah Hosen, *Shari'a & Constitutional Reform in Indonesia* (Pasir Panjang: Institute of Southeast Asian Studies, 2007); Bryan S. Turner et al., "Introduction: Legal Pluralism and Shari'a," in *The Sociology of Shari'a: Case Studies from Around the World,* 1–22.

The Strengths and Contributions to the Development of Sharia Studies

One of the book's principal strengths lies in its success in demystifying Sharia. Sharia is not portrayed as a uniform, static entity or as something inherently incompatible with the modern state. The case studies demonstrate that Sharia practices are invariably context-dependent. Their status is shaped by history, demographics, constitutional arrangements, institutional structures, and relations between Muslim communities and the state. This approach is particularly valuable in challenging both Islamophobic discourse and formalist claims that treat Sharia as though it could be transferred intact from religious texts into legislation. A second strength is the use of legal pluralism as a bridge between Islamic law and social realities. The book helps readers understand that religious norms can operate without formal recognition, while state recognition does not necessarily make those norms effective or just. Legal effectiveness is also shaped by community acceptance, access to institutions, the distribution of power, and the position of vulnerable groups. In this respect, the book provides a strong foundation for empirical legal studies that move beyond the analysis of legal regulations alone, an approach consistent with the tradition of the sociology of law developed by Griffiths and further advanced by Tamanaha. A third strength lies in the breadth of its comparative analysis of Muslim-majority and Muslim-minority societies. The book moves beyond the simplistic dichotomy of "Islam versus the West." Muslim-majority countries, it demonstrates, also face complex conflicts over legitimacy and legal pluralism, while Western countries do not necessarily reject Sharia altogether. Recognition and rejection occur selectively, depending on the area of law, political interests, and perceptions of social risk. This comparative strength distinguishes the book from studies of Sharia that tend to be monographic in scope and confined to a single geographical region.

The Sociology of Shari'a makes an important contribution to the sociology of law, the sociology of religion, and the study of legal pluralism. The book demonstrates that Sharia cannot be understood solely in terms of the presence or absence of Islamic legislation. Its manifestations must instead be examined through the interactions among religious texts, state interests, the authority of ulama, community identities, colonial experiences, individual agency, and human rights demand. Through its comparative approach, the volume shows that the relationship between Sharia and the modern state does not produce a definitive resolution but rather generates normative configurations that remain subject to continuous negotiation. Legal pluralism can create opportunities for recognition and access to justice, but it can also perpetuate inequality. Conversely, legal universalism can safeguard equality, yet it risks overlooking the particular needs of minority communities. The central challenge, therefore, is not to choose between Sharia and state law, but to develop a legal order capable of accommodating diversity while maintaining its commitment to human dignity, equality, and constitutional justice. Although the book's geographical coverage does not fully represent the diversity of Muslim experiences around the world, its comparative scope and sociological perspective make it a valuable reference for students, lecturers, and researchers in law, Islamic law, the sociology of law, and religious studies. The volume helps readers understand Sharia as a living normative

order that is contested, debated, and continually transformed alongside the societies in which it operates.

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