The Government of Social Life in Colonial India

From the early days of colonial rule in India, the British established a two-tier system of legal administration. Matters deemed secular were subject to British legal norms, while suits relating to the family were adjudicated according to British understandings of Hindu or Muslim law, known as personal law. This important new study analyzes the system of personal law in colonial India through a reexamination of its emphasis on women’s rights. Focusing on Hindu law in western India, it challenges existing scholarship, showing how – far from being a system based on traditional values, or a system that operated in isolation from secular law – Hindu law was developed around ideas of liberalism, and this framework encouraged questions about equality, women’s rights, the significance of bodily difference, and more broadly the relationship between state and society. Rich in archival sources, wide-ranging, and theoretically informed, the book illuminates how social life, emblematized by the system of personal law, came to function as an organizing principle of colonial governance and of nationalist political imaginations.

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The Government of Social Life in Colonial India

Liberalism, Religious Law, and Women’s Rights

RACHEL STURMAN
Bowdoin College, Maine
To my parents,
Audrie and Larry Sturman,
Who opened my eyes to a broader world,
lived the values of social justice, and
taught me the power of ideas.
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In writing a book that concerns itself with the metaphors of value and the impossibility of absolute recompense, my own intellectual, personal, and professional debts have remained powerfully before me, as has the inevitably partial nature of any accounting. This book is the product of many acts of kindness as well as kismet over many long years.

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In India, the friendship, warmth, and generosity of many helped make Mumbai an adopted home. Reena Martins provided an endless supply of

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Abbreviations

BLR  Bombay Law Reports
GD  General Department
HD  Home Department
ILR  Indian Law Reports
JD  Judicial Department
MIA  Moore's Indian Appeals
MSA  Maharashtra State Archives
OIOR  Oriental and India Office Records, British Library
RD  Revenue Department
RNP  Reports on Native (News)Papers
Map of the Bombay Presidency in British India.