

designed to maintain the identity of Judaism do not apply to the open community of the Church; nevertheless there remain ‘worked examples of what (God’s law) looks like in a particular social context, in the light of the moral order of creation’ (p 64). God is unchanging and so is human nature, but Scripture must be interpreted in the context of when it was given ‘to a particular culture, to a particular people, at a particular time in history, living in particular circumstances’ and a paradigm identified in Scripture ‘is something used as a model or example for other cases where a basic principle remains unchanged, though details differ’ (p 63).

Although it may be true that human spiritual and physical needs have not changed, understanding of those needs may alter, particularly with increased scientific knowledge. Some in the Church have been notoriously slow in acknowledging scientific developments that require a revised understanding of certain basic principles of moral behaviour. A topic which needs careful consideration in this context is the contemporary debate on human sexuality. Those who question the traditional view on same-sex relations may seek biblical truth as sincerely as the traditionalists but they aim to reconcile it with modern medical evidence. As this book recognises, we do not ‘assume the answers of previous generations of Christians were necessarily correct’ but ‘it is not enough to argue “We know better now”. We need to show how our thinking is consistent with the teaching of the Bible’ (p 63).

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## **Principles of Hindu Law: Personal Law of Hindus, Buddhists, Jains and Sikhs**

TAHIR MAHMOOD

Universal Law Publishing Co, India, 2014, 471 pp (hardback Rs 625)  
ISBN: 978-93-5035-437-7

From our Western perspective, knowledge of intra-confessional law tends to be restricted to the canon law of some Christian denominations and, more recently, to Muslim law. The law pertaining to eastern religions remains basically unknown to us, owing to the difficulty of accessing the existing bibliography.

Tahir Mahmood has devoted his substantial academic life to the study of the different legal systems of India. *Principles of Hindu Law* deals with the specific statutes relating to the Hindu, Buddhist, Jainist and Sikh communities. Under the general denomination of ‘Hindu law’, the author includes the

codified personal law that is applicable to each of these religious communities, distinct from the general uniform civil code in India.

This mature work allows Professor Mahmood to deal with important contemporary issues while reprising his previous studies, notably *Changing Law of the Hindu Society* (1968) and *Studies in Hindu Law* (1986), the latter having for several decades been a document of reference for judges, magistrates and scholars dealing with Indian law and pluralist legality. This new work is surely destined to become a classical text in the field of juridical studies, given its relevance for understanding the personal legal regimes and the pluralistic nature of Indian law.

The book is divided into three parts: 'Matrimonial law', 'Family rights and relations' and 'Property and succession laws'. In the first chapter of each of the different parts the author reproduces the text of the governing statutes that are currently in force, devoting the following chapters to their analysis.

The greatest contribution of this book lies in its capacity to reveal, in understandable language, a legal system that, at least on first sight, appears to be strange and exotic as a result of its very limited resemblance to western European law. The author achieves this objective in three different ways. First, through a detailed prologue, he presents in direct and clear language the nature, scope and historical unfolding of what is generically referred to as 'Hindu law'. To achieve this aim, he analyses the four most numerous communities of India: Hindus, Buddhists, Sikhs and Jains. These together account for 80 per cent of the total population of the country, and their respective rights constitute the central nucleus of family and succession law in India. The prologue is complemented with new perspectives regarding human rights in India, supplemental marriage laws and the peculiarities that local and foreign legal systems, such as those of Portugal and France, have imprinted upon current legislation in some regions of India.

Another interesting contribution is the inclusion in the appendixes of complementary sources of special relevance. These sources include texts from the Jammu-Kashmir Hindu Law Acts, different state and local legislation, and repealed legal texts whose knowledge is important for understanding the evolution of Indian law. The Table of Statutes is undoubtedly helpful, as it is divided into central laws, and regional and state laws, reflecting the different states that constitute India and the legal systems and legal instruments of the United Nations that are influential in the country. In a similar way, the subject index with which the book concludes allows rapid location of the most important themes.

Finally, a highly relevant aspect of the book lies in the actualisation and analysis of numerous judicial cases, which the author presents in a 'Table of cases'. This table is chronologically divided into recent (2000–2014) and older cases, some of which have already been analysed by the author in prior

publications. This exhaustive exercise, which includes more than 500 cases, demonstrates the extensive knowledge of the author as well as the importance of the work under review.

As stated above, the main body of the book covers matrimonial law, family rights and relations, and property and succession laws. The perspectives that the author wishes to highlight regarding these issues are historical, constitutional and based on human rights. He does not avoid the analysis of contemporary issues such as cohabitation and settlement of matrimonial disputes. The chapters of the book follow a logical order and concentrate on the main aspects of each theme, avoiding diversions into secondary or incidental topics.

Without any doubt, this book is the mature work of an important author and an essential point of reference for those interested in the study of the Indian legal system, as well as for those interested in discovering the vital importance that religious law has in the configuration of pluralist legal systems.

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## **The Rule of Law and the Rule of God**

Edited by SIMEON O ILESANMI, WIN-CHIAT LEE AND J WILSON PARKER

Palgrave Macmillan, Basingstoke 2014, 304 pages (hardback £60) ISBN: 978-1-137-44775-3

The editors of this product of a multidisciplinary conference hosted by Wake Forest University explain in their introduction that their aim was to explore the rule of law as governance, norms and distribution of power, in the light of recent developments. Their premises are that religion is not going away, that the rule of God and the rule of law are potentially competing jurisdictions and that the traditional separation of state and religion is not as clear as anticipated. The range of approaches is eclectic rather than systematic but makes for interesting reading.

The volume is divided into four parts, beginning with 'Fundamental concerns'. In 'The return of political theology' Mark Lilla challenges the opposition of religion versus reason and law, and political philosophy versus political theology. He points to communities for whom dividing faith from life through sacred/secular and private/public distinctions is meaningless and argues that political theology needs to engage with modernity from within its own theological resources. Discussing 'Monotheistic faith and the cosmopolitan conscience',