THE ULTRAMODERN TRADITION: SOCIAL MODERNITY AND TRADITION AND SUSANNE RUDOLPH

Lloyd and Susanne Rude of Tradition has been described as a major contribution to the political sociology of India, remarkable alike for its normative explicitness, its value-humility and its sustained deference to empirical studies of Indian political behaviour. An obvious but important feature of the book lies in its challenge to the simple and familiar assumption that "modernity and tradition are radically contradictory".

Although the authors speak interchangeably of "opposition" between tradition and modernity and "separation" of the two, it is clear that their rejection of the dichotomous model (as "unrealistic") and their rejection of it are clearly directed to that version of it which would separate tradition and modernity both analytically and historically.


Modernism: a current doubts about the value-commitments implicit in notions of "modernity and modernization have been met at least in part by the authors. For criticism of these notions, see for example Seminar (New Delhi) no. 129 (1970): "Modernization", where M. N. Srinivas characterizes the idea of modernization and its inevitability as merely a "new avatar of the idea of progress" (p. 10), while pp. 263(1) denounces the whole concept of modernization variously as "a myth", "a legacy of the age of imperialism", and a device employed "to perpetuate neo-colonialism". Srinivas's more moderate critique merely argues that the concept involves a value judgment in the sense that it implies that modernization is something good or desirable. Granting this, it is hard to see how he can claim that his own concept of Westernization is free of such a judgment. Alternatively, if one can describe processes of Westernization in a value-neutral manner, the same should be possible for modernization also. Value-neutrality, after all, can only mean that a thinker is able to distinguish between his explicatory and evaluational roles.

However, explicitly retain certain "contrasts" between tradition and modernity as heuristically useful and in fact make frequent use of them. This indicates (though not as clearly as one would wish) that they accept some degree of "radical opposition" between the two components. But this receptivity to some radical differences between tradition and modernity need not be taken methodologically in a straightforward manner since what is rejected is a model which separates tradition and modernity all the way, leaving an analytical abyss between them.

In their rejection of the old model, the Rudolfs are unquestionably correct, and will question the heuristic fruitfulness of a continuum approach, which they favour. Even so, questions surround the identification of those areas which illustrate radical opposition between tradition and modernity and also the levels at which the relationships between tradition and modernity can be most rewardingly examined.

The "modernity" of tradition is investigated by the Rudolfs in three salient areas: caste, leadership and law. Caste has contributed more to the realization of political democracy, they argue, than to its inhibition (p. 24). Gandhi's leadership, however, explicitly retain certain "contrasts" between tradition and modernity as heuristically useful and in fact make frequent use of them. This indicates (though not as clearly as one would wish) that they accept some degree of "radical opposition" between the two components. But this receptivity to some radical differences between tradition and modernity need not be taken methodologically in a straightforward manner since what is rejected is a model which separates tradition and modernity all the way, leaving an analytical abyss between them.

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3. See Modernity, pp. 3-4 and note, for a very useful clarification of ideal-type contrasts between tradition and modernity. The authors make use of these contrasts later in the book.


characterized by traditional "this-worldly asceticism" helped India "to acquire a new coherence" (p. 137). And "for some time in a variant way, indigenous high-culture law aided in establishing a national legal framework" (p. 12). The book is an attempt to substantiate these hypotheses.

II

The modernity of caste is seen in the way in which caste associations have enabled members of the caste to prepare for social mobility, political power, and economic advantage (p. 29). Caste associations have become paracomunities whose membership is no longer "purely ascriptive" (p. 35) and their demands on the State have moved from the sacred "sacred" end of the spectrum to its "secular" end, from recognition of altered higher status within the system to attempts to control or influence those who hold political power. These paracomunities have revived and extended caste loyalties in new and larger contexts (ibid.) over generations. Caste associations have become "a vehicle for internal cultural reform and external social change in all parts of India" (p. 2) and these crucial paracomunities are both levelling the sacred and hierarchical caste order and replacing it. Such trends are easily missed, according to the authors, in "behavioral patterns of caste rank in one locality at one point in time".

In what ways do this focus on the sociology of paracomunities support the principal hypothesis that caste fosters rather than inhibits political democracy? The Rudolphs' analysis offers several distinctively, though mutually reinforcing, answers. First, the caste association provides a "structure for the pursuit of political power, social status, and economic interest". Such a structure based on "caste sentiment and interest makes secular concerns and representatives democracy comprehensible and manageable to ordinary Indians" (p. 36). Secondly, the political objective of maximization of caste influence or power through existing or newly created political parties, competition for policy-making positions at national, state and local levels, and articulation and furtherance of demands on behalf of the members of the association have entailed the growth of the "capacity to organize what appears to be a politically illiterate mass electorate" (p. 38). The Rudolphs regard this capacity as "perhaps the most significant aspect of the caste association in the contemporary era" (ibid.). Thirdly, the caste association enables "middle and lower castes to play the basis of self-esteem" and "win social esteem, first from the state, then ... from the micro-society of village and locality" (pp. 62-3).

Fourthly, castes are less potentially-menacing to the nation state than "tribes, religious communities and linguistic groups". And, finally, the mutability of the ascriptive basis of caste affiliation is evidenced in the processes of internal differentiation (fission), federation of castes into larger associations (fusion) and "decomprehension of caste's village home".

This impressive catalogue of reasons becomes cogent when presented, as it is by the authors, with a mass of empirical data. As one becomes literate, the empirical sociologists, one becomes liberated from the stereotypes about the "caste system" to which so many distinguished students of Indian society still continue to succumb. This liberation is an unintended consequence of the Rudolphian design, as is also the vivid account of the rich variety of factors which promote and affect social change. What may be called the Rudolphian design is a sustained attempt at empirically demonstrating the claims that traditional caste structures have a strong propensity for a critical potential for change; and that a "democratic incarna-

tion" of caste has contributed greatly to the realization of political democracy.

Unfortunately, however, the Rudolphs provide us with no explicit idea of the two key concepts: political power and development. When they refer to "caste", in the context of their principal thesis, their primary reference is to caste paracomunities. While the Rudolphs, state with characteristic lucidity and grace, the differences between caste and caste association and between the latter and voluntary association, they fail to provide us with a clear account of the relationship between the concept of caste and that of caste association.

Obviously, the caste association is "no longer an ascriptive association in the sense in which caste taken as jati was and is" (p. 33). Thus, "birth in the caste is a necessary but not a sufficient condition for membership" in a caste association. Nor is leadership of such associations hereditary. At the organizational level the caste association abandons the latent structure of caste for the manifest structure of a caste association (p. 35). In fact the caste association provides "an adaptive institution". On the other hand, the paracomunity, while having substantial similarity to the voluntary association, differs from the latter in its tendency to create (and presumably sustain) "solidarity of a higher order" flowing from "the shared sense of culture, character, and status" (ibid.).

If the caste association is an adaptive institution, then it cannot logically be the same as the "caste", a traditional institution. Nor can it be the same as the "caste" if the caste paracomunity "abandons the latent structure of the caste". If then caste associations are novel institutions (as they are) their outgrowth from the pre-existing "caste" should not lead to an identification with that system. To do so, as Richard Fox rightly observed, is to "confuse phylogeny with evolution". I agree further with Professor Fox that for this and other reasons advanced by him the modernity of tradition theme cannot be properly regarded as a theory of social change. The Rudolphs seem by their approach to have contributed to the realization of political democracy rather than to its inhibition (p. 24). Elsewhere they speak of the significant contribution that caste has made to the success of political democracy. The lack of elaboration of the role of political development and of the "success" of political democracy is troublesome, though peril a little less so than the corresponding concern concerning caste. If the Rudolphs' thesis is that caste has contributed to the functioning of political democracy, their lack of elaboration is unimpeachable. If, however, their thesis is that on the whole caste has been detrimental in the "success" of political democracy, then their thesis is difficult to evaluate in view of the general deficiency and difficulty in assessing this thesis much as the relative strength and significance of rival theses which emphasize the dysfunctionality of caste are not fully assessed. The Rudolphs are certainly sensitive to this latter aspect of caste, seen from the elaborate analysis they make of caste associations.


9 Modernity, p. 64, I share some of the intuitive bases of this judgment. But the fact is, democracy at work for nearly a quarter-century—or for longer periods—is not so clear. Whether it is a "success" is difficult to say. One of the difficulties is the absence of any "Third World" model to adopt the latter as a baseline. As Mazrui points out, "to reduce every phenomenon to an Anglo-Saxon paradigm is not an answer. Nor can one simply say that the system is working. Unfortunately, the su-
ide of the growth of "fellow feeling" and its ordeals emanating from the institution of Hindu masculinity (pp. 105-54). But the anti-modernism of tradition is left insufficiently explored.

III

The second part of _The Modernity of tradition_ is a venture into the political biography of Mahatma Gandhi, distinguished from similar ventures by a brilliant demonstration of the thesis that Gandhi was "one of the most conspicuous modernizers of Indian Politics" (p. 157).

But Gandhi's greatest contribution to political modernization was helping India to acquire national coherence and identity, to become a nation, by showing Indians a way to courage, self-respect, and political potency (pp. 218-19).

Gandhi made "some elements of tradition... serve modern functions". Gandhi's clarification with the tradition of bhakti (devotion), he argued, shaped his political style and helped him "reach massive audiences by peripatetic teaching in the manner of bhakti leaders throughout India" (p. 158). His ideology of non-violence reared on an aspect of Indian tradition which calls for "self-control rather than self-expression" (p. 184). The "inner courage of the satyagrahah required them to act so as to effect the better element in the opponent rather than the worst, as silence would do" (p. 187).

Gandhi also pleaded cultural "resistance to the notion of conflict", best manifested in the supposed preference of Indians for "consensual" rather than "conflictual" or adversarial modes of conflict resolution. He


12 I have offered two hypotheses explaining Gandhi's strategy in the article cited in the preceding footnote.

IV

One turns to the third and smallest part of the book (pp. 253-93) for the elaboration of the claim that "for some time in a variety of ways, indigenous high-culture law aided in establishing a national legal framework" (p. 12). By "high-culture law" the authors mean the "literary law inscribed in classic texts" (the _shasra_ for Hindus, the _koran_ for Muslims). This law was to be expounded to the English judges by _moulvi_ and _pandit_. This "high-culture law" flourished and developed during 1772-1864, at the expense of the "popular" law of the peasant society (p. 269). The "popular" or "customary", legal ideas and institutions are "paraclinical" and it was "parchoral", whereas the high culture Brahmanic law was "cosmopolitan" and "uniform", based on readily ascertainable written texts, and developed through interpretation by legal notables. But the modernity of the high culture law did not lie in its substantive norms. Both parochial custom and cosmopolitan high culture law reflected and embodied "for most part" values that were "anti-theoretical to those in Western law". The Rudolphs bring out the salient value contrasts perceptively. First, they note, whereas English law valued the individual over "artifical" groups, the traditional Indian law valued the natural associations (family, caste) over the individual. Thus traditional law regulated legal relations among individuals by reference to their group or corporate identity. British law sought to liberate the individual from constitutive group affiliations. Mobility of property increased under British law, for example, by the effective, though by no means simple, device of wills, the legal application of which varied somewhat unevenly from 1792 to 1870 when the Hindu Will
Act 1870 established a general set of rights and requirements (p. 280). Changes in the law (such as entitling creditors to bring to sale debtors' interest in personal property) and revenue law (making land salable collateral for defaulting farms and estates) provide other examples.

Whereas high culture law was "particularistic", English law was universalistic "in principle" treating all men as equal before it (p. 280, my italics). The qualification is important, for, though seldom noted, Indian law in England enjoyed certain privileges and immunities in the civil justice sector from 1793 to 1943, and in the sphere of criminal law it was not until 1923 that Englishmen (as well as Europeans and Americans) could be tried by Indian magistrates and judges in the mojus. As an eminent Indian legal historian has pointed out: "It was unjust to give to the Englishmen a right of free resort to the interlocutory stage to extract them from the jurisdiction of the local authorities, which were always open to them against the Indian people."13 Certainly, the appreciation of the universalistic orientation of English law on the part of contemporaries Indians must have been profoundly affected by this continual derogation from the principle of equality of all men before the law.

Be that as it may, this principle did, as it related to the indigenous peoples themselves, bring a revolutionary change in the modes of dispute-settlement. Both the traditional Indian and the English law value impartiality, but the indigenous system saw no objection if a tribunal, "met to settle one dispute, finds itself adjudicating another that lies behind it" (p. 257). To be sure, village tribunals have to distinguish between authentic and adulterated testimony. But judgment concerning the credibility of evidence arises from the intimate and direct knowledge the adjudicators have of the dispute before them rather than through an elaborate system of rules of evidence, procedure and pleading.

Finally, Western legal systems are distinguished by adversary proceedings where one party loses and the other wins. Traditional Indian tribunals, according to the limited ethnographic evidence we have, manifest a concern for dispute-settlement through concensus. They do not isolate the dispute from its overall social context. Rather, in and through that context the indigenous tribunals seek a solution which maximizes social harmony or abates group conflict or tension. Reconciliation of parties through compromise and consensus characterizes decisions of those tribunals, whereas (to borrow Professor Coon's striking phrase) the adversary system manifests a "destructive litigious" attitude.14

The importation of adversary process for doing justice had important consequences, both enduring and transitional (the latter illustrated by the prevalence of false witness and the rise in litigiousness, the extent of which still continues to be debated). The enduring consequences lay in the creation of a dual legal system, which still continues: the Western and indigenous. According to the Rudolph these two systems today exhibit three legal cultures: the parochial, the Brahmanic and the national. Social change through the law receives impetus as well as encountering formidable obstacles owing to this multiplicity of legal cultures and the quality of legal "systems". Indeed the Rudolphs suggest that the processes of social mobility described as Sanskritization and Westernization find their salutary parallel in Brahmanization and Anglicization of the law.15

It is clear that the modernity of Brahmanic high culture law did not arise from its substantive norms, nor in its procedures for dispute-settlement. Both in norms of substance and procedure the Brahmanic law in operation had more in common with the parochial customary law rather than universalistic English law. How then can it be said that the Brahmanic law became a "vehicle of modernization"?

The Rudolphs nowhere squarely confront this question. But a handful of very general observations suggest their approach to it. Compared to customary law, the high culture law was "uniform" and the Indian and British alike, concerned about order and regularity (p. 274). These features of "form and structure", the Rudolphs maintain, made the high culture law "an amenable if somewhat delusive instrument for Britons wishing to find and adopt an uniform law to Indians" (p. 279).

Nor less an authority on Anglo-Hindu law than Professor Derrett has maintained that the law, during the above period, "for all its many anomalies became much more certain and much more uniform".16 An extreme extent then that "certainty" and "uniformity" are attributes of a modern legal system, the Rudolphs observe that the high culture law served as a "vehicle of modernization" must be accepted. This view would want to qualify the acceptance only by saying that for any legal system in which the decisional law of courts plays a major role, overall judgments about certainty, consistency and uniformity, even when most circumstressed are, made impossible to verify. This is not just because these attributes are hard to define and measure both over time-scale and over rather heterogeneous case-materials but also because "certainty-consistency-uniformity" are matters of degree, matters of more or less, rather than all or nothing. Pockets or sectors within a legal order are more amenable to such judgments than a legal order considered as a whole.


16 Ibid., pp. 294-315.

13 M. P. Jain, Outlines of Indian Legal History (Delhi, Tripathi, 2nd ed., 1960), p. 56.
the courts determined legal relations among groups by reference to the high stratum of the social hierarchy, as opposed to the low stratum of the social hierarchy, which is a characteristic feature of caste society. But did the courts act in this way? Did they come to the conclusion that the high stratum of the social hierarchy was superior to the low stratum? If so, the conclusion was not a result of the knowledge of the judges, but rather of the knowledge of the high stratum of the social hierarchy. Therefore, the conclusion was not a result of the high stratum of the social hierarchy, but rather of the low stratum of the social hierarchy.

Certainly, more than social biographies of disinheritance, the distribution of forests, the eradication of peasant societies in Afghanistan, their economic utilization, and their destruction. He contrasts the relative efficiency in cutting and trading as practiced by the Pashtun tribes of Paktia province with the more destructive practices of Pathan nomads and Hazara peasants in Central Afghanistan.

Sir Harry G. Champion's paper, "The Effect of Human Population on the Forests of the Indian Sub-Continent," draws upon his long experience in forestry in India which has enabled him to write with authority on the subject. He has written this paper to show the importance of human population in the destruction of forests and the slow progress of the measures being taken to regenerate cut-over areas.

Manfred Domrós writes on "Climate and Plantation Crops in the Southeastern Highlands of Ceylon". His paper draws upon the work of his predecessors in identifying the climate and rainfall conditions of the Southeastern Highlands of Ceylon. He has written this paper to show the importance of the climate and rainfall conditions of the Southeastern Highlands of Ceylon.

S. L. Pardo and L. G. Löffler contribute "Shifts in Cultivation Patterns in the Guatemalan High Plains of Guatemala". Their paper draws upon the work of their predecessors in identifying the shifts in cultivation patterns in the Guatemalan High Plains of Guatemala. They have written this paper to show the importance of the shifts in cultivation patterns in the Guatemalan High Plains of Guatemala.

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This is a lavish production (aided by a grant from the Volkswagen company) containing a brief review by Professor Schweinfurth of climatological research at the Institute, a useful and not over-technical survey by Mohr of Elements of a Synoptic Climatology of the Indo-Pakistan Subcontinent, and the

Nobody would suggest that Alberuni’s account of early eleventh-century Indian thought and customs is a sufficient guide to these subjects or that having read it one need proceed no further. Alberuni can be regarded as an eleventh-century precursor of the European commentators who reported on Indian society during the period of Company rule. It may perhaps be claimed that none of his successors demonstrated the same breadth of learning and that to this extent the comparison is unjust. Essentially, however, his point of departure and his methods had much in common with those of his successors, with the result that his work suffers from the same shortcomings. Alberuni was a foreigner, an observer from the outside who owed much of his understanding to earlier literary sources or to information supplied by a small and scarcely representative sample of the population.

Alberuni’s India must accordingly be approached with an awareness of its author’s disabilities. Having thus insured upon a measure of caution we can acknowledge the truth of the standard claims concerning Alberuni’s persistence, his range of learning, his linguistic abilities, his skills as an observer and as an interpreter of an alien culture. Annie Embree is abundantly justified in claiming, on behalf of Alberuni’s India, that “nothing else from the period remotely touches it in accuracy of observation and breadth of coverage of Hindu society” (p. vi). This status it owes not merely to its own considerable qualities but also to a pronounced shortage of competitors. If we are to take seriously the thesis that an understanding of modern Indian history requires a prior understanding of earlier periods, Alberuni’s India must surely deserve a place in the kind of course currently favoured by most departments with an Indian interest.

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The present volume issued by the Centre of Advanced Study, Department of History, Aligarh Muslim University, is intended to be a substitute for its predecessor, Medieval India Quarterly. The term “medieval” has been interpreted by the editor in its widest sense to include the period from the “break-up of the Raijput states and the foundation of the centralised Sultanate of Turks ... down to the period when British rule was established and the country was drawn into the orbit of modern industrial civilisation”. The study therefore “includes movements and institutions which the Europeans call ‘oriental’, i.e. Those whose main sources of inspiration did not come from the industrial civilisation of the West but which may be regarded essentially as a continuation from the pre-industrial era”. (Emphasis added.) Thus, topics such as literary movements in the kingdom of Awadh or the religious revivalist movements of the nineteenth century would also come within the purview of the publication. The point needed clarification in view of the prevailing tendency to define periods in chronological terms and to ignore the contents of medievalism and modernism. It would be wrong to look upon all occurrences and developments after 1757 as modern.

The volume contains twelve articles or various aspects of the history of medieval India. A special feature of the volume is the publication, under a separate section entitled “Sources”, of a variety of texts and documents in Persian. The articles can be grouped under general headings, such as source materials, political/administrative history and biographies.

Professor Nurali Hasan (“Three Studies of the Zamindar System”) publishes a list of nineteen manuscripts belonging to the Berlin collection (now preserved in Tübingen and Marburg), the Bibliothèque Nationale and the British Museum. These relate to land revenue administration in Bihar and Bengal in the late eighteenth century and provide a history of some leading samindar (land-owning) families of the region. Of these, he has summarized three manuscripts of the Marburg collection, which contain statistical data about the land revenue yields of the sarkars of Shahabad and Rohtas, and gives some account of the relations of the Ujjaini chieftains of Bhojpur with the Mughal subahs. Many records bearing on the history of the Ujjaini chiefs from the seventeenth century onwards were published in Munshi Vinayak Prasad’s Tawantikhi Ujjainiya, (1898), and many more are available in the family archives of the Durnao Raj. Read along with these records the manuscript will yield additional information on the history of southwestern Bihar, particularly the samindar rights in the area.

Professor K. A. Nizami has published with a brief introduction, the texts of some documents of Muhammad Shah’s reign, which “were found appended to a manuscript copy of Sarus Sadur”. Nizami describes the manuscript (belong
ing to Maulana Azad Library, Aligarh) as a ma'luf (written account of a saint's discourses and conversations) of a thirteenth-century Sufi saint, Shaikh Hamiduddin Nagnauri, although in an earlier article (in his Studies in Medieval Indian History and Culture, 1966, pp. 97-8) he had ascribed it to the saint's grandson, Shaikh Fariduddin, a contemporary of Muhammad bin Tughluq. The documents relating to some grants and other favours conferred by Muhammad bin Tughluq upon the descendants of Shaikh Hamiduddin, would be regarded as valuable if only because of the great paucity of records of the pre-Mughal period. As it is, they also provide some new though minor information about the reign of Muhammad bin Tughluq. Document no. 1, a farman (royal order) dated A.H. 14 Dhill Hijja 724 (2 December 1324) supports Isami's version of the date of accession of that ruler, and it shows that the event took place towards the end of A.H. 724 rather than in A.H. 723, as stated by Barani. Document no. 5 recalls the famous episode of the transfer of capital from Delhi to Daulatabad and it appears that Shaikh Fariduddin was one of those who went to the new capital but returned to Nagnaur towards the middle of 1332.

S. M. Raza Naqvi ("Shah Abbas and the Conflict between Jahangir and the Deccan States") contends that the exchange of envoys between the Shah of Persia and the Deccan rulers did not represent an intrigue against the Mughals and that there was no pre-planned connection between the attack on Qandahar by Persia in 1622 and the anti-Mughal activities of Malik Ambar in the Deccan. However, this proposition is flatly contradicted by the texts of the letters of some Deccan rulers to Shah Abbas published in another article in the volume, (Nazir Ahmad, "Letters of the Rulers of the Deccan to Shah Abbas of Iran"). These were written during that very period and the one by Ibrahim Adil Shah II of Bijapur, dated A.H. 1018 (beginning 27 March 1609) clearly states that the writer regarded himself as a political subordinate of the Shah of Persia and urges the Shah to advance on Qandahar while the writer and the other Deccan rulers would strive from their end, so that within a short time the whole territory of India would come under the Shah's rule.

Professor S. C. Mishra ("The Sikka and the Khutba: a Sher Shah Experiment") puts forward an interesting proposition regarding the date of assumption of "royal status" by Sher Shah. Mishra suggests that "Sher Khan issued his first coins without waiting for a formal coronation ceremony, without assuming the royal titles and the royal status . . . and without having the Khutba read in his name". He further observes that although this was a legally untenable position, the "real politik of the transitional age" required this innovation and that Sher Shah demonstrated his "pragmatic genius" by the splitting of the two royal prerogatives of the sikka and the khutba and the exercise of the former without proper credentials. Mishra's argument is based on a solitary coin, hitherto unpublished, dated A.H. 942, and it does not accord with some epigraphic evidence on the point. There is an inscription of Sher Shah, dated A.H. 1 Shaban 942 (22 March 1536), in village Arthana in the district of Gaya, which refers to Sher Shah simply as "Hadrat-i-Ala Sher Khan, son of Hasan Sur". If the coin referred to really symbolized assumption of "royal status" by Sher Shah, it is curious that an inscription in Bihar, which was under his effective control, would describe him in such humble terms. However, this is not a decisive argument against Mishra's proposition for the time sequence is not definitely established: one might argue that the coin was minted in a month later than Shaban.

Dr Athar Ali ("Provincial Governors under Aurangzeb—an Analysis") makes a revealing analysis of the racial and religious composition of the class of governors and of the nature and tenure of their appointments. By an extension of the quantification method, which he used so ably in his earlier work, The Mughal Nobility under Aurangzeb, he has prepared a list by province and year of all appointments of governors from 1658 to 1707. He shows