

## Hierarchy

The political self-fashioning of Hindu subjects in Marwar was not without precedent. The early modern period saw the articulation of what Peabody has called “Hindu kingship.” By the eighteenth century this effort, as it unfolded in such royal settings as the Sisodiya and Kachhwaha courts of Rajasthan, emphasized a degree of uniformity within the imagined “Hindu” community that in turn prioritized the expulsion of “impure” elements. The eighteenth-century summoning of an imagined Hindu community shorn of and sometimes also standing against extraneous elements played out in terrains such as language, devotion, and caste. I will begin this chapter with a short, preliminary, and by no means complete history of how kings and courts participated in shaping religious practice and communities and, in the process, reshaped “Hindu” religion in medieval and early modern South Asia. This is a history that no doubt proceeded along multiple avenues, sometimes intersecting and at other times flowing in parallel across the vast region and its many social worlds. I will then discuss shifts in Vaishnav devotional practice pertaining to “low”-caste communities and Muslims that occurred in the eighteenth century. With this discussion as context for the use of the term “Hindu” in eighteenth-century Rathor court records, I will turn to how the constitution of the categories “Hindu,” “Muslim,” and “Untouchable” played out beyond courtly patronage practices, in terms of carving out the devotional domain, urban and rural residential space, water bodies, and the contours of caste groups.

### IMAGINING THE “HINDU”

The origin of the term “Hindu” dates back to early Arab encounters with the region around the river Indus (known as “Sindhu” in local languages). As Islamicate polities took root in many different parts of South Asia, the twelfth and thirteenth centuries saw a wider association of the non-Muslim inhabitants of the region with the term “Hindu.” Arabic and Persian literature, however, continued until

the thirteenth century to use “Hindu” as a broad category denoting geographical origin.<sup>1</sup> Sanskrit texts, on the other hand, express from the twelfth century onward a recognition of the political, religious, demographic, and cultural changes that the establishment of the Delhi Sultanate and other Turkic polities introduced at that historical juncture in South Asia. Sheldon Pollock argues that early efforts toward conceptualizing a singular “Hindu” identity—albeit not named as such—developed in response to the rise of Muslim polities in South Asia. Patron kings began to be identified with the divine King Ram, and Turkic opponents with the demons Ram had slain in the battles of the *Rāmāyaṇa* epic.<sup>2</sup> The *Rāmāyaṇa*, with its binary “Othering” of the *asuras* as demons, provided the right vehicle for vilifying the Muslim kings who presented a grave new challenge to the authority of non-Muslim kings.

Basile Leclère suggests that Jain- and brahman-authored Sanskrit plays in the twelfth and thirteenth centuries depicted Muslims as “Others” by using literary and linguistic conventions that encoded Muslims not only as foreigners but also as lowly and demonic.<sup>3</sup> As Leclère points out, however, such efforts at demonization through literary representations were also channeled by brahmin and Jain authors against members of non-Muslim orders that they viewed as rivals. Contests between followers of Vishnu, Shiva, or among different schisms of the Jain community could inspire the same kind of demonization in Sanskrit literature. Sanskrit authors in later centuries also composed texts in praise of Muslims kings, having them speak Sanskrit (a marker of high social rank) in plays or describing them as avatars of Hindu deities.<sup>4</sup>

Andrew Nicholson, in his study of thirteenth-century philosophy, notes the beginnings of the effort to craft a more unified identity for the many diverse and competing schools of brahmanical philosophy at this time.<sup>5</sup> Still, it was not until the fourteenth century—that is, around the same time as the widespread usage of the term in Persian and Arabic writing—that local communities began to adopt the term “Hindu” to denote themselves. Cynthia Talbot has shown what may be the earliest known application in an Indic language of the label. This occurred in fourteenth-century Andhra in peninsular India, in Telugu inscriptions that described Vijayanagara kings as “sultans among Hindu kings” (*hindu-rāya-suratrāḷa* or *hindu-rāya-suratrāna*).<sup>6</sup> Yet, in inscriptions such as these two, Hindu, defined in opposition to the Turk, remained an ethnic category, denoting differences in dress, language, food, and cultural norms.<sup>7</sup> And, as André Wink argues, the Vijayanagara conception of “Hindu” was in any case borrowed from Muslim observers.<sup>8</sup>

From the fifteenth centuries onward, certain courts—particularly Vijayanagara under Krishnadevaraya in the fifteenth century and the courts of the Marathas and Jai Singh II in the early eighteenth century—emerged as powerful patrons of change in the crafting of a trans-sectarian unity among Vaishnav sects and the invention of new brahmanical rituals of kingly legitimation that were presented as

revivals of ancient forms. The eighteenth-century Maratha court and Jai Singh II of Jaipur made departures in the projection of a king as a virtuous defender against demonized and flattened Muslim enemies, and the shift among Vaishnav orders toward a greater acceptance of caste hierarchy.<sup>9</sup> These shifts occurred in courts and under kings who continued to foster cosmopolitan and pluralistic polities.<sup>10</sup>

Yet, in the departures that kings like Krishnadevaraya, the Marathas, and Jai Singh II made, new precedents were set that acquired accretive force with each succeeding generation. The Vijayanagara model of kingship left a mark so deep that it was emulated centuries later by Tipu Sultan as he asserted his own claims to sovereign power.<sup>11</sup> Still, the forging of this umbrella “Hindu” category occurred in connection with the efforts of imaginative sovereigns who broke from established patterns around them to articulate new types of kingly authority. Their efforts were crucial to the real-world activation of brahmanical ideas, albeit steeped in and modified by centuries of participation in a Persianate milieu, about social order and ritual life.

These monarchs adopted rituals of kingship that self-consciously drew on “Vedic” forms. At the same time, these “revivals” often really were inventions of new traditions, especially by the eighteenth century, in which Vaishnav ideals and rhetoric were merged with current trends in brahmanical orthodoxy. Their efforts translated into a unification of a trans-sectarian Vaishnav identity, a Hindu-ness, even if only at the level of courtly discourse and elite religiosity. Proximity to these kings also shepherded Vaishnavism toward a more brahmanical orientation, one that upheld caste-based hierarchy.<sup>12</sup> By the latter half of the seventeenth century, brahmans favoring a more orthodox reading of scripture began to assert their hold upon the recitation and performance that undergirded the ritual life of Vaishnav *bhakti* communities in north India.<sup>13</sup>

#### LORDLINESS AND HINDU-NESS IN MARWAR

Since the late medieval period, a key locus of the ritual practices of the landed and warrior rajput communities in western India, as is also legible in the mid-seventeenth-century Rathor court chronicle, the *Vigat*, was reverence for the agency exercised by the Goddess. The Goddess could be an abstract “Devi” (literally, “Goddess”) or a particular deity associated with the region or the clan, such as Nagnechi Mata (clan goddess to all Rathors), Karni Mata (an additional clan goddess to the Rathor kings of Bikaner), and Hinglaj Mata (clan goddess to whole caste groups such as the charans of western India). In the *Vigat*, the Devi appears in dreams, bestows her blessings if pleased and withdraws them if not, and takes earthly form to slay mortal enemies and defeat demons. The autumn festival of Dussehra, which celebrates both the Goddess Durga’s defeat of the demon Mahishasura as well as the divine king Ram’s defeat of the demon Rāvaṇ as recounted in the *Rāmāyaṇa*, held special significance in the ritual calendar of rajput kings and

warriors. Prayers to the Devi on this day, one whose public performance was associated with the annual renewal of kingly status, included the dedication of rajput arms to the Goddess for her blessings and the ritual sacrifice of a live animal, preferably a buffalo, to her.<sup>14</sup> Each of the goddesses conjured a sacred geography of her own and was associated with a particular site. For instance, Nagnechi Mata was rooted in the village of Nagana on the outskirts of Jodhpur and Karni Mata in Deshnok near Bikaner. This ritual order gave special significance to charans, a caste of poets that were generally associated with patron families of rajputs for whom they maintained genealogies and about whose heroic deeds they composed and sang ballads. Charans were closely associated with the worship of the Goddess. Charans could also be ritualists and were considered to wield sacerdotal power. In keeping with the significance of charans to the goddess-centered ritual world of rajputs, many of the goddesses that rajputs revered were considered to have been born into a charan family.

The rajput world from the thirteenth to the fifteenth centuries was akin to the frontier society that existed in other parts of Eurasia, for instance in medieval Anatolia: characterized by shifting alliances, respect for a code of honor and etiquette, a constant quest for booty and followers, strategic marriages into families of more powerful or wealthy chiefs, and openness and fluidity in identities and alliances.<sup>15</sup> As Shahid Amin has noted, north India in the fourteenth century nurtured localized cults of equestrian heroes martyred in the act of protecting cows from raiders.<sup>16</sup> Oral epics about them, such as that of the rajput Pabuji in Rajasthan, enjoyed popularity and sites associated with these legendary figures became centers of worship and pilgrimage. Amin notes the overlapping motifs between the legends of certain *ghāzīs*, or holy warriors, revered as saints across north India and those of cow-protecting heroes such as Pabuji. Other elements of the Rajasthani “folk-hero” cult also make more sense when seen in the context of this shifting world of martial men and their mobile followers. So it is that these cattle-protecting folk deities of Marwar are still known as the *pāñch pīr* or “five [Sufi] saints” and worship at their principal shrines is aniconic.<sup>17</sup> The openness of rajput status also translated, until the sixteenth century at least, into its full inclusion of Muslims. As numerous historians have shown, being Muslim, whether by birth or conversion, was not a disqualification for rajput status.<sup>18</sup> Marriages of rajputs into nonrajput families of Muslim chiefs and warlords who did not claim rajput status were common.<sup>19</sup> Many rajput clans had branches that were Muslim.<sup>20</sup>

By the seventeenth century, stray references from Marwari court chronicles betray the emergence of complexity in attitudes toward Muslims. This can be seen, for instance, in Nainsi’s retelling in the *Khyāt* of the tale of Kanhadde, the fourteenth-century Songara Chauhan chief of Jalor in Marwar, which Rathor Maldev annexed in 1561. The *Khyāt* notes that after defeating “*Pātsāh*”<sup>21</sup> Alauddin Khilji at Somnath, Kanhadde reinstated the *śivliṅg* (Shiva icon) there and built a temple.<sup>22</sup>

Alauddin Khilji did indeed conquer Jalor in 1311, but Persian sources do not offer much detail about this episode. Regional rajput and Jain memories, however, nurtured narratives centered on this confrontation at Jalor. Commenting on Kanhadde's purported defeat of Alauddin and his supposed reinstatement of the Shiva icon at the Somnath temple in Gujarat, the *Khyāt* says, "Kanhadde upheld the dignity of *hindusthān* (*kānhaḍde hindusthān ri baḍi marjād rākhi*). Then, the Patsah's men [now integrated into Kanhadde's polity] killed cows, which was unacceptable to Hindus (*pin pātsāhī rā raihanhārā su gāyām mārāi, su hinduvām rai khaṭāvai nahūm*)."<sup>23</sup> As Ramya Sreenivasan has argued in her comparison of Nainsi's version of the Kanhadde story with another one composed by brahmans and dated to mid-fifteenth-century Gujarat, this emphasis on cow killing as a violation of moral order was in keeping with a widespread strategy in texts sponsored by kings who faced a military threat from expanding Muslim polities.<sup>24</sup> Such representations drew, as Cynthia Talbot has argued, upon a longer tradition in brahmanical writing of portraying threats from "foreign" groups.<sup>25</sup>

Still, as Sreenivasan notes about Nainsi's version of the Kanhadde tale, this mid-seventeenth-century Rathor account depicts the successful, even if posthumous, marriage of Kanhadde's son with the Sultan's daughter, who in turn commits *sati* (ritual suicide through self-immolation) upon the son's funeral pyre just as a dutiful rajput wife would do.<sup>26</sup> This was among a few key departures through which Nainsi's account dissolved some of the imagined boundaries between "Hindu" and Muslim that the earlier, mid-fifteenth-century, brahman-composed version had inscribed. Sreenivasan notes the composition of the earlier account against the backdrop of ongoing conflict with an expanding Islamicate polity, whereas that of Nainsi was the product of a time when the sponsoring court was in a relationship of mutual benefit with the dominant power of the day. To that extent, in situations of territorial conflict and rivalry, Muslim foes could be encoded as radically "Other"—enemies of a righteous moral order, killers of cows and brahmans, destroyers of temples, and bearers of embodied impurity. That said, through the seventeenth century, Rathor rhetoric depicting the Mughals or other contemporary Muslim powers in this manner was uncommon in comparison with the wealth of evidence for mingling and mutual respect.

#### MUSLIMS IN EARLY-MODERN RAJPUT COURTLY IMAGINATION

In other rajput courts as well, particularly Udaipur, changes were afoot in attitudes to Muslim political authority. Cynthia Talbot's history of the transformation over the centuries of the legend of the rajput hero, Prithviraj Chauhan, is instructive. Prithviraj Chauhan was a twelfth-century rajput king whom the Afghan warrior Shihabuddin Muhammad Ghuri defeated in 1192. In the late seventeenth century, the Sisodiya rajput rulers of Udaipur emphasized a familial

connection to Prithviraj, asserting that an ancestor of theirs had married Prithviraj's sister and had been a loyal ally in Prithviraj's battles against Ghuri.<sup>27</sup> The Sisodiya court commissioned literary compositions commemorating Prithviraj's heroism, adding new elements such as a prominent role played by their ancestor in Prithviraj's struggle against Ghuri and turning the story into one about resistance to a Muslim enemy.<sup>28</sup>

These seventeenth-century Sisodiya-sponsored retellings of the Prithviraj story, in comparison to earlier versions, amplified the threat that Ghuri represented in the tale. They also heightened the antagonism between rajputs and Muslims.<sup>29</sup> This shift in the Prithviraj story under the patronage of the Udaipur court was part of a wider political program geared toward regaining for the kingdom pre-eminence among all the rajput principalities of Rajasthan. This wider program included patronage of the arts and religion and the projection of a history of resistance to Muslim conquerors. From the mid-seventeenth century, only decades after accepting Mughal suzerainty, the Sisodiyas began to display their opposition militarily and culturally to the Mughals even as they collaborated with them outside Rajasthan. They presented their anti-Mughal politics as resistance on the part of a besieged "hindu *dharma*" against Muslim aggression.<sup>30</sup> A Sisodiya court poet produced a narrative of the war of succession between Shahjahan's sons, the *Rājvilās* (c. 1680), which presents Aurangzeb in a negative light, as a killer of kin, and which speaks of Hindu *dharma* and Muslim *asuras* (demons) as being in eternal conflict.<sup>31</sup> It is worth noting, however, that in these same decades, other texts produced by the Sisodiyas represented Aurangzeb positively.<sup>32</sup>

The Sisodiyas' sponsorship of literary narratives that cast Muslim political adversaries as enemies of a "Hindu *dharma*" can also be seen in the recasting of the Padmini legend at the Udaipur court in the late seventeenth century. Originally a fifteenth-century Sufi tale composed in the Awadh region near Agra, the allegorical tale played off the historical capture of the rajput fortress of Chittor by the Delhi sultan Alauddin Khilji. The tale, however, adapts the barest details of the siege toward its own didactic ends, providing guidance on the discarding of one's ego and worldly attachments in order to make possible the soul's metaphysical union with God. Versions produced for the Udaipur court for the first time cast the Sultan Alauddin as an alien "Other," on a quest to besmirch Hindu *dharma* through the taking of the rajput queen Padmini. Padmini became a symbol not only of the honor of her clan but also of a singular Hindu community.<sup>33</sup> To drive home the embodied "impurity," the danger of pollution posed by the Muslim antagonist, a court-commissioned, late seventeenth-century Padmini tale has Alauddin spitting at everything he sees as he walks through the Chittor fort and its lakes, gardens, and temples. In this account, "the spittle of the Musalman" drove off the blessings of Hindu gods, paving the way for the eventual fall of the fortress.<sup>34</sup> This is reminiscent of the pollution borne by the *bhāṅgī's* spit and its use as a type of punishment for "high"-caste subjects in Rathor-ruled Marwar in the eighteenth century.

## BEYOND KINGS AND BRAHMANS

What is missing from this history of Hindu-ness in precolonial South Asia is the role of other social actors, beyond kings and brahmans. How do we link this history of kings and intellectuals with everyday life in South Asia that goes beyond the descriptions of elite literati? In the case of Marwar, the changes underway in Vaishnav sectarian orientations toward each other and toward brahmanical “orthodoxy” would quickly have traveled to the Vaishnav communities located in the Rathor domain. With Jaipur and Jodhpur kingdoms sharing a fluid and porous border, crossed frequently by mobile and interconnected communities, especially those of merchants, the shift in Vaishnav practice toward a greater concern with caste would surely have touched the everyday lives and ritual practices of these sects’ adherents in Marwar. For those like the upwardly mobile mercantile groups that were seeking to cement their status as an elite caste, an enthusiastic embrace of brahmanical orthodoxy—even as they remade it—was a necessary ingredient for success.

Another facet that remains concealed if one does not look beyond kings and brahmanical texts is the extent and manner of the enactment of Hindu-ness outside political rhetoric and theological debate. For this was a history that also played out in everyday life in the towns and villages of places like eighteenth-century Marwar. And on the ground, it took on a different color. The “Other” was not the Muslim as Muslim but rather the “Untouchable” of which the Muslim was a part in this worldview. In the imagination of local elites, particularly merchants and brahmans, the more tangible danger to their purity, and therefore their status, was the “low”-caste body. On the ground, the Rathor state defined “Hindu” as that sphere which could never include Untouchables, and Muslims *as* Untouchables, and which at its core was an exclusive community of caste elites.

Turning attention to the thick description of everyday life and conflict in eighteenth-century Marwar makes possible the excavation of how “Hindu” translated into lived experiences and into law. This “Hindu” identity was not merely a precolonial mirror image of its colonial counterpart. Rather than being expansive and inclusive as was the colonial construction of a “Hindu” community, the precolonial Hindu domain was an exclusive one, limited as much as possible to the most elite of local castes. Further, on the ground, it was imagined not against the Muslim as such, as became the case in the colonial era, but against the Untouchable. This finding pushes against the dominant frame that historians espouse when debating the early modern antecedents of the Hindu community; that is, a conceptualization of “Hindu” in a binary relationship with “Muslim.”

In Marwar, localized Krishna-centered Vaishnav communities, themselves in the process of reconstitution into a more elite group, formed an important locus in the formation of this new Hindu identity. The Rathor crown under Vijai Singh ensured that Vaishnav temples were well maintained, remained in active use, and

were serviced by a ritual functionary. Officers ensured that disrespect toward Krishna temples was punished. If one of the key traits of *bhakti* is its public nature, this was a public in which “low” castes were welcome but only if they remained at the peripheries of devotional life. From early in the record series, a remarkable if succinct order centers on a charismatic leatherworker named Balāi Nanag, who drew around him a community of followers of different castes. These included four Maheshwari merchants, two clothprinters (*chhimpās*), one brahman, and one *bhojag* (a caste of temple servants). These men would listen to the sermons (*sabad*) of Balāi Nanag, much to the chagrin of a Vaishnav *bhagat* who reported them to the crown for this. Crown officer Dodhidar Anadu ordered the governor of Merta to discipline the ten men and warn them to never go to the leatherworker again.<sup>35</sup> In the eyes of state officers, a leatherworker, considered “untouchable,” had no place as a preacher, let alone to a mixed-caste flock that included merchants and brahmans.

The Rathor state also supported the efforts of subjects, particularly merchants who had the outlay and drive, to build new Vaishnav temples.<sup>36</sup> It ensured that Vaishnav temples were sites of dignified behavior. Temple-centric Vaishnav communities became, in the decades under study, sites of struggle between elite and “low”-caste subjects such as shoemakers and tailors who found themselves forbidden from participating as fully as they previously had in shared rituals of the temple and the sect. This included orders to not touch ritual offerings and to pay obeisance from a set distance if not from outside the temple.<sup>37</sup> These artisanal communities pushed back, petitioning Vijai Singh’s state repeatedly to challenge these efforts at marginalization that local authorities seemed unable or unwilling to impede.<sup>38</sup>

In some cases, the delineation of Vaishnav spaces and rituals as exclusive to elite-caste “Hindus” was a top-down effort, with functionaries of the Rathor state issuing commands toward this end. For instance, a Rathor officer commanded administrators in Bilada district to stop using leather bags (*chaḍas ro pakhāl masak*) to water rose bushes whose petals were to be dried to make a red pigment (*kumkum*) for ritual use. Those hired for the care of the rose bushes and the production of the pigment were to be “Hindu and excellent” (*hindu nai utam*) workers and were to use metal buckets or earthen pots, instead of leather bags, for watering the bushes.<sup>39</sup> Leather, in this perspective, was a ritually polluting material that had no place in sanctified spaces. In the state’s eyes, the removal of “impure” leather was of a piece with the admission only of “excellent and Hindu” workers for the production of this ingredient for ritual use. Similarly, in a series of commands pertaining to the safe transport of sacred Yamuna water (*jamnājal*) through the districts of Marwar, crown officers commanded the employment of workers (*majūr*) or footsoldiers (*pālām*) who were “Hindu and excellent” (*hindu nai utam*), “Hindu of caste” (*jāt rā hindu*), or of Hindu brotherhoods (*hindu bīrādariyām rā*).<sup>40</sup> In another order, Purohit Kesorai and Chhangani Nathu instructed the Nagaur

magistrate to have cotton yarn and string woven, likely for ritual use, by Hindu artisans in a “good and neat place” (*āchhī suthrī jāygā hindu kārīgar kanai*).<sup>41</sup> Materials meant for the royal worship of gods were to be protected from contact with “untouchable” things (leather) and people.

When a respected brahman, Bhat Shrikrishanji, wanted to make a pilgrimage to the holy town of Dwarka in Gujarat, the merchant-administrator Muhnot Gyanmal ordered on behalf of the crown that Muslims were to be hired to work as footsoldiers for his party only if the requisite number of Hindus could not be found.<sup>42</sup> In working to meet Vijai Singh’s commitment of sending soldiers to keep a watch on three Krishna temples in Jaipur, Muhnot Gyanmal issued an order instructing the governor of Sambhar district to send along twelve excellent Hindu (*hindu aval kāmūm*) footsoldiers.<sup>43</sup> As Vijai Singh sought to articulate the identity of an ardent Vaishnav and a leading member of the royal brotherhood of Vaishnav kings, he ensured through his mahajan ministers that ideally only Hindu footsoldiers represented him outside his kingdom.

Muslims too found themselves unwelcome in Vaishnav spaces, as made clear by their inclusion among the “*achhep*” who were barred from reciting the name of the Lord in the order discussed in the introduction. More diffuse incidents attest to the unwelcome stance toward Muslims being practiced in eighteenth-century Marwar. For instance, the Rathor state ordered its officers in Merta to find a plot of land in a mahajan-brahman neighborhood that was in the crown’s control and devoid of Muslim *sipāhīs*’ presence and to allot it to a Vaishnav devotee looking to build a Krishna temple.<sup>44</sup>

Almost two decades later, administrator Asopa Surajmal, a brahman, heard through Rathor newswriters that two Muslims (*musalmān*) had sat on the parapet of a Krishna temple. “*Musalmān nu thākurdvārai kyūm āvaṇo paḍai?*” (Why does a Muslim have to come to a temple?),” he asked, ordering that the soldiers of the magistracy who were supposed to have investigated this matter ought to suffer a pay cut for their incompetence in punishing the guilty.<sup>45</sup> Similarly, crown officer Pancholi Gulalchand upheld the expulsion of a *bairāgan* (woman ascetic) named Tulchhi from a temple community in Merta when “her caste was revealed to be Muslim” (*jāt rī turakṇī huī nīsri*).<sup>46</sup> A *jāt* farmer complained in 1787 that “*musalmān sipāhī vagairai*” or men of the Muslim rajput Sipāhī community and (unspecified) others would come to the Krishna temple (*thākurdvārā*) that was recently made in his village in Parbatsar district. This was not right (*su thīk nahīm*), the *jāt* argued. Three crown officers, Brahman Asopa Fatehram, Pancholi Fatehkanan, and Mahajan Singhvi Motichand, agreed and ordered the governor of Parbatsar to prevent the Muslim rajputs from coming to the temple.<sup>47</sup> That same year, Purohit Kesorai ruled from Jodhpur that a plot of land next to a Krishna temple in Merta should be taken from the Muslim who owned it and allotted instead to a Vaishnav devotee, Bhagat Girdhari Das. The Muslim was to be given another plot in exchange, he commanded.<sup>48</sup>

In 1789, an order issued by Singhvi Akhairaj, son of the influential merchant officer Bhimraj, working with Dodhidar Khinvo, noted that the bricks of a Sufi hospice (*turak ro takīyo*) in Sojhat had been used some years ago to build the town's fort. Now, they approved a request by a Shrimali merchant asking that the plot, due to its location at the gate of his own caste's residential quarter, should be allotted for the construction of a Vaishnav temple that he wanted to build.<sup>49</sup> Looking at all of these scattered episodes, what emerges is the picture of an expanding Vaishnav public: a site for the coming together *ostensibly* of all devotees of Vishnu, irrespective of caste, gender, or class. This public domain, however, debarred the participation of Muslims: disallowing them entry, creating spatial distance from them, and dislocating them from the vicinity of the Vaishnavs' growing presence. Once more, the exclusion of Muslims from a "Hindu" sphere dovetailed with the exclusion from this same sphere of oppressed castes.

Vaishnav communities had not always been unwelcoming to Muslims in the manner witnessed on the ground in eighteenth-century Marwar. In preceding centuries, there had been many crossovers between Vaishnavs and Muslims. Devotional poets Kabir and Dadu, whose verses became foundational for many Vaishnav communities, were born in Muslim families. Muslim poets Raskhan and Rahim (or Abdul Rahim Khan-i-Khanan, who was a high-ranking Mughal official) were among the most prominent composers of Krishnaite poetry in Brajbhasha in the sixteenth century.

There also was considerable exchange between practitioners of Sufism and Vaishnavism. The Sufi poetic genre of *premākhyān* drew heavily, among other influences, from forms and idioms native to India. In 1540, the Avadhi poet Malik Muhammad Jayasi wrote a romance, *Kanhāvat*, in the Sufi *masnavī* genre, narrating the story of Krishna. Francesca Orsini has suggested that Jayasi used "coded religious vocabulary" in a manner that would have allowed his multireligious audience to receive it as both a Krishna tale and a Sufi one.<sup>50</sup> In eastern Rajasthan, a poet of the devotional Dadupanthei sect, Sundardas (1596–1689), composed verses that drew upon Sufi concepts, reflecting the multiplicity of religious practices that enjoyed a following in the region.<sup>51</sup> Musical traditions, literary genres, and people moved between and dwelt simultaneously in Vaishnav and Muslim milieus throughout the early modern period.

And yet, by the latter half of the seventeenth century, it is possible to discern a discomfort in certain Vaishnav quarters associated with acknowledging any contact with Muslims. For instance, as Jack Hawley has shown, the late seventeenth-century brahman composers of the *Bhāgavat Mahātmya* choose to completely omit any reference to Muslims while narrating the history of *bhakti*.<sup>52</sup> A similar unease with Muslim contact can be traced in the Vallabhite order's didactic body of hagiographic literature. Shandip Saha points out that Muslim government officials whose generous patronage the sect's leadership happily accepted are revealed in this hagiographic literature to have been brahmans or *daivī jīvas* (spiritual

souls) in past lives whose inadvertent transgression of a ritual prescription caused them to be reborn as Muslims. For instance, the late seventeenth-century *Chaurāsī Vaiṣṇavām ki Vārtā* discloses that Akbar had been a brahman in a past birth but had unwittingly swallowed a piece of cow hair while drinking milk. This inadvertent consumption of a cow's hair caused him to be reborn as a Muslim.<sup>53</sup>

In the *Chaurāsī Vaiṣṇavām ki Vārtā*, or Account of Eighty-Four Vaishnavs, which is a hagiographical compendium of the first followers of the Vallabhite sect, *anya* ("other") is a term frequently used to denote other religious groups and figures of religious authority. Vasudha Dalmia points out that in the episodes compiled in this text, *anyāśraya* (seeking refuge in another) and *anyamārgīya* (being a follower of another path) are undesirable states, although attitudes toward the "Other" vary from an assertion of equality with a rival to complete rejection.<sup>54</sup> The *Chaurāsī Vaiṣṇavām ki Vārtā* was compiled in 1696, though it is thought to have consisted of tales orally circulating since the late sixteenth century. The tales warn against keeping the company of members of other religious communities, worshipping any deity other than Shri Nathji (the Vallabhite order's primary Krishna idol), or discussing Vallabhite sectarian beliefs and practices with those of other communities. In their capacity as didactic tales, these episodes imparted to Vallabhite devotees the importance of maintaining the exclusivity of their order. They instructed Vallabhites to cut off all contact from not just Islam but folk traditions, Shiva worship, even the Krishna deities of other Vaishnav sects, and brahmans who refused to surrender to Vallabhite devotion were to be kept at a distance.<sup>55</sup>

The *Do Sau Bāvan Vaiṣṇavām ki Vārtā*, or Account of Two Hundred and Fifty-Two Vaishnavs, whose earliest manuscript copy dates to the late eighteenth century, reflects the clearer enunciation of a harsher attitude toward Muslims, with several episodes about particular devotees reflecting the importance of staying away from Muslims due to their inferior, *mleccha* (barbarian) status.<sup>56</sup> Recognizing the practical difficulties of mobile merchants avoiding all contact with Muslims, Vallabhite hagiographical literature advised them to diligently continue practicing Vallabhite ritual toward Krishna and to create a tight network with other Vaishnavs in distant lands.<sup>57</sup> In the few positive references to Muslims in the late eighteenth-century *Do Sau Bāvan Vaiṣṇavām ki Vārtā*, a complete immersion of even the most ardent of Muslim Krishna devotees into the Vallabhite community is avoided. In one instance, a Muslim vegetable seller is rewarded for her persistent devotion to Krishna by finally being initiated into the Vallabhite community, but only on her deathbed. In another instance, an insistent Muslim woodcutter is allowed to join the community only if he sits at a distance from Guru Viṭṭhālānāth and his followers.<sup>58</sup>

This shift in attitudes toward Muslims was perhaps a wider phenomenon in eighteenth-century South Asia. Purnima Dhavan points to hardening attitudes toward Muslims, accompanied by an increasing acceptance of caste, in the Sikh community in the eighteenth century.<sup>59</sup> Brendan LaRocque shows that the heterodox

teachings of the seventeenth-century founder of the central Indian Prannami sect, many of whose followers were merchants, underwent revision in the hands of his eighteenth- and nineteenth-century memorialists, who sought to recast him as a holy warrior fighting to protect Hindu *dharma* from Muslim oppressors.<sup>60</sup> The emphasis upon exclusiveness with respect to all other religious practices and, as the eighteenth century progressed, the heightened disdain for Muslims in Vallabhite sectarian literature, compiled as it was in Rajasthan, reflected the efforts at social reorganization engineered by its chief patrons in the region, the merchants. Merchants and brahmans petitioned Jodhpur as they sought to reorder residential patterns to bring them in line with their efforts to create an exclusive, elite domain.

The process of the delineation of the eighteenth-century Hindu community was an aggregate of localized struggles for political domination and social ascendance, expressed through the very public creation of exclusive spaces, rituals, and activities that were inaccessible to those deemed “Untouchable.” In this, the merchants of the kingdom played an important part as holders of governmental office in the capital, Jodhpur, and in the districts and as wealthy, upwardly mobile new elites in the kingdom. They were able to channel state authority and judicial processes toward the localized reorganization of social hierarchies in order to construct this new, transcaste Hindu community in Marwar.

#### STATUS AND BOUNDARIES

The forging of the new Hindu community necessitated the identification and exclusion of “Untouchables.” The involvement of the state, manned by mahajan and brahman officers, allowed this segregation to span the spatial and economic, as well as social, domains. In order to cordon off the nascent Hindu community, state power was instrumental in the effort to police the boundary between Hindus on the one hand and “low” castes and Muslims on the other. Apart from introducing these segregations in terms of residential patterns and access to water, the state also played a role in hardening caste bodies to keep Muslim or “low”-caste elements out.

The manner in which the Rathor crown dealt with several cases of this nature testifies to this quest. For a period of almost twenty years, from 1770 to 1789, and probably beyond, barber<sup>61</sup> (*nāī*) Kana and his son Mayala found themselves in the eye of a storm that split the barbers of the town of Maroth into two factions. Some years before the dispute, Kana had sold his son, in a period of famine, to a band of Muslim *bañjārās* (an itinerant community that transported goods across vast distances in South Asia and beyond).<sup>62</sup> Living among the *bañjārās*, Kana’s son Mayala had become Muslim, getting circumcised (*sunat kīvī*) in the process.<sup>63</sup> Four years later, Mayala managed to escape the *bañjārās* and return home. His family was delighted to have him back.<sup>64</sup> But when news of Mayala’s conversion began to spread among the barbers of the area, caste (*nyāt*) leaders deemed it unacceptable to include a Muslim and decided to expel Kana’s family from their caste if they did not disown the boy.

There clearly was no easy answer in Marwar to the question of whether a barber could be Muslim. A faction of the *nyāt* challenged the decision to expel Kana's family and banded together in support of reintegrating them into the caste. They approached the governor's office for help, winning a written order (*likhat*) that permitted the convert Mayala's inclusion into the *nyāt*. Unwilling to back down, the opposing faction refused to budge on its stand, and three years later petitioned the crown for intervention. The crown supported the pro-expulsion faction, issuing a written order (now a *kāgad*) that stated that no convert to Islam would be allowed to rejoin the barber community.<sup>65</sup>

The pro-inclusion barbers did not give up, even in the face of a government order. Seven years after the crown's order, in 1780, "Śrī Hajūr received a petition about this and Singhvi Bhimraj sent a written order (*kāgad*) for Surana Chainmal saying, 'Those who are trying to take him into the *nyāt* despite his being a *musalmān* (Muslim) should be disciplined'."<sup>66</sup> Singhvi Bhimraj, as discussed in chapter 1, was immensely powerful at court in the 1770s and 1780s. When these barbers refused to back down, the crown once again sided with the anti-inclusion barbers. Rajput Parihar Manrup and brahman Acharya Fatehram issued an order making clear to the pro-inclusion barbers that the crown's earlier decision was just and therefore final. This faction was to stop trying to reintegrate a Muslim convert into their caste.<sup>67</sup> Even as the crown reiterated its quest to restore harmony among the barbers, clearly this harmony was conditional on the Muslim convert's expulsion from the caste.

Seven years later, in 1787, the fight was still on. The pro-inclusion faction of barbers was showing complete disregard for the orders of the crown and, in complete defiance, were considering Kana and his son, Mayala, caste fellows.<sup>68</sup> By this stage, the matter became one in which it was not just local precedent or caste custom that was at stake. Rather, the resistant barbers were challenging the crown's own authority as well. Those barbers refused to back down. Now, a brahman officer named Purohit Kesoram sent an order (*hukam*) on behalf of Jodhpur to the governor of Maroth bearing instructions to warn the pro-inclusion barbers of the not customary (*gair dastūr*) and therefore unacceptable nature of their actions. Years into this conflict, mahajan and brahman officers remained unmoved, reiterating that reintegrating a Muslim convert into the barber caste was not permissible.<sup>69</sup> After that point, the archival trail runs cold, leaving it unclear how the matter was resolved. A similar disagreement, but without as much to and fro with the crown, occurred between the shoemakers (*mochīs*) of the adjacent kingdom of Jaipur and those of the Marwari town of Merta. While the former did not consider conversion to Islam enough reason to expel a member from their midst, at least some shoemakers in Merta did.<sup>70</sup>

In both these cases of attempted reinclusion after conversion to Islam, involving barbers and shoemakers, the caste groups involved held low positions in the local social hierarchies of Marwar. It is noteworthy that in the sole instance of the conversion of an elite-caste individual, a brahman, to Islam, there was no question of

considering his inclusion within his caste's fold.<sup>71</sup> It appears then that among non-elite castes the relationship between caste membership and religious affiliation was open to negotiation. That is, among artisanal and other non-elite castes at the time, whether conversion to Islam was equivalent to becoming outcaste was still up for debate. Members of these not very prosperous castes spent multiple decades pursuing their cases, convening caste councils, shuttling between district and crown authorities, and sometimes approaching superior bodies within their caste. This suggests that many among artisanal and service castes believed that religious affiliation ought not to supersede kinship and caste ties. At the same time, others in the same caste felt differently, holding that conversion to Islam merited expulsion from the caste and a denial of all the social ties and professional entitlements that caste membership entailed. When seen in the context of the coexistence of Muslim segments in the artisanal and service groups, perhaps the need to lay down a clear line of separation became linked up with questions of social status in the increasingly polarized eighteenth-century Vaishnav milieu.

The anxiety of the Rathor crown and of certain sections of Marwari society about the policing of the boundary between what they saw as Hindu and Muslim, is also evident in the case of a *jāṅni* (a peasant woman) who was allegedly "made Muslim" (*turakṇī kīvī*) after she began to live with a Muslim lac bangle maker (*lakhārā*).<sup>72</sup> For living out of wedlock with a woman, the crown fined the bangle maker nine rupees and threw him in jail for a few days. When the authorities discovered he had also supposedly converted the *jāṅ* woman to Islam, it ordered that he be placed under arrest once again and fined a greater amount, in proportion to his means. In Marwar, *jāṅs* generally were not Muslim. As a result, the crown saw the woman's conversion, forced or not, as sufficient cause to punish the man with whom she was living at the time she became Muslim.

Even slaves were ideally to be segregated by faith. When discussing the traffic in children within the kingdom, the state decreed in two different orders, forty-three years apart, to multiple districts that the local authorities should ensure that "*hindu ro chhorā-chhori kiṇī musalmān nu bechaṅ nā pāvai*," that is, the sale of Hindu children to Muslims should be forbidden.<sup>73</sup> The drawing of this boundary was driven as much by caste as a sense of faith-based difference. The overlap between low castes and Muslims as unwelcome elements from a Hindu perspective was stated plainly in the latter of the two orders, issued by the *divān* in 1811, in which the Rathor state also forbade the sale of children of elite Hindu castes to "lower"-caste buyers (*hindu ūtam jāṅ rī huvai su to chhoṅī jāṅ leṅ nā pāvai*).<sup>74</sup>

The anxiety of Rathor officers in Jodhpur to police the boundary between Hindus on the one hand and Muslims "and other low castes" on the other was part of the larger shift toward a more polarized social order observable in other arenas of local life in Marwar. The use in Rathor rulings and legal decrees of the term "Hindu" points to the shifting contours of this social and legal category, echoing the slipperiness of its polar opposite, the "Untouchable." While in some decrees,

such as the many discussed in this chapter, Hindu is sharply defined against the Muslim, in others, as also discussed in the previous chapter, it is defined against the Untouchable or the lowly. Just as with Untouchable, certain castes were without dispute “Hindu”—brahmans, mahajans, rajputs, and *jāṭs*. Others had a more tenuous location and could potentially slip from being Hindu into being “lowly” (*nīch, kamīn*) or “Untouchable” (*achhep*).

#### ISLAMIC LAW AND HINDU KINGSHIP

The demarcation and elevation of a distinct Hindu sphere also entailed forms of economic discrimination against Muslims, in addition to the new spatial segregations discussed in the previous chapter. Some Muslims, unlike artisanal and service caste groups, wielded wealth, military power, command over land, or a steady income. In that sense, their discursive construction as “lowly” or “Untouchable” was anomalous with their economic and military standing. The encoding of Muslims as outcastes, as it unfolded in eighteenth-century Marwar, then could spill over into policies meant to keep them out of positions that generated wealth and power. This dynamic can be seen in an episode spelled out in a crown order from 1789:

[To the Nagaur magistracy] Pancholis Dhanrupram, Vagasva, and Hadarmal [all members of an elite scribal caste] submitted an appeal to Śrī Hajūr: “A member of our paternal grandmother’s extended family (*vadero*), Manordas who had two sons, Harsingh and Hirdairam, held the hereditary position of revenue recordkeeper and collector (*kānuṅgo*) at the Ajmeri Gate in Nagaur. We are descended from Hirdairam. Harsingh was expelled from the local caste group, after which he became Muslim (*nyāt su ṭāl dīyo su ṭāliyoḍo tho ij nai pachhai musulmān huvo*). In VS 1736 [1679 CE] when Aurangzeb was the emperor and Muslims were dominant (*jad pātsyāh norāṅjeb rī pātsyāhī thī su musulmānām ro joro tho*), Harsingh took the office of *kānuṅgo* from Hirdairam. Harsingh had a son Khuspal who had a son Habib. Habib died and many years after him, some months ago, his wife died too. Habib had no sons or daughters and passed away without an heir. Now, justice (*insāf*) demands that the office, the *kānuṅgoī*, returns to us.” But since Habib’s wife has died, his sister-in-law’s sons Khokhar, Jivan, and Hisam have also come here and submitted: “Habib’s wife gave the office to us so you should give it to us.” We have now learned the details from both sides. The order is: Harsingh’s line has run out. Now the office of *kānuṅgo* is not given to Muslims (*hamai turkāṁ nu kānuṅgoī koī āvai nahī*). The heirs to the office are the *kāyasths* (the larger caste group to which *pañcholīs* belong). Give it to them. The office of revenue collector of Ajmeri Gate has been granted to Pancholis Dhanrupram, Vagasva, and Hadarmal, sons and descendants of Hirdairam. Hand it to them. By the order of Śrī Hajūr, they will do the work of revenue recordkeeping and collection that is needed at the Gate. In the margin: Copy this order in the chancery and hand it to them.

—By the order of Pancholi Fatehkaran and the Pyād Bakhśī.<sup>75</sup>

As the three *pañcholi* petitioners presented it, Hirdairam's conversion to Islam supposedly at the time of Aurangzeb facilitated his takeover of the office of *kānungo* of the Ajmeri Gate in 1679. This depiction of Mughal emperor Aurangzeb (r. 1658–1707) as a king who had treated Hindu subjects unfairly is echoed elsewhere in precolonial, eighteenth-century north Indian texts.<sup>76</sup> These hostile representations, however, could occur in texts which elsewhere lauded the emperor, demonstrating that no simple conclusions can be drawn about popular and collective memories of Aurangzeb, which in turn were multiple and not singular. After Aurangzeb's death, several communities nurtured memories of him that ranged from ambivalent to positive.<sup>77</sup>

For the three petitioners in this case in Marwar, the evocation of the memory of a purported time of Muslim dominance, alongside the marshaling of kinship claims, turned out to be a successful strategy. The crown officer who decided their case was a caste fellow, Pancholi Fatehkaran, who reasoned that Muslims no longer received the office of revenue collector.<sup>78</sup> When read alongside the prevention of the sale of land to Muslims in a rural part of Nagaur district in the previous year, this tussle over the revenue collector's office in Nagaur suggests that the Rathor state in Marwar had instituted specific policies—even if unevenly followed—meant to exclude Muslims from such sources of power and wealth as the acquisition of land and of hereditary revenue offices.

At the same time, the fact that both these orders were in place in the Nagaur region may point to unique dynamics within this district. Through the heyday of Mughal rule, Nagaur had remained within the territories directly administered by the Mughals, although in practice they assigned its administration to a cadet line of the Rathors. It was not a part of the *waṭan jāgīr*, or hereditary revenue estate, granted to the Marwar kings. On the ground then, for almost a century since the 1630s, a Rathor clan that was related to the main ruling line in Jodhpur but autonomous from it had controlled Nagaur. In the early eighteenth century, Maharaja Ajit Singh conquered Nagaur district and his son, Bakhat Singh, further strengthened the royal Rathor hold over it after 1724. Maharaja Vijai Singh was the son of Bakhat Singh and it was in this district that he came of age and learned the ropes, so to speak. When he eventually became king of Marwar in 1752, he was able to completely integrate Nagaur into the Rathor principality.<sup>79</sup> As a result of this relatively late incorporation into the Rathor kingdom, Nagaur was a kind of frontier territory in the eighteenth-century transition from Mughal to Rathor rule. The restriction there of Muslims' economic options then may have been part of the wider set of political changes that Vijai Singh and his merchant-manned state introduced on the ground to remake Nagaur's administrative elite in their own favor.

This entry in the *Jodhpur Sanad Parwāna Bahis* tells us also about legal authority and the practice of law in post-Mughal Marwar. Nandini Chatterjee has reflected deeply on the question of what law in Mughal India was like in practice and makes a case for the emergence of a "Mughal law" over the course of the seventeenth

century. This was experienced by each subject as a systematic body of rules that together constituted “law” and not as an eclectic mix of different sources of law, such as the brahmanical *dharmaśāstras*, local customary practice, and Islamic law. Even so, this law was in practice variable from subject to subject based on social and geographic location.<sup>80</sup> Law in Mughal India, Chatterjee argues, derived from a sense of “right”—both as “what ought to be” and as “entitlement.” The word that corresponded closest with “law” in Mughal India was *dastūr*, a term that is also commonly translated today to “custom.” Second, Chatterjee traces a field of legal power playing out among three sources of legal authority: royal grace; locally rooted, land-based power (the zamindars); and jurisprudential authority (*qāzīs*). This picture does not quite align with post-Mughal, Rathor-ruled Marwar. For one, it is hard to gauge precisely how subjects perceived “law,” whether as a single but variable set of rules or as multiple traditions and sources, each with its own set of experts, that they could turn to for justice. In addition, as chapter 1 showed, the discourse of custom, and the local variability it permitted, began to be challenged in the eighteenth century by a turn to ethics—in principle, applicable to all—as the foundation for legal judgments.

Chatterjee calls for relinquishing the vision of a Mughal legal archive that derives, she argues, from the Ottoman context, one in which *qāzīs* copied out their rulings in running registers called *sijills*. Instead, Chatterjee argues that in most parts of the Islamic world, including Mughal India, *qāzīs* did not “find it necessary to create and maintain registers, whether recording the adjudication of disputes or the activities of many other branches of government.” Instead, she speculates that the onus may have been on the people—the recipients of legal decisions or transfers of rights—to maintain records of entitlements, transactions, and judgments.<sup>81</sup> Indeed, the absence of *sijills* or bound registers of *qāzīs*’ decisions and authorizations before the Ottomans or outside of Ottoman lands has been noted by historians, leading some to argue that these were a decidedly Ottoman form. Wael Hallaq has countered this to argue that in fact volumes of *qāzīs*’ key decisions, known not as *sijills* but rather as *dīwān-i qāzīs* (within which the *sijill* was one among numerous kinds of documentary forms and information recorded), did in fact exist in pre-Ottoman and non-Ottoman Islamic societies. He suggests that these collections may have been loosely gathered sheaves of paper, which most *qāzīs* did not bind together or have copied into registers, and which after a few generations were discarded by descendants since they did not have much literary or other value.<sup>82</sup>

Where do Rathor sources fit in to this history of law and documentary cultures? The *Jodhpur Sanad Parwāna Bahīs* are, as the name suggests, bound volumes (*bahīs*) containing copies of *sanads* (confirmatory orders) and *parwānas* (orders issued by subroyal nobles and representatives of the sovereign) issued in the Rathor kingdom of Marwar. Their contents certainly fall within the purview of “law,” in that the commands recorded within them adjudicated allegations of

murder, theft, and other wrongs, separated “just” from “unjust,” and took steps to restore a righteous order or provide redress to aggrieved parties. But here we have a body of sources that look very much like *sijills*, including Ottoman ones, in that they are bound registers of legal decisions and entitlements. To that extent, there does appear to be in Marwar something akin to a state archive of legal decisions, which could have been one of many, including household ones. Just as Chatterjee finds for Mughal-ruled Malwa, there is no explicit reference in these records to a jurisprudential authority such as a *muftī* or a brahman expert in dharmashastric laws.

At the same time, a significant difference of course is that Rathor rulings in the eighteenth century were not issued or authorized by *qāzīs* or even by brahman experts in dharmashastric texts and commentaries but rather by state functionaries, sometimes identified and sometimes not. These state functionaries were ruling on behalf of the Rathor king, referred to in these orders as Śrī Hajūr, but it was under their own names that each command was issued. Another difference from Malwa is that unlike *sijills*, which usually were accompanied by detailed *mahzars* (containing claims and counterclaims of the people involved and signed by witnesses),<sup>83</sup> the *Jodhpur Sanad Parwāna Bahīs* have only a perfunctory statement of the issue at hand, a terse summary of the petitioner or defendant’s testimony and a short declaration of the state officer’s command to resolve the matter, as made clear in the command above and in all the others that I have translated in this book.

Wael Hallaq suggests that the *sijill*, that component of what later became the *dīwān-i qāzī* that summarized the *qāzī*’s judgment, may have been the earliest of the subparts of the *dīwān-i qāzī* to emerge. This happened in the first century of Islam, and may indeed have originated in pre-Islamic practices in the broader region that is today called the Middle East.<sup>84</sup> In the first century of Islam, Hallaq argues, *sijills* consisted of a brief summary of the case and the judgment issued, very much like the Rathor *Sanad Parwāna Bahīs*.<sup>85</sup> Was the instinct to record, compile, and bind written judgments an impulse that emerged in diffuse ways across different political orders at different times? Or were the *Jodhpur Sanad Parwāna Bahīs* Islamicate in form—inspired by the idealized or prescribed practice of the *qāzī*’s office, even though, as Chatterjee shows, the practice of maintaining a register of rulings does not appear to have been common in Mughal India? That said, even as the *bahīs* in their form owed a lot to the role of the merchant-caste men who staffed Rathor administration, including its highest ranks, this body of records could also be an example of the Islamicate nature of this eighteenth-century kingdom, one that was simultaneously the site of the emergence of this new Hindu identity.

It is no surprise to see the imprint of Islamic law on the Rathor kingdom. The region that is Marwar had been part of the Mughal Empire since the late sixteenth century. Going back further still, the Rathor ruling family had since Delhi Sultanate times gladly made marital alliances with rulers of Muslim polities. The Rathor

kingdom included or abutted late medieval centers of Sufi pilgrimage and learning such as Ajmer (also part of the Rathor domain briefly in the eighteenth century) and Nagaur. Marwar was separated from Sindh, with its long history of rule by Muslim kings, by the Thar Desert, which was no barrier to human migration and exchange.<sup>86</sup> What emerges through an examination of the *Jodhpur Sanad Parwāna Bahis*, of the type of command translated above, is a deep and layered history of Islam and Islamic legal practice and the emergence over many centuries of a shared culture, a culture that included the practice of law. This brings findings about Mughal law, including its Rathor cousin, well within the ambit also of the Persianate as Mana Kia theorizes it. Kia argues that Persian and the Persianate were a product of the permeation of Islam in the being of the category of people she identifies as “Persian,” who may be neither Muslim nor from regions we today call Iran.<sup>87</sup> Was law yet another trajectory of cosmopolitanism in the broader Persianate or Islamicate sphere? Certainly, in Marwar, what we may have is a way of being “Persian” with only traces of the language itself and a way of being Hindu with traces of an aspect of Islam, forms of law and legal practice. Given how central the maintenance of law and justice was to Persianate kingly ideals, particularly as they emerged in Mughal imperial discourse, no doubt law-giving and the preservation of justice would have been significant to the post-Mughal Rathor rajput fashioning of new kingly forms. In the language and legal practices visible in Rathor rulings, it is possible to discern that traces of Islamic forms and Persianate terms were not only top-down impositions or aspirations; rather, there were multiple channels, old and new, through which ethical and legal modes of the Persianate were already within Marwar prior to the Mughals.

#### NEW BOUNDARIES

Commands ordering new segregations between Hindus and Muslims, conceptualized as such, were then issued within a legal culture steeped in Islamic legal practice and concepts. Another site in which the Rathor state introduced separations between Hindus and Muslims was that of food. For instance, the administrators of Didwana regularly distributed porridge (*gūdhriyām*) to the poor and the needy.<sup>88</sup> The cooks of this community kitchen happened to be Muslim until 1771, when Bhaiya Sivdan, a merchant of the Maheshwari subcaste, commanded from Jodhpur that this assignment should be handed over to Hindus because food cooked by Muslims was not of use to Hindus (*su gudhrīyām turak kanai randhāvo su hinduvām rai kām āvai nahī*).<sup>89</sup> In another instance of drawing boundaries between Hindus and Muslims, in 1785, Brahman Vyas Sadasiv ordered the governor of Nagaur on behalf of the crown to ensure that Muslim rajputs, called Sipahis, refrained from collecting levies in the form of utensils from Hindu households (*hukam huvo hai musulmān hindu ra ghar thālī vāṭko kōi leṅ nā pāvai*).<sup>90</sup> The order notes that these Muslim rajputs had been exercising this

prerogative in defiance of a recent order that they not do so. It is noteworthy that the state officer expressed his command in terms of Muslims “taking” without justification from Hindu homes.

In drawing these boundaries that placed Hindus on one side and Muslims on the other, the Rathor crown not only introduced separations but also flattened, at least for the purposes at hand, a complex and overlapping set of social groups. Muslims in Marwar were a diverse group, spanning a range of class locations and faith practices. Some sections among the region’s native rajputs had converted to Islam during the Delhi Sultanate era. They were called Desvali Musalmans.<sup>91</sup> Another group, the Kyamkhanis, a Muslim branch of the Chauhan clan, had migrated from northern Rajasthan into Marwar and lived in some of its eastern districts such as Didwana, Merta, and Nagaur.<sup>92</sup> More recent, and much poorer, Muslim rajput migrants into Marwar were known as Sindhis.<sup>93</sup> As their name suggests, they likely came from Sindh, from across the Thar Desert that lay on the western fringes of Marwar. These Sindhis tended to lead a pastoral existence. All three castes of Muslim rajputs were also called Sipahis (literally, soldiers).<sup>94</sup>

These Muslim rajputs, particularly the Kyamkhanis, were closely integrated with their Hindu peers, and observers noted in the late nineteenth century that theirs was a Hindu-Muslim set of faith practices and beliefs. The Islam practiced by most Muslim rajputs in Marwar adhered most closely to the observation of Islamic life-cycle rituals and shared much with the religious practices of other local communities. The Kyamkhanis had done well in the Mughal era and their high, martial status, combined with their interpretation of Islam which shared much with local non-Muslims, meant that the more numerous Hindu rajputs did not exclude their Kyamkhani caste fellows from their social exchanges.<sup>95</sup> The Desvali Muslims on the other hand, at least by the late nineteenth century—that is, a century after the changes under study here—were considered “outsiders” by the Hindu rajputs of the more populous eastern districts of Marwar.<sup>96</sup> There also were nonrajput Muslims in Marwar. Stray references in the Rathor record suggest that Nagaur district, likely due to its closer integration since the thirteenth century with the Delhi Sultanate and then the Mughals, had small settlements of *qāzīs*. It is unclear if these families only retained the “*qāzī*” title as descendants of practicing jurists or if they continued their juridical work for clusters of Muslims in Marwar. Finally, Sufi shrines such as that in Nagaur were centers of pilgrimage and piety that attracted a diverse following and were interconnected with other Sufi sites in the region such as that of Muinuddin Chishti in Ajmer.<sup>97</sup>

At a lower social location were a range of other adherents to Islam. Some were artisans, with segments of groups such as barbers, ironsmiths, lac bangle makers, tailors, cloth printers, weavers, brewers, oilpressers, stonemasons, potters, and gram roasters being Muslim.<sup>98</sup> Among merchants, perhaps only a very small number of itinerant traders may have been Muslim.<sup>99</sup> It is likely that the elite, rajput Muslims of Marwar maintained caste-like social distance from the Muslims of

artisanal caste. There is little to suggest that the Muslims of Marwar were united into a singular, cohesive social unit.

Given this diversity among Muslims in Marwar, the Rathor crown's usage in its commands and rulings of "*musalmān*" and "*turak*" as a monolithic category in the administration of social life was then an important step toward the projection of a unified Muslim community in precolonial Marwar. Even as "Hindu" was set in opposition to "Muslim" or to "Muslim" as part of the "Untouchable" in these commands, this is not a precolonial precedent to the "communal" conflict between Hindus and Muslims as monolithic religious blocs that emerged in the colonial context. Instead, many of the Rathor orders discussed above described Muslims being as among the "low" castes or as among the Untouchables. Many others, even if ostensibly articulating difference from Muslims as such, tended to object to proximity with Muslims of artisanal, or non-elite, castes. I argue then that it was the logic of caste that undergirded the imagination of the Muslim as belonging to the Other against whom the Hindu Self defined itself.

Recent scholarship has highlighted the roles of kings, court-sponsored texts, and brahman scholars in expressing, often in periods of political conflict with Muslim kings, a hardened and more strident stance toward an imagined Muslim "Other." Other studies, particularly those centered on Rajasthan, have emphasized the growing influence of Vaishnav sects on regional potentates and a kingly performance of devotional service to Krishna and his image. With or without the use of the term "Hindu" in these representations and texts, the slow congealing of a type of kingship that projected the stance of a devout defender of symbols of brahmanical practice such as the cow or a temple icon or of Hindus as a community is discernible in the early modern period. Maharaja Vijai Singh's brand of devotee-kingship then drew upon a deeper and longer history of "Hindu kingship." What the administrative records from his reign make clear, however, is that at least in Vijai Singh's case, the posture of the *bhakt*-king went beyond words into the domain of action. With Vijai Singh at the helm and a body of mahajan and brahman administrators who shared an investment in a meaning of "Hindu" that centered bodily ethics with implications for caste rank, the Rathor state worked to draw a harder line separating Hindus from Muslims and Untouchables than had existed before. On the ground, this tore the fabric of local caste groups and temple-centered Vaishnav communities and dislocated people from their homes. Its longest-lasting impact, through the accumulated effect of diffuse and seemingly unrelated decrees and rulings, was the normalization through law and administrative practice of the understanding of Hindu as that which was not Untouchable, with the inadmissibility of the Muslim and the Untouchable mutually reinforcing each other.