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Tanya R. Langton

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Subversive Sites: Feminist Engagements with Law in India

RATNA KAPUR AND BRENDA COSSMAN, *SUBVERSIVE SITES: FEMINIST ENGAGEMENTS WITH LAW IN INDIA*; Sage Publishing; Thousand Oaks, California (1996); (\$28.00); ISBN 0-8039-9815-3; 352 pp. (hardcover).

Subversive Sites examines the contours of law in light of the feminist struggle for social change. The authors recognize the law as a method for overthrowing the oppression of women, since the law has the power to impact the status and discrimination of women. In an apparent contradiction, the law can both reinforce and challenge the stereotypical roles of women. The authors focus *Subversive Sites* on the state of the law and of women in India, however, the principles they convey are not confined to that locality. Legal regulation in India is congruent with the familial ideology that also reinforces notions of equality. Equality in the law leads to unequal results due to discriminatory enforcement and access. Further, informal reinforcement of roles and inequality stems from the familial ideology. The authors argue that women must resist the familial ideology by not rigidly enforcing gender roles, but at the same time affirming the roles and relationships chosen by women.

The book opens with a discussion of the approaches taken in literature to help explain the dynamic nature of the feminist struggle. The authors examine historical feminist movements through the perspective of the displacement of dominant notions of roles and identities for women. Their perspective incorporates an understanding of the struggle as a discursive one. Chapter two describes the familial ideology including the sexual division of labor and roles in India. Familial ideology shapes the moral, economic and criminal laws of India. Moreover, familial ideology influences laws made to protect and benefit women, thus furthering unequal consequences. Chapter three examines how challenges to the law entrench the projectionist assumptions toward women as weak and indifferent, undermining any substantive equality. Chapter four depicts the channel from legal to political discourse. The Hindu Right uses the forum to subvert feminist advances and catechize conservative and communalist ideals.

In the last chapter of *Subversive Sites*, the authors characterize law as an important site for discursive struggle and empowerment. They urge feminist lawyers to complicate legal arguments made in furtherance of the struggle. They also urge feminist lawyers to challenge the assumptions on which the law is based, for it is these assumptions that influence society. Most importantly, we must understand the limits to the use of law as a subversive site. Limitations may dictate that the law is an option, but not always the best forum.

Tanya R. Langton

