

While the range and multiplicity of contributions in the volume create a unique opportunity for the nuanced and multi-perspectival analysis of current issues in the field of anthropology and law, the sheer quantity of chapters can sometimes feel a little overwhelming for a reader. Moreover, despite the great amount of theoretical and methodological material covered in the volume, some pressing issues in law and anthropological scholarship could have been explored more comprehensively. For example, a more extensive analysis of the relationship between legal evidence and evolving digital technologies and digital capitalism could have strengthened the volume even further. Some chapters in the volume discuss how new techno-scientific regimes have shaped legal truth production (Turner and Wiber, Chapter 41). However, what remains underexplored is how algorithms and social media platforms have introduced new private legal players into transnational legal processes that pose new challenges for regulation (Udupa 2021), while also giving rise to new modes of vernacular justice (Cearns and Fuchs forthcoming).

Nonetheless, there is no doubt that, as an intellectual project, as well as a collaborative effort across disciplines, *The Oxford Handbook of Law and Anthropology* represents a rare feat that has already become part of the canon of foundational scholarship in law and anthropology.

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- Udupa, Sahana, Gagliardone Iginio, and Peter Hervik eds. 2021: *Digital Hate: The Global Conjunction of Extreme Speech*. Indianapolis, IN: Indiana University Press.

Fuchs, Sandhya: *Fragile Hope: Seeking Justice for Hate Crimes in India*.
358 pp. Stanford: Stanford University Press, 2024. ISBN 978-1-50-363834-1

“The dehumanization resulting from an unjust order is not a cause for despair but for hope...”
Paulo Freire, 2005:91.

The term ‘hate crime’ refers to acts of violence committed against historically oppressed groups that are intended to reinforce their subordination. One such group is India’s Dalits (formerly untouchables or outcastes), which historically have been

marginalized due to the enduring caste system. The Indian Constitution introduced the term ‘Scheduled Castes’ to legally categorize these castes, leading to protective measures like the *Prevention of Atrocities Act* (PoAA). This act aims to protect Dalits from caste-based violence, which often arises in response to their upward social mobility. According to the 2022 National Crime Record, violence against Dalits is increasing, with Uttar Pradesh and Rajasthan leading the trend. According to the Home Ministry, 53,886 cases were registered under the SC-ST (PoAA) Act in 2020.

There has been a dearth of studies so far in the areas of caste and law. However, more recently some publications have addressed the relationship between them. For instance, Annapurna Waughray (2024) captures the history and persistence of caste in India and its global implications. Norwegian political scientist Dag Erik Berg (2020) underscores the oppressive caste structure and its rejection by Dalit socio-political movements in the post-colonial era based on his research in the south Indian state of Andhra Pradesh. Maharashtra and Tamil Nadu have also seen robust Dalit movements challenging upper-caste dominance. On the other hand, Rajasthan, a northern Indian state, produced a ‘fractured movement for Dalit assertion’, claims Sandhya Fuchs, a social anthropologist, in her book, *Fragile Hope: Seeking Justice for Hate Crimes in India*. The author’s unique biography is important to understand her ethnographic journey. Her lived experience of India is remarkable: she grew up with social-scientist parents in India from the age of 5 and speaks Hindi, which is largely understood in the north of India. Her research with various Dalit organizations adds more to her profound understanding of the caste system and its nuances. The book claims that the success of hate-crime law is socially situated and individually experiential (pp. 22–28). The author raises a critical question in her book: What does the PoAA really mean in the lives of survivors? How does it impact them?

The volume critically examines the implementation of the PoAA in Rajasthan, focusing on how its goals, substantive rules, and evidentiary procedures are interpreted, shaped by gender, and contested by Dalit communities. The author’s ethnography spans Jhunjhunu, Udaipur, Karauli, and Nagaur. In Rajasthan, where Dalits make up 17.2% of the population, Meghwals constitute half of this group and are divided into four sub-castes: Salvis, Bunkers, Balais, and Meghwanshis. Caste-based aggression is fueled by deep power imbalances and patriarchal norms. Rajasthan’s historically feudal and patriarchal past not only reflects its caste-related violence but also systemic violence cascading from the top of the social hierarchy to the bottom (p. 53). Simple actions, such as sitting on a chair or eating in front of the upper castes, or having mustaches like them, owning a car or a horse, riding a horse at a wedding, or touching an upper caste’s water source, can trigger violence. The PoAA was amended in 2015 to include additional categories of atrocities, such as the imposition of social and economic boycotts. The first chapter of the book explores the transformative vision that inspired the PoAA. The author interviewed senior bureaucrats who expressed their intent to ‘criminalize all casteist actions that make massacres possible’ (p. 62). The PoAA aims to

uproot casteism by addressing culturally normalized acts of violence, such as everyday practices of untouchability.

Dalit women are the most vulnerable, enduring compounded violence rooted in the feudal patriarchal structure. Chapter two, *Who Owns the Land*, discusses the rape of a Dalit girl, Pinky, from the Meghwal community, which went to court and saw the active involvement of various civil-society organizations, activists and community groups. This case is emblematic of the exhausting nature of such atrocities, where often nothing seems to work (p. 99). In cases like these, winning an atrocity case can lead to 'public honor', but in this instance the case ended in a compromise, with the victim's family receiving (R.150,000) from the perpetrators' family. The situation took an unexpected turn when the victim denied the rape had taken place in court. The author describes this as a 'psychological trauma', which involves a loss of faith in the social world, accompanied by an inability to articulate experiences coherently (p. 88). This case highlights the intersection of individual violence and collective suffering (p. 100).

Chapters 3 and 4, *The Case that Could Not Be* and *Rewriting Law's Allegiance?* demonstrate how Dalit vulnerabilities are rooted in Dalits' dependence on upper-caste landowners. The chapters discuss in detail a 2012 case in Libasha village, Udaipur district, where an individual faced a 'social boycott' – being barred from the village temple and denied medical treatment – after constructing a house with a balcony (p. 111). Eventually, the entire Meghwal community was ostracized from village life, underscoring deep-seated notions of caste superiority. In such cases of caste violence, the police often side with the landowning castes and undermine PoAA complaints by refusing to acknowledge marginalized experiences. The author notes two key processes: first, the police demand specific language, 'the right words' and 'the right type of proof', as well as particular bodily performances. This allows officers to mask corrupt practices or personal caste biases as a mere lack of evidence (p. 117). This illustrates a harmful institutional cycle where laws designed to protect hate crime victims are paradoxically manipulated by those responsible for upholding them (p. 159).

The constitutional promise of equality inherent in the PoAA also offers a new public sphere of negotiation and compromise. Chapter five, *You Must Not Compromise*, points out that in the majority of the cases the perpetrators and victims end up compromising, which reveals a symbiotic relationship between formal law and the alternative route of dispute resolution. The chapter also explores the background to these compromises, which is 'threat and coercion' by the police and powerful interest groups to intimidate Dalits into dropping cases and compromising (p. 163). This exposes the corruption of the police system, which starts with a weak FIR ('first information report') so the police can use it in favor of the criminal. The chapter offers an interesting discussion on what should be prioritized when seeking justice through hate-crime laws.

Chapter six, *Field of Massacre: A 'Hollow' Law?* illustrates how, when Dalits encroach upon spaces in ways that higher caste groups reluctantly concede, the latter often respond with violence. Violence serves as a boundary marker, sending a message to Dalits: 'We have given you this much; do not take more' (p. 208). Cases of caste

atrocities consistently show that, in most instances, the upper or landowning castes take ‘justice into their own hands’ (p. 203). The chapter describes one of the most brutal caste atrocities, which occurred in May 2015 in Dangawas village, Nagaur district, when five Meghwal men were killed by a mob of around 250 Jats who stormed a disputed plot with motorcycles, weapons, and tractors. The author shows how land had become a caste-marked space even before the massacre. In this case, the PoAA failed to provide the Meghwals with the sense of safety they needed, yet it still holds out a measure of hope.

Hope is an essential aspect of social life, as anthropologists have often emphasized. The capacity to hope and aspire is shaped by circumstances and experiences of oppression (p. 218). Chapter 7, *Habits of Hopefulness: Legal Labors for a Better Future*, compares two journeys of hope. It argues that the Act has become a crucial pillar of aspirational engagement in Rajasthan. The act offers a bureaucratically grounded reference point for hope (p. 221). The PoAA became an arena that allowed for the creation of new communities that made a more equal society appear within reach (p. 220). However, the chapter also stresses that urban Dalits have few of the financial resources that allow them to build new, meaningful social networks (p. 223). The PoAA has thus become the site of a *meliorist hope complex*, according to the author (p. 218). The PoAA offers a bureaucratically grounded reference point for hope which allows many survivors to cultivate new habits of resistance, not despite its character as a formal law, but because of it. Research indicates that those who commit caste-based atrocities rarely express guilt, which is a noteworthy finding that warrants further analysis.

The author highlights the symbolic importance of the PoAA as a source of hope within the Hindu context of Rajasthan, in contrast to regions influenced by Ambedkarism and Buddhism (pp. 227–28). Despite widespread caste violence, the PoAA has become a tool for the Meghwals to build political and cultural capital and challenge the feudal caste hierarchy, reflecting a shift from caste to class, driven by urbanization and education. The volume proposes that a systematic examination of hate crime laws in other postcolonial or newly independent nations can provide scholars with deeper insights into how constitutional principles and foundational legal frameworks influence the development of hate crime legislation and anti-discrimination policies.

The volume’s strength is its captivating and insightful ethnographic field narratives. It also highlights the paucity of research on truth and reconciliation in cases of caste-based atrocities. With its compelling narratives, *Fragile Hope* underscores the need for strategies beyond legal mechanisms to combat caste-based violence. The volume is methodologically significant for anthropologists and ethnographers and is essential reading for scholars, activists, and policymakers engaged with restorative justice practices, human rights, caste, law, and gender issues.

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Buschmann, Rainer F.: Hoarding New Guinea: Writing Colonial Ethnographic Collection Histories for Postcolonial Futures.

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In his book *Hoarding New Guinea: Writing Colonial Ethnographic Collection Histories for Postcolonial Futures*, Rainer F. Buschmann offers a comprehensive analysis of the emergence and development of ethnographic collections from Papua New Guinea in the context of colonialism. During the colonial annexation period before the First World War, over a period of three decades (1885-1914), self-proclaimed collectors extracted most of the material collections that are kept in German Museums today. The author begins with an introduction to the history of collections created in a colonial context, with the help of a quotation from Hans Blum, a former planter's assistant and expedition member of the New Guinea Company. The quote sheds light on the colonial logic of the mass accumulation of material culture. Reasons for the collecting hype included the salvage paradigm¹ of preserving cultures, but also the desire for prestige, on the one hand on the part of the museums and on the other hand on the part of the acquirers, by awarding them medals of the German Empire. And of course, there were also economic factors. In the four chapters, Buschmann explores the values of cultural property in terms of exchange, trade, prestige, or propaganda. He uses the concept of fluidity to explain that values are created in a reciprocal process between Europeans and the local population. Case studies offer insights into colonial 'collecting practices' and their effects on indigenous communities. As an introduction to his detailed analysis of the intertwined histories of Papua New Guinea and Germany, the author uses the historical source criticism of publications. The source-critical analysis of correspondence from the colonial period between members of the New Guinea Company and German museums, as well as the correspondence between various actors in

¹ This refers to the idea, widespread around 1900, that the material culture of non-European societies had to be saved because the people who produced them were doomed to extinction.