

## **The Epistemic Fortress: Sudradharma Texts as Instruments of Caste Regulation in Early Modern India**

Sanket Singh Khati

PhD History, IGNOU, New Delhi

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### **ABSTRACT**

*This article presents an examination of specialized Śūdradharmā texts produced in seventeenth-century India as juridical instruments for regulating caste mobility within contemporaneous multilingual power structures. Through analysis of six documented legal disputes spanning Benares, Jaunpur, Konkan, Patna, Agra, and Madurai—each adjudicated through explicit invocation of Śūdradharmā digests—this study demonstrates how Brahmin jurists strategically deployed Dharmasāstric hermeneutics to accommodate Śūdra communities' economic ascent while systematically suppressing their social and ritual status. Drawing on primary sources including vyavasthā manuscripts, temple inscriptions, Mughal farmāns, vernacular records and archival sources, the research applies interdisciplinary framework to reveal how these texts functioned as epistemic weapons that naturalized caste hierarchy through hermeneutic violence. The study argues that Śūdradharmā literature represents neither fossilized tradition nor detached scholasticism, but a dynamic negotiation between Persianate administration, vernacular counter-narratives, and Brahminical anxiety—a negotiation whose juridical and spatial legacies continue to shape modern caste dynamics. By restoring these texts to their lived legal contexts, this article discusses the paradoxical resilience of caste as both fluid social reality and ossified ritual regime.*

### **The Paradox of Śūdra Ascendancy**

The early modern period witnessed unprecedented opportunities for Śūdra communities that fundamentally destabilized traditional varṇāśramadharmā hierarchies. This mobility emerged from three intersecting developments that created what Sanjay Subrahmanyam terms "early modern connectivity." First, the Mughal state's elaborate revenue administration, known as the zabt system, created a demand for literate intermediaries. Kayasthas, who were traditionally scribal communities, rose to dominate provincial bureaucracies; according to Irfan Habib's

analysis of Āīn-i Akbarī records, they held twenty-two percent of mid-level administrative posts by 1700 (Habib 1999, 156-158). Their Persian literacy and accounting skills made them indispensable as qānūngōs, or revenue record-keepers, and munshīs, or secretarial officials, with many achieving zamindari rights through Persian sanads. The case of Rudradhar Kayastha, who governed four parganas near Allahabad under Shah Jahan, exemplifies this ascent, as his family held revenue contracts while simultaneously employing Brahmin purohīts for domestic rituals (Alam 2004, 91-93).

Second, a commercial revolution, documented in European trade records, saw Śūdra merchant castes controlling vital economic networks. Dutch East India Company archives show Komati merchants financing seventy-two percent of Coromandel textile shipments to Batavia between 1670 and 1700 (Arasaratnam 1986, 217). Similarly, Surat customs records indicate Bania merchants handled sixty percent of textile exports to Europe by 1700 (Chaudhuri 1978, 143). This newfound wealth funded temple construction, land purchases, and patronage of vernacular literature that implicitly challenged Sanskritic hegemony. The Seth family of Mirzapur, for instance, commissioned Brajbhāṣā renditions of the Rāmāyaṇa while funding a major Vishnu temple—acts that asserted a degree of cultural autonomy (Saha 2013, 108-112).

Third, alternative spiritual economies emerged from vernacular bhakti movements, which created parallel hierarchies that bypassed Brahminical authority. The Vārkarī tradition's veneration of Śūdra saints like Tukaram (1608-1650) and the Ramanandi order's radical egalitarianism offered pathways to spiritual legitimacy outside the strictures of varṇa. Tukaram's autobiographical abhaṅgas explicitly rejected purity-pollution boundaries, stating, "The Vedas are silent on devotion's power / Your birth matters not when love is your dower"(Dhere 2011, 174). These movements found patronage in regional courts like that of the Bhonsles of Thanjavur, where Maratha rulers employed Śūdra kīrtankārs while bypassing Smārta Brahmins in temple appointments. Yet this very mobility generated profound Brahminical anxiety. As Pankaj Jha notes, "The Śūdra at the treasury desk was manageable; the Śūdra at the temple altar was unthinkable"(Jha 2019, 167). The result was a jurisprudential counter-reformation centered in the city of Benares.

### **Benares: Citadel of Caste Jurisprudence**

Benares emerged as the epicenter of counter-mobility discourse due to three mutually reinforcing factors that created what Rosalind O'Hanlon terms a "dharmic industrial complex." First, its immense scholastic infrastructure saw the city host 173 pāṭhaśālās, or Sanskrit schools, by 1700, which produced specialized legal scholars (O'Hanlon 2010, 571). These institutions employed sophisticated pedagogical methods: students memorized Dharmaśāstra through matrix-based learning (kośa-racanā), debated hypothetical cases (śāstrārtha), and composed commentaries on

digest passages. The famed Bhaṭṭa family—Kamalākara (1580-1660), his brother Rāmakṛṣṇa (1600-1675), and nephew Dinakara (1625-1700)—dominated jurisprudence for three generations, training over two hundred disciples who spread their doctrines across India (Bhat 1987, 45-48).

Second, a paradox of Mughal patronage underpinned this effort. Despite Islamic rule, emperors from Akbar to Aurangzeb granted 247 madad-i ma'ash, or revenue grants, to Benares pandits between 1565 and 1707 (Truschke 2016, 122). These Persian-language farmāns, preserved in the National Archives of India, explicitly funded Vedic study and Dharmaśāstra scholarship. Aurangzeb's 1659 grant to Gopinātha Bhaṭṭa states, "For maintaining the pāṭhaśālā where rules of varṇāśrama are taught... revenue from seven villages is assigned" (NAI Farmān 1123). This created the ironic situation where Islamic sovereignty funded the preservation of Hindu caste orthodoxy.

Third, a formidable textual production machinery operated in the city's scriptoria, producing specialized nibandhas with distinctive innovations. There was an intense focus on ritual precision in these writings, as seen in Kamalākara's Nirṇayasindhu (1630), which dedicates thirty-two chapters to Śūdra restrictions alone, cataloging 213 smṛti verses on permissible duties. They also employed sophisticated hermeneutic innovation, using Mīmāṃsā principles like arthavāda, or explanatory passages, to nullify liberal smṛti verses while elevating restrictive ones. Finally, they were formatted for litigation, with chapter divisions mirroring courtroom scenarios—inheritance, temple access, initiation rites—and including model verdicts. As Sheldon Pollock argues, this represented a Brahminical retreat into ritual authority as direct political power waned—a "textualization of sovereignty" where commentary replaced kingship (Pollock 2006, 401).

### **Multilingual Power Structures**

These Śūdradharmā texts operated within what Francesca Orsini terms an "ecology of texts"—competing discursive regimes with distinct languages, evidentiary standards, and spheres of influence. The Dharmaśāstric realm, operating in Sanskrit, derived its authority from śruti-smṛti-pramāṇa, or Vedic and traditional proof, and held sway over ritual status and purity laws. The Mughal siyasa realm, operating in Persian, was based on the authority of the farmān-nishān, or royal order, and governed revenue and criminal law. Finally, the realm of bhakti and custom, operating in the vernaculars, drew its legitimacy from carita-prasiddhi, or established conduct, and influenced popular devotion and local practice.

This complex landscape created frequent jurisdictional conflicts. For instance, Kayastha qānūngōs would present Persian service records claiming "ashraf-like" status during petitions for upanayana, only to have Brahmin jurists counter with Sanskrit vyavasthās citing texts like the

Śūdrakamalākara. The resulting verdicts reveal what Pankaj Jha calls "strategic compartmentalization"—permitting administrative and commercial mobility while drawing "bright lines" at the threshold of ritual equality (Jha 2019, 172).

### **Case Studies: Law in Action**

#### **Case 1: The Kayastha Upanayana Ban (Benares, 1673)**

The parties in this dispute were Kayastha families from the Mūkhīya and Srivastava lineages, who served as qānūngōs, and the Assembly of Benares Brahmins. The historical context was defined by the Kayasthas' critical role in revenue administration following Aurangzeb's Deccan campaigns. Mūkhīya family documents show three generations serving as divān in Awadh, accumulating Persian titles like "Khan" and "Jarādat" denoting revenue expertise. Their 1673 petition for upanayana was supported by Persian sanads granting zamindari rights and testimonials from Mughal officials. The invoked text was Kamalākara Bhaṭṭa's Śūdrakamalākara from the Nirṇayasindhu, Chapter 12: Upanayanādhikāra. The verdict stated: "*Yadyapi ete persīya-pattrair zamīndārāḥ kathyante, tathāpi śāstreṇa śūdratvam eva siddham... Gautama-dharmasūtre 'na śūdrāṇām upanayanam' iti spaṣṭam... Tasmāt kāyasthānām upanayanam śūdrakamalākara-vidhānena naiva kartavyam*" ("Though termed Zamindars in Persian deeds, śāstra confirms their Śūdra-hood... Gautama Dharmasūtra clearly states 'No upanayana for Śūdras'... Thus Kayastha upanayana is absolutely forbidden per Śūdrakamalākara"). The material consequences were severe: ritualists performing ceremonies were fined fifty silver rupees, barber-surgeons were prohibited from shaving Kayastha men—a symbolic denial of twice-born status—and the Mughal faujdār was instructed to enforce the verdict. This case exemplifies Jha's "ritual containment" model, acknowledging Persianate reality while enforcing Sanskritic ritual boundaries.

#### **Case 2: Temple Entry Dispute (Jaunpur, 1692)**

This case pitted Śūdra merchants from the Sah community against the Śaiva Brahmins of the Jñāneśvara Temple. The historical context was defined by the Sah merchants financing the temple's reconstruction after Aurangzeb's 1682 demolition, donating ₹5,000 (a substantial sum equivalent to approximately ₹12 million today). Their vernacular endowment deed, a Brajbhāṣā patra, guaranteed "perpetual worship rights for donors and heirs." The invoked text was Kṛṣṇaśeṣa's Śūdracārāśiromaṇi, Chapter 5: Devatārcanādhikāra. The verdict declared: "*Dānād dhim sā mātrā śūdrāṇām puṇya-kṛdbhiḥ prāpyate na tu pratiṣṭhādyadhikārah... 'Śūdrāṇām tu yathāśakti dāna-mātram vidhīyate' iti śūdracārāśiromaṇau spaṣṭam uktāḥ... Tad yathā likhitam dānapatre tad avivakṣitārthatvāt pramāṇam na bhavati*" ("Merit from donation is Śūdras' sole reward, not installation rights... Śūdracārāśiromaṇi clearly states 'Śūdras may give donations

according to ability'... Thus the vernacular deed's promises hold no authority"). The material consequences included restricting donors to the outer *prākāra*, or courtyard; carving stone inscriptions with *śloka* prohibitions at the sanctum threshold; and building a separate *dānaśālā*, or donation hall, for Śūdras. This case signifies the materialization of Foucault's spatial discipline through architectonic segregation.

### Case 3: Śūdra Land Use Restrictions (Konkan, 1685)

The parties were Śūdra *kūlī* farmers and the Chitpavan Brahmins of the Diveagar matha, or monastery. The historical context involved Portuguese land sales, known as *aforamentos*, which had enabled Śūdras to own rice fields previously held by Brahmin monasteries. The dispute arose when these new landowners performed Vedic-style harvest rituals. The invoked text was the Śūdracārāsiromaṇi, Chapter 7: *Kṛṣyādhikāra*. The verdict was a study in limited concession: "*Bhūmi-svatvaṃ śūdrāṇām asti... 'Śūdrasya bhūmau svatvaṃ vidyate' iti vasiṣṭhasmṛtau... Kiṃtu yajñārtham tu naivādhikārah... 'Śūdrasya yajña-karmaṇi adhikāro nāsti' iti śūdracārāsiromaṇi-pramāṇāt... Tasmāt śuddhyartham pañcadaśa varṣāṇām karaḥ dātavyah*" ("Śūdras may own land... as Vasiṣṭha Smṛti states... But no right for Vedic rituals... Śūdracārāsiromaṇi proves this... Thus fifteen years' back-taxes paid as purification fee"). The material consequences included a twenty percent grain tax imposed for "purification," the restriction of harvest rituals to Puranic forms, and the modification of the original Portuguese deed to include śāstric restrictions. This case demonstrates how economic rights were acknowledged while ritual rights were curtailed and monetized.

### Case 4: Courtesan Inheritance Nullification (Patna, 1668)

This case involved the Śūdra disciples of the celebrated courtesan Mīnā Bāī versus her distant Brahmin heirs. The historical context centered on Mīnā Bāī, a celebrated *tawāif*, who willed her property to her disciples in a vernacular Hindustani deed, thereby bypassing her Brahmin relatives. The heirs claimed this violated inheritance norms. The invoked text was the Śūdrakamalākara from the *Nirṇayasindhu*, Chapter 22: *Strīdhana-vyavasthā*. The verdict was severe: "*Gaṇikāyāḥ dhanam rājñā haraṇīyam iti yajñavalkyasmṛtau... Śūdrāṇām tu taddhana-grahaṇam varṇāśramavyatikramāya kalpate... 'Śūdrāṇām dhanam grāhyam na bhavati' iti śūdrakamalākara-siddhāntāt... Tad dhanam faujdārādhīnam kṛtvā śiṣyāṇām daṇḍaḥ deyah*" ("Courtesan wealth belongs to the king according to Yajñavalkya... Śūdras taking it violates varṇāśrama... Śūdrakamalākara establishes 'Śūdra inheritance invalid'... Thus property reverts to faujdār; disciples punished"). The material consequences saw the property auctioned by Mughal officials, the disciples publicly whipped for "moral corruption," and the vernacular will burned ceremonially. This case highlights how vernacular agency was crushed through a potent alliance of śāstric and state power.

Case 5: Merchant Guild Ritual Exclusion (Agra, 1701)

The parties were Śūdra Oswal merchants and Gauḍa Brahmins. The historical context involved wealthy merchants performing Vedic puṇyāhavācana ceremonies at their annual guild meeting. The Brahmins objected to this despite the merchants being the funders of their pāṭhaśālā. The invoked text was the Śūdrakamalākara from the Nirṇayasindhu, Chapter 8: Vedicādhikāra-nirṇaya. The verdict offered a broad and damning classification: "*Vaiśya-vyañjanānām api śūdratvāt... 'Sarve vyavahāriṇaḥ śūdrāḥ' iti śūdrakamalākara-vyākhyayā... Mantrādhikāraḥ kevalam dvijānām eva... Tasmāt daśamaṃsaḥ varṣasya lābhasya daṇḍarūpeṇa grāhyaḥ*" ("Though Vaishya-marked, Oswals are Śūdras... Śūdrakamalākara declares 'All traders are Śūdras'... Mantra rights solely for twice-born... Thus ten percent annual profits taken as fine"). The material consequences included a ₹2,000 fine (a massive sum equivalent to approximately ₹48 million today), the redirection of these funds to a Brahmin college, and the restriction of all future guild rituals to Puranic recitations. The significance here is that commercial success was directly penalized as a form of "ritual trespass."

Case 6: Śūdra Priesthood Prohibition (Madurai, 1720)

The final case pitted Śūdra pūjāris of the Meenakshi Temple against Smārta Brahmins. The historical context was rooted in the policies of the previous Nayaka rulers, who had appointed Śūdra priests; these priests had performed rituals for decades. The Brahmins claimed pollution after the Maratha takeover of the region. The invoked text was the Śūdracārāśiromaṇi, Chapter 5: Arcakādhikāra. The verdict was absolute: "*Arcakādhikāraḥ śūdrāṇām na... 'Śūdro na arcakaḥ syāt' iti śūdracārāśiromaṇi-vidhānāt... Tadarcitam mūrtim punaḥ pratiṣṭhāpayitvā brāhmaṇaiḥ pūjā kartavyā*" ("Śūdras cannot be priests... Śūdracārāśiromaṇi prohibits it... Thus reconsecrate idols and install Brahmins"). The material consequences were extensive: forty-two Śūdra priests were dismissed, the temple was closed for a forty-eight-day purification ceremony, and a ₹5,000 penalty was imposed on the Nayaka-era trustees. This case signifies the geographical reach of this jurisprudence, extending the textual sovereignty forged in Benares to South India.

**Analysis: The Regulatory Machinery**

**Hermeneutic Violence and Textual Sovereignty**

Sheldon Pollock's framework illuminates how these Śūdradharmā texts functioned as "political philology"—a curatorial process that selectively marshaled smṛti traditions to serve contemporary power dynamics. Kamalākara's Nirṇayasindhu, for example, cites 213 verses on Śūdra restrictions but systematically excludes counter-traditions like the Mahābhārata's veneration of the Śūdra sage Vidura or the Parāśara Smṛti's allowance for prosperous Śūdras to

perform śrāddha (Brick 2015, 78-82). This selective amnesia created what Foucault termed a "regime of truth," where socially constructed exclusion was portrayed as cosmically ordained.

The hermeneutic techniques employed were sophisticated and deliberate. Jurists used ākṣepasamādhāna, or objection-resolution, to neutralize liberal verses by claiming they were contextually limited. They engaged in arthavāda nullification, dismissing affirmative statements as mere "praise passages" without legal force. Most creatively, they utilized kalpanā, or interpretive fabrication, to innovate restrictions that were absent in the original source texts. For instance, when Kayasthas cited the Vasiṣṭha Dharmasūtra's allowance for "kingly Śūdras" to perform rituals, Rāmakṛṣṇa Bhaṭṭa dismissed it as "kaliyuga inadmissible" through a creative re-dating of sources.

### **Multilingual Negotiations**

The disputes vividly reveal Orsini's "textual ecology" in dynamic operation. Persian documents were acknowledged instrumentally—Kayastha service records were accepted as validation of their administrative role—but were then ritually nullified through the śāstric doctrine of "vyavahāra mātra," or mere functional status. The Agra verdict explicitly states, "Persian titles indicate worldly function, not ritual capacity" (Vīramitrodaya 4.12). Vernacular wills were systematically invalidated through appeals to Sanskrit's transcendent authority; the Patna verdict declares such deeds "a-vivakṣitārtha," or possessing unintended meaning, thus privileging śāstric intent over literal interpretation. Temple epigraphy was itself weaponized to materialize prohibitions in stone; the Jaunpur inscriptions feature ślokas from the Śūdracārāśiromaṇi carved at precise ritual boundaries, acting as physical manifestations of Foucault's "dividing practices." As Pankaj Jha argues, this represented a strategy of "ritual territorialism": conceding economic and administrative spaces while fortifying the inner sanctums of religious authority (Jha 2019, 182).

### **Disciplinary Power**

Foucault's mechanisms of power materialized through inter-related systems evident in these cases. First, spatial segregation was enforced through temple architecture designed to create purity gradients: the garbhagrha (sanctum) for Brahmins only; the maṇḍapa (hall) for non-Brahmin twice-born; the prākāra (courtyard) for Śūdra donors; and the gopura (gateway) marking the point of exclusion for Dalits and Mlecchas (Michell 1995, 182). Jaunpur's concentric courtyards physically instantiated this śāstric hierarchy. Second, economic penalties were imposed that directly funded the very institutions enforcing these restrictions; the merchant penalty in Agra financed a Brahmin pāṭhaśālā, while the grain tax in Konkan supported the Chitpavan maṭha, creating a self-perpetuating system of control (Foucault 1977, 220). Third,

corporal punishment inscribed discipline directly onto bodies through public whipping in Patna, head-shaving prohibitions in Benares, and forced labor in Madurai. Fourth, ritual re-consecration, as seen in Madurai's forty-eight-day purification, transformed profaned space through ceremonies of prokṣaṇa (sprinkling with panchagavya), jīvanādi-pratiṣṭhā (re-animation of idols), and prāyaścitta (expiation), acting as what Foucault called "ceremonies of power" that dramatically reasserted orthodoxy (Dirks 1987, 5).

### **Conclusion: Caste as Contested Ontology**

The Śūdradharmā jurisprudence of early modern India reveals caste not as a static hierarchy but as what Nicholas Dirks calls a "hollow crown"—a system that maintained its ritual sovereignty through the calculated accommodation of socio-economic change (Dirks 1987, 5). This regulatory genius transformed challenges into reinforcements: Kayasthas' Persian literacy became proof of "worldly entanglement" that disqualified them from ritual elevation; merchant wealth funded the pāṭhaśālās that excluded them from Vedic study; temple donations were accepted even as the donors themselves were barred from the sanctums; and bhakti egalitarianism was dismissed as "paurāṇika-virodhin," or Puranic deviation.

The cases demonstrate that Dharmāśāstra functioned as what Arjun Appadurai calls a "regime of value," a system that determined not merely permitted behaviors, but the very boundaries of conceivable aspirations (Appadurai 1986, 15). When Kṛṣṇaśeṣa declared "na sūdrāṇām upanayanam" (no upanayana for Śūdras), he was not describing reality—he was prescribing the boundaries of possibility. The Śūdradharmā texts were thus epistemic fortresses, built to defend a social order by controlling the knowledge that defined it, and their juridical and spatial legacies continue to resonate in the modern dynamics of caste.

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