

Book Reviews/Comptes rendus

JOHN R. BOWEN, *Islam, Law and Equality in Indonesia: An Anthropology in Public Reasoning*. Cambridge: Cambridge University Press, 2003, xvi + 282 p. Index.

Religion, law, politics, culture and social change in Indonesia are enduring themes in Bowen's anthropology. In this work, Bowen creatively uses his previous work to pose new questions regarding the formation of livable political communities. He provides a complex and innovative account of how people in normative pluralistic societies such as Indonesia make sense, argue, debate, interpret, reason about, competing values and norms and how such reasoning legitimizes/justifies the ways they transform their world. Starting with an exploration of competing conceptions of justice and their impact on family life, Bowen investigates the unexpected and novel ways ordinary people, judges, jurists, social activists, political commentators, religious leaders, state officials and politicians, all located in historically evolving socio-political and spatial contexts (village, city, nation), debate the validity and utility of local practices and norms, law, religion, national and global secular ideologies in solving family disputes about land control, transmission of property and inheritance, marriage and divorce.

According to Bowen, conflicts within and among normative domains are managed through public reasoning which acknowledges the existence and validity of claims made by co-existing normative domains. Despite the contradictions and complexities of reconciling constantly changing economic, social and political conditions with conflicting precedents and principles of custom, religion and secularism, Bowen argues public reasoning translates cultural ideas of fairness and justice into rules of law and refashions local, secular and religious views while retaining their perspective foundational doctrines and worldviews. In doing so, Bowen questions the methodological essentialism of liberal political theory and its multiculturalist critics who situate problems of cultural pluralism within oppositional dichotomies of difference. Instead, Bowen proposes an understanding of cultural pluralism based on interpretative participation of social actors in debating and creating norms and rules compatible with social diversity rather than in opposition to it; the interplay of values and reasoning may not lead to complete agreement, but it can create conditions for coexistence and some degree of recognition and acceptance of differing political and cultural beliefs.

In articulating views and perceptions of multiple conceptions of plurality, Bowen holds views which may not be quite novel, but are worth reiterating. Consensus and agreement do not preclude conflict and coercion or effectively address social inequalities. Legal rules and regulations may be normatively argued but it is institutional power, not norms, that determines outcomes of conflict. Law and legal practices are constantly shaped by religious, moral, political and economic values and forces. Islam is a historically and socially rooted religion responding and adjusting to social and legal changes and interpretations. What is missing from Bowen's account, however, is an elaboration of the relationship between interests and public reasoning, an omission he readily admits to. *Islam, Law and Equality in Indonesia* will appeal to a broad audience, besides South East Asian specialists. Bowen's blending of sociology of justification, sociological pragmatism and discourse analysis provides a new orientation for a sociologically informed political theory addressing issues of multiculturalism, cultural change, and law-society relations. His micro-histories of court documents which allow for an analysis of decision-making ranging from colonial to post colonial socio-political milieus will be of particular interest to sociologists and anthropologist of law. Those who work on alternative dispute resolutions will find Bowen's critical treatment of consensual agreements quite illuminating. Those who are interested in Islam will find an extremely sophisticated account of a religion usually distorted in the highly ideological terrain of global politics.

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