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## **An Enquiry Into the Question of Animal Agency: A Historical Perspective on Cows in Colonial and Post Colonial India**

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### **ABSTRACT**

Animals are not only integral to history but also actively shape human narratives. The distinctive viewpoints that ensue highlight the potential for animals to possess cognitive abilities, self-awareness, and complex subjectivity, which we term as "agency". The Indian cows, deeply ingrained with religious and social significance, have been manipulated, subjugated, and controlled by humans for centuries to serve various political and economic agendas. A comprehensive understanding of their inherent and attributed agencies is thereby essential, achieved by tracing the colonial and post-colonial shifts in the agency of animal life as a whole.

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### **Indian Cow- Space of Contestations**

India, known for its reverence for animals, has long held cows in high regard, dating back to ancient times. When the "Aryans" first settled as agriculturists, they recognized the pivotal role of cattle in agriculture<sup>1</sup>. Cows were viewed as the primary source of wealth, symbolizing fortune, health, and prosperity. Additionally, milk served as a vital commodity for both nutrition and sacred rituals. Furthermore, the trade of hides and bones was common, with leather being utilized for various purposes such as crafting vessels and carrying water. Cattle bones were valued as effective manure, and in later

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<sup>1</sup> R. Ganguli, "Cattle and Cattle -Rearing in Ancient India," *Annals of the Bhandarkar Oriental Research Institute* 12, no. 3 (1931): 216–30, <https://www.jstor.org/stable/41694026>.

periods, raw beef was also recognized for its fertilizing properties. Historically, beef was a component of Indian cuisine without objection<sup>2</sup>.

The extensive slaughtering of cows for sacrificial rites reflects their revered status, not only for their sacredness but also for their profound utility and economic significance<sup>3</sup>. Jha highlights that this widespread practice underscores the cow's multifaceted role, where its value transcends mere religious symbolism. References to ancient sages consuming beef and passages from the *Satapatha Brahmana* asserting the superiority of meat as food indicate the adaptable nature of the cow<sup>4</sup>, its utilization determined by practical considerations and its comparatively easier domestication process compared to other animals. This inherent convenience in taming and sheltering cows has been recognized since antiquity, with these attributes regarded as capital assets for agriculture and various economic endeavors. As quoted by Lewis :

*“It is not true that if economic and religious doctrines conflict, the economic interest will always win. The Hindu cow has remained sacred for centuries, although this is plainly contrary to economic interest.”*<sup>5</sup>

The ahimsa movement in ancient India emerged against the backdrop of widespread cattle slaughter. Advocates of Buddhism and Jainism addressed this issue as the development of a stable agricultural economy made cattle essential for ploughing and manure<sup>6</sup>. Reckless cattle slaughter threatened agrarian development. Concurrently, the Upanishads questioned animal sacrifice, proposing wheat and barley as alternatives to cows. This substitution concept and the declining cattle population laid the groundwork for ahimsa, offering protection for cows from Rig Vedic practices.

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<sup>2</sup> D N Jha, *The Myth of the Holy Cow* (London ; New York: Verso, 2002).

He cites the evidence that the practice of cattle sacrifice of vedic period, called Pasubandha can be traced in the earlier steppe cultures of Eastern Europe.

<sup>3</sup> He identifies that if cows were sacred, there would have been major disputes regarding slaughter.

<sup>4</sup> Jha, “*The Myth of the Holy Cow*” 37

<sup>5</sup> Oscar Lewis and Victor Barnouw, *Village Life in Northern India* (New York : Vintage Books, [c1958, 1965 printing], 1965).

<sup>6</sup> Jha, “*The Myth of the Holy Cow*”42

The taboo on beef was not a prominent aspect of early Buddhism. Buddha, advocating for the "middle path"<sup>7</sup> in all matters, did not consider cows to be objects of reverence nor did he suggest that they could attain *moksha*. *Jataka* stories even depict bodhisattvas consuming beef<sup>8</sup>, and there is no evidence to suggest that Buddha abstained from eating meat himself. According to Jha, abstaining from meat was not practical in a society where meat consumption was common among non-Buddhists<sup>9</sup>. This is further evidenced by texts and inscriptions from the Asokan period, where the list of animals prohibited from slaughter does not include cows. It was Kautilya, in his *Arthashastra*<sup>10</sup>, who mentioned regulations on cow slaughter not out of piety, but rather as a means of enforcing marketing regulations and ensuring a steady supply of fresh beef.

During the later Buddhist period, the Mahayana sect introduced strict vegetarian codes, forbidding meat consumption. Texts like the *Lankavatara Sutra*<sup>11</sup> contain chapters against meat-eating, with Buddha advising Bodhisattva Mahamati to refrain from it. This restriction within the Buddhist community primarily responded to Brahmanical practices. Ahimsa became a key point of divergence between Buddhism and Brahmanism, elevating Buddhism's status through its adoption of vegetarianism. In order to compete with the popularity of Buddhism, it became necessary for Brahmanism to first relinquish beef consumption and later abstain from meat altogether, striving to outdo its rival. Ambedkar concluded this point as:

*"It could not have given the Brahmins the means of achieving supremacy over the Buddhists which was their ambition. They wanted to oust the Buddhists from the place of honor and respect which they had acquired in the minds of the masses by their opposition to the killing of the cow for sacrificial purposes. To achieve their purpose the Brahmins had to adopt the usual tactics of a reckless adventurer. It is to beat extremism with extremism. It is the strategy which all rightists use*

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<sup>7</sup> Jha, "The Myth of the Holy Cow" 78

<sup>8</sup> Robert Chalmers, *The Jataka. Volumes 1 & 2* (Forgotten Books, 2007).

<sup>9</sup> Jha, "The Myth of the Holy Cow" 65

<sup>10</sup> Kautilya, *The ARTHASHASTRA* (Penguin UK, 2000). Kautilya asks to classify cattle that are only fit for supply of flesh. He does not permit the killing of a calf, bull or milch cow.

<sup>11</sup> Maurice Winternitz and V Srinivasa Sarma, *A History of Indian Literature* (Delhi: Motilal Banarsidass, 1987).

*overcome the leftists. The only way to beat the Buddhists was to go a step further and be vegetarians.*”<sup>12</sup>

According to Ambedkar, the cow symbolized the struggle between Buddhism and Brahmanism, representing Brahminism's bid to regain dominance. While upper castes adopted vegetarianism, lower castes, or "Broken Men," continued consuming beef due to economic disparities, which made it impossible for them to emulate Brahmin dietary practices. Additionally, the lower castes were often tasked with disposing of dead cows, making the consumption of beef a practical necessity rather than an act of violence. Consequently, eating beef without directly participating in its slaughter was not considered ahimsa, and the lower castes saw no reason to discontinue the practice<sup>13</sup>.

Ahimsa was not a major theme in Indian classical literature and epics such as Ramayana and Mahabharata, while it was a chief concept in Jain tradition. It challenged Hindu values like *artha* (success) and *kama* (pleasure) in favor of brutal asceticism and questioned ritualistic cow slaughter, taking non-violence to extremes<sup>14</sup>. Meat became a divisive issue among major religions, with the cow at the center of this contention for the first time in Indian religious history. As humans adopted settled agricultural lifestyles, cows transformed from creatures with intrinsic agency to domesticated laborers and economic assets. They also became an affordable source of meat for ritual offerings.

Despite the condemnation of beef consumption as sinful and polluting from the early medieval period onward, products derived from cows, known as *panchagavya*, assumed a purifying role much earlier<sup>15</sup>. The cow protection attitude of Hinduism has more to do with the concept of purity and casteism rather than upholding the principle of non-violence<sup>16</sup>. This dual nature of the cow, embodying both sinfulness and virtue, began to take shape. And this dual agency continues till date and later to the emergence of Hindu nationalist imaginations.

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<sup>12</sup> B Ambedkar, "Untouchability, the Dead Cow and the Brahmin," n.d., 202 <https://navayana.org/wp-content/uploads/2009/05/jhaexcerpt.pdf>.

<sup>13</sup> Ambedkar, "Untouchability, the Dead Cow and the Brahmin," 207. Ambedkar explains it further that Brahmins could afford the transformation as they were wealthy with agriculture and cattle as a means of livelihood. Broken men are already in paupers and are depending upon the Settled community.

<sup>14</sup> Juli L. Gittinger, "The Rhetoric of Violence, Religion, and Purity in India's Cow Protection Movement," *Journal of Religion and Violence* 5, no. 2 (2017): 131–50, <https://www.jstor.org/stable/26671533>.

<sup>15</sup> Jha, "The Myth of the Holy Cow" 145

<sup>16</sup> Gittinger, "The Rhetoric of Violence, Religion, and Purity in India's Cow Protection Movement," 136

The major misconception that beef eating was Islam's 'baneful bequeathal'<sup>17</sup> therefore proved wrong historically. As Dharampal explains that, when Islam established itself in India, the tradition of sacrificing sheep, goats, and camels on BakrId and other occasions continued. Over time, however, the practice shifted to sacrificing cows instead of camels. Eventually, due to the animosity between the local Indian population and the Islamic conquerors, the conquerors sometimes killed cows to deliberately insult and humiliate local sentiments, using this act to assert their dominance over the subjugated people.<sup>18</sup>

Cow slaughter became a symbol of political supremacy in the medieval era, initially used to balance religious dynamics and ease communal tensions. The cow, deeply embedded in Indian culture, was later exploited by the British for administrative purposes. This 'cow sensitisation' made it a contentious subject. Transitioning from Brahmanical-Buddhist discord, the cow became a focal point of Hindu-Muslim contention, despite cow protection being an adopted trait in Hinduism.

During the medieval period in India, the incidence of cow slaughter was significantly lower compared to the post-1750s era. Indian society was predominantly agrarian, comprising Hindu and Muslim peasants alike. Even among converted Muslims, the avoidance of beef and the preservation of their pre-conversion lifestyle were common practices. From an economic standpoint, cattle played a pivotal role in agricultural activities, serving as labor for plowing, providers of cow dung for manure, and even as means of transporting crops to the market<sup>19</sup>. The presence of livestock determined the level of access farmers had to the market, while cows tethered outside a peasant's dwelling symbolized prosperity and abundance<sup>20</sup>. Consequently, even in times of extreme poverty, peasants were reluctant to part with their cattle. The profound attachment that medieval peasants held towards their cows is evident in this context.

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<sup>17</sup> Jha, "The Myth of the Holy Cow" ix-x

<sup>18</sup> Dharampal, and T.M Mukundan, "The British Origin of Cow-slaughter in India", 3. The book also discusses how various Islamic rulers occasionally prohibited the slaughter of cows as a means to mitigate hostility among the conquered population.

<sup>19</sup> Cattle held immense significance even in the plains, where both agricultural productivity and dairy yields relied heavily on them. Additionally, nomadic communities like the banjaras considered cattle indispensable, as it facilitated their mobility, while pastoralist groups were inherently characterized by their possession of cattle. Given this context, it's unsurprising that even the most impoverished peasant families strived to acquire cattle.

<sup>20</sup> Saurabh Mishra, "Cattle, Dearth, and the Colonial State: Famines and Livestock in Colonial India, 1896-1900," *Journal of Social History* 46, no. 4 (2013): 989–1012, <https://www.jstor.org/stable/43306083>.

Farmers regarded their cows as integral members of their family, often refusing to sell them, even when they grew old. In this light, the cow symbolized the cornerstone of Indian agriculture and was not viewed merely as a commodity. According to Premchand<sup>21</sup> in his *Godan*, for Hori, his cow symbolized affluence and prosperity, far beyond mere worship. Hori wanted his home to be seen as a beacon of success, with the cow as a living emblem of his achievements. Thus, widespread cattle mortality, due to disease or famine, would have caused profound distress. The emotional bond Indian peasants had with their cows transcended economic and religious considerations, highlighting the animal's deep significance in their lives.

In this context, European colonialist influences made their way to India. British military needs prompted the establishment of numerous state-sponsored and state-regulated slaughterhouses after 1750 AD. By the early 19th century, British authorities had inaugurated factory slaughterhouses, employing professional butchers from the Muslim community. This development exacerbated religious divisions among Indians. Slaughter led to segregation of Muslim community which Dharampal writes as,

*“... (F)or the British it was a matter of prime importance that Muslims in India assumed a separate identity and the mutual social intercourse amongst Indians became less and less, and that with the passing of time the Muslims began to live separately in distant localities.”*<sup>22</sup>

The colonialists perceived the Indian attachment to cows as nothing more than religious fanaticism, failing to grasp the deep cultural significance of cattle in Indian society. A notable instance of this occurred during the severe famines of 1896-1900, as documented in colonial papers describing the pitiful state of emaciated cows, resembling mere moving skeletons with hardly a rag on them.<sup>23</sup> The death toll among cattle soared, with approximately 192,449 reported deaths in Hissar over two years

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<sup>21</sup> Premchand Munshi, *Godan*. (Delhi: Hind Book Centre, 1996). This sentiment towards cow is vividly portrayed in "Godan" (or "The Gift of the Cow"), where the protagonist, Hori Mehto, finds himself unable to resist the allure of owning a cow, despite being fully aware of his limited resources. These literary narratives underscore the profound bond shared between peasants and their livestock, whether cows or buffaloes.

<sup>22</sup> Dharampal, and T.M Mukundan, *"The British Origin of Cow-slaughter in India"*, p.10.

<sup>23</sup> Parliamentary Papers: Papers and Correspondence relative to the Famine in Bengal and Orissa, Including the Report of the Famine Commission and the Minutes of the Lieutenant Governor of Bengal and the Governor General in India (House of Commons, 31 May 1867), p.35.

(1899-1900).<sup>24</sup> This highlights the Malthusian principle, which prioritized the economic value of cattle over human lives<sup>25</sup>, contradicting the Indian perspective that does not view cows as mere labor or commodities. Local disagreements arose regarding the reluctance of officials to grant free access to fodder for weak, malnourished, or disease-prone cattle, as the British rationale aimed to regulate cattle population through culling measures<sup>26</sup>.

Lord Lytton advocated for a policy of non-intervention, displaying a distinctive aversion to what he deemed as 'cheap sentiment'<sup>27</sup> regarding the Indian situation. The state also declined to allocate the valuable Famine Relief Fund to support "weak" and "useless" cattle, typically owned by the poorest peasants. Such allocation was viewed as 'indiscriminate alms-giving' and considered an unacceptable waste of limited resources<sup>28</sup>. The economic eyes behind distributing the cow protection fund were deep rooted in Malthusianism, free trade and non-interference policies.

The British dismissed Indian sentiments as the product of 'distempered humours' of people whose minds were clouded by hunger<sup>29</sup>. This highlights the divergent perspectives regarding the role of cows, evident in the contrasting attitudes of Indians and the British. While the British viewed weaker cows as a burden, hindering their economic interests, Indians attributed a different agency to them. To the British, feeding these cows was considered wasteful, leading to depletion of resources such as fodder and grains. They regarded cows solely as labor assets and, ultimately, as a source of meat served in military camps.

The British exhibited a masculine attitude towards Indian vegetarianism, associating it with femininity and linking it to racial and ethnic identities. Termed as 'feminist vegetarianism,' this perspective reflects the patriarchal logic of domination<sup>30</sup>. In the British view, meat consumption symbolizes strength and valor, particularly beef, which was linked to their superior military

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<sup>24</sup> The Punjab Famine of 1899-1900, Vol. I: Government Resolutions and Statistical Tables (Lahore,1901), p.12.

<sup>25</sup> J. C. Geddes, Administrative experience Recorded in Former Famines: Extracts from Official Papers Containing Instructions for Dealing with Famine (Calcutta,1874), p.350.

<sup>26</sup> Mishra, "Cattle, Dearth, and the Colonial State" 994

<sup>27</sup> Mike Davis, *Late Victorian Holocausts*. (Verso Books, 2017).

<sup>28</sup> Mishra, "Cattle, Dearth, and the Colonial State" 998

<sup>29</sup> E P Thompson and Filippo Osella, *The Moral Economy of the English Crowd in the Eighteenth Century*, 1991.

<sup>30</sup> Cathryn Bailey, "We Are What We Eat: Feminist Vegetarianism and the Reproduction of Racial Identity," *Hypatia* 22, no. 2 (2007): 40, <https://www.jstor.org/stable/4640061>. Feminist vegetarianism, which encompasses both political critique and ethical theory, is based on the notion that the oppression of women and animals is

prohess<sup>31</sup>. Some writers depicted vegetarian Indians as evidence of uncivilized and effeminate people. John Ovington's *Voyage to Surat in the Year 1689* is a notable example, where he attributes Indian innocence and patience to their vegetarian diet, contrasting it with the perceived hot-tempered and rough nature of meat-eating British men. Ovington also portrays Indians as weaker and more susceptible to plagues and diseases compared to their meat-eating English counterparts.<sup>32</sup>

William Falconer highlighted British superiority by portraying vegetable-eating and grain-based diets as characteristic of inferior cultures<sup>33</sup>. By the nineteenth century, a fully developed racist perspective on vegetarian diets began to emerge. In 1898, Beard wrote, "The rice-eating Hindoo and Chinese and the potato-eating Irish are kept in subjection by the well-fed English,"<sup>34</sup> suggesting that the British dominance was attributed to their meat-eating habits. Values such as kindness, empathy, and patience were considered inferior to the masculine British values. Consequently, consuming beef was viewed as a means of attaining superiority over the East, both culturally and racially. However, there were also writers like Oswald who saw vegetarianism as having an "anti-imperialist implication" and as a "political opposition to the tyrannical British establishment."<sup>35</sup> Thus, by intertwining the intercontinental agential elements of cattle, their agency transcends mere socioeconomic layers, introducing new dimensions of racialism and masculinity into the act of consuming beef.

Growing discontent among Indians over white supremacy led to numerous mutinies. In 1806, sepoys at Vellore revolted against regulations infringing on their religious practices, fearing leather in their new turbans came from pigs or cows. The 1857 mutiny also had a religious trigger, sparked by rumors of greased cartridges containing cow and pork fat. Sepoys believed the East India Company aimed to

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interconnected in some way.

<sup>31</sup> Marguerite M. Regan, "Feminism, Vegetarianism, and Colonial Resistance in Eighteenth-Century British Novels," *Studies in the Novel* 46, no. 3 (2014): 275, <https://www.jstor.org/stable/23882895>.

<sup>32</sup> John Ovington, *A Voyage to Surat in the Year 1689* (London, 1696), 163–64.

<sup>33</sup> William Falconer, *Remarks on the Influence of Climate, Situation, Nature of Country, Population, Nature of Food, and Way of Life* (London, 1781).

<sup>34</sup> George M Beard and A D Rockwell, *Sexual Neurasthenia [Nervous Exhaustion]. Its Hygiene, Causes, Symptoms, and Treatment, with a Chapter on Diet for the Nervous* (Trieste Publishing, 2017).

<sup>35</sup> John Oswald, *The Cry of Nature, or an Appeal to Mercy and Justice, on Behalf of the Persecuted Animals* (London, 1791).



convert them, especially with the introduction of Enfield Rifles using animal-fat-lubricated cartridges, deeply offending both Hindus and Muslims<sup>36</sup>.

The cow became a central figure in Indian religious sentiment, symbolizing attachment to the homeland and serving as a political tool against British rule. Hindus emphasized the cow to distinguish their cultural and religious heritage from other faiths. Safeguarding cows thus became essential to preserving Hindu identity and upholding dharma against external influences.

During the 1870s and onwards, a series of anti-kine killing movements<sup>37</sup> emerged in North India. The initial manifestation of Indian anger and discontent came from the Kukas (Namdhari Sikhs), followed a few years later by Swami Dayananda Saraswati and other sanyasis who advocated for an end to British-sponsored slaughter and the establishment of Go-samvardhani Sabhas.<sup>38</sup> This period also witnessed the circulation of books, newspaper articles, pamphlets, and posters highlighting the plight of Indian cows and advocating for their protection. Through adept utilization of the printing press, the symbolism surrounding cows became deeply intertwined with the principles of Sanatan Hindu ideology. An illustrative example, titled 'The Kaliyug', depicted a cow embodying Hindu deities, facing off against a menacing demon brandishing a drawn sword<sup>39</sup>. Those who championed cow protection, despite encountering obstacles, were celebrated as exemplars of true Hinduism.

Initially, there were efforts to promote religious inclusivity by referencing the acknowledgment of the issue by Akbar, the Mughal king. A significant development occurred on March 23, 1884, when the Brahmamrit Varshini Sabha of Kashi passed a resolution. It declared an intention to petition the Nizam of Hyderabad to outlaw cow slaughter. If successful, the sabha would recognize Hyderabad as a 'State of Akbar'<sup>40</sup>.

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<sup>36</sup> D. Tripathi, "The Character of the Movement of 1857," *Proceedings of the Indian History Congress* 21 (1958): 501–502, <https://www.jstor.org/stable/44145247>.

<sup>37</sup> During the years 1880–1894 there was a very intense and widespread movement all across North India and some parts of the South, which mobilized the people of the country on the issue of cow-killing termed as anti -kine killing movements.

<sup>38</sup> Dharampal, and T.M Mukundan, "*The British Origin of Cow-slaughter in India*", 14

<sup>39</sup> Governor General to Secretary of State, 27 December 1893, note on the agitation, 1893, cited in John. R. McLane, *Indian Nationalism and the Early Indian National Congress*, p.312

<sup>40</sup> Hitendra K. Patel, "Aspects of the Cow Protection Movement and the Intelligentsia in Late Nineteenth and Early Twentieth Centuries," *Proceedings of the Indian History Congress* 69 (2008): 792, <https://www.jstor.org/stable/44147242>. A newspaper report recounted an incident where the poet Narahara witnessed a meat-seller forcibly leading away a cow. Incensed by the sight, Narahara intervened, reclaiming the cow and bringing the matter to the attention of Akbar, the Mughal

From the 1890s onwards, communalist factions began to emerge, scapegoating Muslims for the widespread slaughter of cows. The newspaper *Samay* articulated this sentiment, suggesting that the demand for cow flesh at a fair, attributed to the presence of numerous Muslims and European soldiers, fueled excessive slaughter<sup>41</sup>. This rhetoric aimed to vilify Muslims and portray English influence as a threat to Hindu culture. Similarly, another newspaper in Calcutta reported, "The Muslims of Dinopore are doing their best to nullify the cow slaughter circular and are pretending that beef forms an essential food of the Muslims"<sup>42</sup>. *Bihar Bandhu*, in its reporting of communal unrest in places like Bailia and Azamgarh, highlighted violent clashes resulting in casualties among both Hindus and Muslims<sup>43</sup>.

The British administration fostered divisive tendencies by bestowing awards upon Hindu and Muslim communalists. C. S. Bailey, serving as the Lieutenant Governor of Bihar, recommended the Maharaja of Darbhanga for a G.C.I.E., acknowledging his significant role in promoting Hindu communalism<sup>44</sup>. British policies aimed at sowing division, combined with the burgeoning Hindu nationalist movements, not only cultivated a collective identity among Hindus but also fostered a sense of detachment from both Muslims and the British. Sacred symbols and spaces served to delineate and segregate the two communities, whether they had long standing familiarity with one another, as in the case of Hindus and Muslims, or were relatively unfamiliar, such as Hindus and the British<sup>45</sup>. Consequently, cows emerged as a pivotal point in shaping the relationship between Hindus and Muslims in India.

In the process of constructing the narrative history of the emerging nation, the selection of specific iconographies carried significant weight. The kind of narrative should be producing a historical similarity or homogeneous history, a history in the sense *for* whom rather than the history *of* whom<sup>46</sup>.

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emperor. Moved by the poet's advocacy, the Emperor was compelled to issue a decree prohibiting cow slaughter throughout his realm.

<sup>41</sup> *Samay*, 17 November 1893, cited in Bengal, Report on Native Papers for the week ending 25 November 1893, p.994.

<sup>42</sup> *Hindi Bangavasi*, 19 February 1894.

<sup>43</sup> *Bihar Bandhu*, Jan. 1894, pp.26, 26, 29.

<sup>44</sup> Darbhanga to Du Boulay, 15 March 1895, Cited in Mrinal K. Basu, *Indian Historical Review* (New Delhi) III, 2 (1977), p. 75.

<sup>45</sup> Anand A. Yang, "Sacred Symbol and Sacred Space in Rural India: Community Mobilization in the 'Anti-Cow Killing' Riot of 1893," *Comparative Studies in Society and History* 22, no. 4 (1980): 596, <https://www.jstor.org/stable/178469>.

<sup>46</sup> Sudipta Kaviraj, *The Imaginary Institution of India*, 2010, 4, <https://doi.org/10.7312/kavi15222>.

This endeavor, however, sparked tensions between the mainstream and marginalized groups over the shaping of narratives to create a shared history. Given the majority status of Hindus, particularly the upper-caste literate men, well-versed in Sanskrit, a dynamic emerged where they held sway over the narrative. This dominance marginalized Dalits, politically encompassing lower castes, Muslims, Christians, tribals, and others. In response, these marginalized groups crafted their own imaginative iconographies, seeking to celebrate the diverse richness of Bharat.

The cow played a pivotal role in shaping the cultural cohesion of the dominant identity. According to Pinney, the cow's body was revered as divine, serving as a symbol of an emerging proto-nation. Within the sacred Hindu cosmology, the cow's body represented a novel space, giving rise to the concept of the cow-nation<sup>47</sup>. Charu Gupta analyzes that cows became essential for producing healthy sons, symbolizing the Hindu nation. The cow was seen as a benevolent mother nourishing her sons with milk, often depicted in images as Yashoda. This idea reinforced the cow's aggressive, gendered symbolism as a fierce goddess, with myths reinterpreted to support Hindu nationalist goals. The cow thus became directly linked to the nation's well-being.<sup>48</sup>

As portrayed by Charu, the cow embodies dual characteristics - both feminine and masculine. It is viewed as masculine when it is championed by high-caste men, employing aggressive language. Conversely, it adopts a softer, feminized appeal through modes like poetry, devotional songs, and tearful requests<sup>49</sup>. Initially representing qualities like patience, purity, nourishment, and motherhood, the imagery of the cow shifted to symbolize masculine and courageous indigenous sons. It emerged as a symbol of resistance against external influences while also being embraced by Hindutva politics, further exacerbating community polarization.

During the independence movement, Gandhian ideologies gained considerable momentum in advocating for the protection of cows and portraying them as symbols of national identity. He distinguished between Eastern and Western perspectives on cows. While the West emphasizes the economic value of cows, focusing on dairy and meat production, Indians prioritize the spiritual aspect, viewing cows as

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<sup>47</sup> Christopher Pinney, "The Nation (Un)Pictured? Chromolithography and 'Popular' Politics in India, 1878-1995," *Critical Inquiry* 23, no. 4 (July 1997), <https://doi.org/10.1086/448856>.

<sup>48</sup> Charu Gupta, "The Icon of Mother in Late Colonial North India: 'Bharat Mata', 'Matri Bhasha' and 'Gau Mata,'" *Economic and Political Weekly* 36, no. 45 (2001): 4296, <https://www.jstor.org/stable/4411354>.

<sup>49</sup> Ibid, pp 4296.

embodiments of penance and self-sacrifice for the alleviation of innocent suffering. Hence, he emphasized the spiritual significance of cows as fundamental to Indian livelihood<sup>50</sup>. He sought to underscore the protection of cows as a religious obligation, advocating for its fulfillment through non-violent means. His words aimed to align cow protection with the principles of Hinduism:

*“The central fact of Hinduism however is cow-protection. Cow protection to me is one of the most wonderful phenomena in human evolution. It takes the human being beyond his species...She is a mother to millions of Indian mankind. Protection of the cow means protection of the whole dumb creation of God. The ancient seer, whoever he was, began with the cow. The appeal of the lower order of creation is all the more forcible because it is speechless. Cow protection is the gift of Hinduism to the world. And Hinduism will live so long as there are Hindus to protect the cow<sup>51</sup>.”*

While cows are revered as a cultural symbol by upper-caste Hindus, Dalits hold a starkly contrasting perspective on these animals. Beef has emerged as a potent symbol of resistance against the cultural hegemony imposed by caste Hindus. For Dalits, tasks such as carrying dead animals, skinning them, and consuming their flesh were prescribed as caste-based duties. Beef, therefore, became intertwined with their caste identity, poverty, and struggles with hunger. It became the most accessible source of nutrition and a communal staple for Dalit communities. Yet, the question lingers: was beef truly their preferred choice? The reality reveals that beef wasn't a matter of preference but rather the only viable option available to them. Similar to the degrading practice of manual scavenging, which stripped them of their dignity and subjected them to profound humiliation<sup>52</sup>, the consumption of beef was thrust upon them due to their deemed "polluted" caste status. The relentless grip of poverty perpetuated this cycle, leaving them with limited food choices and reinforcing their reliance on carrion for sustenance. In this context, Dr. B.R. Ambedkar advocated for an end to the consumption of carrion, recognizing it as a practice imposed by caste rather than a choice. Unfortunately, his stance was later misconstrued as promoting sanskritization<sup>53</sup>.

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<sup>50</sup> Mahatma Gandhi, *How to Serve the Cow* (Ahmedabad: Navajivan, 1954).

<sup>51</sup> Ibid, pp 3,5

<sup>52</sup> Gayatri Nair, “The Bitter Aftertaste of Beef Ban: ‘Choice,’ Caste and Consumption,” *Economic and Political Weekly* 51, no. 10 (2016): 14–16, <https://www.jstor.org/stable/44003288>.

<sup>53</sup> Christophe Jaffrelot, *Dr Ambedkar and Untouchability : Analyzing and Fighting Caste* (Delhi: Permanent Back, 2006).

The persistent demands from the right wing to ban beef and safeguard cows pose an indirect threat to the Dalit identity. Advocates of "beef bans," comprising politicians and self-proclaimed "cow vigilantes," frequently justify these actions as crucial for preserving Hindu culture and asserting India's inherent Hindu character<sup>54</sup>. However, for Dalits, who lack other preserved cultural or heritage identities, consuming beef has emerged as a defining symbol of their distinctiveness, setting them apart from caste Hindus.

Recent beef festivals can be seen as a continuation of a longstanding tradition of resistance against caste discrimination, which involves reclaiming cultural symbols that have historically been stigmatized<sup>55</sup>. Organizers and participants, both Dalits and non-Dalits, often frame these festivals as acts asserting Dalit cultural rights against caste-based oppression. Beef is portrayed as an integral aspect of the food culture and cultural identity of Dalit communities during such events. Resistance against the beef ban is thus fundamentally a rejection of its anti-nationalist, communal, and casteist nature.<sup>56</sup> Here cow and beef become the mark of *difference*, a distinction from the 'other' Hindus and Dalits. The '*right to recognition*' of Dalits was made possible through the symbol of cow, where her agency overtook one homogeneous religious identity to incorporate multicultural identities.

Viewing animals as distinct entities with their own independent existence and agency has prompted a growing concern for protecting them from all forms of mistreatment in post-independent India. The Constituent Assembly engaged in debates regarding the formulation of regulations for cow slaughter in late 1940s<sup>57</sup>. Some members of the Constituent Assembly advocated for a complete ban on cow slaughter and proposed that cow protection be recognized as a fundamental right. Ultimately, a compromise was reached: instead of making cow slaughter an enforceable fundamental right, it was included as a "Directive Principle of State Policy" to guide national and state governments in their policymaking. According to lawyer Gautam Bhatia, the Constitution deliberately avoided addressing

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<sup>54</sup> Balmurli Natrajan, "Cultural Identity and Beef Festivals: Toward a 'Multiculturalism Against Caste,'" *Contemporary South Asia* 26, no. 3 (July 3, 2018): 287–304, <https://doi.org/10.1080/09584935.2018.1504000>.

<sup>55</sup> C. Joe Arun, "From Stigma to Self-Assertion," *Contributions to Indian Sociology* 41, no. 1 (January 2007): 81–104, <https://doi.org/10.1177/006996670704100104>.

<sup>56</sup> Natrajan, "Cultural Identity and Beef Festivals", 1-2.

<sup>57</sup> Constituent Assembly Debates, Constituent Assembly of India, Volume VII, November 24, 1948, <https://indiankanon.org/doc/1945234/> (accessed April 5, 2024).

religious sentiments and did not mandate an outright ban on cow slaughter. This compromise has resulted in ongoing political and judicial disputes over the issue.<sup>58</sup>

In post-independent India, specific legislation has been enacted to safeguard the welfare of animals. However, the idea of granting 'rights' to non-human animals remains a topic of judicial debate. Article 48 of the Constitution mandates the state to modernize agriculture and animal husbandry practices while also striving to conserve and enhance animal breeds, including protecting animals such as cows, calves, buffalo, milch, and draught cattle from slaughter<sup>59</sup>. Yet, a legal paradox arises: while Article 19 guarantees the freedom to pursue any profession, occupation, trade, or business, including activities involving animals, it seemingly contradicts Article 48. Consequently, animals are often treated as mere commodities, subject to human ownership and exploitation according to individual interests<sup>60</sup>.

Despite the escalating communal violence and targeted attacks against minorities under the pretext of cow protection, the economic significance of cows remains as paramount as ever. As per the reports, around 45% of the total population still depends on agriculture, contributing 18.6% of total Gross Value Added<sup>61</sup>. Milk production in the country is estimated at 230.58 million tonnes, registering a growth of 22.81% over the past 5 years and meat production is estimated as 9.77 million tonnes during 2022-23<sup>62</sup>. India is also the highest milk producer, ranking first position in the world contributing 24 percent of global milk production in the year 2021-22<sup>63</sup>.

In the intricate landscape of India, cows assume a multifaceted role, ranging from economic to spiritual dimensions. Across diverse communities, even within the same religious framework, varying

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<sup>58</sup> Jayshree Bajoria, *Violent Cow Protection in India* (USA: Human Rights Watch, 2019).

<sup>59</sup> Akkiakhand, Legal Personality of Animals [Accessed on 05-04-2024 at 12:54PM] available at: <http://www.legalserviceindia.com/legal/article-364-legal-personality-of-animals.html>

<sup>60</sup> Shivani Sharma and Dr. Vaibhav Goel Bhartiya, "Changing Paradigms of Animal Rights Jurisprudence in India," *CPJ Law Journal* 12, no. 2 (July 2022).

<sup>61</sup> Department of Animal Husbandry, Dairying and Fisheries, Ministry of Agriculture & Farmers Welfare, Government of India, "Annual report 2022-23," [https://agriwelfare.gov.in/Documents/annual\\_report\\_english\\_2022\\_23.pdf](https://agriwelfare.gov.in/Documents/annual_report_english_2022_23.pdf) (Accessed April 8, 2024).

<sup>62</sup> Ministry of Fisheries, Animal Husbandry & Dairying, Government of India, <https://pib.gov.in/PressReleasePage.aspx?PRID=1979950> (Accessed on 8th April, 2024)

<sup>63</sup> Ministry of Fisheries, Animal Husbandry & Dairying, Government of India, <https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1897084> (Accessed on 8th April, 2024).

perspectives emerge, rendering cows a nexus of identities and ideologies. Their physical form, products, and symbolic significance have woven complex narratives throughout history, surpassing that of any other animal. The ongoing debate surrounding the sacred status of cows remains pertinent, particularly as right-wing factions, advocating for Hindutva ideology, rise to prominence, with cows serving as a prominent emblem of their cultural heritage.

Throughout history, the natural agency and existence of cows as animals have been conveniently overlooked, reflected in the scant attention given to enacting laws for their protection. The existing legislation, such as the Prevention of Cruelty to Animals Act 1960, imposes minimal penalties, with a mere monetary fine ranging from Rs. 10/- to Rs. 50/- for the first offense, and Rs. 25/- to Rs. 100/- or imprisonment for subsequent offenses within three years of a previous conviction<sup>64</sup>. Despite the existence of pending bills like the Animal Welfare Bill, 2016, Parliament has remained inactive, opting to delay or neglect the proposed legislation while the outdated Prevention of Cruelty to Animals Act continues to be enforced. This apathetic attitude of Parliament has contributed to a surge in atrocities against animals<sup>65</sup>.

From an ecological standpoint, India holds a prominent position as a leading producer of meat and dairy, contributing significantly to global greenhouse gas emissions. Methane, a potent greenhouse gas, is produced in the digestive systems of ruminant animals such as cows, water buffaloes, sheep, goats, and camels. These emissions, primarily released through flatulence, belching, and manure, account for over one-third of the world's methane emissions. In her article, Sunita Narain contends that reallocating one-third of the world's fresh water resources and cropland, currently used for feeding animals, could directly address India's hungry population's food needs.<sup>66</sup>

In the Indian context, the cow stands as a poignant example of how its inherent agency is often eclipsed by the multifaceted roles thrust upon it. Throughout Indian history, it has endured extensive exploitation and abuse, frequently becoming a pawn in communal struggles where its life is weaponized to further

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<sup>64</sup> Shivani Sharma and Dr. Vaibhav Goel Bhartiya, "Changing Paradigms of Animal Rights Jurisprudence in India," pp 149.

<sup>65</sup> Abha Nadkarni and Adrija Ghosh, "BROADENING the SCOPE of LIABILITIES for CRUELTY against ANIMALS: GAUGING the LEGAL ADEQUACY of PENAL SANCTIONS IMPOSED," 2017, <http://docs.manupatra.in/newslines/articles/Upload/1CB73629-1C2A-410C-B437-42A19EC697A5.pdf>.

<sup>66</sup> "India's Cow Crisis: A Rebuttal to Sunita Narain," [www.downtoearth.org.in](http://www.downtoearth.org.in), January 19, 2019, <https://www.downtoearth.org.in/blog/agriculture/india-s-cow-crisis-a-rebuttal-to-sunita-narain-62763>.

specific agendas. Recent studies have shed light on the agency of cows, revealing the historical patterns of exploitation they have faced, as highlighted by various animal historians and environmentalists.

Yamini Narayan, in her book, delves into the commodification and politicization of cows, particularly noting how right-wing Hindu nationalists have historically exploited them to oppress Muslims and Dalits. She advocates for the depoliticization of milk, arguing that its production contributes to violence against animals and perpetuates a gendered, racist, anthropocentric approach that overlooks the inherent harms in dairy farming<sup>67</sup>. The controversy surrounding the treatment of sacred cows is starkly evident in the practice of exploiting them for dairy production and subsequently sending them to slaughter once their lactation period ends. This dilemma underscores the clash between the reverence accorded to cows in Hindu culture and the harsh reality of their treatment in the dairy industry. The mythological portrayal of cows, such as Kamadhenu, with her endless udder symbolizing abundance and purity, often obscures the suffering of real dairy cows and their calves, who are separated and deprived of nourishment<sup>68</sup>.

For both Congress nationalism and Hindutva ideology, the cow holds significant symbolism. Congress nationalists equated cow protection with the defense of India, while also associating cow milk with the purity of the nation. However, these associations often mask the complexities and challenges faced by actual dairy cows, illustrating the struggle of post-independence India to reconcile secular democratic ideals with the tenets of Hindutva nationalism, which often promote a "slaughter-free" dairy industry as an unattainable ideal<sup>69</sup>. Yamini describes as:

*“[U]tilization of the cow as an economic resource for Secular India which demands her slaughter, against the instrumentalization of the cow as a political resource for a Hindu India which demands the maintenance of her life, through the enforced labor of their bodies and disruption of their family bonds...The objectification of female and feminized Hindu bodies as mothering bodies, whether human, cows, or the physical / metaphorical landscape of Mother India, is a crux upon*

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<sup>67</sup>Yamini Narayanan, *Mother Cow, Mother India* (South Asia in Motion, 2023).

<sup>68</sup> Ibid, pp 182.

<sup>69</sup> “The Veneration of ‘Mother Cow’ Is a Cover for India’s Violent, Brahminical Dairy Industry,” *The Wire*, September 15, 2023, <https://thewire.in/books/yamini-narayanan-mother-cow-mother-india>.





*which Hindutva is founded. The erasure of bodily autonomy endured by Human female humans, becomes mapped onto the 'dairy' cows and onto the concept of Mother India.*"<sup>70</sup>

The cow remains a significant factor in the caste-based segregation of Indian communities, serving as a visible divider. Until cows receive unbiased protection and their right to life is ensured, they will perpetuate societal divisions based on meat consumption and cultural practices. Enshrined in the Constitution, the Fundamental Duty 'to protect and improve the natural environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures'<sup>71</sup> should be made legally enforceable. This step is essential for fostering holistic development in both ecology and humanity.

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<sup>70</sup> Yamini Narayanan, *Mother Cow, Mother India*, pp 186, 187.

<sup>71</sup> "Fundamental Duties | Government of India | Ministry of Power," Powermin.gov.in, 2024, <https://powermin.gov.in/en/content/fundamental-duties>.

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