

## BOOK REVIEW

*The Government of Social Life in Colonial India: Liberalism, Religious Law, and Women's Rights.* By Rachel Sturman. Cambridge: Cambridge University Press, 2012. Pp. 301. \$103.00. ISBN: 9781107010376.

One of the primary objectives of Rachel Sturman's *The Government of Social Life in Colonial India* is to illuminate the relationship between the British colonial state apparatus and its Indian subjects and, subsequently, to trace the development of a legal framework that came to structure a specific social system during the period of British colonial rule in India between 1810 and 1940. Sturman is particularly concerned with the question of the status of women and its relationship to the colonial state. She situates her work within the broader debates occurring among postcolonial feminist scholars, regarding whether or not the project of colonialism brought about improvements or favorable conditions for colonized women. Historically, this has been implied in the colonial rhetoric of "a moral imperative of protecting Indian women from their own customs and culture" (2). This was despite the fact that colonial policies further upheld and strengthened structures of patriarchy. Sturman points out that, for the most part, women as colonized subjects in India did not have direct access to the colonial legal apparatus as laws regarding women were typically under the jurisdiction of semi-autonomous Hindu or Islamic rule. In highlighting this fact, Sturman importantly draws attention to one of the key issues regarding the assumptions of postcolonial feminist theory, in which it is presupposed that women's rights could be obtained only through a limitation or violation of local norms or traditions—in other words through the modern liberal state, which the colonial state comes to represent. Sturman views her work as emerging out of the debate between advocacy for women's rights as defined by liberalism (colonial rule) and women's oppression under traditional modes of governance (Hindu and Islamic law), acknowledging the ambivalent nature of the results for women's rights in either "liberal" or "religious" legal frameworks. She contends that even in situations where women were directly in contact with the modern liberal state, without the mediation of a religious apparatus, the goals of equality for women were not met, and women not only remained vulnerable to economic and social exploitation but became victim to new varieties of repressive state interventions and modes of disenfranchisement.

Despite acknowledging the significant shortcomings of espousing liberal rights as a type of "universal" feminist goal, which Sturman herself critiques, she nonetheless maintains the value of liberal rights as something worth upholding. It is within this framework that Sturman's project (which began as her doctoral dissertation) emerges, as she seeks to fill a certain gap in scholarship on colonial India—which, she contends, has largely focused on injustices or inadequacies of colonial legal frameworks—by providing an analysis of the dialectical relationship between the British colonial and Indian religious values and legal principles as dictated by their respective authorities. She accomplishes this goal by examining the links between colonial law and Indian social life, focusing on the ways in which both the colonial authorities and members of the Indian elite played a significant role in generating new modes of governance in the colonial Bombay Presidency. It is through this lens that Sturman contributes to the broader debate that questions the relationship between universal feminist goals and the colonial state, which she defines as one specific form of the modern, liberal state.

With her analysis of the complexities of the emerging political and social economy in India during the nineteenth century Sturman persuasively argues that the development of bureaucratic

structures and political and economic policies were part of larger historical processes that were simultaneously occurring both in Britain and in India. A clear example of this phenomenon can be seen in the legal reforms that were enacted in the realm of Hindu women's property rights, which both influenced and were influenced by Victorian British feminist campaigns calling for women's rights to divorce and independent property ownership.

Sturman's book, which contains five major chapters in total, is organized into two parts. The first, entitled "Economic Governance," discusses the conceptions of political and social economies through colonial legal and administrative actions and the subsequent practices that were executed, with an emphasis on property and land ownership. The second part, entitled "The Politics of Personal Law," focuses primarily on how these colonial policies influenced the realm of Hindu law and played a significant role in shaping and defining rights, customs, values, and more generally, the characteristics of a social community. Sturman engages in a "historical ethnography" of colonial state practices in her approach to the primary sources, which comprise archival, court, and other legal documents from different regions within the Bombay Presidency, as well as government records, manuscripts, and official reports from the period that deal with a range of topics relating to social life under the Bombay Presidency. She also examines court cases, political campaigns, and religious texts that address the rights and treatment of women regarding, for example, legal questions of inheritance and marriage within Hindu law.

Sturman is chiefly concerned with the liberal, colonial state's "elaboration of new modalities of governance that brought everyday social life to the attention of [that] state" or rather, a Foucauldian "governmentality" (5). While Sturman argues that this "colonial governmentality" aimed to govern subject populations in all their heterogeneity, her more significant contribution is to argue for an additional recognition of "the ways in which colonial governmentality was likewise saturated with the logics, modes of reasoning, and prevailing assumptions of political economy, even as it promulgated a colonial logic of community" (236). Her approach serves to shed light on the manner by which the social sphere of Indian life became subsumed under a modern state apparatus and how social life, typically centered on the family unit and governed by religious law, became politicized through the pervasiveness of the "secular" nature of the modern colonial state. As such, religious law—and Sturman focuses in particular on Hindu law—starts to resemble liberal political ideals in the manner by which it deals with personal status laws.

Throughout the entire book, Sturman emphasizes in particular the importance of property law, as land taxation was the foundational source of revenue for the British colonial project in India. In the first half of the book, Sturman discusses ideas of land ownership and the value of property as it is transformed and reconceptualized, with ownership operating under and being regulated by the state even in circumstances in which certain modes of property ownership would otherwise have existed outside of state control, such as private hereditary offices (*vatan*), the revenue from which often went directly to the holder rather than to the state. Ultimately, the privatization of certain properties generated further theorizing on which areas of social life could be separated from state governance.

Sturman elaborates further on these arguments in the second half of the book, where she discusses the ways in which the liberal conceptions of value and property heavily influenced the trajectory of Hindu law and how the codification of Hindu law came to structure personhood and individual autonomy through the condition of land ownership. The result was that only high caste Indian males were treated as fully legal subjects capable of participating freely in society. This excluded both higher caste women and lower caste men and women. Sturman indicates that Hindu law became "secularized" with its heavy emphasis on property rights and its attenuation of religious rituals and practices. She subsequently challenges the notion that colonial law actually succeeded

in furthering universal feminist goals for Indian women, despite its liberal ideals of personhood and equality. Sturman demonstrates how colonial state power in fact exacerbated the conditions of non-Brahmin males through its own legal legacy as well as through its influence on the sphere of Hindu law. Other compelling examples of this argument include the emerging discourses on marriage and sexuality and the structure of the family, “envisioned as a zone of unfreedom” (191), and discussions of the proper etiquette regarding widows. Sturman asserts that through the prioritization of universal ethical (liberal) norms by Hindu social reformers, women became further commodified and dehumanized as their humanity was rendered dependent on social and legal recognition through the state.

In her final chapter, Sturman addresses the status of Indian Muslims as a political minority emerging in the early twentieth century through the articulation of anti-caste and feminist politics and as a coherent community that sought to define itself through a new type of nationalism distinct from Hindu identity and polity. Continuing her focus on property, Sturman emphasizes that, “If colonial policy to this point had sought to depoliticize and privatize property and to limit personal law to matter regarding family, in this moment property became the basis for new forms of political mobilization and community identification” (198). In that regard, legal issues pertaining to women, such as inheritance laws, became a focal point of debate in forging a distinct Muslim identity, as, for example, under Hindu rule a daughter could not legally inherit from her father, whereas under Islamic law she could. However, because British colonial powers operated within a political framework that did not defer to religious orthodoxy or doctrine, it was not the duty of the colonial court to uphold or execute Islamic law but rather to enact or allow what was deemed appropriate by the British. Given that Sturman’s references and discussions of Islamic law and the conditions of Muslim minorities are highly sophisticated, it is unfortunate that this discussion is afforded only a marginal place in the book as a whole.

All in all Sturman’s study is compelling, particularly by the manner in which she utilizes her primary sources. Rather than using the evidence of legal documents and records to attempt to draw conclusions about practical, on-the-ground social practices of Indian women (or colonial subjects at large), she instead uses these sources to elucidate the development of institutionalized state governance, with the understanding that legal rights often do not reflect directly social experiences and realities. Her study therefore serves as a meaningful contribution to scholarship on the development of religious and colonial legal systems in colonial India. The work will certainly appeal to a diverse body of students and scholars interested in questions of gender and postcolonial feminist debates surrounding the colonial enterprise, as well as to historians and history students of South Asia. Similarly, it would also be of interest to those focusing on religious law and how it is shaped and codified through influence and interaction with a secular modern liberal state apparatus.

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