

**A Non-Violent Politics?
Vegetarianism, Religion, and the State in Eighteenth-Century Western India**

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Scholarly discussions of the place of non-human animals in Hindu and Jain ethics, ritual, and everyday life generally place the principle of *ahimsā* or non-injury at the very center. An adherence to non-injury is an ethical injunction imposed by these two major South Asian religions (in addition to Buddhism) upon their practitioners. In principle, the Jain, Buddhist, and Vaishnav insistence upon non-injury is a universal one, that is, their ethical codes do not make a distinction between human and non-human animals as objects of compassion and non-injury. At the same time, Hindu and Jain attitudes towards animals are complex, even inconsistent. While in certain respects, neither Hindu nor Jain thought draws a distinction between the *jīva* (soul) of a human and a non-human, both religions do in other contexts differentiate among and hierarchize different types of beings. Taking differences in the potential to attain liberation from the cycle of birth-death-rebirth as the metric, both Jainism and Hinduism place humans at the pinnacle of a hierarchical conception of life forms. Despite this complexity in their approach to the distinction between humans and animals, the law codes of Jainism and several strands of Hinduism nonetheless enjoin upon their followers an adherence to non-injury towards all life forms. This however was not always the case.

The Vedas, among the earliest texts composed in South Asia (c. 1500-800 CE), the acceptance of whose authority is essential to any claim to being within the brahmanical¹ tradition, contain numerous references to the consumption of meat and to animal slaughter for ritual sacrifice. The horse, the sheep, the goat, and even the cow were among the sacrificial

offerings to the gods that the Vedas prescribed and the consumption of whose meat they condoned. In the middle of the first millennium BCE, due to profound changes in social, economic, and political life, the practice of asceticism emerged as an influential new mode of religious practice. Scholars have suggested that the origins of the growing emphasis on the ethic of non-violence can be traced to the rise of asceticism in the centuries preceding the Common Era.² The growing popularity of asceticism crystallized especially in Jain and Buddhist practice by the sixth century BCE, which challenged brahmanism on a number of counts, prominent among which was the violence, in the form of animal sacrifice, that was so central to its ritual practice. That said, however, an embrace of non-violence did not translate in early Jain and Buddhist practice into a rejection of meat eating.

A.S. Alsdorf, D. Seyfort Ruegg, and Paul Dundas have underlined that an adherence to non-violence need not and did not necessarily translate into the observance of a vegetarian diet. For instance, in Jainism, the scope of the potential for violence is considered so vast, given Jain concern even for the lives of microbes and insects, that selectively avoiding the consumption of meat while continuing to cause injury or death to other beings would not go far enough in achieving a full adherence to non-violence. Historically, it was only a few centuries after their emergence and their insistence upon non-violence that Jain and Buddhist texts began to prescribe a vegetarian diet. Early texts refer to both Mahavira, a foundational figure in Jainism, and Gautama Buddha eating meat.³ While for Jains an explanation is yet to be offered, for Buddhists, Ruegg attributes the move towards vegetarianism to the rise of a new philosophical approach around the 2nd century BCE that held all sentient beings as holders of the potential to attain enlightenment. To kill or harm a being with such spiritual potential would then be a sin.⁴

In brahmanical ethical codes as well, perhaps to meet the challenge of the growing popularity of Buddhism and Jainism, there emerged in the last centuries before the Common Era a growing tendency towards compassion and empathy for non-human animals. Two principles within brahmanical thought undergirded the brahmanical call for the preservation of all life. The first was the idea that all beings, human or non-human, have qualitatively identical spiritual selves (*atman*) and the second was a belief in the transmigration of souls or rebirth, entailing the possibility that an animal could contain the spirit of a deceased human, including one's own kin.⁵

The *Dharmashastras*, prescriptive texts on ethics, duty, and normative behavior and a significant source of law and jurisprudence in pre-modern South Asia, are among the texts that were composed in this historical milieu. The *Dharmashastras* reflect the ambivalence in brahmanical thought towards committing injury to non-human others. For instance, the *Manusmriti* (or the *Dharmashastra* of Manu) of c. 100 BCE condemns meat eating and animal sacrifice in some verses but condones them in others.⁶ The epic *Mahabharata* too displays similar tensions. These same centuries saw a reconfiguration of Vishnu, a Vedic deity whose worship picked up a new momentum at this time, fuelling new bodies of literature around his legend. AS Alsdorf suggests a connection between non-violence, vegetarianism, and the growth of Vishnu worship at the dawn of the Common Era.⁷ Despite these developments over two millennia ago, the condemnation of animal sacrifice and meat eating has continued to stand in a relationship of tension within the brahmanical corpus, since a complete rejection of these practices would also then be a rejection of the Vedas which prescribe them. A rejection of the Vedas, in turn, would place any text or thinker who did so outside the pale of brahmanism. For this reason, as Edwin Bryant shows, in the course of the first millennium, *brahman* scholars found ways to reconcile their increasingly uncompromising textual insistence upon

vegetarianism and non-violence with Vedic prescriptions of ritual animal slaughter and meat eating.⁸

By the end of the first millennium CE, as the worship of Vishnu ('Vaishnavism') continued to expand within brahmanism, Vaishnav texts such as the *Bhagavata Purana* unequivocally demanded an adherence to non-violence and vegetarianism.⁹ Studies of Vaishnavism, including those of early modern communities of Krishna devotees, recognize the centrality of non-violence and of vegetarianism in them as an inviolable tenet, adherence to which was essential for all members.¹⁰ The Vallabh and Gaudiya devotional communities (*sampradayas*), centered on Krishna (an avatar of Vishnu), that gained immense popularity across India from the late fifteenth century onwards fostered among their members an attitude of care for the preservation of all non-human life. These ethical codes enjoined through sectarian practice and discipline upon all Krishna devotees were in line with elements Shastric laws and in other normative brahmanical discussions on ethics such as such as the *Bhagavat Gita* (a section within the epic *Mahabharata*) and the *Bhagavat Purana*.

Taken as a whole, these studies of shifting textual positions on non-violence and vegetarianism, illustrative as they may be about the intellectual, philosophical, and religious history of the place of animal life in these traditions, do not leave us with much of a picture of the extent of the social and political lives of these ethical positions. Significantly, we are left with no sense of what interaction, if any, these ethical codes and religious injunctions had with the laws and law courts of the polities within which they were composed and practiced. That is, what was the interaction of this domain of religious law and practice pertaining to animal life and well being in the pre-modern past with society and politics at large and with the law more generally?

Historians of South Asia have noted stray instances of Buddhist and Jain kings in the ancient and medieval past seeking to encourage among their subjects the adoption of non-violence towards non-humans in their domain. The 3rd century BCE emperor Ashoka, a Buddhist, exhorted his subjects to give up meat eating but never imposed this as a law upon them. In the early modern period, kings, including Mughal emperors Akbar and Jahangir, embraced vegetarianism to a certain degree in their own personal lives. Emperor Akbar, at different points, gave up meat for a day of the week or for a few months at a stretch, aiming for total vegetarianism. He never gave up the hunt though and did not eventually succeed in becoming fully vegetarian.¹¹ Akbar encouraged his nobles, members of the cult of discipleship (*Din-i-Ilahi*) that he constructed centered on his own persona as a saintly king, to strive towards a vegetarian diet and, according to court historian Abul Fazl, he convinced some of them. Akbar's son and successor Jahangir too sought to emulate his father's example and strove, albeit with less success, to avoid meat.¹²

While Mughal court chronicles attribute Akbar's interest in vegetarianism to a mystical vision that he claimed to have had while hunting in 1578, the influence upon him of the cultural practices and ethical beliefs of his nobles and Rajput wives, many of whom are documented as active patrons and members of Krishna-centric devotional communities, may well have been a powerful one.¹³ Still, Akbar did not go so far as to impose vegetarianism or a concern for protecting animal life more broadly on anyone, let alone impose it as a law upon all of his subjects. It was a medieval ruler in Gujarat, the Caulukya king Kumarapala who upon embracing Jainism is believed to have outlawed the ritual sacrifice of animals in his domain, much to the chagrin of other religious communities.¹⁴ Beyond noting the concern for animal life, adopted in varying degrees by these kings, historians have tended to avoid further examination of the social

or political causes or effects of their ethical choices. Further, the current state of our knowledge indicates that in most of this handful of cases, a ruler's emphasis on the protection of animal life did not extend beyond advice and encouragement to enter the domain of law.

My research on eighteenth-century Marwar, the region that is western Rajasthan today and which was ruled by the Rathor dynasty through the medieval and early modern periods, shows that the Vaishnav and Jain emphasis on non-violence towards and concern for non-human animals could extend beyond sectarian practice into the domain of law. From the 1770s, the Rathor court issued decrees that unequivocally banned the killing of all non-human animals (*jiv hamsya*).¹⁵ Maharaja Vijay Singh (r. 1756-1793), who ruled Marwar through most of the latter half of the eighteenth century, joined the Krishna-centered Vallabh sect in the 1760s.¹⁶ It was not just Vijay Singh's own embrace of Vaishnav ethical codes that resulted in the outlawing of animal slaughter in Marwar. Rather, I suggest, a wider societal shift underway in the region fuelled the elevation of sectarian ethics to universal law.

This was the rise to social, economic, and political dominance of the merchants of Marwar. In the course of the late seventeenth and especially the eighteenth centuries, Marwari merchants had fanned out across the subcontinent, making use of the territorial consolidation and stability that the Mughal Empire had enabled. By the late eighteenth century, Marwari merchants had come to dominate subcontinental flows of money and acted as financiers to a range of political and economic actors. Within Marwar, from at least the fourteenth century, clans within the Jain and later the Vaishnav mercantile communities also played a crucial role in manning key administrative posts at court and in the provinces. Merchants were not only accountants and scribes but also held influential posts such as Prime Minister and Provincial Governor. The growing influence of merchants on the state and their tremendous prosperity as the eighteenth

century progressed was accompanied by a weakening of kingly authority, mired as successive kings became in trying to stave off internal and external challenges to their sovereignty. The adoption of a Vaishnav-Jain ethical code into universal law in late eighteenth century Marwar was then the result of the rise at this time of merchants to a position of dominance over state machinery at this time, a position that was strengthened by their economic might.

The merchant-led Rathor state strove to implement its anti-animal slaughter law through a combination of fines, arrests and surveillance, an effort that lasted until the roughly 1800. In these decades, the Rathor state's legal decrees not only outlawed hunting and the killing of animals for meat but also instituted special measures to protect the lives of insects, parasites, venomous creatures, and invisible water-borne beings.¹⁷ It outlawed the castration of bulls and even the felling of trees and allocated funds for the distribution of food to the dogs and pigeons that roamed some of its major towns. The Rathor state's zealous implementation of its new body of laws against animal slaughter fostered an atmosphere of mistrust and suspicion in the kingdom, with neighbors and acquaintances turning on each other.¹⁸ The anti-animal slaughter law had even more deleterious consequences for some among the Rathors' subjects.

Thoris and *bavris*, communities of vagrant hunters that were landless and listed in Rathor documents explicitly in these same decades as part of the category 'Untouchable' (in these records, '*achhep*' -- literally, 'untouchable'¹⁹), were among those that became victims of the law that criminalized animal slaughter. In these decades, the Rathor state specially targeted the *thoris* and *bavris* by at first preventing them from owning animals and eventually by initiating efforts to banish them *en masse* from the kingdom.²⁰ It justified these commands, by declaring that *thoris* and *bavris* were incorrigible slayers of animals who could not be disciplined through

surveillance, arrest, or fines.²¹ From the Rathor court's perspective, the only way to rid the kingdom of their animal-killing ways was to drive them out.

The harsh treatment of *thoris* and *bavris* was in marked contrast to the Rathor state's treatment of others accused of violating its law against animal slaughter. Members of artisanal and service communities, of middling ranks in localized caste hierarchies, frequently got away with fines.²² Landed elites from the Rajput community, if accused, were threatened with a resumption of their estates but were usually let off after a warning. Animal slaughter continued within the Rathor kingdom, albeit secretly.²³ The cultivation and idealization of non-violence and compassion towards animals then served to conceal and legitimize, within the framework of a Vaishnav and Jain ethic that the kingdom's new elites subscribed to, what was a coercive, state-supported effort to marginalize, dislocate, and criminalize those sections of the population that were troublesome to the kingdom's elite.

The Rathor state also singled out Muslims as another community that could not be trusted with the care of animals. They too were forbidden from owning livestock and if accused of animal slaughter, were punished harshly with banishment from the kingdom.²⁴ Finally, butchers (*kasais*) were another, perhaps obvious, target of the anti-animal slaughter law. In the most populous of its towns, Merta and Nagaur, the Rathors took such measures as rounding up and placing under arrest all the butchers, then banning them from owning any livestock, and appointing *brahman* watchmen to patrol the butchers' quarters at all times to ensure that they were not secretly continuing their trade.²⁵ The butchers of Marwar, many of them Muslim, could no longer practice the trade they were skilled in, while Muslims as a whole lost the option of practicing animal husbandry as an occupation or even supplementing their household's food

supplies by keeping a cow or other milk-producing animal.²⁶ Muslims, *thoris*, and *bavris* were all classed as 'Untouchable' by the eighteenth-century Rathor state.

The eighteenth-century Jodhpur state's implementation of its laws protecting animals then helped to mark the bodies of 'low' caste and Muslim subjects as inherently different from elite, 'Hindu' bodies. In these same decades, that is, from the 1760s through the early nineteenth century, Marwari mercantile communities initiated successful localized campaigns to push artisanal and service castes to the margins of Vaishnav sectarian life as well as to separate water resources, introduce residential segregation, and initiate policies of economic discrimination. To justify these efforts, they posited a self-proclaimed 'Hindu' identity whose purity they strove to protect against an 'untouchable' ("*achhep*") domain that also included Muslims ("*musalmān*" or "*turak*").²⁷ These localized campaigns were waged through the instrument of the law, through petitions brought by individuals or collectives from the merchant and brahman communities. Merchants played a leading role in constructing, through the instrument of the law, a self-consciously Hindu community in early modern Marwar. They did so in opposition to the 'Untouchable' rather than to the 'Muslim' alone. Hindu-ness in early modern times was an expression of social status and, for this reason, could encompass Jain merchants too within its arc.²⁸

In this polarized setting, the law, and particularly, the place of animals within it, was instrumental in the re-shaping of caste identity and social rank. The legal regulation of dietary practice – that is through the imposition of non-violence and vegetarianism upon all -- played a crucial role in cementing the relationship between high status, Hindu identity, and vegetarianism, a relationship that is taken as natural in parts of South Asia today and around which struggles continue to be waged. In reflecting upon the place of animals in the Rathor state's legal decrees,

it is worthwhile to revisit Wendy Doniger's observation that the emphasis upon non-violence applied in South Asian thought to the relationship between humans and non-human animals and not to that between humans.²⁹ This concern for and even kinship with non-humans did not only coexist with contempt for the lives of human others but came to be deeply interconnected in eighteenth-century Marwar. In the case of Marwar then we do not see the 'interlocking oppressions' that have been noted in the field of Animal Studies.³⁰ Rather, eighteenth-century Marwar offers the case of an inverse relationship between compassion to animals and the oppression of humans. While the Rathor state took truly remarkable and unique measures to protect non-human lives within its domain and to enforce empathy and care towards its non-human subjects, this adoption of non-violence as a universal law worked to strengthen, support and naturalize a wider effort to construct and stigmatize an Untouchable Other, marked off not only different but also criminal precisely because of its adherence to a different ethical, now 'unethical,' code. I build then on existing discussions of the place of non-violence and vegetarianism in Jain and Vaishnav ethical codes to offer an analysis of the politics and social transformations that undergirded the adoption of these principles from sectarian ethic into state law.

¹ I use the term ‘brahmanism,’ following the practice current in historical research on ancient South Asia, to refer to the body of ideas, texts, and practices that grew out of the Vedas. To call these ‘Hinduism’ would be ahistorical in the light of decades of scholarly work suggesting that the consolidation of a singular ‘Hinduism’ is a relatively recent phenomenon.

² Bodewitz 1999.

³ For an example of the Jain *tīrthānkara* Mahavir eating meat, see Dundas 1992, 153.

⁴ Ruegg 1980, 236.

⁵ Nelson 2006.

⁶ Alsdorf 2011; Bryant 2006, 196-198.

⁷ Alsdorf 2011, 41-42.

⁸ Bryant 2006.

⁹ Bryant 2006, 201; Alsdorf 2011.

¹⁰ Barz 1992[1979]; Saha 2004. These studies do not however seek to explain why Vaishnavism in general and Krishna devotion in particular placed such an uncompromising emphasis upon non-violence and vegetarianism.

¹¹ Wink 2009, 56-57.

¹² Wink 2009, 56.

¹³ For the suggestion of Jain influence upon Akbar's vegetarianism, see Dundas 1992, 125-126; Babb 1996, 124. For the close relationship between the Mughal court and the rise to pre-eminence in early modern South Asia of sectarian Krishna devotion, see Hawley 2015.

¹⁴ Sheikh 2010, 131, 175 n8.

¹⁵ Jodhpur Sanad Parwana Bahi (henceforth, JSPB) 23, VS 1836/1779 CE, f 325b-326a; JSPB 23, VS 1836/1779 CE, f 355b-356a; JSPB 28, VS 1839, 383a-384a; JSPB 30, VS 1841/1784 CE, f 135b; JSPB 30, VS 1841/1784 CE, f 224b; JSPB 37, VS 1844/1787 CE, f 325b-326a; JSPB 41, VS 1846/1789 CE, f 208a; JSPB 43, VS 1848/1791 CE, f 388b-389a and JSPB 49, VS 1854/1797 CE, f 246a. For more about these sources, see the note that follows these endnotes.

¹⁶ Reu 1999[1940], 1: 381.

¹⁷ For the Jodhpur state's laws to save the lives of tiny, even invisible, aquatic creatures: JSPB 23, VS 1836/1779 CE, f 325b-326a; JSPB 43, VS 1848/1791 CE, f 388b-389a; JSPB 49, VS 1854/1797 CE, f 246a. For its legal injunctions to protect the lives of insects: JSPB 23, VS 1836/1779 CE, f 355b-356a; JSPB 23, VS 1836/1779 CE, f 348a-349a; JSPB 23, VS 1836/1779 CE, f 355b-356a; JSPB 28, VS 1839, 383a-384a and JSPB 37, VS 1844/1787 CE, f 325b-326a; JSPB 37, VS 1844/1787 CE, f 325b-326a; JSPB 49, VS 1854/1797 CE, f 246a. For the laws commanding the protection of parasites and venomous creatures: JSPB 23, VS 1836/1779 CE, f 356b-357; JSPB 49, VS 1854/1797 CE, f 246a.

¹⁸ Some instances of this can be observed in JSPB 15, VS 1832/1775 CE, f 305a; JSPB 18, VS 1834/1777 CE, f 4a; JSPB 30, VS 1841/1784 CE, f 64b; JSPB 36, VS 1844/1787 CE, f 115a; JSPB 36, VS 1844/1787 CE, f 281a; and JSPB 40, VS 1848/1791 CE, f 302b.

¹⁹ JSPB 17, VS 1833/1776 CE, and JSPB 32, VS 1842/1785 CE, f203b are some examples of the use of the term ‘Untouchable/*acchep*’ in the legal decrees of the Rathor state.

²⁰ JSPB 23, VS 1836/1779 CE, f 348a-349b and f 355b-356a; JSPB 28, VS 1839/1782 CE, f 383a-384a; JSPB 30, VS 1841/1784 CE, f 379a-b; JSPB 45, VS 1850/1793 CE, f 96b.

²¹ JSPB 8, VS 1825/1768 CE, f 283b; JSPB 15, VS 1832/1775 CE, f 141a; JSPB 23, VS 1836/1779 CE, f 348a-349b and f 355b-356a; JSPB 28, VS 1839/1782 CE, f 383a-384a; JSPB 30, VS 1841/1784 CE, f 379a-b; and JSPB 45, VS 1850/1793 CE, f 96b.

²² JSPB 32, VS 1843/1786 CE, f 142b-143a

²³ JSPB 23, VS 1836/1779 CE, f 175b; JSPB 28, VS 1839/1782 CE, f 267a; JSPB 32, VS 1842/1785 CE, f 128b; JSPB 30, VS 1841/1784 CE, f 138a.

²⁴ JSPB 1, VS 1821/1764 CE, f 67b-68a; JSPB 32, VS 1842/1785 CE, f 152a; JSPB 32, VS 1842/1785 CE, f 93a; and JSPB 35, VS 1843/1786 CE, f 140b-141a.

²⁵ JSPB 1, VS 1821/1764 CE, f 127a and JSPB 30, VS 1841/1784 CE, 55b-56a.

²⁶ As late as 1819, the Rathor state dismissed a petition collectively submitted by the community of professional butchers from the populous town of Nagaur asking for aid since they had lost their main source of livelihood. The state rejected their appeal, saying they could take up unskilled work such as carrying loads in the bazaars in order to get by if they were in such distress (JSPB 71, VS 1876/1819 CE, f 31a).

²⁷ I develop this argument more fully in my forthcoming book which is based on my doctoral dissertation (Cherian 2015).

²⁸ The social boundary between Jain and devotional communities centered on Krishna was in any case a fluid one (Dundas 1992, 170; Babb 1996, 3-4). A large number of merchants in western India by this point were either Krishna devotees or Jain, and they formed powerful and numerically significant sections of Krishnaite and Jain sectarian communities (Bayly 1993[1983], 141; Dundas 1992, 169).

²⁹ Doniger 2009, 9.

³⁰ Waldau 2013, 261-265.

Note on Sources

Jodhpur Sanad Parwana Bahi record series, numbers 1-71, spanning the years VS 1821 to 1876, or CE 1764 to 1819. Rajasthan State Archives, Bikaner.

The *Sanad Parwana Bahis* of the state of Jodhpur are annual compilations of the orders and decrees issued by the crown and dispatched to its provincial headquarters. These rulings were often in response to the petitions of subjects or to the information gathered by the crown's own news reporters ('*uvākā naves*' or '*itlāk naves*' in these sources). These compilations also contain orders for the disbursal of funds, the movement of money, and the management of fiscal resources. The first of these compilations dates to 1764 CE and the series continues unbroken until the late nineteenth century CE. The contents of the records, however, start to undergo a transformation by the turn of the century, with an increasing focus on fiscal and military matters and diminishing documentation of the judicial appeals of subjects. Since my research is focused on the pre-colonial period in Marwari history, I have chosen the date of Marwar's acceptance of English East India Company suzerainty, 1818, as the terminal point of my examination of these records.

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