

Nadeera Rupesinghe, *Lawmaking in Dutch Sri Lanka: Navigating Pluralities in a Colonial Society* (Leiden: Leiden University Press, 2023, 316 pp., ISBN 9789087283759).

Nadeera Rupesinghe's *Lawmaking in Dutch Sri Lanka* is an important and erudite exposition on legal pluralities in eighteenth-century Sri Lanka. Scholars typically use legal pluralities to refer to competing or overlapping legal orders, which exist and function in the same time and place. They have been used as a framework to understand religious laws, customary laws or indigenous laws, for example, that coexist with statist legal order. Here, focusing on the southern port city of Galle, the first Dutch settlement on the island of Sri Lanka, Rupesinghe paints a vivid picture of a rural society and the people who made their living off the land and the seacoast. This is a socio-legal history of Sri Lanka that is built on a careful examination of the records of the Galle *Landraad* (translated as land, country or district council established by the Dutch in their overseas colonies) and the *thombos* – land registration documents – that formed the textual basis for many of the disputes that the Landraad adjudicated. Over six chapters that chronologically cover the period from the setting up of the Landraad in 1741 until the end of Dutch rule in 1796, the book shows how the resolution of legal disputes around marriage, inheritance, and property was central to the everyday life of people, both colonizers and colonized, in Lanka under Dutch rule.

The careful and original archival work that undergirds the analysis in this book deserves to be particularly commended. Building on a close description of the Galle Landraad, Rupesinghe shows readers how questions of translation and mediation – a central theme of scholarship on legal pluralism – played out. The legal forum of the Landraad was one where Dutch colonizers and the inhabitants of the Galle district were able to interact with each other across class and caste lines; it formed part of their legal consciousness. One common refrain about legal documents as historical sources is that these are irreversibly mediated and simply ventriloquize claims made by lawyers, legal representatives, and those with social and financial capital. Rupesinghe's work shows why this line of inquiry is not particularly productive by demonstrating how much can still be understood about social and legal cultures of colonized societies by way of this documentation.

Equally critical to Rupesinghe's analysis are the *thombos*, discussed in detail as a genre in chapter 5. Historians of Sri Lanka and the Dutch empire in Asia might be familiar with the *thombo* system, which was similar to a land registry containing details of ownership, tax, and family structures. The *thombos* were critical to the land revenue generation under colonial rule.

A Portuguese invention, they gained importance under Dutch colonial rule and were created, as Rupesinghe notes, ‘in conversation’ with peasants (204). Rupesinghe reads the thombos not only as legal documents, but as providing important glimpses into social life, the negotiations between indigenous and colonial forms of knowledge, and processes of translation and mediation as Dutch colonizers sought to ‘fix’ tenurial rights. Read alongside Bhavani Raman’s *Document Raj* on early modern south India and Nirmal Dewasiri’s *The Adaptable Peasant* on Sri Lanka, Rupesinghe makes a definitive contribution to the scholarship on law, land, and property relations in South Asia, making careful distinctions between the eighteenth-century Indian and Lankan contexts – and indeed, between Colombo and Galle – where necessary.

Using these historical sources, Rupesinghe contributes to major debates in socio-legal history and socio-legal studies. The contribution to the literature on legal pluralism is most significant here; law is described, following legal scholar Sally Moore, as a ‘semi-autonomous’ social field which has its own logic, but one that is not removed from social context and influences. In Rupesinghe’s reading, the everyday workings of the law also reveal how the individual agency of colonial subjects worked in the context of a colonial legal system, imposed on an indigenous population from outside (28). Apart from that, the book engages with questions of continuity and change, especially from premodern to modern legal systems. This is particularly notable in the introduction and in chapter 2, on the fractured sources of legal authority at the Landraad. Rupesinghe observes the lack of scholarship on premodern Sinhalese law, noting how much of what scholars know about pre-eighteenth-century law is filtered through Dutch and British sources. Taking to heart legal scholar Thambiah Nadaraja’s suggestion to explore Dutch legal records for vestiges of Sinhalese customs, Rupesinghe suggests that ‘jurisdictional pluralities’, following legal historians Lauren Benton and Richard Ross, are a potential answer to seeing how the British and the Dutch adopted Sinhalese customs (27).

In carrying out this fine-grained analysis, Rupesinghe presents a lively picture of a port city connected to the Cape of Good Hope, Colombo, and Batavia and of an agricultural society composed of fishers, agriculturists, laborers and others, particularly vividly described in chapter 3. Marriage and trade created a spectrum of identities before the court. Agriculturists belonging to the *goygama* caste – landed and with more access to social capital – were most visible before the Landraad, but they were not the only ones. Women and lower caste groups also gradually recognized the legal authority vested in the Landraad and accepted the broad contours of its legal authority by the late eighteenth century (124), and in many cases, they won (137). Appearing before the Landraad, however, was not the only way in which Galle inhabitants exercised agency; they were frequently ‘flippant’ and ‘dismissive’, even if they were eventually punished for it. In exercising agency, they also showed the limits of legal ‘transplants’ such as their rejection of the Dutch

form of oathtaking, described in chapter 4. Many who were subjected to the oath in a judicial setting had no compunctions about lying, even though they were Christian. This led to the Landraad's adoption of the local type of oath taking, which also came in for criticism. In spite of these measures, Dutch colonizers were anxious and suspicious about the local population. It is through drawing our attention to legal practices like the oath – outside the realm of claims and counterclaims in a courtroom or the 'gap' between legal rules and social practices – that Rupesinghe contributes to the scholarship on legal pluralism. Of particular interest here is the microhistory of an inheritance dispute involving a widow named Pilane Godakandegge Gimara, in which marriage, 'illegitimacy', and land ownership interacted with each other and left an impact on people's lives. This in turn changes the very definition and constitution of family as a social unit in Sri Lanka. But this process was never complete nor did it eclipse Sinhalese customs. This notion of law as a 'flexible' resource, one that seeped into and changed the relationship of local populations to colonial rule, and also to each other, is valuable in our understanding of how Sinhalese law and Roman-Dutch law were not siloes marked off from each other.

This is a book that explores the pluralisms of legal pluralism, in a sense, and will be of interest to legal historians, historians of Lanka, historians of Dutch colonialism and empire, and more generally of the early modern world. It will serve as a benchmark for the study of Dutch colonial rule in Lanka and as a model for how to assemble and study previously uncatalogued legal records for many years to come.

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