

Introduction

“To put it simply: People who touch things that we do not touch *become* untouchable.”¹

How significant is the history of untouchability for an understanding of South Asia’s early modern past? Studies that approach early modern caste as a whole tend to represent the “untouchable” castes as being at the bottom-most rung of a graded order and untouchability as part of the larger complex of caste practices. But the exclusion and discrimination that those deemed “Untouchable” experienced was not merely a degree removed from the castes just above them. To the contrary, a chasm separated the “untouchable” castes from “caste society,” a chasm that extends into the ritual domain to the present day, with *bhaṅgīs* and *halālkhors*—groups associated in the caste imagination with clearing human waste—having their own religious practices that have little or nothing to do with those of “caste” Hindus and Muslims.² Nor do they capture how central the specter of the Untouchable was to the operation of caste. There is then a need to pay attention to untouchability in distinction from the larger caste order in early modern South Asia.³ This book offers a history of the reconstitution of the “Untouchable” in the precolonial, early modern period, a process that I argue was intertwined with the reconfiguration in this same period of the “Hindu.”

Aniket Jaaware argues, in contradistinction to sociological and anthropological approaches that privilege marriage and inter-dining in their study of caste, that the practices of touchability and untouchability operate at a deeper, more foundational level to be the markers of caste.⁴ Traces of “untouchable” things, Jaaware tells us, carry the potential to be identified with the whole of the persons who touch those “untouchable” things.⁵ This is certainly reflected in the eighteenth-century archives on which this book is based. These archives, which among other things record the experience of castes engaged in clearing human waste and working with carcasses and hides, can be observed to have played a unique and constitutive role in the creation and renewal of caste consciousness. At the same time, despite

the discursive configuration of untouchability as bodily pollution, land, labor, and debt relations too played a significant role in placing particular castes outside the pale of the social.⁶

Generations of historical research have firmly laid to rest for scholars of South Asia the conception of a timeless India lacking in history produced and nurtured by colonial administrators and historians, of which an unchanging, hereditary caste order was a key pillar.⁷ Nicholas Dirks and Sumit Guha have shown that in precolonial South Asia, kings were integral to caste politics and hierarchies, that caste orders changed over time and were not anchored in brahmanical scripture and ideals alone, and that caste was only one of many loci of identity.⁸ The picture of a timeless caste “system,” however, persists in popular discourse, albeit reborn among some quarters as a relatively benign order of occupational and “worth”-based stratification.⁹ Yet, this book argues, there was a limit to the fluidity or negotiability of caste and that limit stood at the boundary that separated the *bhaṅgī* (or *halālkhōr*)—the remover of household and bodily waste—from all others and which served to anchor the precolonial conception of the Untouchable. The figure of the *bhaṅgī* embodied in elite minds the specter of Untouchability, a living and tangible vector of it that lived and worked within caste society. The *bhaṅgī*, as the Untouchable par excellence, could be amalgamated with other castes deemed “proximate,” as I will show, to draw a line separating caste from outcaste. In the eyes of caste elites, this line was not fixed and, depending on context, could shift so far as to include almost everyone but the rajputs (landed warrior elites), brahmans (priests, scholars, and scribes), and merchants. The *bhaṅgī*, however, was indisputably and always “untouchable.”

The margins of caste society then faded from fullest inclusion to total exclusion, with the *bhaṅgī* marking the core of the always excluded. Proximity to the *bhaṅgī*, whether real or imagined, placed others at risk of being rendered beyond the pale of social inclusion. This perhaps also explains what Ramnarayan Rawat and K. Satyanarayana have called the “Gandhian Harijan ideology,” which represented Dalits through “the stereotype of the *bhaṅgī* (scavenger) figure and stigmatized victim in need of reform from above.”¹⁰ M. K. Gandhi, as a merchant-caste man who came of age in western India about a century after the period about which I write here came to a close, likely inherited the perspective on untouchability and its embodiment in the *bhaṅgī* that the records of the Rathor state reflect. There was, it appears, a deeper history to the reading of the *bhaṅgī* as the emblem of untouchability. This in turn makes clear that among the merchant, brahman, and other elite-caste actors who petitioned the state, concerns with ritual purity and pollution, though certainly not the only and “encompassing” principles ordering caste society and life within it,¹¹ did guide behavior and priorities. These ideas of purity and pollution were centered on the body, generating particular forms of exclusion in which touch, bodily substances, descent, and other corporeal aspects of personhood were central.

While historians have written about “untouchable” communities in the colonial and postcolonial periods, the focus of their analysis remains on the transformations wrought by modernity upon the history of these groups. Still, these studies have made preliminary efforts to understand the precolonial context preceding the changes they trace, and I build in this book on their efforts.¹² Discussions of untouchability through precolonial, early modern South Asian sources have been limited to studies of poetry composed in the voice of “untouchable” poet-saints such as Ravidas (also known as Raidas), born to a leatherworking family in Varanasi and thought to have lived in the fifteenth or sixteenth century. These studies make clear the limits of extrapolating historical information about interfaith or caste-centered conflict from poetry and literature.¹³ My reliance on state orders responding to subjects’ petitions and localized disputes allows me to offer a more granular, everyday account of the construction and practice of untouchability in the early modern period. It also makes possible a better understanding of the role of state power in caste orders in precolonial South Asia than has so far been possible by scholars working with literary, devotional, or philosophical texts.

At the same time, I do not try to recuperate the “voice” of the castes deemed untouchable or lowly, recognizing the mediation of scribal renderings and truncations upon petitions and testimonies. I do, however, seek to represent the historical experiences of eighteenth-century actors even as filtered through the “scripts of power” that are the Rathor archives. I also excavate the particular ways in which lowliness, marginality, and exclusion were engineered through law and administration in this historical setting. Understanding Hindu-ness and caste in precolonial South Asia requires a close engagement with the history of the construction and practice through law of untouchability. The state, its law, and its administrative machinery were integral to the operation of caste, not just through the distribution of honors and kingly substance as gifts,¹⁴ but also through direct interventions in favor of local elites. In this history, it was not an already-defined, textually derived set of brahmanical values that formed the axis along which localized caste orders and their exclusions occurred in the eighteenth century.¹⁵ Instead, the ideals and practices of other, nonbrahman caste groups could play a role in shaping the ethical, social, and bodily requirements of elite caste rank and in constructing ideological notions of purity in precolonial South Asia.

This discussion of elites brings me to the other central concern of this book: Where is the merchant in early modern South Asian history? And where is the merchant in histories of caste? While there are many studies of mercantile activity in the domain of trade and to a lesser extent politics, merchants remain peripheral to ideas about social change in early modern South Asia. This book suggests that the eighteenth century saw South Asian merchants make the leap from participants in state machinery to leaders of political change. Joining hands with others with more tenuous claims to courtly leadership, such as brahmans, the merchants of Marwar were catalysts in the crafting through state power of a new elite identity—

the “Hindu.” When operationalized on the ground, it was defined not against the Muslim as such but rather in caste terms, against the specter of the Untouchable. The “Otherness” of the Muslim too was rendered legible through caste, with an emphasis on embodied difference. The “Untouchable,” in turn, was a social body named in these records as “*achhep*,” a term that translates to “untouchable.”

“Hindu” was a transcaste, umbrella category defined against the Untouchable. But the “Untouchable” also included the Muslim (*turak*), who in turn was collapsed into the same category as leatherworkers, landless vagrants, and castes engaged in clearing waste. Nowhere is this more clear than in the following command:

[1785] *Kāgad do koṭvālī chauntrā ūpar doḍhī rā: aprañch uṭhai saiḥar maiṁ sārā ī nu kaiḥ deṇo su pohar rāt bājyā pachhai doḥ ghaḍī tāīm śrī parameśvar rā nām̃v rojīnai liyam̃ karai su hinduvām̃ nu kehjo nai turak dḥeḍḥ chamār thorī bāvri halālkhōr achhep jāt huvai jīnām̃ nu nahī kehjo nai pher chauntrā rā ādmī rojīnai saiḥar mai phir nai kayām̃ karai su pohar rāt bājyā pachhai doḥ ghaḍī tāīm sadāi nām̃v levo karai śrī hajūr ro hukam chhai.*

1 <i>nāgaur</i>	<i>kāsīd chalāyo huvā dai</i>
1 <i>meḍtai</i>	<i>kāsīdām̃ rī ḍāk maiṁ dīyo</i>
2	<i>duvāyati pañcholi nandrām̃ nu phurmāyo</i> ¹⁶

[1785] Two documents for the front room at the magistracy: Instruct everyone in these towns to recite the name of Śrī Parameśvar (the Supreme Lord) two *ghaḍīs* into the night *pahar* (or, about a quarter of an hour past sunset) every evening. Relay this to Hindus (*hinduvām̃*) but not to the *achhep* (“untouchable”) castes, these being *turaks*, *chamārs*, *dḥeḍḥs*, *thorīs*, *bāvris*, and *halālkhōrs*. By the order of His Highness, men from the magistracy should roam through the town daily, announcing that the name must always be recited two *ghaḍīs* into the night *pahar*.

1 to Nagaur	a mail carrier has been dispatched
1 to Merta	has been sent with the mail carriers’ post
2	issued by Pañcholi Nandram to whom it was told

The office of the Maharaja Vijai Singh (r. 1752–93) dispatched this order to two of its provincial capitals, the towns of Nagaur and Merta, in 1785. These towns were administrative headquarters for two of the most populous of the sixteen provinces that made up Vijai Singh’s kingdom of Marwar, situated in the southern and central parts of the modern-day state of Rajasthan in western India and sometimes also known by the name of its capital, Jodhpur. Both of the towns at the heart of the order were also regional centers of trade, and Nagaur had the added trait of being a busy center of Sufi pilgrimage due to the presence there of the shrine of Saint Hamiduddin Chishti. The order states quite plainly that all the Hindus (*hinduvām̃*) in these two towns should recite the holy name of Śrī Parameśvar (literally, “Supreme Lord”) at a fixed time of evening each day.¹⁷ The wording of the order suggests that “Hindu” was an umbrella term that subsumed within it a number of castes. At the same time, the order makes amply clear that “Hindus” did not

include members of another transcaste body—the Untouchable (*achhep*, literally “untouchable”¹⁸). While leaving the constitution of “Hindu” vague, this state command defined clearly who exactly counted as Untouchable: Muslims (*turaks*),¹⁹ skinners and leatherworkers (*dheḍhs* and *chamārs*, who also worked as agricultural laborers in the countryside), vagrant hunters (*thorīs* and *bāvrīs*),²⁰ and removers of human waste (*halālkhors*, also called *bhaṅgīs* elsewhere in these records).²¹

This imagination of the local caste order can be discerned in a large number of petitions and commands inscribed in the Rathor records, making clear that this order, even if it articulated this vision in the starkest terms, was not an isolated one in terms of its import. In tracing this push for a clearer demarcation of caste boundaries in this region in eighteenth-century South Asia, I make three interventions. First, I argue that a heightened polarization of the caste order in some parts of South Asia was due to the local effects of economic shifts occurring at transregional and global scales. Second, I suggest that this emergent Hindu-ness was defined in caste terms, with the Muslim and the Untouchable reinforcing each other to make legible what the limits of Hindu-ness were. Third, I submit that the association between elite caste status and vegetarian diet on the one hand and between lowliness and eating meat on the other owes much to this chapter in South Asian history and to the rise of merchants to localized power in the early modern period. Gopal Guru and Sundar Sarukkai have called for a re-centering of the body and of everyday sensory experience in the conception of the social.²² In this book, I offer such a history of everyday and localized encounters between different sensory-ethical regimes focused on remaking social bodies. This fusing of lowliness and eating meat with being outsiders to the “Hindu” fold as defined in eighteenth-century, precolonial South Asia continues to be of significance to caste politics and everyday life in India and in the South Asian diaspora today.

CASTE AND CAPITAL

So what was it about the eighteenth century that fueled the rise of a state like that of the Rathors in Marwar, one that did not hesitate to intervene in localized patterns and caste customs in order to impose a particular vision of an ideal caste body upon its subjects? Answering this question entails attention to changes that occurred at not only the regional and subcontinental levels but also at transregional and global scales. Drawing on recent turns in global history, I suggest that shifts beyond and seemingly outside the region help explain changes that otherwise appear to be purely local in origin.²³ Transformations at multiple scales—regional, subcontinental, and global—and along different timelines then worked to generate particular changes legible in the locality. This is a particularly fruitful approach for Marwar, since the eighteenth century was one that brought an extraordinary transformation in the fortunes of merchant-moneylenders from the region who had spread out across the Indian subcontinent.

Perhaps due to their proximity to Gujarat, a coastal region with a deep history of participation in Indian Ocean trade, merchant castes from Marwar were among a slew of western Indian mercantile castes well acquainted with sophisticated accounting and banking skills that took advantage of the peace and territorial consolidation made possible by the Mughal Empire from the mid-sixteenth century onward. Mughal revenue demand in cash, the greater standardization of weights and measures, the administrative need for men trained in accounts, for credit, and for the transfer of large amounts of money from one part of the empire to another, were among the factors that benefitted western Indian merchants both as traders and as employees of the expanding Mughal state. The hereditary mercantile castes of Gujarat and Rajasthan were able to deploy networks of caste and kinship to quickly funnel funds and business intelligence across vast distances in the seventeenth and eighteenth centuries. The line between statecraft and trade became blurred, with political functionaries, nobles, and even kings participating in trade on the one hand and merchants thriving in administrative departments on the other.²⁴ While such a close connection between trade and politics may have existed in coastal polities from the medieval period onward, the sixteenth century saw a deepening of this relationship inland as well.

As a number of historians have argued, the period encompassing the sixteenth to eighteenth centuries was an age that saw the emergence of new kinds and organizations of production in South Asia that may be characterized as early, commercial, or mercantile capitalism.²⁵ The era of commercial capital was a global one, unfolding coevally across the world from the medieval period and intensifying from the sixteenth to eighteenth centuries. It differed among other ways from its successor, industrial capitalism, by the constant circulation and high fluidity of capital rather than its investment into fixed assets.²⁶ Frank Perlin has shown the many ways in which South Asia as a region became deeply interlinked in the course of the seventeenth and eighteenth centuries—even prior to colonial conquest by the English East India Company—with the rest of the world. For instance, Indian textiles and cowrie shells were carried to Africa by European traders and exchanged for slaves to be traded across the Atlantic.²⁷ Over time, the strong control that merchants began to exercise over commercial manufacturing led to a drain of resources from regions and populations specializing in production and to the concentration of wealth not only in the hands of particular groups in South Asia but, with the involvement of European traders, in metropolitan centers in western Europe. Areas that flourished as centers of commercial manufacture were not in fact necessarily poised to make a transition to industrial capitalism.²⁸ Instead, the webs that tied them to transregional exchange made these regions of commercial manufacturing essential contributors to organizational change, capital accumulation, and reinvestment in world regions.²⁹

So interwoven were nodes of economic activity around the world in the early modern age that economic forms and changes in some (though not all) parts of

the globe could not be fully understood by the late eighteenth century without attention to developments in far-flung but connected regions.³⁰ Money began to penetrate everyday life, mediating not only economic transactions but also social and political ones. The merchants of Marwar in the eighteenth century formed a diaspora even as they maintained roots in the land of their origin, often leaving wives and children back “home” in Marwar as they pursued wealth elsewhere. Many remained in Marwar and, as mentioned above, a large number participated in Rathor administration. They worked not only as scribes and accountants but also as ministers and governors, participating in government and warfare. As Rathor kings sought to counter the blood-based claims to power and to a share of sovereignty that their rajput caste fellows could command, they came to rely increasingly on men of merchant castes.

The records upon which I rely for this book, the *Jodhpur Sanad Parwāna Bahīs*, bear the imprint of merchant administration in numerous ways.³¹ First, their very form—the *bahī*—was closely associated with merchants by the early modern period and continued to be so well into the modern era. These ledgers consisted of long and narrow pages, roughly three feet by one foot, that were bound together at the top with thread, and were encased in soft canvas covers, usually overlaid with red cotton cloth. These *bahīs* were capable of being folded and tied together for compact storage. Merchants, particularly of western Indian origin, used *bahīs* to maintain their accounts and to record transactions. In eighteenth-century Marwar, as in some other rajput principalities in Rajasthan at the time, a range of records and not just accounts were maintained in *bahīs*.³² Second, the commands are sometimes attributed to particular officers, many of whom are identifiably of Vaishnav-Jain merchant castes. Third, officer lists of the eighteenth-century Rathor state that survive into the present day identify the holders of such key offices as head of the royal chancery (*śrī hajūr rā daftar*, in which Rathor records were written, compiled, and maintained), the prime minister, the officer in charge of military matters, and the governors of districts to be dominated by merchants.

The role of merchants in early modern social and political convulsions has been well established in North American and western European history. Recent scholarship, however, has underscored that merchant-driven political and social change is not a uniquely “Western” story. Early modern societies all over the world were witness to social and political changes triggered by the generation of new wealth from long-distance trade and from banking in the seventeenth and eighteenth centuries. The expansion of trade and of credit relationships generated new social classes, intellectual and religious movements, and political upheavals. Baki Tezcan has argued that the expansion of market relations in Ottoman territories widened political participation in the late seventeenth and early eighteenth centuries.³³ Ali Yaycıoğlu has noted the proliferation in the eighteenth-century Ottoman Empire of notables who combined military and administrative operations

with trade, moneylending, and tax farming.³⁴ For early modern China, Richard Lufrano has shown how merchants sought to improve their social position through “self-cultivation,” which entailed among other steps moral regulation and the avoidance of “vice.”³⁵ Japan too saw *daimyos* becoming increasingly dependent on merchants for credit in the early modern period and the emergence of mercantile associations that could leverage their influence over the state to create monopolies.³⁶ By the end of the early modern period, some Japanese merchants began to enjoy a higher standard of living than their samurai “superiors,” shaking up the social order.³⁷ At the very end of the eighteenth century, West Africa was witness to merchant-led struggles against aristocracies that had become enriched through the Atlantic trade.³⁸

Where does South Asia fit into this picture? I suggest through this book that in South Asia as well, merchants—a broad category that included not just hereditary trading castes but other caste groups, such as brahmans, members of which became actively involved in trade and moneylending—worked to usher in a changed sociopolitical order.³⁹ Here, however, there was no “revolution” in the sense of a convulsive set of events but rather a diffuse set of changes that transformed state and society from within. This may well have been due to the beneficiaries of growing trade and finance already being part of infrastructures of power and administration as bureaucrats, accountants, and scribes. These “new men,” however, certainly were not at the pinnacle in terms of social status, and this is what they sought to transform in early modern Marwar by deploying their command over the state. Most central to these efforts was the success of merchants and brahmans in transmuting profit into status. In parts of South Asia such as Marwar, they succeeded in replacing *ancien régime* ideas of bodily vigor grounded in blood and war with a new vision of the elite body—vegetarian, austere, and chaste.

HINDU, MUSLIM, UNTOUCHABLE

Constitutionalist, anticaste and anticolonial leader, and political scientist B. R. Ambedkar (1891–1956) argued that to be Hindu was inseparable from practicing caste.⁴⁰ More recently, Dalit scholars have warned that an understanding of religion-based mobilization, often called “communalism” in the South Asian context, is impossible without recognizing its relationship to caste difference.⁴¹ My findings from eighteenth-century Marwar attest to the precolonial roots of the inseparability of the imagination of the Hindu community and the Hindu body from the demarcation of a radical and inadmissible other in caste terms. The Muslim and the outcaste then reinforced each other to produce a radical other subsumed under the umbrella “Untouchable,” who in turn embodied everything the Hindu was not. The quotidian was significant, as it remains today, for the operation of the diffuse violence and exclusions that caste entailed.⁴² The history I trace

here then speaks centrally not only to the premodern past of caste but also to the interconnected history with caste of the concept “Hindu” and of its deployment in localized politics. In addition, it weaves caste and untouchability into a history of kingship and the state.

There is a vast body of scholarship on Hindu-Muslim relations as well as on the question of whether a self-conscious Hindu identity, whether named as such or not, spanning sect and caste, existed in South Asia prior to colonialism. An influential body of scholarship holds that a singular Hindu identity, transcending the divisions of *sampradāy* (loosely, “sect”⁴³) and caste, was a product of colonial modernity.⁴⁴ This view, however, has been nuanced by a number of interventions that highlight the precolonial lineages of the construction of a “unified” Hindu identity in response to an imagined Muslim other.⁴⁵ These historical analyses of “Hindu” self-formation have explored the articulation in literature, philosophy, chronicles, and courtly pronouncements of Hindu identity and its relationship with Muslims and “low”-caste groups.

In tracing the precolonial history of Hindu identity, these scholars either explicitly or implicitly identify the Muslim presence in South Asia as the catalyst for the expression, and subsequent hardening, of Hindu identity. That is, these histories of premodern Hindu-ness are traced in opposition to a Muslim other. Alongside this scholarship, there is also a large and important body of work arguing for shared or hybrid cultures that defy categorization as “Hindu” or “Muslim” and demonstrating the ubiquity of tolerance, pluralism, and inclusivity in South Asia before colonialism.⁴⁶ From this literature, we know of the entanglements between the development of Hindi language and literature and of other cultural markers of a “Hindu India” as it was later imagined in the colonial and postcolonial eras, such as yoga⁴⁷ and Hindustani “classical” music,⁴⁸ with the history of Islam and Muslims in the region. Reams of scholarship have countered colonial and Hindu nationalist histories that paint Muslim-ruled polities in India as oppressors of non-Muslims that purportedly forced conversions to Islam, starved “Indic” culture and religion of patronage, and destroyed temples to build mosques.⁴⁹ Even as this narrative of the oppression of Hindus continues to be emphasized by certain political forces in modern India and persists in “popular” domains, generations of historians have shown beyond doubt that Muslim rulers in India were generous patrons of non-Muslim religious and cultural life and that they fostered and participated in a pluralistic milieu.⁵⁰ What these studies have in common with the scholarship arguing in favor of premodern imaginations of a singular Hindu community is that they too approach “Hindu” and “Muslim” as a conceptually dyadic pair, here to make a case for shared cultures and blurred boundaries.

This book, on the other hand, suggests that premodern histories of Hindu-ness and of Hindu-Muslim relations—the field of social life and the play of power in precolonial South Asia—need to consider caste as a force conditioning both “Hindu” and “Muslim.” Put another way, I argue that caste was a key component of

identities, particularly that of the early modern “Hindu,” which in the colonial era became configured as “religious.” The role of caste in the construction of the Muslim “other” has a deeper history, as studies of medieval Sanskrit literature composed by brahmins and Jains have shown. In order to depict Muslims as radically different and unassimilable, medieval Sanskrit authors of plays deployed literary devices that had until then been used to communicate the “low” caste of characters.⁵¹ Devotional literature from seventeenth- and eighteenth-century Maharashtra similarly reveals the interchangeability of Muslims and Untouchables as “Others” at the level of discourse as well as the far greater preoccupation with the alterity of “Untouchables” rather than of Muslims.⁵² Still, historians have expressed frustration at the seeming absence of records of everyday life and local administration for early modern South Asia that exist, for instance, for the Ottoman Empire.⁵³ The records that I study here, however, are precisely the types of records capturing the everyday interactions between state forms and subjects that have been thought by some to not exist for precolonial South Asia. They offer a novel perspective on South Asia before colonialism.

This book demonstrates that eighteenth-century processes of state formation and social change saw the deployment, in parts of South Asia, of administrative power and state law toward the implementation and practice of the boundaries of caste and faith. That is, state power became an instrument for the inscription of Hindu-Muslim difference, as well as caste exclusivity, on localized society. The drive to enforce this new vision of social order is not inconsistent with the simultaneous persistence of tolerance and fluidity in other sectors of social, cultural, and political life. Yet, it is significant that such an effort was undertaken at all in India before colonialism and that it played out as widely and minutely over a region as this book shows.

Historians of modern South Asia have highlighted the consequences for caste of the colonial separation of “religion” from politics and of the emergence of text-centric notions of religion.⁵⁴ In recent years, studies of the late seventeenth and eighteenth centuries in South Asian history have approached conflict and political realignments in this last century and a half before colonialism without disaggregating “religion” from their analysis.⁵⁵ Joining these scholars, what I offer here then is a picture of what the imbrication of caste with faith and politics, both local and state-centered, looked like just prior to the ruptures introduced by colonialism.

The book relies on an analysis of hundreds of orders issued by the Rathor court to its provincial offices. These orders intervene in localized disputes, including those involving individuals from such occupational groups as cobblers, tailors, birdcatchers, and bangle makers. I will say more about this archive ahead, but for now I would like to flag the ability of these records to portray the micropolitics of the villages and towns of Marwar and the intervention of the state in them in a manner that is unusual not only for the history of Hindu practice but also for the

historiography of premodern South Asia more generally. In the pages that follow, I show the localized and everyday nature of the construction of a self-conscious and self-naming Hindu community. I argue that the struggles to carve out this community played out in small, tight-knit urban neighborhoods and in the provincial courts of eighteenth-century Marwar.

This is also a history of law and legal culture in precolonial South Asia, with the book offering a history of the practice of law in India on the eve of colonial conquest. In approaching the Rathor state as a legal order, I find an unselfconsciously Persianate lexicon at its heart, even in its pursuit of new “Hindu” publics. Alongside, while historians of western India have pointed to the significance of variable and malleable custom as a guide for kings and their delegates in the administration of social life, I show here that these customary regimes coexisted with efforts, even contradictory ones, that sought to impose more generalized laws upon all subjects. Even so, there are plenty of hints in this state archive of a thriving, legal pluralism, with references to *qāzīs* (Islamic jurists) and localized caste *pañchs* (councils). Still, legal adjudication, including the maintenance of a documentary body of past legal pronouncements, emerged in the eighteenth century in Marwar as a central element of state formation.

It is important to clarify here that these efforts to harden boundaries through state intervention were not all-encompassing in the way that colonial historians and some postcolonial ones have sought to represent precolonial interfaith relations. The drive to craft a singular Hindu community was cross-cut by a range of forces, not least among which was the weight of customary practice. The Rathor court continued its patronage of Sufi shrines and maintained diplomatic ties with Muslim-ruled polities. Branches within the Rathor family, including the nineteenth-century Maharaja Man Singh (r. 1803–43), chose to affiliate with Nath Yogis rather than the Vaishnav sects that were central to the ritual life of eighteenth-century Hindus in Marwar.⁵⁶ At the popular level, a diversity of practices, including ones that occupied an overlapping space between Muslim and Hindu, thrived.⁵⁷

Groups at the receiving end of the Rathor state’s drive to cast a new body of subjects did not simply resign themselves to these changes. The resistance of “low” castes, landless communities, and Muslims—the “Untouchables” described in the command with which I began this introduction—is inscribed in these records in the form of petitions and protests as well as through the continuing of the dietary, ritual, and occupational practices that Rathor administrators sought to condemn. Yet, the persistence of these continuities, of diversity, and of resistance does not make the drive to carve out a singular, self-conscious Hindu community in a precolonial setting any less of a departure nor soften the breaks in local orders and regional culture that this entailed. “Popular” and non-Vaishnav practice did not remain unaffected by the efforts to reformulate elite identity in the eighteenth century.

It is also necessary to establish that this book does not see the decades under study as being the first point of departure in the construction of Hindu-ness nor does it argue for the birth, fully formed, of the modern Hindu community. “Hindu,” as it was imagined in Marwar on the cusp of colonial conquest, differed from the meanings the category took on in the colonial era in several key ways. First, the eighteenth-century, precolonial Hindu community was an exclusive one, quite unlike its quest for demographic inclusivity from the colonial era onward. Another significant way in which the premodern Hindu community differed from its modern counterpart, as already emphasized, was the centrality of caste and of the imagined Untouchable to the construction of both the Hindu and the Muslim, a centrality that was “forgotten” in the course of the nineteenth and early twentieth centuries by mainstream discourse on Hinduism. In these ways then I recognize the significant transformations that colonialism and modernity did unleash upon the diversity of practices and beliefs that became united under the banner of “Hinduism,” upon Hindu-ness, and upon Hindu-Muslim interaction. While recognizing early modern South Asia as fostering pluralism, tolerance, and inclusivity, I turn attention toward the hardening and enforcement of difference that could and did simultaneously thrive in pockets of it.

ETHICS, VIOLENCE, AND PURITY

Walking around the streets of north India, it is not uncommon to come across a “*Shuddh Shakahari Vaishno Dhaba*,” or “Pure Vegetarian Vaishnav Food Kiosk.” While these roadside eateries have been around for decades, the ethical pressure across India to be vegetarian appears to have reached a fever pitch only in recent years. The expansion of vegetarian residential complexes, vegetarian cafeterias at workplaces and schools, and government-supported bans on animal slaughter during Jain holy days have generalized the expectation of adherence to a vegetarian diet even to those whose religious and caste codes or personal convictions do not prescribe it. As commentators and scholars of contemporary South Asia have emphasized, vegetarianism in India is loaded with association to caste, that is, to “high” caste. It is also associated with the rise to power of dominant strands within Hindu nationalism. In regions where political Hinduism is dominant, such as Gujarat, with a long and deep history of Jainism and Vaishnavism, meat eating is not only a major component of the radical otherness of Muslims but also a justification for the violence Muslims have suffered during recent pogroms.⁵⁸ Vegetarianism is associated with cleanliness; it symbolizes “purity” both literal and ritual. Eating meat, conversely, is dirty. How did this come to be?

An important but neglected part of the answer to this question lies in the early modern past. Values and ethical cultures of the body emerged in parts of early modern South Asia, such as Marwar in the eighteenth century, as central axes for the formulation of an elite caste, Hindu identity, and for the expression

of its distinction from the Untouchable. The book shows how the virtues associated with some—nonharm and vegetarianism along with chastity, temperance, and purity—were elevated to the status of laws applicable to all across the Rathor kingdom. In Marwar by the eighteenth century, it was merchants and to a lesser extent brahmans who, as a caste, combined regional political authority with subcontinental fiscal power to muscle their way into the top of the region's social order. Some brahman communities in Marwar such as the Palliwals and Nandwana Bohras were successful traders and moneylenders.

Brahmans in Marwar had occupied an ambivalent social location. Their own claims to high social rank found ample justification in brahmanical textual tradition as well as claims grounded in ritual, priestly, and scholarly functions. Yet, brahmans in north India, including Marwar, had not acquired the kind of political and economic standing that brahmans in peninsular India had achieved through their command of landed temple estates.⁵⁹ Brahmans' literacy facilitated their absorption into the expanding Rathor state as administrators. This, along with their leadership of Vaishnav sects whose presence and power in Rajasthan increased during the eighteenth century, improved the political position of brahmans. At the same time, brahmans had nowhere near the command over money and administrative offices that the merchant castes enjoyed.

This was indeed a novel situation, for rajputs had until then exercised blood- and land-based claims to the pinnacle of political and social orders.⁶⁰ The many different castes associated with trade and moneylending had consolidated in Rajasthan by the eighteenth century into an umbrella caste category called "mahajan."⁶¹ Mahajans, with much of their power rooted in the indebtedness of others and in the circulation of money, could not draw upon existing cultural resources to justify their claims upon high social rank. Instead, they justified their rise to inclusion among the region's most elite through a turn to virtue. They adopted a righteous stance, expressed through the protection of nonhuman life, an adherence to an ascetic code of bodily restraint, and the valorization of these caste codes through their elevation into law. Rather than merely living by such ethical codes, they used their influence upon the region's state to impose this moral order upon all in the kingdom of Marwar.

Could it be that in this moment of transition globally from the old regime to one in which status derived not from land but from money, moral reform was a necessary component of efforts to challenge the status quo? In particular, the arrogation of the voice of the "voiceless"—whether the distant slave in a North American plantation in the case of English abolitionists or the nonhuman animal in the case of the Vaishnav-Jain merchants of Marwar—appears to have been the preferred mode of making a moral intervention in the politics of the day. The eighteenth century was a time also in Europe of the rise of early humanitarianism, which included a growing concern for preserving animal life or at least minimizing "needless" animal suffering.⁶² In the case of Marwar, the pursuit of this

righteous agenda underwrote the rise of a new elite that derived its status not from land but from capital.

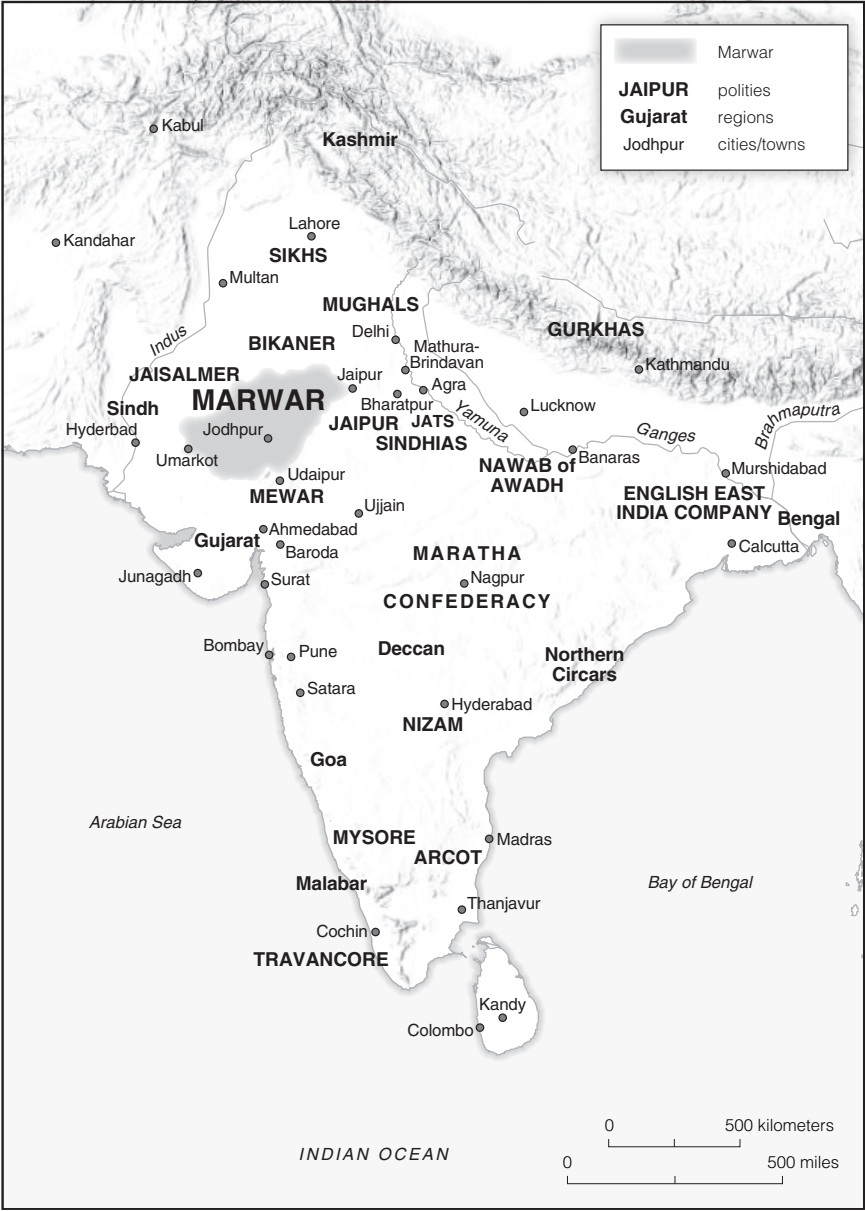
In the process, the Rathor state in Marwar emerges as one that intervened widely in the lives of its subjects, particularly its upwardly mobile and aspirant elite ones, in order to produce ethical subjects. Bans on injury to nonhuman beings, and by extension on eating meat, on abortion, gambling, and drinking, as well as the enforcement of chastity and efforts to separate “high” from “low” and “Hindu” from “Untouchable,” are reminiscent in part of the picture we have of the Peshwa state in the Deccan. But the Peshwa state can easily be explained as an aberration—its policies attributed to brahmans being rulers and therefore putting into practice brahmanical ideals. Marwar, however, continued to be ruled by an active and capable rajput king with the aid of a merchant-dominated administration. Brahmins too took on the role of administrators but they remained in a minority when compared with merchants. Like Marwar and the Deccan, Jaipur too was witness to the emergence of a similarly active state, governing the moral lives of its subjects. It appears then that the eighteenth century, with the rapid collapse of the Mughal state, generated a new state form, one that drew in a wider ambit of participants as bureaucrats and petitioners but which extended the remit of state power into the moral lives of its subjects. In Marwar this process entailed the discursive reconstitution of what it meant to be “high” caste or “Hindu” alongside a heightened rhetoric around the “Untouchable.” As I show in the pages to come, the Rathor state, with a Vaishnav king at its helm, carried this imagination into practice, deploying its punitive and surveillance capabilities toward normalizing the newly imagined Hindu body.

Norbert Peabody and Madhu Tandon Sethia’s respective studies of Kota, in southeastern Rajasthan today, have highlighted the role of merchants in shaping this polity. These studies have focused on the changing nature of kingship and on courtiers. They also have unearthed the growing penetration of rural trade and agrarian relations as well as of the state by merchants, though they do not venture into the effects of this mercantile influence on the administration of social life.⁶³ I depart from the focus on kings, landlords, and courtly texts on the one hand and on specific subsets of the population, such as artisans and mobile communities, on the other that have dominated the study of Rajasthan and turn attention instead to a particular regime’s administration of everyday life and the micropolitics of localized social orders as a whole.⁶⁴ Where Nandita Sahai has traced in these same sources from eighteenth-century Marwar a story of artisanal resistance to unjust extractions and departures from custom through petitioning and protest, I focus instead on political realignments and efforts to establish new regimes of dominance that were simultaneously unfolding in eighteenth-century Marwar. In narrating this history, I have often retained a number of “small” details, rather than reducing every document to its “essence.” I have done so in order to retain the texture, color, and variety of everyday life and to convey a more immersive sense

of eighteenth-century life and lifeworlds in South Asia. I have also retained this texture to make clear how the drive to rework the region's caste order played out through micropolitics.

I tell this history in two parts, preceded by a chapter that explains the historical shifts in state form, kingship, and economy that made possible the effort to reshape the regional caste order and its basis that the rest of the book discusses. Part I lays out the axes along which the Rathor state's orders articulated an effort to express distinction and difference from those deemed lowly in caste terms. Chapter 2 discusses the explicit use of the category "Untouchable" in the Rathor record. This chapter examines the investment of the Rathor crown and its officers in policing the boundary between Hindu and Muslim, between Hindu and Untouchable, and sometimes even between Hindu and everyone else. In chapter 3 I consider the interest that Maharaja Vijai Singh and the Rathor state took in fostering Vaishnav devotion. I show the convergence of elite patronage with localized struggles in temple communities in Marwar, resulting in the emergence of a less inclusive Vaishnav devotional public. I also trace the fissures and struggles that developed in response to efforts to create and police boundaries with Muslims. Chapter 4 argues that a campaign to protect nonhuman life, in pursuit of the Vaishnav-Jain ethic of nonharm, translated into a regime of surveillance, banishments, economic dispossession, and marginalization for members of particular castes—armed, landless vagrants (*thorīs* and *bāvrīs*) and Muslims—explicitly identified as "Untouchable" in the 1764 order that I discussed earlier. Leatherworkers, also "Untouchable," were yet another group that suffered harsher punishment for the "crime" of killing animals than members of other castes.

Part II centers the recasting of elite identity through the elevation of merchant ethics, which aligned in many ways with brahman mores, into kingdom-wide law. Collectively, the chapters in this part of the book point to the role of the state, staffed as it was by merchant and brahman administrators, toward enforcing consistency in adherence to mercantile values from members of merchant and brahman communities. A vegetarian diet and a lack of moral "contamination" from causing bodily harm to living beings (chapter 5), bodily austerity, temperance, and sobriety (chapter 6), and chastity (chapter 7) were among the virtues the pursuit of which caused the Rathor state to outlaw injury to animals and animal slaughter, abortion, drinking, and gambling in its domain. These imperatives were imposed through a concerted effort at enforcement, even if merchants and brahmins appeared to be at the receiving end of the Rathor state's punitive drives on most of these fronts. The exception to this pattern was the effort to protect animals from violence and death: toward this goal, the Rathor state made no exceptions. Everyone was to toe the line. The epilogue traces the afterlives of these shifts, carried beyond Marwar and into the colonial era through the circulation of Marwari merchants across South Asia.



MAP 1. Marwar in South Asia, c. 1780.