Governing Islam

Governing Islam traces the colonial roots of contemporary struggles between Islam and secularism in India, Pakistan, and Bangladesh. The book uncovers the paradoxical workings of colonial laws that promised to separate secular and religious spheres, but instead fostered their vexed entanglement. It shows how religious laws governing families became embroiled with secular laws governing markets, and how calls to protect religious liberties clashed with freedom of the press. By following these interactions Stephens asks us to reconsider where law is and what it is. Her narrative weaves between state courts, Islamic fatwas on ritual performance, and intimate marital disputes to reveal how deeply law penetrates everyday life. In her hands law also serves many masters – from British officials to Islamic jurists to aggrieved Muslim wives. The resulting study shows how the neglected field of Muslim law in South Asia is essential to understanding current crises in global secularism.

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Governing Islam

*Law, Empire, and Secularism in South Asia*

Julia Stephens

*Rutgers University, New Jersey*
To my parents, Sharman and Michael Stephens
Who gave me the freedom to wander
And a family full of love and good food to come home to
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1 On December 6, 1995 in New Delhi Muslim women carried scales of justice to demand compensation for the victims of the riots that occurred after the destruction of the Babri Masjid in 1992. Photograph courtesy of Doug Curran and Getty Images

2 In the cartoon the “religious fanatic” declares: “If we commence civil disobedience, then the government will have to bow before us.” The “somewhat-reasonable Muslim” replies: “Stop it. I’ve heard enough. Don’t be a braggart. You save your own head by asking for forgiveness and want to establish your leadership by fooling and ensnaring others.” Milap, July 17, 1927, 5. Image courtesy of the Centre of South Asian Studies, Cambridge University
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Note on Translation, Transliteration, and Abbreviations

Unless otherwise noted, all translations are my own. When translating directly from non-English sources, I have followed the transliteration scheme employed in John T. Platts, *A Dictionary of Urdu, Classical Hindi, and English*, while omitting any diacritical accents. When citing names from primary sources, I have followed as closely as possible the actual spelling in the texts, although some standardization across sources has sometimes been necessary when referring to a single individual. For historically well-known people, places, and terms, I have tried to use common spellings to avoid confusion.

The following abbreviations are used in the text:

- AIR: All India Reporter
- HCPP: House of Commons Parliamentary Papers
- IJE: Indian Journal of Economics
- ILR: Indian Law Reports
- IOR: India Office Records
- NAI: National Archives of India
- TOI: Times of India