SHARI'A AS LOCAL THEOLOGY:
Reflection on Acehnese Culture and Identity

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Abstract: This article elucidates local theology, which encapsulates in the work of shari'a in Acehnese contexts. The argument of this article is grounded in the Acehnese historical epochs in which Acehnese cultural identity were formulated. I argue that Acehnese shari'a is the set of local rituals, beliefs and ideas as the production of local interpretation of Islam, which responds to local cultural identity. That version of Islam works as local theology, which embodies sacred and divine values and is perceived as local identity and ideology. Building on Tibi's, Salim's and Nuim's argument on shari'a and Hall's perspective on identity and ideology, I examine the work of shari'a in Acehnese historical times, and its relation to Acehnese culture and ideology. There are four indications that shari'a holds central role in formulating the Acehnese theology, where local cultural identity and ideology are seen as part of Islamic religiosity, namely the process of Islamization of Southeast Asia, the function of local Islamic traditional boarding education (*dayah*), the distribution of local power, and the work of local arts.

Keywords: shari'a, islamization, local theology, Acehnese, culture, identity

Introduction

UPON the application of shari'a in Aceh, there are two major perceptions about it. Many traditional scholars[1] view that Jakarta has initiated shari'a for Aceh. The Acehnese people should, therefore, be grateful to the central government for the gift. This statement implies that as if shari'a is still new for the Acehnese, which has no historical and cultural grounds in Aceh. However, there is another view that rejects the first view. Proponents of the second view believe that shari'a introduced by the central government of Indonesia is completely different from the version that has been experienced by the Acehnese in their epochal history.[2]

Debates continue about the best strategies for implement shari'a in Aceh. As a result, both groups have reached no agreement on the ways of implementing shari'a in Aceh. The central argument of this article is that Acehnese shari'a is not only meant as the system of law, but it also serves as theology that develops Acehnese ideology and identity for cultural actions. This article thus aims to explain the nature of Shari'a in Aceh and to bring basic argument to counter the scholars overlooking this nature of Acehnese shari'a.

I will elaborate many different definitions of the shari'a concepts, which is heatedly debated by scholars concerning the implementation of shari'a in Aceh in the present time. Confirming one definition that supports my argument, I, then, will connect the concept with the notion of identity that is constructed throughout the history of the Acehnese people. In elaborating the role of the shari'a as local theology, I discuss how the cultural identity is played and used and why this is set to become an ideology. Finally, I argue that shari'a is the Acehnese

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[1] Nurjannah Ismail, "Syari'at Islam dan Keadilan Gender," in *First International Conference of Aceh and Indian Ocean Studies* (Banda Aceh, 2006). Rusjdi Ali Muhammad, *Revitalisasi Syari'at Islam di Aceh: Problem, Solusi, dan Implementasi* (Jakarta: Logos, 2003).

[2] See Fadhullah Willmot, "Syariah di Aceh: solusi atau masalah?," in *Accord; Rekonfigurasi Politik: Proses Perdamaian Aceh*, ed. Aguswandi and Judith Large (London: Conciliation Resources, 2008); Michael Feener, "Social Engineering through Shari'a: Islamic Law and State-Directed Da'wa in Contemporary Aceh," *Islamic Law and Society* 19, no. 2012 (2012).

theology, which serves as the basis for Acehnese cultural identity and ideology.

Interpreting Shari'a as Local Theology and Cultural Identity

Shari'a is, an Arabic word, literally means a path to water.[3] However, many scholars have not reached consensus about the definition of Shari'a.[4] For example, Arskal Salim in his current book *Challenging the Secular State: the Islamization of Law in Modern Indonesia*, has identified many different approaches to shari'a. Salim concludes that there are three different mainstream views on shari'a among Acehnese Scholars. Firstly, the term shari'a refers as to Islamic law (*fiqh*), which is correspondence to law in the western term. This is the classic opinion on the shari'a in Aceh. Secondly, the term refers to the body of institutions, which are in charge of applying the canons or shari'a laws. Many studies in the contemporary Aceh are of the opinion that shari'a is the embodiment of institutions such as the Consultative Council of Ulama (*Majelis Permusyawaratan Ulama*/MPU), Shari'a Judiciary (*Mahkamah Syariah*), Shari'a police (*Waliyatul Hisbah*) and so forth.

Salim, however, disagrees over the above views. He is of the opinion that shari'a is the collection of principles or a natural way of life. He is convinced that shari'a is not only about the law and institutions, but it is also system of law. He states:

> Many proponents of the formal implementation of shari'a characterize Islam as essentially a legal phenomenon. This has much to do with the fact that many modern Muslim scholars emphasize only the legal subject matter in defining the shari'a. No wonder then that the term

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[3] Yusof Qordhawy, *Madkhal li darasah al-Sharī'ah al-Islāmiyah* (Jazair: Muassah al-Risālah, 1990), 9.

[4] Ichwan, "The Politics of Shari'atization: Central Governmental and Regional Discourses of Shari'a Implementation in Aceh."; Mark Cammack, "Indonesia's 1989 Religious Judicature Act: Islamization of Indonesia or Indonesianization of Islam?," in *Shari'a and Politics in Modern Indonesia*, ed. Arskal Salim and Azyumardi Azra (Singapore: Institute of Southeast Asia Studies, 2003).

shari'a is used interchangeably with 'Islamic law.' Yet this is not really accurate.[5]

His view on shari'a as a set of principles regarding Islamic legal system is compatible with the modern nation state system, which is close to the meaning of ideology as emphasized by many post-structuralist scholars. Within the western hegemony of Islamic discourses, the concepts of Islam, *fiqh* (Islamic law) and shari'a are often used interchangeably. This makes the terms are vaguely understood. Analyzing the frequencies of the way the terms used in Islamic history, Islam and shari'a are the terms that are used for a broader meaning than the term of *fiqh* because it has always been used for the narrowest meaning. Islam is mostly meant as the general term which encompasses those two terms that mostly signifies the practices, the values and the thoughts in the neutral condition. While the term *fiqh* only assigns for Islamic law as the production of Islamic law thoughts. Although, there is a tendency to broaden the scope of *fiqh* within the realm of Islamic knowledge, however, it does not transgress the boundary of thoughts regarding ordering human behaviors.

As for shari'a, I argue that it both signifies the meaning of Islam. But it might also involve the meanings of power, strategy for gaining people consent and accomplishing political agendas. When the shari'a means a set of beliefs, which are constructed within historical moments and cultural events and it connects and controls any cultural practice, it then signifies as the cultural identity. However, when it is in play, and accompanies with using power and people's consents for the purpose of politics, this term signifies as ideology. Therefore, the meaning of shari'a, as a set of law, Islamic legal institutions and even the legal system are inadequate. I propose another definition. Here shari'a is understood as local theology which responds to cultural identity. In the local context, it functions as the ideology of the Acehnese people. Thus, the term shari'a both signifies cultural identity and ideology of Acehnese theology.[6]

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[5]Salim, *Challenging the Secular State…*, 11.
[6]Bassam Tibi, "John Kelsay and 'Sharia Reasoning' in Just War in Islam: An Appreciation and a Few Propositions," *Journal of Church and State*, Winter,

Accordingly, many scholars see that the Islamization of Southeast Asia, in particular Aceh, has proceeded through indigenous and contextual,[7] and syncretistic ways.[8] Islam, which is derived from the Qur'an and Ḥadīst scripts, is interpreted and developed locally adapted to its local cultural context.[9] Tibi and Cammack have recognized that the process of indigenousition of Islam as shari'a. They argue that shari'a in a local level has become as local culture and identity, since it generates mobiluzation and power to go against collective thread, such as colonization and cultural hegemony.

Ricci comprehensively elaborates this perception of Islam, which, in the Acehnese context, I call as Acehnese shari'a. In agreement with Ricci, Saleh explains about the context of shari'a as the manifestation of Acehnese theology:

> In the seventeenth century some Sufi "*ulama*", such as Nur al-Din al-Raniri (d. 1666), Abd al-Rauf of Singkel (d. 1699), and al-Shaykh Yusuf of Macassar (d. 1696) tried to introduce new perspectives on Sufism as well as to bring it closer to the domain of the *Shari`ah*.[10]

The script above shows the development of Islamization of Southeast Asia and that Islamization tends to formulate local theology.

The work of Acehnese Cultural Identity

Many studies have focused on the Acehnese identity. However, they do not have the same perception about the essence of the Acehnese culture. For instance, Snouck

no. 53, 1 (2011); ———, *Islam between Culture and Politics* (New York: Palgrave, 2001).

[7] Azyumardi Azra, "Indonesian Islam, Mainstream Muslims, and Politics," in *Taiwanese and Indonesian Islamic Leaders Exchange Project* (The Asia Foundation in Taiwan, 2006);.

[8] Martin van Bruinessen, "Traditionalist and Islamist Pesantrens in Contemporary Indonesia," in *The Madrasa in Asia Political Activism and Transnational Linkages*, ed. Yoginder Sikand, Farish A. Noor, Martin van Bruinessen (Amsterdam: ISIM, Amsterdam University Press, 2008).

[9] Ronit Ricci, *Islam Translated: Literature, Conversion, and the Arabic Cosmopolis of South and Southeast Asia* (London: The University of Chicago Press, 2011).

[10] Fauzan Saleh, *Modern Trends in Islamic Theological Discourse in 20th Century Indonesia: A Critical Survey* (Leiden: Brill, 2001), 105.

Hurgronje in his seminal book *The Acehnese* confirmed that Islam has no essential role in the Acehnese society. He advocates that traditions and custom are their identity and cultural markers.[11] Although being aware of the Acehnese traditions, Andaya, Reid and Salim argue that Islam is the Acehnese cultural identity for it has very deeply influenced the structure of the Acehnese culture. [12] With considering the Islamic role in the society, Aspinal along with other scholars argue that localism and nationalism are their cultural identity for they view that the local tradition and nationalism become the most dominant elements of the Acehnese cultural identity and history.[13]

I argue such different perceptions occur because the studies tend to use the essentialist approach in signifying the meaning of cultural identity. Here I refer to Hall's concept of cultural identity. According to Hall, there are two possible ways to approach the meaning of cultural identity. Both approaches are mutually related. The first articulation is a "collective or true self hiding inside the many others, more superficial or artificially imposed 'selves' which a people with a shared history and ancestry hold in common."[14] The second one is a matter of 'becoming' as well as of 'being'.[15]

Hall's first definition of cultural identity resembles essentialist understanding of the term. It confirms that there is an essential core of the concept. This definition meets the way

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[11] Snouck Hurgronje, *The Acehnese*, trans. A. W. S. O'SULLIVAN (Leiden: E. J. Brill, 1906).

[12] Leonard Y. Andaya, "Aceh's Contribution to Standards of Malayness," *Archipel* 61 (2001); Peter Riddell, "Aceh in the Sixtenth and Seventeenth Centuries: 'Serambi Mekkah' and Identity," in *Verandah of Violence: The Historical Background of the Aceh Problem*, ed. Anthony Reid (Singapore, Seattle: Singapore University Press, University of Washington Press, 2006); Anthony Reid, "War, Peace, and the Burden of History in Aceh," *Asian Ethnicity* 5, no. 3 (2010).

[13] Edward Aspinall, *Islam and Nation: Separatist Rebellion in Aceh, Indonesia* (Stanford, California: Stanford University Press, 2009); Tengku Hasan Tiro, "The price of Freedom : the Unfinished Diary of Tengku Hasan di Tiro," (National Liberation Front of Acheh Sumatra, 1984).

[14] Stuart Hall, "Introduction: Who Needs Identity? ," in *Questions of Cultural Identity*, ed. Stuart Hall and Paul Du Gay (London: 1996), 4.

[15] Ibid.

of essentialist approach to the term, such as, Leonard Charles Mwenesi. He defines states that cultural identity generally refers to the qualities that make a particular culture relatively unique i.e. the various social, economic and political norms and values that in totality make a particular culture exist relatively distinctly from another. One possible logical thought regarding Hall's essentialist stance is merely a strategic purpose in order to be able to mobilize and play power of location through the notion of cultural identity.[16]

From the first Hall's definition, it is understood that cultural identity is what to be considered as the common or sameness in collective context of cultural practices and historical resources for which is necessary included to discern its difference from relations to the others. In other words, cultural identity is a collective or social consciousness, which is constructed by people from one experience to other experiences in different times and backgrounds. This occurs through a long dialectical and historical community development. The culture is created and the people develop it as the spirit of togetherness and the effort of making differences to the otherness.

However, the second way of defining the term is suited to the non-essentialist meaning. Hall means of "becoming and being" is that cultural identity, on the one hand, is the process of changing from one condition to other condition in the continuous time. In once time, the cultural identity may find its essential meaning in the past, but later, in other times, it changes constantly. On the other hand, that change does not impose and instill from outside the members, which make their selves to become other selves.

A question then may be asked; why and how the change of the process of being and becoming may occur? Hall answers this question by saying that it is because of the requirement of representation.[17] Representation does not only produce culture

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[16]Leonard Charles Mwenesi, *How is Art and Art Education Relevant for the Construction of a Tanzanian National Cultural Identity within the Context of a Hegemonic Globalism?* (Alberta: University of Alberta, 1998).

[17] Stuart Hall, "Gramsci's Relevance for the Study of Race and Ethnicity," in *Stuart Hall: Critical Dialogues in Cultural Studies*, ed. David

and identity, but also changes culture and identity. Since representation entails negotiation, playing power and positioning the selves with differences, the subjects of representation should actively play their role to maintain their position within representation. Hall has showed many ways about playing this role. He states:

> The concept of identity deployed here is therefore not an essentialist, but a strategic and positional one.[18]

> ……identities are the names we give to the different ways we are positioned by, and position ourselves within, the narratives of the past.[19]

> Cultural identities are the points of identification, the unstable points of identification or suture, which are made, within the discourses of history and culture. Not an essence but a *positioning*. Hence, there is always a politics of identity, a politics of position, which has no absolute guarantee in an unproblematic, transcendental 'law of origin'.[20]

Analyzing these definitions, Hall has put the meaning of cultural identity in the position of ideology.[21] In the first place, cultural identity is having the essence of such the common origin of culture, emotions and similar root where they share

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Morley and Kuan-Hsing Chen (USA, Canada: the Taylor & Francis, 2005); ———, "The Spectacle of The 'Other'," in *Representation: Cultural Representations and Signifying Practices*, ed. Stuart Hall (London. Thousand Oaks, New Delhi: Sage Publications, 1997); ———, ed. *Representation: Cultural Representations and Signifying Practices* (London. Thousand Oaks, New Delhi: Sage Publications, 1997); ———, "The Work of Representation."

[18]———, "Introduction: Who Needs Identity?, " 3.

[19]———, "Cultural Identity and Diaspora," in *Identity*, ed. J. Rutherford (London: Lawrence & Wishart, 1990), 225.

[20]Ibid., 226.

[21]See ———, "The White of Their Eyes: Racist Ideologies and Media," in *The Media Reader*, ed. Alvarado M and Thompson J (London: BFI, 1990); and Henry A. Giroux, *Pedagogy and the politic of Hope: meow, Culture and Schooling (A Critical reader)* (Colorado, Oxford: Westvievv Press, 1997). The term ideology is introduced by Marxists, which, commonly referred to as a set of belief. While a variety of definitions of the term ideology have been suggested, this paper will use the definition that is commonly used that signifies the beliefs which motivate, empower and mobilise people for an action. Throughout this article, the term ideology has the same meaning to theology for constituting the same essence and function.

between its members. In the second place, those similar history and feelings are used as the sources to generate and mobilize power from its members for future purposes. So, the cultural identity is functioned as the interpellation and articulation for justifying communal or collective actions which are played for the politics and interests of a location. Regarding that statement, Hall argues that:

> …..actually identities are about questions of using the resources of history, language and culture in the process of becoming rather than being: not 'who we are' or 'where we came from', so much as what we might become, how we have been represented and how that bears on how we might represent ourselves. Identities are therefore constituted within, not outside representation. They relate to the invention of tradition as much as to tradition itself, which they oblige us to read not as an endless reiteration but as 'the changing same': not the so-called return to roots but a coming-to-terms-with our 'routes'.[22]

Hence, one's cultural identity has to be studied and understood through their long historical individual and community development. This cultural bond can be effectively advanced through cultural action. Drawing analogy between cultural identity and shari'a, especially in its Acehnese context, shari'a has a similar function and characteristic with the cultural identity. Shari'a does not come in the vacuum; it goes within the social and time contexts. When one refers to the Acehnese shari'a, he/she must seek back to its historical resources which have been constructed altogether as the collective consciousnesses. However, if that refers to the application of shari'a in the current time, then it also covers the meaning of power and local political interests.

Shari'a as the Acehnese Theology and Cultural Identity

Aceh is a province, located in the northern tip of Sumatra Island. There are approximately 4.2 million people living in Aceh. Aceh is currently divided into 23 districts namely Meulaboh, Blangpidie, Jantho, Calang, Tapaktuan, Aceh Tamiang, Takengon, Kutacane, East Aceh, North Aceh, Lhokseumawe, Bener Meriah, Gayo Lues, Siglie, Meureudu,

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[22]Hall, "Introduction: Who Needs Identity?," 4.

Sinabang, Bireun, Nagan Raya, Banda Aceh, Lhokseumawe, Rekap, Sabang, and Subussala.[23]
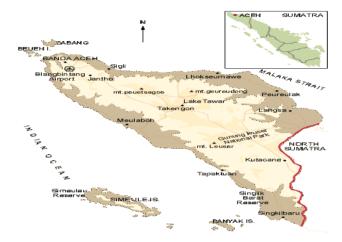

Figure 1: The map of Aceh, from:
http://baliwww.com/aceh/map.htm

Ethnic Acehnese account for 90 per cent of the total province population and are characterized by their Islamic background and sharp Acehnese language dialects. In the province, there are some other ethnics, such as Batak, Chinese, Javanese and Minangkabau.[24]

There were prolonged historical fights for independence. Recently, the province is encountering political and cultural tensions between local people and the Indonesian central government. Upon the abating the war, in 1999 the central government of Indonesia granted the Acehnese the right to implement shari'a. This was implemented through Law no. 44, 1999. Following this, the local government enacted there canons; no: 11, 12 and 13, regarding *'Aqīdah* (the Islamic creed), *'Ibadah* (Islamic Rituals), and *Shiar* (mission). The local government also initiated a shari'a police to guard the application the three canons above, namely *wilayatul hisbah* (inspecting religious and moral police).

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[23] For detailed information, please refer to http://acehprov.go.id/kota.html

[24] Holly Susan Smith, *Aceh: Art and Culture* (Kuala Lumpur, New York: Oxford University Press, 1997), 14.

I argue that Acehnese Shari'a has strong root in their cultural history. I will trace some historical evidences regarding the Acehnese shari'a and show how it works as the local theology, which bases their ideology for survival and resistance. Shari'a serves as theology and plays a great role, including those to establish civilization and resistance against the Dutch. This shari'a is manifested in various forms, such as arts and educational curriculum.

I propose four main reasons concerning the function of shari'a in the Acehnese history. I will begin with the role of the shari'a in finding and creating the Acehnese society through the process of Islamization of the Southeast Asia in a very early time of its existence. Second, I am proposing the work of shari'a through the Acehnese educational system, *dayah*. Next, I am going to discuss the work of local power that was operated by local rulers of Aceh and show the ulema's positions within local power and how they negotiated shari'a and the state's interests. Finally, I am going to elaborate the ways in which arts were functioned as the instrument for shari'a.

Islamization of the Southeast Asia

Shari'a is the Acehnese cultural identity and ideology for two reasons. First, the Islamization of the Southeast Asia is the first priority and collective interest of the Acehnese and it becomes the background of their existence. Second, within the collective interests, they absorb Islamic values into their cultural practices and rituals.

Aceh is the first place where Islam was introduced in Southeast Asia in the early 8th century.[25] Islam is the outset of the Acehnese culture. This is the backbone of its civilization. Before Islam was introduced, the religion of Acehnese society had been not known yet. Some scholars argue that the indigenous of the Acehnese embraced a mix-culture of Hindu,

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[25]H.M. Zainuddin, *Tarich Atjeh dan Nusantara* (Medan: Pustaka Iskandar Muda, 1961); Othman Mohammad Yatim, *Batu Aceh: Early Islamic Gravestones in Peninsular Malaysia* (Kuala Lumpur: Museum Association of Malaysia, 1988); Teuku Iskandar, "Aceh as a Muslim-Malay Cultural Centre (14th-19th Century)," in *International Conference of Aceh and Indian Ocean Studies* (Banda Aceh, 2007).

Buddha and local religion, which strongly believed in spirits inhabiting trees, stones and other sacred objects or landmarks.

With the coming of Muslim preachers, Islam started to convert Acehnese in the early 8 CE. The spread of Islam covered sparsely some small community of the Acehnese Hindu-Buddhism society. Next two centuries, the number of Muslims had become majority in some regions, such as Peureulak and Samudra Pasai. Upon successful Islamization, the local rulers in these regions established Islamic kingdoms. From this, Islamic institutions were built. It is clear from the literature that the Islamic religion is accepted by local people peacefully.[26]

Citing Syeikh Ishak Makarani Al Pasy's book *Idhar al-Ḥaqq* (The Emergence of Truth), Ali Hasjmy states:[27]

> In that time, in Peureulak had long established a Hindu-Buddhism kingdom. The population embraced Hindu, Buddha and animism. Then, in the year 173 Hijriyah (800 AD) a group of preachers left the gulf Kambey (Gujarat) by a ship which was led by the skipper of caliph headed to the gulf of Peureulak (a part of Aceh) at Sumatra Island. There were about 100 proselytizers whom consisted of Arabians, Persians, and Gujaratians. During that time, they gradually introduced Islam to the population and the king. Next two centuries, the number of Muslims had become majority in some regions, such as Peureulak and Samudra Pasai. They established Islamic kingdoms where the Islamic teaching and religious practice can be managed easily.[28]

The Islamization of Peureulak, the first part of Aceh that presumably received Islam, beginning in the early 9 century is

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[26]Zainuddin, "Tarich Atjeh dan Nusantara"; Yatim, *Batu Aceh*…; Ito Takeshi, "The World of the Adat Aceh: A Historical Study of the Sultanate of Aceh" (Australian National University, 1984); Salim, "Shari'a from 'Below'…"; H. Mohammad Said, *Aceh Sepanjang Abad* (Medan: Waspada, 1981).

[27] Many positivistic historians are doubtful of the Ali Hasjmy's works. They accused his publications are not reliable since he considers the local intellectual sources are valid, and as a result he relies on the local intellectual production such as poem, epic and many other local intellectual sources. However, I don't not regard the local source are not reliable for the reasons that they who experience the historical events thus they must be the people who understand the most of the events, besides the relying on the local source is relevant to the spirit of post-colonialism studies.

[28]Ali Hasjmy, *Bungga Rampai Revolusi dari Tanah Aceh; the Potpourri from the Land of Aceh* (Jakarta: CV. Bulan Bintang, 1978), 60.

absolutely debatable. This view is supported by Marco Polo and Ibn Baṭuṭah of Morocco as well as some other travelers from Chine. They visited Acehnese Islamic kingdom and Islamic Acehnese community around the 13rd and 14th centuries. Logically, it would be impossible to establish an Islamic community, especially Islamic kingdom in Peureulak during 13 CE without any basic elements of that community and kingdom. It was presumed that there were nucleus Islamic communities who had left before then and by the time. Those communities had been developed and later established a kingdom. It took about one or two centuries to establish a new completely different kingdom. This assumption is based on the argument that Islam was introduced in Aceh by peace through the mechanism of traditional education, trade, marriage and moral attractions.

Although few scholars disagree, many local and international historians argue that Aceh was the centre where Islam was spread throughout Southeast Asia. Aceh was the axis of Islamic teaching and learning and became a part of global Islamic world, which represented an Islamic power in the region. In the same time, the Acehnese had put the greatest priority to spread Islam into the other parts of Southeast Asia. This had become the collective interests of the people. Dr. Othman Mohd. Yatim in his seminal work *Batu Aceh: Early Islamic Gravestones in Peninsular Malaysia*, has confirmed that the script on the Acehnese stones or gravestones sites of Acehnese kings, scholars, traders and Ulemas, are written messages stating that their main purposes of life are to disseminate Islamic teaching. [29]

As for the adaptation of Acehnese rituals into Islamic standards, the Acehnese before converting into Islam had many rituals which were retained and preserved as their collective and cultural markers. These rituals were the beliefs of ancestors' souls who had connections to their decedents' life. They visited and returned to their children every 7th, 10th, 14th, 44th, and hundred days of their dead time. This is called as *Seuneujoh*. They also believed that human life has a close connection to trees and things. In order to keep human life strong and well-being, they

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[29]Yatim, *Batu Aceh*….

made a ritual to take the strengths from things and transferred them into human bodies. This ritual is known as *peusijuek*.[30]

There is little historical evidence on how or the procedure they welcomed their ancestors' souls or the way they transferred the strengths from things into human bodies. However, the currents study under the Aceh for Research and Training Institute (ARTI) shows that the ritual has not changed radically. However, this ritual has been Islamized to response to the Islamic teaching. Dhuhri founds that the *peuseijuek* has three main foundations. The first is instrument. Several instruments are collected for performing the ritual. The instruments must be chosen for the reason they own natural strengths, such as the survival strengths, physical strengths, or cooling strengths. Mostly, the instruments of the ritual are tree-leafs, rice, paddy, water and so forth. The second concerns body movements. In doing so, it involves moving hands and head in certain ways. Finally, it entails reciting some prayers asking God for assistances.

In the process of Islamization, the ulema did not ban the practice totally. However, they negotiated the practice with Islamic values. They nullified part of the ritual which was not compatible with shari'a. The third foundation of ritual is the prayers that resemble those of Hindu. The ulema removed such external elements and substituted them with Islamic prescription. This evidence shows how shari'a influences and shapes the local culture. Thus, the process of Islamization has changed local culture, values, beliefs, and customs into Islamic standard.[31] However, this does not mean that the Acehnese were dictated by the Middle East culture. Instead, they adopted the

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[30]Saifuddin Dhuhri, "Peusijuek: Sebuah Tradisi Ritual Sosial Masyarakat Pasee dalam Perspektif Traditionalis dan Reformis," in International Conference on Aceh and Indian Ocean Studies II Civil Conflict and Its Remedies (Banda Aceh: Asian Research Institute, 2009).

[31]Andaya, "Aceh's Contribution to Standards of Malayness."; Saifuddin Dhuhri, "Pendidikan Islam Traditional Aceh: Sejarah Perkembangan Dayah," in *Generasi Baru Peneliti Muslim Indonesia, Mencari Ilmu di Australia, Kumpulan Makalah Dosen Penguruan Tinggi Islam Indonesia Peserta Program PERTII 2004-2006* (Kingston, Australia: Australia-Indonesia Institute, 2008).

Islamic teaching and adjusted it to the local situation, in which local wisdoms have neatly interwoven with Islamic values.

Through the prolonged Acehnese historical cultural development, Acehnese cultural identity has been accumulated into several practices and rituals which are celebrated by Acehnese people through their routine life. They can be summed up into some sameness traits among Acehnese society namely: Acehnese and sub-Acehnese languages, strong believe in Islamic religion, *seuneujoh* (death ritual), *maulid* (the ceremony of Prophet Muhammad's birthday), *Seudati* dance, *Saman* dance, and the ways to welcoming guests.[32]

Looking at this process of Islamization, in this first phase of the Acehnese history, shari'a was not popular as it is now known in the modern time. Instead of recalling those sets of beliefs as the shari'a, they named it simply Islam. Islam was the ideology and cultural identity for the people. Islam was the spirit and the motivation for their live, which many of them had a commitment to live just for spreading and teaching Islam throughout South East Asia.

Islamic Traditional Education (Dayah)

The second important aspect where shari'a gives profound impacts in Aceh is through Islamic educational institution (*dayah*). I argue that *dayah* is the centre and the pride of the Acehnese, which has been a single place to product culture and circulate it to the Acehnese people. In running its function, *dayah* had served the center of the Acehnese culture. It plays its role to maintain the Acehnese culture and ideology both in the internal and external *dayah* institution.

Aceh was the first place to be Islamized by travelers from Arab and Gujarat, India in South Asia. These travelers came to Aceh around 8 AD century.[33] When they came to Aceh, the first

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[32] FDT Budaya Aceh Institute, "Problematika Kebudayaan di Aceh," (Aceh Institute, 2008).

[33] This date is strongly debated among historians; we use local references of the date as mentioned in Ali Hasjmy, Hamka, and some other local historian's books.

thing they did was to establish Islamic education or *dayah* in order to islamise the region and to ensure implementation and maintenance of Islamic teaching in the region. This institution was called *zawiyah*. Later, the term *zawiyah* had been changed to *dayah* to adjust with the Acehnese pronunciation. Although there is little hard evidence, the Acehnese claim that Aceh was the first area in Southeast Asia where Islamic traditional education emerged. It was 10 century and reached its peak of development in 16 CE. This is believed to be the golden age of the Islamic education. Baiturrahman was claimed to be one of the early *dayah* that turned to be a university with seventeen faculties.

Dayah Cot Kala was the first center of Islamic high education in Southeast Asia. It had greatly contributed to spread Islam throughout Nusantara archipelago. It had educated and graduated many scholars who later became an Islamic caller in the regions. Although education was performed simply by sitting on *balee* and students sitting in a semi-circle around the teacher, this *dayah* laid an important role in Acehnese history because the alumnus of the *dayah* would go on to establish their own *dayah* in an area where Islam was not yet the dominant religion. This process was central to the Islamization of Acehnese community.

Curricula of Cot Kala *dayah* included religious and secular subjects. Arabic was an educational instruction. The other materials included *fiqh mu'amalat* (Islamic transaction law), *tawḥīd* (creed/faith), *taṣawwuf/akhlāq* (Sufism/ethics), geography, history and governance as well as Arabic.[34] Ali Hasjmy suggests that during that time, besides Cot Kala *dayah*, there were other *dayah* which a wide range of material although some others only taught specific subjects. Some *dayah* were only for males or females, other *dayah* were specific for learning skills or handcraft and other skills.[35]

Regarding production of local ideology, *dayah* had played a great role to represent local ideologies and cultural identity in face of external interferences and impositions. In the content of *dayah* curriculum, for instance, it had narrowed to teach only the spirit against the colonisation and the infidels. *Dayah* curricula

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[34]Ibid., 67.
[35]Ibid., 68.

were focused on spreading anti-Dutch propaganda, for e.g against Dutch culture and custom, such as wearing tie, coat, and helmet and against cooperation with the colony at any level. This propaganda can be found in the text books *Kitāb Masā'il al-Muhtadī* used in *dayah* at that time. For example:

سؤال :جيك كيت دتڤائ اورع : برڤ فركارا يع ممبنسكان ايمان إيت؟ جواب بهوا يع ممبنسكان ايمان إيت ياإيت سڤولة فركارا، ڤرتما :مندواكن الله... كتوجه :ممرڤائ ڤربوتان كافر... كسمبلان :مماكي ڤاكين كافر سڤرتي تالي إيكت ڤيغغغ، جبه رهب ان نصارى)[36]

> Question, if we ask someone: how many causes are there factors that reduce the creed. Answer, there are ten causes. The First: Polytheism…, the seventh: to exhibit un-islamic behaviour, the ninth: to wear non-islamic clothes, such as: belts, long flowing robes used by Christine priests.

The text vividly shows the hatred and propaganda against the Dutch who was called as *kāfir* or infidel. The book, *Masailul Mubtadi*, was a primary reading for the Acehnese pupils who had completed teaching to reading the Qur'an.[37] There are some other sources relating to the provocation against colonizers.

The Structure of the Kingdom and the Position of Ulema

The Structure of the Acehnese society is formed and grounded on the shari'a teaching. The king and the ulema exert nearly equal power to control the society. Although Islam does not legalize the caste or division of society based on biological characters, Islam has introduced the division of society based on their social roles in the community. It is grounded on the prophet tradition that states a society is classified into the

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[36]Syeckh Baba Daud, *Masā'il al-Muhtadī li ikhwān al-Mubtadī* (Semarang: Penerbit Usaha Keluarga, t.th.), 10. Syeckh Baba Daud is Teungku Di Leupue, he is Syeikh Abdurrauf Syiah Kuala's student.

[37]The Acehnese has traditional method of learning Quran. They believe that children must be able to read Quran first before learning anything else. They teach their children through two level. First level they call it as reading Quran *Ubeet* or small Quran, then the second phase they read Quran *Rayeuk*, or Big Quran. Then they will learn the *Masā'il al-Muhtadī*.

"*Umara*" or government, the ulema, the rich men and the poor men.[38]

The Acehnese society has four different divisions; the *Ulema* (religious scholars), *umara* (rulers), *Ulee Balang* (aristocrats/middle class), and ordinary people. In playing their authorities, each of them has been assigned significant power and legitimacy from its cultural system and people consensus. For instance the ruler or king has his authority within state intercourse, whereas the ulema have their power in directing the religious affairs and practice their power within the Dayah's community. Concerning the *Ulee Balang* or the rich men have their power in ordering business affairs. Here, some Acehnese traditional proverbs prove this argument. Here are some examples:

> *Adat bak poetemeureuhom*
> *Hokum bak syiah kuala*
> *Qanun bak Putroe Phang*
> *Reusam bak laksamana*

> The tradition is legalised by the King
> The *fiqh* is produced by the Ulema
> The Qanun is enacted by the Queen
> The custom is authorised by the rich-men

Both the above and below proverbs tell us how the role of the groups has been classified and attached with the power within the limit of their authority.

> *Hukum nanggro keupakaian,*
> *Hukum Tuhan keukulahkama.*

> The state law is alike the cloth
> The divine law is alike the wardrobe

In the case of colonization era, the four groups are working together to fight against the Dutch. Initially, the Dutch

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[38]The prophet tradition and this classification are based on the writing of Syaikh ʿUthmān bin Ḥasan bin Aḥmad al-Shākir al-Khaubury, in his book: *Durratun Nashihin* (the pearl advices) on the page 17. The writing prescribes that any society will exist and advance if there are four groups of people and they co-operate for the purpose of governing the society. The book has greatly influenced on the *Dayah* community and its circles. They consider this book as one of the main guidances in conducting a leadership in the Acehnese society.

perceived that the Acehnese king and his great family were the only rulers and sources of resistance of the society. Therefore, they thought, if they had already controlled and taken all-over the Acehnese Kingdom, they would control all over the Acehnese lands. Yet, then the Dutch discovered that they could not be able to stop the resistance, even though the king and his royal families had been successfully succumbed.

Learning from that experience, the Dutch and their adviser Snouck Hurgronje were aware of the rest groups as the other sources of the Acehnese resistance against them. It is amazed by the fact that the Acehnese *ulema* had replaced and taken over the role of the king to lead war against the imperialists. In the same time, the *dayah* where the *ulema* cast their powers had changed its role to replace the kingdom role and became as the basis of the fighters to wage war and evoke spirits against the colonizers as the response of conquering the Acehnese kingdom by the Dutch. In doing so, the *ulema* changed the curricula of *dayah* and used the public sphere to invoke and propagandize the war against the Dutch. For instance, Tgk Pante di Kulu had composed the epic of Holy war*; Hikayat Prang Sabi*, which is recited in the open public sphere for evoking resistance against the imperialist

In the later time, the Dutch was aware, they could take over the Acehnese if they could control over the four pillars of the Acehnese people. In doing so, they created the hostility between those pillars. They saw an emergency to create internal fractures in the body of the Acehnese society by financing some noble aristocrats and employing local culture as soft weapons. Along with the Dutch, the aristocrat class of *ulee balang* did some activities to degrade *ulama* and Islamic teaching by using local customs and arts.

The aristocrats spent a lot of money and energy to hold many cultural events in the time the *ulema* and *dayah* communities doing preaching for provoking war against the Dutch. *Ulee balang* did so to attract people against the *ulema* and *dayah* by performing arts; *Seudati, Saman, Rapaii*, and so on. In additions, *ulee balang* used to control trading, city center and ports, and other areas of collective lives. After passing some

decades, the aristocrats have already recruited many followers, which caused the internal conflict between the *ulema* and *ulee balang*. Finally, the *ulee balang* had accomplished to despise *ulema* and their community who are waging war against the Dutch.

This conflict raised a cultural problem for the Acehnese and weaken the resistance against the Dutch. This conflict had reached its peak when the *ulema* begun to war against the *ulee balang* in 1946. The war occurred in the Lamlo town, in Pidie, Aceh. [39] There were abundant casualties and losses in this conflict. That was the worst period of the Acehnese society for they have been widely divergent and internally broken. The war did not cease the problems since in the later time, other similar problems had emerged to break the Acehnese cultural identity.

Arts as the Shari'a Instrument

The Acehnese arts are deeply influenced by Islam or shari'a. Its existence serves the purpose of shari'a, or the instrument of da'wah. Therefore, the Acehnese arts are the instruments of shari'a. They work for the accomplishments of shari'a goals, both in this world or hereafter. This part of article professes the view that the Acehnese arts have underpinned the Acehnese shari'a and they are considered as the instrument for the Acehnese cultural identity in which aesthetically always accommodate all of cultural differences. It can be explored by analyzing the elements of Acehnese arts.

For instance, the *Saman* Dance is one of the most famous dances originated from Gayo, the Acehnese highland. Originally, the *Saman* lyrics are from Arabian language, Acehnese, and sub-Acehnese languages as well. In the past, *Saman* was usually performed to celebrate traditional events of the Acehnese society, such as the birth of Muhammad Prophet event.[40] This dance which is performed at least by 10 dancers is a very well

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[39] James. T. Siegel, *The Rope of God* (Berkeley and Los Angeles: University of California Press, 1969); Amrizal J. Prang, *Aceh dari Konflik ke Damai* (Banda Aceh: Bandar Publishing, 2008).

[40] Margaret J. Kartomi, ""If a Man Can Kill a Bufallo with One Blow He Can Play a Rapa'i Pasé": How the Frame Drum Expresses Facets of Acehnese Identity," *Journal of Chinese Ritual, Theatre and Folkore* No. 144 June (2004).

media to advancing of the Acehnese cultural consciousness or shari'a. Firstly, the dance was created and developed from the Sufi ritual performance of *zikri* in ritual by Syeikh Saman. This obviously illustrates the dance is a part of shari'a activities. Likewise, this dance can be regarded as the tradition for the people gathering, ruminating, and mesmerizing their collectiveness. Similarly, the lyric, singing, and the philosophy of the dance teach the audience the importance of collectiveness and unity.

In the same tone, Likok Pulo dance is the Acehnese dance which was composed around 1849, it was created by an Arabian migrated to Aceh for the purpose of Islamization. The dance depicts the way their arrival onto the beach, describing the wind, wave, tree, and surroundings. In the later time, the dance has developed to be more complex and been functioned for the people attaining the Islamic knowledge in its lyric, communal awareness and as the media for political campaign as well.[41]

Conclusion

All in all, this article has shown how Acehnese shari'a played its role in formulating local theology through distributing local power, education, arts and the process of Islamization. The meaning of shari'a, on the one hand, must be seen as local theology, which was developed during the historical epoch. On the other hand, shari'a also played a role as local ideology and identity. In the process of applying shari'a, the cultural resources are used for gaining people consents. This is the reason that shari'a is considered as both the Acehnese cultural identity and ideology.

Analyzing the historical development of shari'a, there are four fundamental and vital aspects of Acehnese theological construction. Firstly, it is institutionalized through the process of Islamization of Aceh. Secondly, through the work of *Dayah*, which played a role as the shari'a cultural centre of Aceh and as the agent for maintaining ideology against colonization. Next,

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[41]Margaret Kartomi, "The Development of the Acehnese Sitting Song-dances and Frame Drum Genres as Part of Religious Conversation and Continuing Piety," *Bijdragen tot de Taal* 166, no. 1(2010).

through the structure of the Acehnese society which is rooted in Islamic tradition and creates power for local political interests. Finally, the function of the Acehnese arts as the instruments of shari'a. *Wa al-Lāh a'lām bi al-ṣawāb.*

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