

# ***ALLAH'S HOUSE TO DOMES OF SECULARISM: MINORITIZATION OF MUSLIMS IN INDIA***

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Submission date: 15 March 2023; Acceptance date: 30 December 2023; Publication date: 26 June 2024

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**Abstract:** Disputes around the Babri masjid have been crucial for understanding the Muslim subject position in India, also because mosques are public expressions of Muslimness. I read the legal proceedings of the Babri masjid dispute leading to the Supreme Court's controversial judgment in 2019, tracing the life of Babri masjid unfolding as a mosque, a disputed site and, finally, a Hindu temple. Focusing on the theological and secular claims of Hindu and Muslim litigants, I look at the differential approach to belief and historical claims within the legal adjudication. I especially analyse two strategies, disruption and description, that significantly led to the changes in the attributes of the mosque.

Comparing the Babri dispute with the case of the Malappuram mosque dispute in the eighteenth century, this article analyses theological claims on a mosque, asking the question why the Muslim narrative shifted from one rooted in religious reverence, *Allah's house*, to one anchored in secular symbolism, the *domes of secularism*? It would discreetly give an idea of the practice of secularism in India which, as different scholars contend, systematically erases Muslim religiosity from the public space. I suggest reading the anchoring of Muslim claims in secularism as pointing to the crucial changes in the Muslim subject position that is decisively framed through excessive powers of the modern nation-state.

**Keywords:** Muslim Political, Babri masjid, Secularism, Minoritization, Theological

## **Prologue: Story of Two Mosques**

In the early eighteenth century, amidst local tensions, certain upper caste warriors, bolstered by support from local landlords, resolved to demolish a mosque

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DOI:10.13169/reorient.8.2.0262

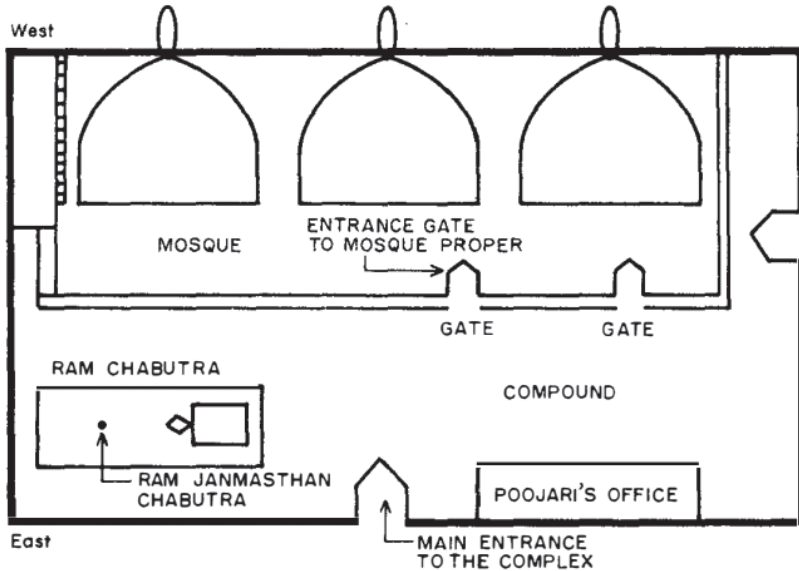
situated in the Malappuram region of Malabar, a colonial district in South India. A contingent of Muslims, predominantly women, from the vicinity beseeched the local ruler to desist from the act of destruction. They offered their entire wealth, jewels, and labour on the condition that the sanctity of *Allah's house* be preserved. However, their plea fell on deaf ears as the ruler disregarded their grievance. Unable to secure the protection of the mosque, men from the region congregated within its confines, awaiting the impending arrival of the army. Last-ditch negotiations proved futile, as the gathered Muslims resolved to become martyrs in defence of *Allah's house*.

Fast forward to post-colonial India, and we encounter the narrative of the demolition of the Babri Masjid, constructed in the sixteenth century under the reign of the Mughal ruler Babur. A faction of Hindus asserted that the site of the mosque, Ayodhya, was the birthplace of the Hindu deity Ram. They claimed that the mosque had been erected upon the ruins of a Hindu temple and subsequent Hindutva mobilisation culminated in the demolition of the Babri masjid on 6 December 1992. Muslim organisations protested against the demolition, prominently construing the demolition as a threat to the secular fabric of India. As can be seen in the following sections, they proclaimed that the demolition of the *minarets* of Babri masjid represents the demolition of *domes of secularism*. This prompts the question: why did the Muslim narrative surrounding the mosque shift from one rooted in religious reverence, *Allah's house*, to one anchored in secular symbolism, the *domes of secularism*?

### **Background: Chronology of Masjid Becoming a Temple**

Babri masjid was built in the year 1528 through the orders of Mughal emperor Babur. It was situated in the city of Ayodhya, in Uttar Pradesh. The masjid had an inner and an outer courtyard resembling many of the Mughal architecture of the period. While the outer courtyard of the masjid was protected by boundary walls, the inner courtyard had a building with three domes (see Figure 1). The site of the Masjid, Ayodhya, became a matter of dispute in the latter half of the nineteenth century as a section of the Hindu community started claiming it as the birthplace of the Hindu Lord Ram. Subsequently, they termed the location of the Masjid as *Ram Janmabhumi* (the birthplace of Ram). The British had earlier sided with the Hindu chiefs to grab power from Muslim nawabs in the region, especially in Awadh (Van der Veer 1987, Fisher 1987). After the revolt of 1857 that led to the exile of the last Mughal ruler, “the British Government encouraged Hindu activity” (Srivasthava 1991: 46). Certain Hindus built an elevated structure called *Ram Chabutra* in the outer courtyard of the masjid and started offering prayers which led to armed clashes between Muslims and Hindus. The *khatib* of the Babri masjid

submitted a petition to the magistrate against Hindu worship at the masjid compound.<sup>1</sup> Upon intervention by the British officials, a brick wall in the form of a railing was constructed, separating the inner courtyard containing the three domes and the outer courtyard with the *Ram Chabutra*.



*A rough sketch of the mosque and the Ram Chabutra in its compound. The idols were placed on 22–23 December 1949 under the central dome of the mosque.*

Figure 1 A rough sketch of the mosque and the Ram Chabutra in its compound

Source: Noorani (1991)

The claims soon led to petitioning at the colonial courts. On 29 January 1885, Mahant Raghubar Das filed a suit at Faizabad District Court for awarding permission to construct a temple at *Ram Chabutra*. However, the case was dismissed by Pandit Hari Kishan, the Sub Judge on 24 December 1885, on apprehension of riot and murder, and ordered to maintain the status quo, and various appellant authorities, including the Judicial Commissioner of Oudh, upheld the verdict.<sup>2</sup> A radical section of Hindus argued that the *masjid* was built by destroying a Hindu temple during Babur's conquest. On the other hand, Muslims claimed that the *masjid* was built on vacant land, and that the Hindus started claiming the site of the *Masjid* as Ram's birthplace only in the nineteenth century. Later, in the year 1934, riots

in the city caused damage to the domes of the masjid and upon the request of the Muslim community leadership, the British government repaired the damages. All these demonstrate that the Babri masjid has been a constant site of tension since the second half of the nineteenth century, which also marks the end of Mughal rule in India.

The tensions in the colonial context spilled over to the post-colonial period, with the formation of the Indian nation-state. Organized Hindu ascetics, with the assistance of local administration, forcefully placed the idols of Ram in the inner courtyard of the masjid on the night of 22 December 1949. While Muslim litigants claimed it was a planned conspiracy, the response from the Hindu litigants was that it was *swayambhu* (self-manifested). However, the idols that were planted were not removed by the police or magistrates. This, as Peter Van Der Veer suggests, “implies that the mosque had de facto been converted into a temple since Hindu worship had replaced Muslim worship” (1994: 157). Noorani (2003) elaborately details the role of the then Deputy Commissioner of Faizabad, K. K. K. Nayar, in conspiring to install the idol. Upon this incident, the City Magistrate closed and sealed the *masjid*. On 16 January 1950, a lawsuit was filed by a Hindu devotee, Gopal Singh Visharad, claiming his right to worship and offer prayers at the *Ram Janmabhumi*. In Noorani’s opinion, through the act of placing idols under the central dome of Babri masjid in 1949, by closing the gates of Babri masjid to Muslims, and permitting the Hindus to conduct worship inside the compound of Babri masjid, “the *masjid* was first forcibly converted into a *mandir* even before its demolition” (Noorani 2003: xl). On 17 December 1959, Nirmohi Akhara, who represents a religious sect amongst the Hindus known as the Ramanandi Bairagis, filed an appeal to hand over the management of the temple. They claimed that the whole structure, including the three-domed masjid, is a temple. In counter to this, on 18 December 1961, the Sunni Central Waqf Board and nine Muslim residents of Ayodhya filed a lawsuit claiming a declaration of title and a decree for possession of the mosque upon removal of the installed idols.

A more recent history of events unfolded from 1984 onwards with Hindu supremacist organisation Vishwa Hindu Parishat’s (VHP) nationwide *rath yathra*; the rally and campaign to claim Muslim places of worship which they argue are built on the ruins of Hindu temples. As Van der Veer (1994) has shown, the common Hindu masses outside Ayodhya, who were unbothered about the whole controversy, increasingly associated with the majoritarian upsurge with the mobilisation of the VHP. Subsequently, in 1986, the Rajiv Gandhi-led Congress government opened the locked gates of Babri masjid and allowed Hindus to perform their worship. The Bharatiya Janata Party (BJP) officially took up the issue after their National Convention at Palampur that passed a resolution on 11 June 1989. The resolution stated that the sentiments of the Hindus should be respected

and, hence, the dispute cannot be settled over the legality of title or possession (Noorani 2003). Thus, these organisations, especially since the 1980s, made their claims entirely as a matter of faith and sentiments.<sup>3</sup> In 1989, a suit was filed on behalf of the deity (*Bhagwan Shri Ram Virajman*) and the birthplace of Lord Ram (*Asthan Shri Ram Janmabhumi*). The suit is founded on the claim that the law recognises both the idol and the birthplace as juridical entities. They claim that the deity should be given the declaration of title of the disputed site.

The stone laying ceremony for the Ram mandir was organised in 1989, and BJP leader L. K. Advani conducted a *rath yatra* collecting the bricks for constructing the Ram mandir and mobilizing the Hindu community. This *rath yatra*, with violent proclamations against the minorities, ended with the demolition of the Babri masjid on 6 December 1992. As Kiliyamannil (2022) argues, the demolition of Babri masjid and related socio-political changes in the 1990s dramatically reorientated Muslim political articulations. In the aftermath, different cases were filed, the representatives of both the Muslim and Hindu communities. After a series of litigations, in 2010, the High Court of Uttar Pradesh delivered a judgement splitting the disputed site equally among the three parties – Muslims, Hindus and Nirmohi Akhara. Upholding the faith and belief of the Hindus, the judgement declared that the area covered by the mosque and central dome belongs to the Hindus, as they believe the place is the birthplace of Lord Ram.

Appeals were filed in the Supreme Court against the High Court judgement, which was subsequently overturned. In its final verdict in 2019, the Supreme Court of India ruled in favour of handing over the entire site and surrounding areas of the demolished Babri masjid, more than sixty-seven acres, to Hindus for the construction of Ram Mandir, a temple in the name of Ram, while allocating an alternative five acres of land to Muslims for the construction of a new mosque. Upholding the faith and belief of the Hindus, the judgement contended that Muslims could not prove that the land belonged to Babur and that the building in dispute was constructed in 1528 AD by or at the command of Babur. In other words, a property dispute ended up upholding the faith and belief of one community over that of the other. Following this, Narendra Modi, the prime minister and leader of the BJP, officially inaugurated the temple construction on 5 August 2020 by installing a 40 kg silver brick foundation stone. On 22 January 2024, the consecration ceremony was held with a conscious effort to make it a national spectacle.

Having briefly laid out important events and the timeline leading to the demolition of Babri masjid and the subsequent construction of Ram mandir, my attempt in this article is not to prove the merits and demerits of the Muslim or Hindu claims from a legal, historical or archaeological standpoint. Instead, I scrutinize certain legal documents and discourses around the demolition of the Babri masjid to understand the changes in the Muslim subject position. I analyse the different

attributes bestowed upon the Babri masjid: a mosque, a disputed site, a symbol of secularism and, finally, a Hindu temple, which will also give an idea of the practice of secularism in India, which, as several scholars contend, systematically erases Muslim religiosity from the public space.

### **Babri Masjid as a Secular Problem**

Muslim responses to the *Ramjanmabhumi* movement and the demolition of the Babri masjid were mainly aired in the language of secularism. Muslims were repeatedly reminded to uphold a secular character in their mobilisations. A case in point is well-known political scientist Rajni Kothari's advice to Muslims to give up a religious approach and "participate fully in the democratic process and define their needs and concerns in socio-economic, educational and other livelihood terms" (Kothari 1992: 2698). Even without the advice, Muslims self-censored themselves, securing their survival by surrendering to the so-called secular and constitutional values. For instance, a memorandum collectively submitted by seventeen Muslim Members of the Uttar Pradesh state Legislative Assembly to the Chief Minister on 6 February 1986 urged "to take immediate remedial steps to restore the confidence of Muslims and other minorities in the secular and democratic fabric of the nation" (Muslim India 1986). Another memorandum collectively submitted by forty-one Muslim Members of Parliament to the Prime Minister on 3 March 1986 requested the government's intervention to "restore confidence among the Muslim community that they would enjoy religious freedom as equal members of a secular state in accordance with the letter and spirit of the Constitution of India" (Muslim India 1986).

Likewise, Abdul Nasar Maudany, leader of the People's Democratic Party in his speeches, repeatedly mentioned the *minarets* of Babri *masjid* as domes of secularism. *Madhyamam*, a newspaper run under the guidance of *Jamate Islami* wrote a front-page editorial with the title "the funeral of secularism" and argued that with the demolition of Babri *masjid*, "the imagination of secularism has been uprooted from our national lives" (Madhyamam 1992). In these discourses, the *minarets* of mosques transitioned from symbols of religious significance to beacons of secularism. In a retrospective reading, we can see that most of the Muslim appeals, especially in the courts, for the restoration of the Babri *masjid* revolved around the property dispute rather than asserting a religious claim. This has transformed the specificity of the mosque, as Mehta (2015a) argues, into a secular title deed and a subject of legal contention.

It is interesting to see that the Hindutva proponents also anchored their religious claims on the idea of secularism and nationalism to advance their propaganda to build Ram mandir. For instance, L. K. Advani, the then BJP president in 1990,

argued that the *Ram rathyathra*<sup>4</sup> would unify the Indian nation with its widespread popularity, and hence he saw the *Ramjanmabhumi* campaign as having “wider ramifications which affect the basis of nationalism in India” (Noorani 2003: 325). He further reminds Muslims that “it is because of these Hindus that India is a secular state” and thence, the Ram temple at Ayodhya “can be a standing monument for communal harmony” (Hindustan Times 1990). This brings our attention to the idea and practice of secularism in India, which has been widely scrutinised by several scholars. Why has secularism become a desirable anchoring point for both Muslims and Hindus? Does the meaning of secularism differ between Muslims and Hindus?

While in many instances, Hindu leaders publicly proclaimed their criticisms against the rule of law and judicial procedures in matters of faith, the resolution passed by BJP’s National Executive at Palampur on 11 June 1989 reads:

The BJP believes that theocracy is alien to our history and tradition. It is, therefore, that in 1947 even though India was partitioned on religious grounds, and even though Pakistan declared itself an Islamic state, India opted for the present Constitution, and guaranteed equality to all citizens irrespective of their religion. Secularism, according to our Constitution-makers, meant *Sarva-Dharma Sama-Bhava*. It did not connote an irreligious state. It certainly did not mean rejection of our history and cultural heritage. (Quoted in Noorani 2003: 284)

The frequent references to India’s cultural heritage are meant to attribute a Hindu past to Indian history. Thus, even though India has officially become a secular state, its essence becomes Hindu. The resolution echoes the opinion of the member of the Indian Constituent Assembly, Lokanath Misra, who said, “the secular State of partitioned India was the maximum of the generosity of a Hindu dominated territory for its non-Hindu population” (Constituent Assembly Debates 1948).

Though secularism came as an essential principle in the Constitution in 1970s, the conception of a secular Indian state has been prominent in the constituent assembly debates. However, what is interesting is that the concept was brought in as a response to minority questions, especially Muslim self-rule. This can be seen in the discussions in the constituent assembly on the religious right to propagation and conversion. For example, Loknath Mishra, who strongly advocated a constitutional amendment to ban religious conversion, said: “if Islam had not come to impose its will on this land, India would have been a perfectly secular State and a homogenous state” (Constituent Assembly Debates 1948). Likewise, when the demands for reservation were raised, Mahaveer Tyagi, a Gandhian, opposed it, saying, “we are a secular state. We cannot give any recognition or weight-age to any religious group of individuals” (Constituent Assembly Debates 1948).

Another member, Hemat Singh Maheswari from Bengal, also raised a similar objection that the reservation will cause divisions and prevent India from becoming a secular state.<sup>5</sup> That is to say, these members' imagination of a "secular state" was premised on the denial of self-organizing of minority communities. Combined with other statements of the members of the assembly on Islam and Muslims, it would not be an overstatement to opine that the idea of secularism in India is imagined by placing Islam as its inherent other.

Hindu claims on Babri masjid seem to follow the same pattern of Constituent Assembly, as seen in Deoki Nandan Agarwal's claim, in a suit filed in 1989 on behalf of Lord Ram, that Muslim invaders destroyed ancient Hindu temples and, hence, it is the 'duty of every citizen' to remove such mosques. He further asserts that the continued existence of such mosques is a 'national shame' (Agarwal 1992). Thus, we can see that in their mobilisations, the Hindutva always claimed *Ram mandir* as a national honour. Former Chief Justice of India M. N. Venkatachaliah, who pronounced the Supreme Court verdict on 'limited' worship at the makeshift temple built at the site of demolished Babri masjid, opined after his retirement: "In my opinion, secularism cannot mean anti-majority" (Noorani 2002: 56). This constant correlation of secularism to nationalism and nationalism to majoritarian sensibility has allowed the Hindutva ideologues to portray the recognition of minority rights as hindering the majority.

Outside Hindus and Muslims anchoring on secularism, we have a third mode of secularism pronounced by so-called non-partisan actors. For instance, the then Prime Minister of India, V. P. Singh, said:

We drew up a Constitution and decided that it would determine the way our nation would be run. Now the argument is being made that my religion and my faith is above the rule of law and the provisions of the Constitution. If we accept this argument, then we will be laying the foundation stone of a theocratic state. The ideal of a secular state, which Bapu and Nehru nurtured, will be destroyed. (Quoted in Noorani 2003: 330)

The idea is that when there is a conflict between the communities, there should be attempts to reach a consensus. If it fails, the rule of law will have to take its course of action to "save the nation". The National Integration Council, through its Resolution on 2 November 1991, also took a similar position, affirming the necessity to keep the "country's unity and integrity and its secular democratic polity" (Government of India 1993). Another countermeasure against growing communalism can be seen in political economist Amiya Kumar Bagchi's proposal that "a militantly secular ideology has to be diffused into the people's consciousness, and the defaults of the religion-oriented ideologies which promise paradise



to the poor after death, but nothing at all on earth, have to be clearly pointed out” (Bagchi 1991: 215). He critiques the conception of secularism as tolerance, for it has allowed religious groups to claim more and more public spaces.

These multiple arguments anchoring on secularism by different groups underscores the argument put forth by Shabnum Tejani that “secularism is not a stable, predetermined, universal category, but one whose meaning is particular to its historical context” (Tejani 2007: 4-5). While all three modes of anchoring on secularism conceive the nation as an extension of secular and vice versa, the idea of nation is different in each of them. In the Muslim anchoring on secularism, the nation emerges as an inclusive entity where secularism enhances the democratic aspirations of the minorities. In the Hindu anchoring on secularism, the nation is a retrospective claim on the Hindu past; thereby, the majority sensibilities become the national sensibility. In the third mode of anchoring on secularism, pronounced by the so-called non-partisan actors, the nation becomes an entity to be saved from the potential religious bigots. Irrespective of these differences in imagining the nation, the intricate connection of secularism in India to the project of national integration has an unintended consequence on the Muslim subject position.

None of the three aforementioned perspectives view religion and secularism as two separate domains, though at least two of them saw the upsurge of Hindutva as hampering the secular credentials of the nation. Due to this particular mode of imagining the nation, which again goes back to the constituent assembly debates, the Hindu body is, by default, identified as secular and national, whereas Muslims have to integrate into the national body.<sup>6</sup> For instance, in the Constituent Assembly, certain members of the Congress suggested that allowing different segments of minority communities to stimulate their distinctive culture will hinder national integration. Taking a step further, Jagan Narian Lal reminded the Muslim leadership that the limited minority rights itself is the generosity of the majority community, while Dayal Tripathi argued that Muslims will be able to understand Ram and Krishna as their predecessors if communalism ceases to exist (Constituent Assembly Debates 1948). In other words, these debates perceived communalism as an intrinsic component of the Muslim body. Owing to these problems, it can be argued that the discourse of national integration is incapable of understanding the growing Islamophobia and Muslim problem in India (Ahmed 2013).

While dealing with the dispute on the Babri masjid, the Supreme Court of India pondered the different meanings of secularism, especially its Western origins and opposition to religion. The Supreme Court, in its final judgment on the Babri *masjid* dispute, has affirmatively argued that secularism in India is primarily aimed at the constitutional value of equality of all religions.<sup>7</sup> The Supreme Court read the meaning of secularism in the context of enacting the Place of Worship Act in 1991. According to the Act, the place of worship in existence on 15 August 1947 will retain the same

religious character that it had on that day, irrespective of any historical claims. This Act was seen as constitutional commitment and obligation “to uphold the equality of all religions and secularism” (SPJ 2019: 122). The judgement says:

The law is hence a legislative instrument designed to protect the secular features of the Indian polity, which is one of the basic features of the Constitution. Non-retrogression is a foundational feature of the fundamental constitutional principles, of which secularism is a core component. The Places of Worship Act is thus a legislative intervention which preserves non-retrogression as an essential feature of our secular values. (SPJ 2019: 122-23)

In other words, secularism is considered a value of which non-retrogression is a core element. The Court further states that the Act demonstrates the equality of all faiths, which is enshrined in the Constitution. However, the dispute on Babri *masjid* was kept out of the purview of the Act, considering it as a special case. Hence, the judgement of the Court was supposed to preserve the value of non-retrogression to prove the secular neutrality of the Indian state. However, the Supreme Court set a precedence by weighing the belief of Hindus over the evidence on the title deed. The Court thus legitimised the idea of secularism anchored on by Hindu sensibilities, effectively demeaning the other two modes of anchoring on secularism. A Hindu mythic past was embedded in the rationale of the judgment. The Ram temple was built on the mythic claim but legitimised through secular law. That is to say, secularism practiced by the Court is not merely wielded with the religious but with the Hindu religious.

When Muslims anchor onto secularism to secure their survival in general, and their claim on Babri *masjid* in particular, this particular genealogy of secularism and national integration in India would ultimately discipline the religious expressions of Muslims. Further, as Misra contends, “50-years of experimentation with secular policies have not really improved the Muslim situation” (Misra 2000, 16). Yet, why do Muslims resort to the language of secularism to talk about the demolition of the Babri masjid? Does it point to a lack of a Muslim theological argument on the mosque, as Mehta (2015a) claims, unlike a Hindu theological argument based on their belief that the site of Babri is the birthplace of Ram? To understand this question better, the next section will analyse Mehta’s claim in detail, which will be counterposed to the eighteenth-century demolition of the mosque in Malappuram.

### **Claiming Property: Theological versus Material**

In its introduction to the 2019 judgment, the Supreme Court of India clarified that “though the significance of the site for the Hindus is not denied, it is the case of the Muslims that there exists no proprietary claim of the Hindus over the disputed

property” (SPJ 2019: 7). By extension, it also meant that in the absence of definite historical and material proof from Muslim litigants, the site would be allocated to the Hindu parties based on their beliefs. The Hindu litigants fortified their claim of faith in the land by citing religious texts and travel accounts referencing devotees’ beliefs. These accounts, drawn from the narratives of travellers, writers, missionaries, and merchants such as Niccolao Manucci (1638-1717), Joseph Tieffenthaler (1710-1785), Robert Montgomery Martin (1801-1868), and William Finch (d. 1613), suggested that Hindus in Ayodhya worshipped Ram, with some allusions to temple ruins in the vicinity. However, many of these narratives also contained highly orientalist depictions of Muslims, likely catering to colonialist sentiments. Contrary to this narrative, RS Sharma, Athar Ali, DN Jha, and Suraj Bhan submitted the *Historians Report to the Nation* (Sharma et al. 1991), refuting the existence of any evidence indicating Ayodhya as the birthplace of Ram. They further argued that accounts of the destruction of a temple for the construction of the Babri Masjid did not surface until around 1850. The timing of Hindu claims is crucial, as the nineteenth century witnessed the rise of Hindu reform movements and the decline of Mughal rule.

The Courts did not consider the report by historians as enough proof against the belief of the Hindus. Instead, the Supreme Court stated that:

All the evidence indicates that a reasonable inference based on a preponderance of probabilities can be made that there was continuum of faith and belief of the Hindus that the ‘Garbh-Grih’ was the place of birth of Lord Ram both prior to and after the construction of the wall. (SPJ 2019: 885)

In the legal proceedings, Hindu litigants were tasked with demonstrating a continuous faith in connection to the disputed site, whereas Muslim litigants were required to substantiate a continuous possession of both the land and the structure. Thus, when evaluating the title claim of Muslims to the mosque, the Courts demanded documentary evidence indicating exclusive and unimpeded possession. The Court’s observation that “no documentary evidence has been brought on the record indicating the conferment of title in a form of the grant of the land underlying the mosque” (SPJ 2019: 886) underscores this requirement.

In contrast, Hindu claims to title deeds relied primarily on the faith and oral testimonies of Hindus affirming their religious beliefs. Essentially, while Muslims had to establish the continuous use of the property as a mosque throughout history, Hindus had to merely demonstrate their unwavering faith in the site as Ram’s birthplace. This is further clarified when the Court observes that “the Hindus have established a clear case of a possessory title to the outside courtyard by virtue of long, continued and unimpeded worship at the *Ramchabutra* and other objects of

religious significance” (SPJ 2019: 915). The possessory title to the outer courtyard granted to the Hindus was not based on historical evidence about the construction and possession. The faith, the claim of worship, was given primary importance over the necessity of material evidence for possession.

Even before the final Supreme Court judgement of 2019, the Allahabad High Court judgement of 2010 has given specific shape to the Hindu modes of worship, through “namely the installation of breath in the deity (*pran pratishtha*), circumambulation of the sacred complex (*parikrama*) and the self-revelation (*swayambhu*) of the birthplace of the Hindu god Rama” (Mehta 2015a: 399). This move, which has the potential to reframe the Indian polity, is closely connected to the legitimisation of Rama deity as a jural person (Mehta 2015a: 399). The Courts, thus, have given legitimacy to the Hindu claims for worship at the site of Babri masjid, affirming their belief that the place under the central dome of Babri masjid is the birthplace of Lord Ram. The recognition of the deity and the site as a juristic person enhanced the Hindu claims to the Babri masjid.<sup>8</sup> On the other hand, the Courts analysed the Muslim claims as a question of title deed on property, which invariably erases the religious significance of the *masjid* for the Muslims. Unlike the Hindu claims, the Muslim claims “in legal and official literature has turned around establishing the title to property, not to modes of worship... [and thus] implicitly this site was evacuated of its specificity as a mosque and existed only as a title deed” (Mehta 2015a: 399-400). Accordingly, through the Hindu forms of worship, the status of the mosque was reimagined into a temple.

With the demolition of the mosque, the mosque was no longer present as a material structure, but as an object of litigation. Mehta suggests that this ‘unquiet absence’ of the Babri masjid allows us to underscore “an irresolvable tension between court adjudicated Hindu modes of worship and silenced Muslim forms of prayer” (2015a: 400). However, it has to be noted that there were theological claims by Muslim in different forms. For instance, the report by the Waqf inspector Muhammad Ibrahim dated 10 Dec 1948 demands that “since the masjid is the Waqf property, it should be protected” (Noorani 2003: 203). The claim of the property as Waqf definitely gives a theological underpinning, as such property is considered sacred. Similarly, in the suit filed by the Sunni Central Board of Waqfs at the Faizabad civil court in 1961, they argued:

That under the Muslim Law mosque is a place where prayers are offered publicly as a matter of right and the same neither requires any structure and nor any particular mode of structure is provided for the same. Even the open space where prayers are offered may be a mosque and as such even after the demolition of the mosque building by the miscreants, the land over which the building stood is still a mosque and Muslims are entitled to offer prayers thereon. (Noorani 2002: 225)

Even though the above claim was made prior to the demolition of Babri mosque, it ensues a potential critique of the understanding of the mosque as a mere material structure. Thus, even if the material structure is demolished, it will not change the characteristics of the site of Babri *masjid* as a mosque. A special report by Masoom Muradabadi submitted in February 1987 makes a different religious claim that “the grave of Hazrat Shis, son of Hazrat Adam ... [and] a grave belonging to Hazrat Nooh’s period also exists in Ayodhya” (Quoted in Noorani 2003: 224). This shows that the argument that the site had no theological claim is imprecise. Hence, my attempt is to understand why Muslim claims were bound to the historicity of the mosque rather than a claim towards the modes of worship, the theological.

Within the language of law in the Courts, Mehta opines that the Babri *masjid* does not hold a “special right of worship” for Muslims, unlike the Hindu claims to the site, because Muslims can turn any place anywhere in the world into a mosque when they turn to the Qibla (Mehta 2016). However, for Hindus, the place holds a “special significance” as it is the birthplace of the Lord Ram. He explains the difference between the two modes of claims, the theological and material, by Hindus and Muslims distinctly. He says:

From the point of view of Hindu worshippers, these claims to the past are detailed in the proper noun, which designates an ensemble of virtues tied to specific architectural sites in Ayodhya. In this way we may draw the relation between the Rama deity and the city of Ayodhya ... From the point of view of Muslim claims after 1992, the Babri Mosque has lost its character as a mosque, but leaves traces of its disappearance in law. What has disappeared can be identified and named, but its ‘en-tonguing’ in law is a betrayal of being, since the name Babri Mosque does not ensure the presence of its materiality, much less Muslim forms of worship (Mehta 2015b: 2).

Mehta’s claim about the Babri *masjid* is justified considering the language of law in the course of the dispute over the Babri masjid. Unlike the Hindu relatedness to Ayodhya, Muslims do not show any special affinity to the site of Babri masjid. Thus, what remained in the law after the demolition in 1992 is merely a trace of the past, which is absent on the site.

While Mehta’s analysis does not aim to discredit the Muslim theological entitlement to the Babri Masjid or validate Hindu forms of worship at the site, it prompts crucial inquiries. Do Muslims lack a theological entitlement to the mosque? If they do, what factors led them to assert their claims based on material possession, such as the property title deed? Perhaps, Mehta’s assertions could be further scrutinised to explore his own arguments and delve into the theological justifications for the

ownership of a mosque. Then, I would contend that the absence of theological claims in the language of the law necessitates a critical examination of the verdict, highlighting how the construction of Muslim subjectivity in India is imagined without recognition of the resurgence of Muslim religiosity within legal, social, and political frameworks. An assumed lack of theological claim over Babri masjid as any place on earth can be a mosque is insufficient, if not entirely erroneous. To delineate this inadequacy and to indicate the theological claim over a mosque, in the next section, I will discuss a parallel reading of the case of the demolition of the Malappuram mosque in the eighteenth century.

### **Demolition of *Allah's House*: The Story of Malappuram Mosque**

The story of Malappuram Mosque has been retold through oral traditions and recounted in folk songs. Moyinkutty Vaidyar (1852–1892) vividly captured the events in his poem *Malappuram Padappattu*, which was written in 1883.<sup>9</sup> The narrative of the Malappuram Mosque traces back to the eighteenth century, with its demolition attempts in 1732 (H 1144), intertwined with power dynamics between Muslims and upper-caste Hindu communities in Malappuram, Malabar, South India. Under the jurisdiction of Paranambi, a member of the Nair caste, an upper-caste Hindu group, who held the position equivalent to the deputy governor and served as the viceroy to the ruling Zamorin of Malabar, the region initially fostered a harmonious relationship between Paranambi and the Muslim populace. Oral traditions recount Paranambi's assistance in constructing the mosque, which became the focal point for a burgeoning Muslim community. However, the rapid expansion of the Muslim population unsettled certain members of the dominant upper-caste communities. Consequently, a faction of the Nair community, perturbed by the demographic shift, orchestrated a plan against the Muslims. Utilising astrological assertions deemed religiously authoritative, they incited sentiments against the Muslim community and the mosque.

Amidst escalating tensions, another incident exacerbated the situation. Paranambi delegated tax collection duties to a local Muslim leader, Ali Marakkar, recognising his formidable physical prowess and expertise in the armoury. Ali Marakkar's efficient tax collection bolstered Paranambi's treasury significantly. Under prevailing local laws, refusal to pay taxes could result in enslavement. During his tenure, Ali Marakkar enforced this law rigorously, even enslaving some of Paranambi's relatives for tax evasion. Incensed by these actions, the previous upper-caste group implored Paranambi to take decisive action against Ali Marakkar. Paranambi, yielding to pressure, resolved to eliminate Ali Marakkar and summoned him to the palace under the guise of interrogation. Unbeknownst to Ali Marakkar, Paranambi's mercenaries lay in wait, ready to strike upon receiving the signal. Sensing the imminent danger,

Ali Marakkar swiftly drew his sword and inflicted severe wounds upon Paranambi and his retinue, resulting in multiple fatalities. Tragically, Ali Marakkar succumbed to injuries sustained during the confrontation. This incident brought immense disgrace upon Paranambi, fuelling his ire towards the Muslim community. In a fit of rage, he declared war on the Muslims and resolved to demolish the mosque.

Paranambi, supported by local landlords, mustered a Nair military force and launched an assault on the Muslim community. Upon learning of the impending attack, the Muslims beseeched Paranambi and higher authorities, offering their wealth, jewellery, and labour in desperation to spare *Allah's Mosque* from destruction. Despite these pleas, including a delegation solely composed of women, their appeals fell on deaf ears. Faced with the futility of negotiation, the Muslim community took the drastic step of evacuating their women and children, with men remaining to defend the mosque at all costs. Swearing to safeguard the sanctity of *Allah's house* with their lives, the Muslim youth exhibited remarkable restraint within the mosque, resolved to prevent any harm to its structure. Despite enduring looting of their homes and the blockade of the water supply to the mosque by the Nair army, the Muslims stationed inside refused to capitulate, mounting occasional counterattacks against their assailants.

In a bid to find a compromise, Paranambi proposed a negotiation point, contending that the astrological directive necessitated the burning of at least a single leaf from the mosque's roof, after which the Nair army would withdraw.<sup>10</sup> However, the Muslims staunchly refused this demand, unwilling to yield even a single leaf from the sacred structure. Resolute in their determination to defend *Allah's house*, they prepared to sacrifice themselves for the cause. Consequently, hostilities erupted, resulting in significant casualties on both sides. In the conflict, from the Muslim side, forty-four Mappilas and a Thattaan (goldsmith) from the lower caste Hindu community were martyred. They were later honoured in eulogies by the Mappilas through annual commemorative rituals and folk songs. Subsequently, the Paranambi, overcome with remorse, sought reconciliation with the Mappilas.

Of particular interest in this historical event, as examined in this article, is the perspective of the Muslims regarding the mosque. Their reluctance to yield even a single leaf stemmed from their deeply held belief that the mosque belonged to Allah (*Allah's house*), invoking a sacred obligation to protect it. They beseeched authorities, offering their wealth and labour under the condition of safeguarding *Allah's house*. This sentiment finds resonance in Quranic passages such as (72:18), which emphasises that mosques are solely for Allah, and (9:18), which delineates the responsibilities of believers in maintaining them.<sup>11</sup> Understanding the Quran's portrayal of mosques as divinely owned underscores a theological assertion. This raises the significant question: why did such a narrative yield to secular interpretations, the *domes of secularism*, in the Babri case? Exploring this question leads

us to critical reflections on the evolving subject position of Muslims within the modern nation-state that regulates and disciplines the religiosity of Muslims.

Analysing the Supreme Court judgment on Babri of 2019, the following sections will delve into the strategies employed by the Hindu groups, which were ironically and sometimes paradoxically endorsed by the Courts, to invalidate the historical existence of a mosque and to affirm the Hindu beliefs. This analysis highlights the constraints faced by Muslims in making secular claims, prompting a re-evaluation of the contours between secular and theological articulations within the political. I will briefly elaborate on two strategies, the disruption and description, that force Muslims to use secular claims to the title deed rather than theological claims.

### **Disruption as a Strategy: From Masjid to Disputed Site**

According to the Supreme Court's judgement, Muslims had not obstructed the Hindu prayers at *Ram Chabutra* in the outer courtyard. Hence, the dispute, according to the Court, was only about the inner courtyard containing the mosque's three domes.<sup>12</sup> At the same time, the possession of the inner courtyard is debated because Hindus tried to obstruct the Muslim prayers by offering their prayers to the "*garbh grih*", which is believed to be under the central dome, by waving their hands standing at the railing. Another disruption is "that when Azaan is called by a Moazzin, the Hindus begin to blow conch shells. The area was thus rife with contesting claims over religious worship" (SPJ 2019: 889). For the Court, it indicates "their belief that the birthplace of Lord Ram was within the precincts of and under the central dome of the mosque" (SPJ 2019: 915). By extension, the Court observes that the Hindus never accepted the division of the inner and outer courtyard by setting up a brick wall railing in 1857. Thus, the Court establishes that the outer courtyard is the property of Hindus, and the inner courtyard is significant for the Hindus through their belief.

Similarly, photographs from the site were analysed, which according to the Court "contain inscriptions of Islamic origin and of images traceable to Hindu forms of worship. Both co-existed in the disputed structure" (SPJ 2019: 637). Pointing to the photos, one of the judges on the bench argued that the disputed structure lacks the character of the mosque, given the prohibition against idol worship. The Court did not take into consideration the date of appearance of these images nor the argument that extremist Hindu devotees may have clandestinely carved these images. Nevertheless, as another judge pointed out, despite the existence of these images, Muslims continued to regard the building as a mosque and offered prayers inside it. Ironically, these images, possibly inscribed illegally by intruders, served as evidence to designate the site as disputed rather than solely a mosque.



The acts of disruption, such as blowing conch shells during azan, hindering Muslims from entering the masjid, and carving inscriptions within the building, which could have been treated as law-and-order concerns, paradoxically served as evidence of the ongoing dispute over the possession of the site. Further, the Court observes that:

The riots of 1934 and the events which led up to 22/23 December 1949 indicate that possession over the inner courtyard was a matter of serious contestation often leading to violence by both parties and the Muslims did not have exclusive possession over the inner courtyard. (SPJ 2019: 892)

Thus, the Court potentially sets a troubling precedent whereby disruption to a religious ritual could serve as evidence of disputed possession. By this logic, the Court aims to designate the inner courtyard, where the three-domed masjid stands, as a disputed site, while the outer courtyard remains undisputedly under Hindu possession. A disputed structure would lack an exclusive religious identity, transforming the title deed for the Babri *masjid* into a secular claim on property.

The dispute and ensuing disruptions prompted a group of historians to intervene in the case, feeling compelled to act “when communal forces make claims to ‘historical evidence’ for the purposes of communal politics” (Gopal et al. 1990: 76). They rebuffed the narrow assertions of both Hindus and Muslims, citing a lack of historical evidence. Instead, they advocated for viewing Ayodhya as a multi-religious centre akin to Jerusalem and proposed a political solution: declaring the “Rama janmabhumi-Babri masjid” area a national monument (Gopal et al. 1990: 81). In a similar line, Kamalapati Tripathi, a Congress leader who was active in the Indian nationalist movement, in his letter to the Prime Minister of India on 24 March 1989 demanded that “the Babri Masjid- Ramjanambhumi complex may be declared a National Monument” (Noorani 2003: 280). Interestingly, Hilal Ahmad (2019) reiterated a similar sentiment just months before the final verdict from the Supreme Court, advocating for the utilisation of the 67-acre land to construct a memorial commemorating the constitutional principle of “unity in diversity” arguing that the demolition of the Babri *masjid* compromised the right to heritage.

In this proposed solution, neither Hindus nor Muslims would hold authority over the land; rather, it would fall under control of the state. The “national” in this context is purportedly neutral and inclusive. However, it also implies that the Babri masjid, a Muslim monument’s inability to become a national monument, regardless of its historical significance. In their recommendation that came in 1990, beyond the claims for historical evidence, there is an urge for reconciling the present, making the possible demolition of the Babri *masjid* imminent for the purpose of building a national monument, if not for the building of Ram Mandir.

In seeking reconciliation, Muslims are urged not only to relinquish their claims of faith but also to forego the historical pieces of evidence, highlighting the intrinsic link between tolerance, secularism and nationalism, which ultimately favours the majoritarian sensibilities.

### Description as Producing Meaning

Like disruption, description was another strategy that worked in service of the Hindu claims. After the clandestine installation of an idol inside the *masjid* in 1949, a Court Commissioner was appointed to prepare the map of the disputed premises. The commissioner, Shiva Sankar Lal, visited the site, made measurements, and noted various features of the building, including gates, platforms, idols, and surrounding structures. The report submitted on 25 May 1950 describes the building in detail but only takes note of the Hindu elements, such as two gates named “Hanumatdwar” and “Singhdwar”, that contain religious symbolism. Inside the building, the commissioner observed specific areas like the “Ram Chabutra”, the platform of Hindu worship, a neem-pipal tree surrounded by idols, and a designated kitchen area called “Sita Rasoi”. By mentioning these inscriptions, irrespective of whether it is a random writing by a devotee or not, the report clearly tries to project a Hindu characteristic to the building. The images of Gods and engraved names are invoked in a way that would legitimise the existence of a temple rather than an intruder’s act of disruption.

However, the report never mentions the inscription of Allah in the gate nor the inscription that says the mosque was “By the order of Shah Babar, whose justice went to the skies (i.e. was well known), Amir (noble) Mir Baqi of lofty grandeur built this resting place for mosque in 923 Hijri” (Noorani 2003: 201). Due to this conscious absence, the description is not neutral in itself but produces an imagination of the space. The description of the central portion, which contains the three domes, clearly signals the intention of the report. It states:

In the central portion of the building at the north-western corner, there is a pucca platform with two stairs, on which is installed the idol of Bal Ram (infant Ram). At the top of the three portions of the building there are three round domes, as shown separately in Plan no.1, each on an octagonal base. There are no towers, nor is there any *ghusalkhana* or well in the building. (Lal 1950)

While the commissioner’s jurisdiction is to map the premise, which is to mark what is present, he goes on to mark what is absent. The commissioner’s meticulous notation of what is absent, such as the tower (*minaret*) and the *ghusalkhana* (place of ablution), serves a crucial role in shaping the narrative surrounding the nature

of the building under inspection. By highlighting these absences, the intention is to convey to the reader that the structure lacks key features typically associated with a mosque, as mosques usually have minarets and places for ablution.

This strategic emphasis on absence becomes significant in later legal disputes, particularly when Hindu parties leverage these omissions to challenge the characterisation of the building as a mosque. In subsequent litigations, the absence of the minaret and space for ablution is repeatedly invoked by Hindu parties to contest the building's status as a mosque. Through this emphasis on absence, the narrative gradually shifts, casting doubt on the building's identity as a mosque. The absence marked in the description gradually produces an absence of the mosque and, finally, an "impossible mosque". For Muslim litigants, navigating this narrative of impossibility becomes a formidable challenge. Not only must they establish their undeterred possession of the mosque, but they are also tasked with proving the very existence of the mosque itself amidst assertions of its impossibility. Thus, the absence marked in the commissioner's description becomes not just a matter of architectural detail but a critical aspect of the legal and historical contestation surrounding the building's identity and significance. In other words, the description produces a simultaneous theological affirmation of a Hindu temple and a theological refutation of a Muslim Mosque.

### **Conclusion: Secular Ordering of Muslimness**

If we consider mosques as expressions of Muslimness, the disciplining of the definitional description of a mosque from Allah's house to domes of secularism points to the regulation of Muslimness itself. Post-Indian state formation, the expression of Muslim political is restricted and self-censored, as it is assumed to resonate with the demands for Pakistan. With the formation of the Indian nation-state, a constitutional position arises that reconstituted the deprivation and social marginalisation as the basis of minority representation, rather than religious identity (Rao, 2018: 346). Thus, excluding Muslims from the political safeguards, Muslim difference was demarcated as cultural and religious. Consequently, a spillover of the Muslim cultural or religious to the domain of political was immediately labelled as threatening the secular.

The new nation-state assumed an entry into a new social order, where religion is secondary and the political the primary. That was supposed to be the moment of secularisation in India. When Islam passed through this process of initiation, its political potential was denied, turning Islam into a mere "religion" and Muslims into a religious community, and the potential of Islam to cultivate a different political order was undermined. Consequently, Muslims were expelled from the political community, leaving them without any legitimate political claims. Any such claims were co-related to religious fanaticism.

As Mamdani suggests, “the primary question at independence is about who has the right to membership in the new political community ...” [and] “the first question at independence is not ‘how do we distribute wealth?’ but ‘who belongs?’” (Mamdani 2022: 1). Thus, the minority is a creation of the nation-state from its inception and thereafter, its gradual development. Following such constitutional definition and interpretations, thus, to talk about Babri, Muslims had to resort to the constitutional claims of secularism, and so, the Babri *masjid* demolition was addressed as a threat to the Indian secular polity. Positioning the Muslim litigations and responses within the ambit of larger changes in the Muslim political position, my contention is that the Muslim subject in the 1990s was decisively framed in a certain way through the excessive powers of the modern-secular nation-state. Consequently, clinging to the secular categories invokes a particular imagination of Muslim identity, which would obscure the theological argumentations in the public.

As Ansari argues, the difference between the politics of Muslims before 1947 and after 1947 is fundamentally founded on the idea of minority. After 1947 “Muslims have come to be thought of as a minority” while “in the pre1947 era the Muslims of India or their professed leaders were uncomfortable with the notion of a minority” (Ansari 2016: 17). Some labels or terms acquire unexpected importance in governing how an individual or a community functions, how they design their lives and formulate their political. Minority has been such a term that significantly reformulated the Muslim lives, governing their political. In this newly found subject position of a minority, even an uneducated Muslim knows they are “s/he is a member of a minority group and how to behave in accord with that knowledge, and what implications this has for his/her political rights” (Kaviraj 2010: 100). Consequently, the ethic of conduct of Muslims is self-disciplined so as to fit themselves to the logic of modern nation-state and the grammar of existence granted in the constitutional avenues.

At certain moments, against the disciplining of Muslim religiosity, we could see a resurrection of the theological that refuses to subscribe to the logic of the modern secular nation-state. For instance, during the protest against the Citizenship Amendment Act (CAA), slogans like *la ilaha illallah* were chanted. This language of religiosity was indifferent to any sense of distinction between religion and politics. To draw from Agrama, “the bare sovereignty manifested by the protest movement stood outside the problem-space of secularism. In that sense, it represented a genuinely *asecular* power” (2012: 231). Through these slogans, Muslims entered into new context where they were genuinely indifferent to the questions and problematic secularism. Such an engagement would potentially go beyond the “disciplined constitutional Muslim” towards a sovereign Muslim. With CAA the constitution decitizenized Muslims and courts and legality attested to it. At this moment, Muslims returned to their ultimate sovereign and shouted: *la ilaha illallah*,<sup>13</sup> spilling

the theological to the political, destabilising the distinctions. It also bridges the gap between minorities and the nation-state questioning the majoritarian encumbrance of democracy. Thus, it becomes an attempt to share the moral sense of sovereignty. In a sense, the entry of Islam into the avenues of the public, then, is the resistance to the attempts to limit the Muslim political, and thus refusal of the sovereign authority of the state. In that refusal, the community becomes political.

## Notes

- 1 For details of the incidents leading to the construction of *Ram Chabutra* and the development of a local tradition on the birthplace of Ram, see Panikkar (1992).
- 2 Suit by Mahant Raghubar Das dated 29 January 1885, Judgement of Pandit Hari Kishan, Sub Judge, Faizabad, dated 24 December 1885, and Judgement by Judicial Commissioner of Oudh dated 1 November 1886. All the three documents are reproduced in Noorani (2003).
- 3 For instance, when the archaeological survey could not prove the existence of a temple under the ruins of Babri masjid, Ashok Singhal, the VHP leader, stated that “the temple movement is a matter of faith” (*The Hindu*, 28 March 2003). In 2012, he repeated that it is the “sentiments of crores of people” and “a matter of deep faith” when the Supreme Court temporarily stayed the delivery of the verdict on the Babri masjid-Ram Janmabhumi dispute by the Allahabad High Court (*The Hindu*, 23 Sept 2010).
- 4 The *Ram rathyatra* was organized by the Bharatiya Janata Party (BJP) and its aligned Hindu nationalist factions under the leadership of L. K. Advani, then BJP President. The possession led to a number of violent atrocities against the Muslims and was meticulously crafted to lend unequivocal support to champion the construction of a Ram temple at the site of Babri masjid.
- 5 According to Rochana Bajpai, the conceptions of secularism in constituent assembly involved a separation of state and religion in the following ways: “First, a secular state was taken to mean disestablishment, that is, the state would not have an official religion ... A second conception of secularism as separation was that of state impartiality between different religions ... A third conception of secularism as separation in the Constituent Assembly debates was that of the exclusion of religion from the political domain” (Bajpai 2011: 25).
- 6 Scholars such as Chatterjee (2019) and Pandey (1993; 1999) argue that the Hindutva agenda seeks to fuse the Indian national identity with that of the north Indian Hindu male, aiming to establish a singular and homogeneous conception of the nation-state. For a comprehensive examination of nationalism’s foundational antagonism towards Muslims, refer to Aloysius (1998) and Misra (2004). Also, see Kiliyamannil (2023) for insights into how this issue has influenced the study of Islam in South Asia, foreclosing the analytical possibilities of Muslim political.
- 7 For an analysis of the Supreme Court’s definition of secularism as aiding the Hindutva as seen in the Court’s analysis of the Hindu Right’s speeches, see Cossman and Kapur (1997). They argue that the Court’s conclusions lack legal precedent and erroneously conflate Hindutva with Hinduism, leading to an “anti-secular vision” of secularism.
- 8 In the Allahabad High Court’s judgement in 2010, Justice Dharamveer Sharma says that “the ‘disputed structure’ is the birthplace of Lord Rama. The place of birth is a juristic person and a deity” (AHJ 2010: 3453).
- 9 I have depended on oral narratives, Moyinkutty Vaidyar’s (2005 [1883]) *Malappuram Padappattu* and T Muhammed’s (2014) *Mappila Samudhayam: Charithram Samskaram* for a detailed sketch of the events unfolding around the attempts to demolish the Malappuram Mosque.

- 10 In those days, the roof of the buildings was mostly patched with certain plant leaves and coconut tree leaves.
- 11 “The places of worship (*masjid*) are only for Allah, so do not invoke anyone besides Him” Quran (72:18). “The mosques of Allah are only to be maintained by those who believe in Allah and the Last Day and establish prayer and give *zakat* and do not fear except Allah, for it is expected that those will be of the [rightly] guided” Quran (9:18). However, some scholars argue that the usage Allah’s house or mosque is simply a place where people worship Allah, and not necessarily a place attributed to Allah, as Allah is beyond time and space.
- 12 However, Muslims were resistant to the construction of *chabutra* in the outer courtyard. “On 30 November 1858, Maulvi Muhammad Asghar, *khatib* and *muauin* of the Babri Masjid, submitted a petition to the magistrate complaining that the Bairagis had built a *chabutra* close to the mosque and that they had written ‘Rama, Rama’ on the walls of the mosque. Similar complaints were made in 1860, 1877, 1883 and 1884.” For details see, Panikkar (1992).
- 13 Nihad analysed four Muslim women responses to Hindtuva: Muskan Khan, a Muslim student in Karnataka, who chanted “Allahu Akbar” when heckled by a group of men with saffron scarves for wearing a hijab; Afreen Fatima, a Muslim student leader, who said we will stay strong and survive taking inspiration from Islamic history, when her house was demolished and her father was arrested; Raihanath Kappan, who said I won’t cry for them [Hindu supremacists] want to see our tears when her husband was arrested; and Beeyyumma, who said “There is a sarkar (government) above all sarkars (governments), and above all courts, there is the court of divine justice” when her son’s bail applications were repeatedly rejected. Nihad argues that these responses point to the metaphysical disobedience emerging from the realization that “what Islam provides to the Muslim self is a potential triumph” (Nihad, 2022).

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