

gibberish), archaism, untranslationese (transcribing instead of translating), bias and replication. Their marginalia vary from historico-glossarial to ideological and from minimalist to oversized” (p. 75). Sadly, some of these overstated qualifiers also apply to Haddad’s own rendering.

These observations about the English rendering notwithstanding, the *Lights* is a useful addition to the ever-increasing repository of translations of classical *tafsīrs*, although because of al-Bayḍāwī’s rich emphasis on the Arabic of the Qur’ān, philology, and grammar, its readership will most likely be limited to the *madrāsah* students whose first language is English and who have not yet attained sufficient proficiency in Arabic, provided they know—or learn—Latin-based technical grammatical terms.

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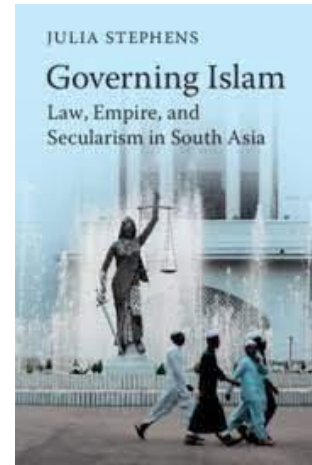
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Julia Stephens. *Governing Islam: Law, Empire, and Secularism in Modern South Asia*. Cambridge: Cambridge University Press, 2018. Online. ISBN: 9781316795477.

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Julia Stephens interestingly brings colonial, secular legal governance into conversation with Islam in ways that inform us about the dynamic nature of Islamic law and how Islamic scholars in India contested various secular ordinances. To her, women were the most marginalized in the way colonial, secular legal governance perpetuated patriarchal roles. For instance, the colonial authorities made the *purdah*-clad (veiled) women not work as independent economic agents (p. 17). Stephens argues that women could not inherit their land from their families (which is obligated in Islamic law) because the colonial courts perpetuated local patriarchal customs by putting them above Islamic law. She mentions instances of women’s resistance when they put pressure on secular governance as they approached religious scholars rather than secular courts.

The intersection, or rather the binary, of family and economy, remains the core of Stephens’ book, where labour laws and family laws




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(including marriage and inheritance) were separated by the British; the former constituting the secular domain while the latter involving religious domain. This intense secularization as a consequence of the codification and personalization of Islamic law was achieved to keep the Muslims, especially their religious scholars, thinking that the colonial law and courts were not going to fully dismiss Islamic law (including local customs and rituals). At the same time, the rise of print materials and new *madrasas* such as the Deoband in the late nineteenth century kept some sort of Muslim authority intact.

Throughout the book, Stephens keeps reminding us that colonial law in India was an offshoot of British law in England. Hence, India acted as a sample state for the colonizers to assess the separation of religion and state in ways that were swifter and unnatural to the complex multicultural Indian society. For example, she mentions that under the Mughal rule, the Muslim law was applied to both Muslims and Hindus but the British only limited it to the family law or personal law aspects and later on came up with separate laws for Hindus and Muslims. From the surface, this seems like a secular favour to the local religious communities who were irrational and emotional, but it ended up increasing communal violence among Hindus and Muslims, especially in the first part of the twentieth century.

The key binaries that Stephens engages in include reason and religion, economy and family, and state and community, and eventually how all of these intersect with each other under the British empire. What makes Stephens' argument, despite mentioning the binaries of Islamic law as rigid against the more mobile and codified secular law, is the diffusion and dynamism she shows where the state law, Islamic law, and the reforms of Muslim modernists engaged and contested with each other even though the role of the state remained coercive.

The first chapter talks about how the act of conversion was used as the gateway to a system of rational and universal justice which was rooted in the evangelical view of the interdependence of Christianity, reason, and civilization.

In the second chapter, Stephens presents court cases where the lines between personal laws and economic laws were blurred, unlike how the colonial courts would imagine. That is where the diffusion of non-colonial entities (extended families, village councils) indulges. At the same time, Stephens mentions the role of Muslim modernists who agreed with colonial interpretations of inheritance laws for women. Also, the contents of the *fatwās* at Deoband mostly reflected the ritual or personal matters, reinforcing colonial segregation of "secular" and "religious" in matters of law. Muslim women got divorce rights but the credit for this also goes to

the role played by Islamic scholars such as Ashraf ‘Alī Thānvī (d. 1943) who used their independent reasoning and showed flexibility by borrowing from the Mālikī school of Islamic law while not fixating the divorce issue to its Ḥanafī aspect. Thus, both the ‘*ulamā*’ and the colonial courts partook in the domestication and personalization of Islamic law.

The third chapter mentions the incorporation of customs into the law (particularly in tenant law, agricultural land, and peasant debt). Whenever there was a clash between custom and religion, the former was always preferred. Stephens argues that supporting customs was similar to the idea of favouring patriarchy and giving it control over labour and property at the subjugation of women’s property rights. In this period, unpaid labour for women and children increased due to the global commodity market pressure.

The fourth chapter talks about the intersection of reason and ritual. The British officials left the ritual matters to local imams or communities and made it look like those could be taken to courts only if there was violence involved. With the lack of proper religious authorities and increased cases coming to courts, the intra-communal conflicts between Sunnis (Deobandis and Barelvis) or between Hindus and Muslims increased. Thus, despite the colonial courts’ claims to not engage in ritual matters, they intervened even in them as well as in personal matters because underneath the surface they knew they were exerting their secular authority.

The fifth chapter sheds light on how separate laws for Muslims and Hindus increased violence where the so-called “secular” courts played a key role. Stephens mentions the *Rangila Rasul* controversy when Hindu organizations made fun of the Prophet Muḥammad (peace be on him). The Muslims who resisted the publication were called “fanatics” by Hindu leaders. Stephens mentions that Muslim reactions were fueled not just by the pamphlet itself as it was published in 1924 (and the riots started in 1927 when the issue was taken to the court) but by how it was handled by the colonial courts and then dragged on, and eventually led to riots in Lahore. Muslims believed that the colonial courts were inefficient to defend and protect their religious sentiments.

The last chapter engages with the history of Islamic economy models presented by various experts who were frustrated by the colonial control of economies and hence presented Islamic alternatives.

In a nutshell, Stephens makes an emphatic argument where she connects secular legal governance with the property rights of women and how Islamic law was reduced to family matters even though Muslims still approached religious scholars for various legal and ethical matters. The role of custom, patriarchy, and ritual remains crucial here where the state

perpetuated them to attain economic benefits from the colonized subjects. One also finds it compelling that in all the examples Stephens provides there was diversity in views among Muslims. There were instances when modernist Muslim intellectuals would argue in favour of the colonial secular governance related to inheritance and family laws, as well as cases where the courts would legislate based on the views of religious scholars (Thānvī's take on divorce rights for Muslim women). Thus, the book, even though it aims to engage in certain binaries, instead problematizes many of them where the "religious" and "secular" seem to be in conversation with each other. These modernists and scholars at the same time helped the British reinforce these binaries when they strictly operated in the personal domains of religious law without being critical of the consequences on women and the reduction of Islamic law merely to family issues and rituals.

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