



long-term growth of agriculture, but will generate immediate and often politically influential losers. Will they be reconciled to those losses after reading this volume, or instead take to the streets and ballot boxes to protest? The road to prosperity is more than just a search for prosperity among sensible policies. It is a much more fraught process of difficult politics.

## References

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Srimati Basu, *The Trouble with Marriage: Feminists Confront Law and Violence in India* (Oakland: University of California Press, 2015), 280 pp.

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Talking about legal pluralism is currently *en vogue*, and the Indian context provides an excellent case study for this phenomenon. Here, 'a variety of formal and informal, rural and urban, large and intimate options' for dispute resolution coexist, ranging from 'village compounds and clerks' quarters' to 'office rooms and grand court buildings' (p. 97). From a gendered point of view, this plurality of laws and dispute resolution forums has been depicted as a boon and a bane. While some scholarship identifies that rules and decisions based on custom, religion or culture often discriminate against women (Parashar, 2013), other academics stress that multilocational justice systems allow 'forum shopping', which can facilitate gender equality (Solanki, 2011). Basu shows how Indian women manoeuvre through the plurilegal system, using state law as well as 'do-it-yourself law' (p. 9) to make their claims regarding marriage law and domestic violence.

Reasoning from the title that this book is about activists and women's groups strategically litigating and campaigning for social change would be wrong. Rather, Basu provides a description of 'law at work' and people's behaviour in legal settings

(p. 61). She describes how women engage with the law using ‘feminism-inspired’ forums (p. 211), family courts and quasi-legal venues such as police-based women’s grievance cells and NGOs. Through thorough ethnographical studies, Basu provides detailed insights on how the law shapes and is shaped by the social reality of Indian women.

While not providing an explicit definition of ‘law’, the book indicates that it is something like a multifunctional tool in the hands of various actors, including the state, (religious) communities, activists and ordinary people. Law has different ‘incarnations’ (p. 6) and therefore various faces. It is seen as ‘alien’, ‘distant’ or ‘evil’ (p. 10) but also as ‘an introductory gambit’ to bring about societal change (p. 19), a ‘venue of cultural negotiation’ and identity formation (p. 59). Law must be ‘accessed’ (p. 94) and ‘framed’ (p. 59). It can be used to empower (p. 93) or to discipline (p. 150) and can be manipulated (p. 177). The book’s title indicates that law and violence can be two sides of the same coin, two enemies in a patriarchal state. Though Basu shows these different facets of the law, notably her work is not so interested in whether legal norms are good or bad or whether they are used correctly or misused (p. 4). Rather, she depicts how laws are ‘utilized as new cultural horizons: to stretch the entitlements of marriage, calibrate the meanings of violence, or construct kinship’ (p. 4).

Chapter 2, ‘Construction Zones: Marriage Law in Formation’, sets the scene with a historical overview on policy and legislative debates around four critical colonial and postcolonial moments: the enactment of the Dissolution of Muslim Marriages Act in 1939, the Hindu Code Bill debates in the 1950s, the 1974 Report of the Committee on the Status of Women in India, and the 1984 Lok Sabha debates around the Family Court Bills. These moments all involve ‘transgressions of culture and tradition’ (p. 33). Against the background of this ‘history of anxieties’ (p. 30), Chapter 3, ‘Beyond Equivalence: On Reading and Speaking Law’, introduces present-day adjudication processes in Kolkata’s family courts. Basu first describes her methodology of courtroom ethnography and the challenges of deciding ‘what to designate (or exclude) as legal culture’ (p. 62). This focuses on language by examining speech, expression and translation, challenging the claim that ‘speaking in court equates to agency’ (p. 61). Rather, Basu stresses that the ‘invitation’ to speak in court is ‘fetishized’ (p. 65), seen in cases where a litigant’s silence is punished with the threat of an *ex-parte* ruling. Translation is another crucial topic in the Indian multilingual context. Basu observes English, Bangla and Hindi as the most-used languages, so that the work of courts involves ‘constant translation and paraphrasing, modulated by (perceived) ethnicity, religion, class, and gender’ (p. 68). Besides language barriers, Basu also describes incidents of miscommunication on ‘taboo or intimate topics’ (p. 70) like the consummation of marriage.

Chapter 4, ‘Justice without Lawyers? Living the Family Court Experiment’, describes ‘everyday life’ in the Kolkata Family Court. Family Courts were established by the Family Courts Act of 1984 as a result of the work of Indian women’s and social work organisations (p. 96). The objective was that they should be easily accessible and litigants

could express their concerns to judges in plain language. In these courts, lawyers only appear as friends of the court (*amici curiae*), while counsellors (as paralegals or social workers) advise on legal issues and help clients negotiate settlements. The Family Court is therefore often depicted 'in deliberate contrast to the impersonality of other courts, suggesting that informality equals greater comfort' (p. 104). Statistics indicate that Family Courts are indeed easily approachable by women. Basu observes that far more women than men file for divorce, maintenance and restitution of conjugal rights. However, there is also another image of the Family Court: a 'site of loss, shame, and failure, of bringing down one's family' (p. 91). Basu's portrait of the Kolkata Family Court depicts a rather informal atmosphere where a judge compares herself to the 'elder sister' of the male client, advising him 'of what was best' for him (p. 104).

It is striking to read that not only counsellors but also judges often see the law as 'tedious, pointless, and indeed harmful' (p. 92) and argue for mediation and other forms of alternative dispute resolution (ADR). Attempts to find a compromise rather than settling the case through a judgement often mean that counsellors and judges push couples seeking a divorce to get back together. Basu makes out a dominant theme that the couple's reunion is seen as the optimal outcome of a dispute, not only for any child's well-being but also for the woman who might have 'greater mobility or independence [...] within the patched-up marriage' than she would have after divorce (p. 103). Counsellors 'triumphantly' told Basu about reunions they had brought about (p. 102), involving 'conversion tales of axe-wielding husbands, with happy endings whose veracity is impossible to ascertain' (p. 103).

Chapter 5, 'In Sanity and in Wealth: Diagnosing Conjugal and Kinship', portrays contemporary marriage in Kolkata, based on complaints brought to courts and counsellors. It deals with the 'widespread lament' about divorce becoming more popular due to the rise of individuality in 'modern marriages' and loss of the extended family (p. 118). In this, the media plays a central role, suggesting that the law (on maintenance, for instance) favours women too much (p. 142). Basu highlights that 'modern' marriage and the 'traditional' family need not necessarily be in opposition and that new forms of kinship are created in court, even as the breakdown of the kinship system is diagnosed.

Chapter 6, 'Sexual Property: Rape and Marriage Conjoined', focuses on rape charge scenarios that 'illustrate rape to be considered primarily a crime against kinship rather than a violation of bodily integrity' (p. 31). Basu portrays three categories: first, cases brought against men who refuse to turn sex into marriage, despite earlier promises; second, cases where the rapist offers to marry the survivor to remedy the violence; and third, rape charges filed against eloping partners to control exogamous marriage choices. Basu reveals biases of the courts, where 'married and virgin [...] women are extended full-blown state support while women free of marriage are ripe for suspicion' (p. 156) and shows how deeply the discourse on rape is linked to issues of chastity, social legitimacy, kinship hierarchies, female agency and the 'misuse' of laws.

Chapter 7, 'Strategizing Spaces: Negotiating the Violence out of Domestic Violence Claims', focuses on criminal prosecutions of domestic violence under Section 498A of the Indian Penal Code alongside civil remedies and mediation. A highly debated provision, to some it is a powerful measure to help women negotiate physical violence and economic well-being. To others, especially men's groups, it is 'a way to torture husbands by manipulating law' (p. 177). Basu shows that in this context, the coexistence of multiple (quasi-) legal options is not necessarily an advantage. Having different possibilities for pursuing grievances—police, courts, arbitration boards, NGOs and women's groups—also means that people must navigate between difficult choices and sometimes contradictory directives (p. 183). Women's organisations (Basu describes the work of two organisations in detail) are only too 'aware of the limitations of intervention and the necessity of compromise' (p. 201). Regarding domestic violence cases, sometimes the best they can do is to provide practical advice and emotional support (p. 201).

Basu's conclusion, 'The Trouble Is Marriage: Conclusion and Worries', on the 'legacies of feminism-inspired institutions' (p. 211) is realistic and somewhat disillusioned. On the one hand, marriage is 'one of the most obvious sites where law has transformed cultural practices' (p. 212). On the other hand, there is still a 'cultural understanding that marriage protects women [...] economically, sexually, and socially' (p. 216). Economic concerns in particular are often obstacles, for instance when women are sent back into violent relationships to secure their economic interests (p. 214). The hybrid possibilities of legal pluralism do not necessarily provide gender justice, but rather 'come at the cost of turning a blind eye to violence' (p. 214). Only when 'ascriptions of masculinity and femininity, emotion and comportment, sex and money' are challenged and rethought (p. 217) is gender justice within marriage imaginable.

Basu's interdisciplinary work is empirically rich and the author is an excellent observer. She has a talent for describing the scenes she witnessed in ways that give the reader almost the sense of being with her in court, where one 'hears the clatter of manual typewriters' (pp. 87–8) and sees litigants carrying 'folders where bright red-and-gold wedding cards (which serve as standard evidence) stand out against a fat pile of court papers' (p. 89). In much detail, she describes cases as well as conversations with judges, litigants and other people. She quotes announcements and notes found on blackboards in the court corridors. She embeds her arguments in cultural contexts by referring to songs, poems and films. Her descriptions are supplemented with photographs of scenes inside and outside the court. Quotes are often given in the original language, Bangla or Hindi, and Basu complements her translations with explanations of the terms and phrases used and of the context. The book focuses on description rather than providing readers with much analysis. Though positioning herself as a 'feminist scholar' (p. 63), Basu often refrains from making judgments. But the picture she draws provides fascinating insights, making this work a valuable contribution to the scholarship on law and gender in India and on legal pluralism.

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Neilesh Bose, *Recasting the Region: Language, Culture, and Islam in Colonial Bengal* (New Delhi: Oxford University Press, 2014), xxxvi + 324 pp.

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This study of the Muslim Bengali public sphere in the first half of the twentieth century brings an exciting fresh perspective on questions of language and identity. Bose enriches the existing body of research on language and its relationship to national and ethnic identity, a wide field that ranges from analysing the politics of linguistic nationalism to understanding the numerous language riots that erupted in the postcolonial states of India, Pakistan and Sri Lanka. What makes this contribution critically important for this particular body of research is the framework of Muslim public spheres Bose employs to situate dynamic intellectual conversations. He carefully traces the literary and political debates centred on the place of Bengali as a language for the Muslim community in East Bengal. Caught between arguments made by North Indian Muslims of the Muslim League (ML) on the cosmopolitanism of Urdu and its role as a marker for Indian Muslimness, and the highly sanskritised Bengali gentlefolk (*bhadralok*) of Calcutta, the Muslim intelligentsia of Bengal aspired to carve out their own unique history and culture.

The six chapters of this book examine the rich literature of the Muslim Bengali public sphere and provide insight into the vibrancy of vernacular publics at the turn of the twentieth century. Chapter 1 on 'Modern Bengali Muslim Literary Culture' examines the associational life of Muslim Bengali intellectuals in the post-1905 partition period. Their writing was primarily focused on the theme of social upliftment rather than an abstract transregional Muslim identity. This began in full force from the establishment of the Anjuman-i-Ulama-Bangla in 1912 (p. 21). Bose argues that Bengali Muslim identity in this period essentially turned inward, away from the transregional universal Islam that Eric Beverley has recently called 'Muslim Internationalism' that became dominant in Princely Hyderabad, for example. Another association, the Bangali Mussalman Sahitya Samiti (BMSS) established in 1911, brought students and activists together to bring out a literary magazine focused on Bengali Muslim history and heritage to reclaim the language as expressive of a Muslim