

# **The destruction of the Babri Mosque: India's Supreme Court Ruling Is Another Victory for Hindu Nationalism**

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**The latest decision from the Supreme Court in India has legitimized the destruction of the Babri Mosque. Meanwhile, mainstream parties and commentators refuse to call it what it is: the latest stage in an accelerating process of Hindu ethno-nationalism.**

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Two weeks ago, on November 9, a five-member bench of the Indian Supreme Court gave a unanimous verdict legitimizing the unlawful demolition of the Babri Mosque in Ayodhya in Uttar Pradesh. As far back as 1992 that the sixteenth-century mosque (masjid) was destroyed, and a small, makeshift Hindu temple put in its place, only now has it reached the Supreme Court. The bench's ruling marks a dark day in the annals of Indian jurisprudence and constitutes a serious acceleration in the ongoing process of establishing an ethno-nationalist Hindu state in India.

## **The Rise of Hindutva**

The desecration of the Babri Mosque dates back to 1949 shortly after independence when Hindu idols glorifying the god-king Ram were criminally installed within the mosque but never removed. The Rashtriya Swayamsevak Sangh (RSS, National Volunteer Corps), partly inspired by Italian and German fascism, was set up in 1925 and espoused an organic nationalism based on Hindu-ness. This came at the exclusion of Christians and above all Muslims; the latter were seen as the real enemy, whose "invasions" and conversions over the last twelve hundred years are claimed to be responsible for weakening India and obstructing the fulfillment of its destiny.

Since independence in 1947, the various organizations making up the Hindu nationalist Sangh Parivar "family" have had a substantial cadre force that numbered, at a conservative estimate, several hundred thousand. It was also deeply implanted in Indian society, especially in the Hindi heartland and in western India.

Despite these strengths, until the 1980s, the Sangh was not electorally strong enough to gain Central state power. Its longer-term plan, though, had begun in earnest; with an emphasis on social, economic, cultural, ideological, and political grassroots activities, the Sangh was already developing

its hegemonic project beyond the institutional powers of the state.

But electoral power, the Sangh understood, is crucial for the transformative goal of creating an irreversible Hindu order — the Hindu nationalist goal central to the ideology of Hindutva. This is a vision where religious minorities — above all Muslims — are reduced to the status of frightened and obedient second-class citizens, where opposition parties accept without serious challenge the Hindutva-ized contours of the new Indian polity, where liberals are controlled and largely tamed, and the Left is silenced or eliminated.

## **Targeting the Babri Mosque**

The significance of the Supreme Court verdict is closely linked with the rise of the Bharatiya Janata Party (BJP) — the electoral wing of the Sangh, and the party of current prime minister Narendra Modi. The BJP had been ascending the electoral-political ladder since the late 1980s. The decisive role was played by the leadership of the Ram Janmabhoomi movement, which over the years of its existence (1986–1992) became the largest and most sustained mass movement in India since the era of the National Movements.

Ram Janmabhoomi was a hate-filled and violent anti-Muslim campaign that sought to arouse mass religious frenzy; one of its main targets was the Babri Mosque, built in 1528 by the first Mughal ruler Babur. In the late nineteenth century, a false rumor was concocted and spread that its construction was preceded by the demolition of a prior Hindu temple dedicated to the Hindu deity Ram at his birth site in the town of Ayodhya. The culmination of this anti-Muslim campaign was the unlawful demolition of the mosque in 1992 — in defiance of a Supreme Court ruling at the time — and the construction of a small Hindu temple in its place.

This nationalist campaign propelled the BJP to its position of prominence, and the party has never looked back. It led a Central coalition government from 1998–99 and was reelected for a full term from 1999 to 2004. Here, it began systematically infiltrating and reshaping the state and capitalizing on new patronage to expand the Sangh's presence and influence in society at large.

Since winning majority rule in 2014, and more so with its reelection earlier this year — with an increased majority — the BJP has continued to erode state institutions, while making stronger gains within the judiciary. All of this has helped to alter the balance of power between the legislature, judiciary, and executive arms, requiring the former two to conform to the ambitions of the latter.

## **Supreme Court Hypocrisy**

The Supreme Court's decision to retrospectively legitimize the mosque's destruction shows the length to which it has been captured by the executive arm. The bench has produced a ruling of over a thousand pages, but the crux of the matter is buried beneath a mountain of verbiage.

The court order admits first that there is no evidence to show that any temple (let alone one dedicated to Ram) was destroyed in order to build a mosque. The absence of any temple should in itself be read as the starkest possible indictment of the whole Ram Janmabhoomi movement from start to finish. The order also recognizes that until the Babri Mosque's desecration in 1949, and the surreptitious placement of Hindu idols within, the mosque was a functioning place of worship but thereafter barred to all Muslims, while Hindu priests were allowed to give daily worship to the illegally placed Hindu deities.

Most importantly, despite the order's finding that the mosque's destruction in 1992 was illegal, it did not give an order for its reconstruction. Instead, the Supreme Court *has* rewarded the side that endorsed and benefitted from these illegal and violent crimes. The court's shameful ruling means the permanent eviction of Muslim worshippers from the site. Though the order states that the government will provide an alternative plot for a new mosque, the proposed site is far away from the original.

That the Sangh Parivar and BJP government knew the final verdict before it was handed down is obvious. Days before the verdict was due, all the top leaders of all the main organizations of the Sangh, from Modi on down, urged that the coming court verdict must be respected and accepted. Such an injunction never would have been given had there been any doubt that the verdict might go against Hindutva's interest.

The fundamental principle of any secular jurisprudence is that faith cannot trump the law. In this case, that principle was consigned to the dustbin. Indeed, going further, one of the judges gave an unsigned long addendum to the order, arguing that evidence from well before the birth of Christ confirmed the existence of Ram, and that this site was his actual birthplace. With this judgment, the Hindu-ization — or rather the Hindutva-ization — of the Supreme Court has been greatly extended.

### **Parties, Media, Intelligentsia**

What makes matters worse and confirms the extent to which Hindutva has penetrated Indian society is the response of both the mainstream opposition parties and of the overwhelming bulk of the nongovernment-owned media and its liberal intelligentsia. The Congress and all the regional parties not aligned to the BJP have either refused to criticize the court's ruling or have outright welcomed the verdict and the idea of a new Ram temple. In the mainstream left, the two communist parties have simply called for abiding by the verdict, even if there is vague mention of "questionable premises."

The aboveground Maoist group, the CPI(ML) Liberation, while seeing some "incoherence" in the court's arguments, and finding the verdict "inconsistent and unconvincing," have nonetheless called for social harmony. Like other parties, its initial response refused to forthrightly condemn the verdict or sharply criticize the court. Other organizations influential among Muslims are generally despondent, merely expressing their disappointment in one mild form or another.

### **A New Precedent**

The Supreme Court's ruling sets a new precedent in India that will further embolden various Hindutva groups to train their eyes on mosques elsewhere, where rumors circulate of Hindu sites buried beneath Muslim places of worship. The door has been opened for other anti-Muslim measures, like passing the Citizen Amendment Bill, which encourages Hindu migration from Afghanistan, Pakistan, and Bangladesh — a measure designed to ethnically populate areas with Hindu migrants as Muslims suffer intimidation and see their rights undermined.

At the same time, there is also a proposal for the National Register of Citizens of India, which is likely to focus on Muslims unable to produce the requisite documentary proof for citizenship. Once their citizenship rights have been undermined, Muslims in India will then stand to lose land or employment — and could even be transferred to detention centers. Unlike Muslims, many Hindus lacking the necessary paperwork will be granted the opportunity to become naturalized citizens over

time. A host of other Hindutva measures are also being pursued, from a possible nationwide ban on cow slaughter to a similar all-India ban on religious conversions (becoming Hindu would be deemed a “reconversion” and therefore allowed).

Many prominent voices from the liberal intelligentsia have not only refused to condemn the Supreme Court and its ruling, but have gone so far as to find the ruling “balanced,” or a reasonable “compromise.” Others go further, commending the verdict on the grounds that it has finally brought the controversy to an end, opening the path for a revival of secular and democratic values. This familiar line about overcoming divisions and “getting on with what really matters” is entirely unconvincing.

Such a line of argument is not only cowardly in its refusal to call out the unjustifiable; it also reflects a dangerous blindness and accommodation to the political reality of Hindutva on the march that currently exists in India. Forget these voices. The genuine Left must be hardheaded in facing up to contemporary reality. We cannot succumb to the temptations of seeking political consolation or intellectual evasion. The only way to fight against this reactionary tide is to face it head-on.

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- Jacobin, 11.23.2019:

<https://jacobinmag.com/2019/11/india-supreme-court-ruling-babri-mosque-hindu-nationalism>

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