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Adjudication In Religious Family Laws

Based on a study of legal adjudication of marriage and divorce across formal and informal arenas in contemporary Mumbai, this book argues that the shared adjudication model in which the state splits its adjudicative authority with religious groups and civic bodies in the regulation of marriage can potentially balance cultural rights and gender equality.

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In so doing, they fracture the homogenized religious identities grounded in hierarchical gender relations within the conjugal family. The shared adjudication model facilitates diversity as it allows the construction of hybrid religious identities, creates fissures in ossified group boundaries and provides institutional spaces for ongoing intersocietal dialogue.

Adjudication In Religious Family Laws by Gopika Solanki

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ADJUDICATION IN RELIGIOUS FAMILY LAWS How do multireligious and multiethnic societies construct accommodative arrangements that can both facilitate cultural diversity and ensure wom-en's rights? Based on a rich ethnography of legal adjudication of marriage and divorce across formal and informal arenas in Mumbai, this book argues

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Adjudication in Religious Family Laws takes its rightful place amongst cultural pluralist and cosmopolitan approaches to law (e.g. Merry 2006, Wilson 2006, Santos 2006) – approaches that similarly stress the complexity and the unevenness of lawmaking and adjudication on the ground. The writing is of great importance, therefore, to legal, political, feminist and anthropological scholarship that engages critically with questions surrounding legal reform in the context of a polycentric legal ...

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Adjudication in Religious Family Laws: Cultural Accommodation, Legal Pluralism, and Gender... Ramachandran, Vibhuti 2012-06-01 00:00:00 The possibilities and implications of legal pluralism have long interested scholars exploring the Indian state's relationship to family, religion, and gender equality. In a situation complicated by violent conflicts between Hindus and Muslims at the time of India's independence, lawmakers faced a predicament unique to multireligious societies with a colonial ...

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In Adjudication in Religious Family Laws: Cultural Accommodation, Legal Pluralism, and Gender Equality in India, Gopika Solanki provides a convincing defence of the Indian policy of legal pluralism for governing marriage and divorce among Hindus and Muslims.

Gopika Solanki: Adjudication In Religious Family Laws ...

State law and the adjudication process: marriage, divorce, and the conjugal family in Hindu and Muslim personal law; 4. Making and unmaking the conjugal family: the administration of Hindu law in society; 5. Juristic diversity, contestations over 'Islamic law' and women's rights: regulation of matrimonial matters in Muslim personal law; 6 ...

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Kokal, K. (2015). Gopika Solanki, Adjudication in Religious Family Laws: Cultural Accommodation, Legal Pluralism and Gender Equality in India.

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Adjudication in Religious Family Law : Cultural Accommodation, Legal Pluralism, and Gender Equality in India. [Gopika Solanki] -- Argues that the shared adjudication model regarding the regulation of marriage can potentially balance cultural rights and gender equality.

Adjudication In Religious Family Law : Cultural ...

The premise of this introductory Essay is that it is not possible to have a religiously valid (or customary) outcome from any coercive adjudication by the courts of the state. In other words, whatever the state and its courts and other institutions do is inherently secular, and cannot be religious. If that is the case, then believers who are keen to live by their religious norms should avoid ...

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Adoption is made when the actual giving and taking had taken place and not when the religious ceremony is performed like Datta Homam. For a valid adoption, it would be necessary to bring on records that there has been an actual giving and taking ceremony.

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In so doing, they fracture the homogenized religious identities grounded in hierarchical gender relations within the conjugal family. The shared adjudication model facilitates diversity as it allows the construction of hybrid religious identities, creates fissures in ossified group boundaries and provides institutional spaces for ongoing intersocietal dialogue.