

## **The Scandal of the State: Women, Law and Citizenship in Postcolonial India**

**By Rajeswari Sunder Rajan.**

**Duke University Press, 2003.**

*The Scandal of the State* is a collection of Rajeswari Sunder Rajan's essays, written since the mid-1990s, about the relationship between Indian women and the post-colonial Indian state. Sunder Rajan analyzes several different phenomena to problematize the position of the woman vis-à-vis key institutional sites at which the logic of the state constrains the freedom of the female individual: marriage, health, religious identity, labor, sexuality, the law, and the Constitution. The book's method is typical of Cultural Studies: the author undertakes an inter-textual reading of events, figures and cinema in contemporary India, framing the entire analysis within the terms of European and Anglo-American positions in feminist political theory. Primarily, the data are Indian while the theoretical framework is Western, with occasional references to recent debates in feminism on the subcontinent. This work is thus accessible to readers worldwide, though perhaps its style makes it best suited for use in the graduate classrooms of England and America. Indian audiences in any case would have followed most of the issues and cases presented in *The Scandal of the State* in the popular as well as the academic press, as also in the media, where they have often occupied center-stage over the last decade and a half. Sunder Rajan herself is currently Reader in English and Fellow of Wolfson College at Oxford.

In this book we encounter two historical persons with unique life-histories. One is Ameena, a Muslim minor forcibly married to a Saudi national five times her age and "rescued" by an air-hostess, who eventually returns to parental custody via a state-run destitute women's home after a long judicial battle between various family, state and third-party actors. The other is Phoolan Devi, a low-caste Hindu woman who goes from being an ordinary villager to a dacoit to a prisoner to a politician to a character in books and movies, and is ultimately assassinated. We then look at the problems relating to their sexuality faced by

two very particular communities of subaltern women: those institutionalized in a facility for the mentally challenged and made to undergo hysterectomies, as well as commercial sex workers. Finally, we also go over the arguments in the public sphere surrounding two contentious social and cultural issues that affect millions of Indian women – the widespread practice of female foeticide and infanticide, as well as the dilemma between religious subjectivity and secular citizenship in the ambit of personal law. Sunder Rajan goes over the details of all six questions in her usual meticulous fashion, recording not only the facts of the matter, but also the subsequent reactions of different players and parties, thus encapsulating for us a present-day history of women and the state in India.

It is easy to imagine a class in Women's Studies where there is a need for comparing different nation-states of the South, or developed and developing countries. In such a pedagogic scenario, *The Scandal of the State* would provide all the documentation as well as the major perspectives from India. Moreover, it would very usefully put these into dialogue with Western theoretical discourses. The only criticism one might make of Sunder Rajan's latest work is that it synthesizes all available resources without necessarily making an original intervention. Take for instance her scholarly treatment of the victims of forced hysterectomies at a hospital in Pune, whose mental condition prevents them from being in any position to understand or challenge what is being done to their physically mature bodies. In writing about the violence against the human guinea pig, the neo-mort, the death-row prisoner and the *faux-vivant*, political philosopher Giorgio Agamben demonstrates that in the exception to the rule of law the boundary between life and death becomes indistinct. He shows us that when the state abandons the human being, s/he is reduced from a sovereign subject to 'bare life'. Sunder Rajan's critique of the

state in its propensity to abandon women or banish them to the state of exception to the law is competent, but doesn't go far enough

**Ananya Vajpeyi**

in drawing broader conclusions about biopolitics and thanatopolitics in the context of gender.

**The University of Chicago**