

about the fate and influence of these moderate Islamic currents in Indonesia (172).

The book positions itself as part of Southeast Asian Studies and Asian Law and does not engage with methodological and theoretical issues in the field of sociolegal studies. The structure of the volume, however, is a smart sociolegal work—“integrating and organizing traditional forms of knowledge, skill, and experience in a new and original fashion” (Banakar and Travers 2005: 6) and combining bottom-up and top-down approaches to law with the aim to increase our knowledge about how law works in contexts where Islamic norms are dominant. It shows us the way that Indonesia has adopted religious freedom into the Constitution and how this, together with interpretations by courts, politicians, and local governments, has turned freedom of religion into symbolic law: lacking legal force. Despite the gloomy image presented in the work, I believe that the constitutional freedom of religion will remain a strong symbol to those Indonesians who continue to oppose the intolerant policies of their government.

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*Muslim Women’s Quest for Justice: Gender, Law and Activism in India*. By Mengia Hong-Tschalaer. New Delhi: Cambridge University Press, 2017.

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*Muslim Women’s Quest for Justice* is a fine illustration of a realization-focused understanding of justice, a concept that Amartya Sen elaborates in *The Idea of Justice*. Centered on the core themes of “agency” and “plurality,” the prime contribution of Tschalaer’s book is that it shows how the pursuit for justice is inextricably tied

up with a plurality of sites, identities, and opinions within which the exercise of agency becomes a crucial element that leads to such navigation and therefore requires to be understood, appreciated, and studied.

Political scientists, legal academics, and sociolegal activists in India have tended to lean more toward an arrangement-focused view of justice, which is concerned with the form and pattern of the right institutions and ideal rules for the creation of a just society (Sen 2009: 7–10). However, a realization-focused perception is interested in examining what emerges in society in terms of justice given the available resources individuals have, including the institutions and rules, the actual lives they lead and the influence of human behavior, their own and that of others (Sen 2009: 10). Legal anthropology with its emphasis on ethnography makes an excellent contribution toward introducing such a perspective. Going beyond analyzing the structures of legal rules and state institutions, Tschalaer, a legal anthropologist, explores how Muslim women, in the city of Lucknow in Uttar Pradesh, India, in the process of challenging patriarchal discourses surrounding marriage and women's roles in public spaces, blur the boundaries between institutions and different types of legal orders to find a balance that asserts their identities as mothers/wives/sisters/daughters, Muslim women, and citizens of India.

The book flows with what I would call an ascending pace, with every chapter providing the reader with more insight about what such a “quest for justice” entails for these women who, as Tschalaer describes, are “part of and constitutive to a highly linguistically, ideologically, economically, and politically scattered Muslim community” (Chapter 2, 40). Contesting notions of a homogenous Muslim community that so often cloud policy making initiatives, Tschalaer sets forth in Chapter 2 the “legal landscape” that the Muslim community in Lucknow has access to. Uttar Pradesh is one of the states with the largest Muslim population in India. India comprises largely of Muslims who belong to the Sunni community. Consequently, what is popularly referred to as Muslim personal law and is taught in Indian law schools as such is primarily drawn from the Hanafi school of jurisprudence. Lucknow, where Tschalaer's study is based is, however, also home to the largest Shia population in India (43). This ethnography therefore is able to highlight the several ideological fragmentations within the Muslim community with regard to family and conjugality and therefore gender and justice, the central themes of this book. Although the legal landscape that Tschalaer describes is vast in itself, comparisons with similar research within Hindu communities (Kokal 2018; Moore 1985; Solanki 2011) signal that the researcher does limit her exploration to a certain set of non-state

actors even while providing the broad overview. Religion being one of the connecting threads through the book, one could ask whether and how supposedly religious and social actors such as *kazis* acting in their spiritual capacity or *fakirs* and healers fit into this landscape presently seeming to be overwhelmed with non-governmental organizations (NGOs) and political bodies as this book indicates.

Chapter 3 provides a much-needed insight into the structure, nature, and dynamics surrounding the working of three Muslim women's organizations in India. Two of these organizations—the All India Muslim Women's Personal Law Board (AIMWPLB) and the Bharatiya Muslim Mahila Andolan (BMMA) featured prominently in recent debates and opinions that flooded the Indian media after the triple *talaq* judgment pronounced by the Supreme Court of India in August 2017.<sup>1</sup> Protest marches, litigation in courts, and media-based campaigns have been known as the most popular forms adopted by activists to occupy public space to challenge the limitations placed on women that result from patriarchal social structures. Providing a deeper insight into the lives of some of these activists, Tschalaer has explored the more subtle yet equally impactful ways in which these Muslim women contest the generally accepted assumptions of Muslim women's behavior in public spaces. From methods of dressing and holding all women prayers in a public park to the setting up of a women's mosque and having weddings solemnized by female *kazis*, this chapter shows how these Muslim women's activists demonstrate the potential Islamic ideology holds for women within the public space, thus further building Tschalaer's argument for an understanding of Islam that is flexible, hybrid, and subject to vernacularization.

A “model *nikahnama* (marriage contract)” that protects Muslim women during their matrimonial life has often been promoted as an appropriate method of securing Muslim women's rights as citizens of India who at the same time are also conscious members of their religious community (Ali 2017; Mandhani 2017). Standard formats of marriage contracts are used during the solemnization of Muslim marriages and Tschalaer examines the development of standard marriage contracts available in Lucknow, comparing those designed by the more male-dominated Muslim institutions with those that have been the brainchild of the different Muslim women's organizations. Examining very male-centric *nikahnamas* and those couched in a language of women's rights and duties in a marriage, alongside others that clearly outline constitutional

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<sup>1</sup> See *Shayara Bano v. Union of India and Ors.* [Writ Petition (C) No. 118 of 2016], more popularly referred to as the triple *talaq* judgment in India.

principles that entitle women to a safe and secure conjugal life, chapter 4 of the book highlights how gender equality in the contexts that Tschalaer examines is “... uneven and complex and indicative of a multi-layered process of negotiation...” (Chapter 4, 133).

The book does not remain restricted to an analysis of Muslim women’s rights activists only, but also provides a perceptive insight into experiences of women from within and outside Lucknow who sought the intervention of these women’s organizations in actual instances of dispute processing. However, the focus remains a comparison of the manner in which these organizations and activists tackled the grievances and disputing situations women from the Muslim community approached them with. Having been a student of law, I did feel that the chapter could have elaborated more on the trajectory of the dispute and as to how and why these specific parties decided to approach the women’s organizations. This may have also helped widen the scope of knowledge offered by the book in terms of the “quest for justice” of Muslim women across different socioeconomic backgrounds.

*Muslim Women’s Quest for Justice*, I would conclude however, has arrived in the right moment and context. Several litigations making Muslim women’s rights their central focus have busied the higher courts in India and inevitably drawn the attention of academics and politicians and their respective politics in the country.<sup>2</sup> The book will be an interesting read for an audience interested in the working of NGOs and how their “secular” objectives interplay with the religious and political nature of their social settings. Tschalaer encourages legal practitioners, policy makers, and rights groups to perceive the plurality of legal orders as a space to engage in gender reforms that would be more responsive to local specificities and ground realities. She suggests that gender reforms should be a collaborative effort of state and non-state legal actors that must necessarily be linked to an individual’s experiences and expectations of the law to be meaningful. Being an ethnography of three Muslim women’s organizations, these policy recommendations that the author makes in the concluding part of this book may be of most relevance to other human rights and sociolegal activists, especially in terms of expanding perspectives. The book stands as a reminder for the crucial significance of sociological and anthropological approaches to the study of law without which, as the author herself observes, the discourses

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<sup>2</sup> See *Vishwa Lochan Madan v. Union of India & Ors* [(2014) 7 SCC 707], *Shabnam Hashmi vs. Union of India & Ors.* [(2014) 4 SCC 1], *Prakash v Phulvati* [(2016) 2 SCC 36], *Shayara Bano v Union of India and Ors.* [Writ Petition (C) No. 118 of 2016]

around rights and state law will only remain idealistic and lifted from reality.

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