On 9 November of this year, a momentous event occurred in India. And its long-term consequences may be as influential as those that stemmed from the de facto revocation of Article 370 of the Indian Constitution that had granted special status to the now former state of Jammu and Kashmir.

We are referring here to the ruling by India’s Supreme Court on a disputed territory (1 hectare in size) on top of a hill in the fairly small city of Ayodhya in Uttar Pradesh, located in the north-east of the country.

The difference between the two developments is the fact that the consequences of the division of the Jammu and Kashmir state into two union territories (of “lesser status” than before) are more foreign policy-related. However, undoubtedly, there is also a domestic (but for now far from obvious) component to them. On the other hand, the relative importance of internal vs. external components of the Supreme Court’s verdict on Ayodhya is quite the opposite in comparison.

Still, both decisions are similar in the fact that they are related to one of the key problems in the South Asian region,
which manifested itself in the bloodiest of manners, at the time, when these two independent nations came into being (from 1947 to 1948). Back then, Pakistan, with its predominantly Muslim population, split from British India. Still, there are followers of Islam living in the Republic of India as well. In fact, India’s Muslim community (the world’s 3rd largest in terms of size) accounts for 14% of the nation’s population. The rest (primarily, but to various extent) describe themselves as Hindus.

In addition, India and Pakistan ended up dividing the Muslim community living in the former princely state of Jammu and Kashmir between themselves. The partition gave rise to the Kashmir conflict that acutely intensified and not for the first time after the abrogation of the aforementioned Article 370.

It is worth highlighting that there are no visible issues linked to the ability of Muslims to participate in India’s political life and society. They are well-represented at the highest echelons of power, in business, science and culture. Still, the incompatibility of these two belief systems at their very core (although admittedly, the term religion can only be loosely applied to Hinduism) means that the differences between them cannot be eliminated, and this becomes apparent every time they manifest themselves in connection with one problem or another.

On 9 November, the Supreme Court judges ruled on one of the most acute of these issues. Or it attempted to, as once the trial (lasting numerous days) involving the parties concerned had ended, the 5 members of the Supreme Court took weeks to come to a decision on a common enough issue in our lives: choosing the least harmful out of other unappealing options.

In this context, it is impossible not to agree with the Indian experts who think that the law as such and modern India’s secularism had little bearing on the verdict of the Supreme Court being discussed in this article. However, from the author’s point of view, it was the correct approach, as seeking an ideal solution (from a legal perspective) to such sensitive issues could end up costing thousands of lives yet again.

We would like to remind our readers that approximately 2,000 people died (in December 1992) during the destruction of the Babri Masjid, located on that very hill in Ayodhya. The aforementioned mosque, which by then was no longer used for its intended purpose but remained under the government’s protection, was demolished by a large group of Indian activists. Incidentally, they had backing from currently respected and influential political parties, movements and some government officials.

The mosque itself was built by Babur, the first Mughal emperor (the name for this dynasty was introduced much later by British historians), at the beginning of the 16th century. According to Hindu lore, its ruins are located on the same spot where once a temple of the God Rama (the hero of the Ramayana epic) stood, which had been demolished on orders by the ruler Babur.

Starting in the middle of the 19th century, from time to time, there have been searches for artefacts to prove the existence of the predecessor to the Babri Masjid, involving amateurs as well as professionals. Without any further comments on how successful these have been, below is the penultimate (9th) takeaway (translated by the author of this article) from the Supreme Court verdict.

Clearly, this point was not easy to formulate and ended up being the longest out of the 10, and the text below helps us understand why this was the case. “The SC said that archaeological evidence cannot be brushed aside as conjecture and hypothesis. Archaeological evidence supports [author’s note: the hypothesis] that the Babri Masjid was not constructed on vacant land but on [author’s note: some] Hindu structure. However, Archeological Survey of India’s findings did not say whether a Hindu temple was [author’s note: deliberately] demolished to construct a mosque.”

The respected judges must have wiped the sweat of their wise foreheads on more than one occasion while writing the above lines.

According to the author’s interpretation of the passage above, it is highly likely that even if there had been a Hindu structure on top of the hill in Ayodhya at the beginning of the 16th century, it must have long lain in ruins (i.e. it was probably not destroyed deliberately). And Emperor Babur must have simply given the order to clear the construction site of unnecessary debris.

Incidentally, something similar had occurred on Temple Mount in Jerusalem, where the Dome of the Rock was erected at the end of the 7th century. And, according to the latest theory, Solomon’s Temple had not been destroyed by forces of nature six centuries earlier.
As for the verdict itself, the Supreme Court ordered the land on top of the hill in Ayodhya to be handed over to a trust to build the Hindu temple dedicated to Lord Rama. Preparations for its construction have been long under way (apparently, half of over 200 temple columns have already been built). The court also directed the local government to give the Sunni Waqf Board approximately 2 hectares of land (i.e. an area twice the size of the Babri Masjid site) to build a mosque. The exact location will subsequently need to be agreed on with government authorities.

Yet again, from the author’s point of view, the Supreme Court was able to find the best of the worst options. The judges obviously took into account worldwide trends, i.e. “back to the roots” (often undefined) movements, that have also been sweeping substantial parts of India and its population in the last decades. And various political organizations have been taking advantage of them.

However, one must not forget the key issue at hand: it is essentially impossible to rectify the “error” committed in December 1992, and all one could hope for is that the Muslim community (the main victim of the incident) continues to be reasonable. In view of this, India’s government seemingly took all possible measures to ensure that the situation did not spin out of control after the Supreme Court verdict had been pronounced. Among other actions taken, it is particularly noteworthy that the date the judgement was meant to be announced was moved a week back. And the public was only informed of this change less than 24 hours before the verdict came out on 9 November. This measure clearly disconcerted potential protesters, who, as a result, did not have enough time to stage any more or less large-scale events.

Fortunately, (but, in reality, not simply by a stroke of luck), the new date on which the verdict was publicized happened to coincide with the opening of the so-called Kartarpur Corridor in one of the areas bordering Pakistan. Issues associated with it have been discussed in the New Eastern Outlook on more than one occasion.

We would simply like to remind our readers of the fact that its construction was long in the making but suddenly sped up in the summer of 2018, when Imran Khan came to power in Pakistan and initiated a strategy to improve relations with India. A part of it involved taking necessary organizational steps and engineering measures to allow Indian Sikhs to visit their holy site in Kartarpur, Pakistan.

After ignoring Imran Khan’s invitation to take part in the opening ceremony of the Kartarpur Corridor for some time, the Indian leadership in New Delhi finally understood the “applied” benefits of attending this particular event. It was used (among other purposes) to create a disinformation smoke screen and to mitigate any consequences of the decision on Ayodhya.

On the day of the opening of the Kartarpur Corridor, both Prime Ministers made lofty speeches (from their own side of the border) mentioning, for instance, the proverbial Berlin Wall, which had finally fallen. They were seemingly referring to the easing of tensions between India and Pakistan as well as between the two religious communities.

Unfortunately, such words are a clear exaggeration, and at best, the aforementioned event can be described as a “light at the end of the tunnel” and nothing more. After all, it may be extinguished, which has already happened on more than one occasion.

Along with other “preventative” actions (such as organizing talks at the governmental level with leaders of Hindu and Muslim organizations; ordering the state governments to ensure law and order on the day the verdict was announced, and taking unprecedented security measures around the building housing the Supreme Court in New Delhi as well as Ayodhya), the celebrations to mark the opening of the Kartarpur Corridor all surely brought to the fore the applied benefits (mentioned earlier on).

In the meantime, the leaders of the Sunni community have not gone beyond the legal framework in their response and are planning on appealing the Supreme Court’s decision by some (yet unclear) means. People have already been voicing their displeasure about the verdict with statements, such as “We are fighting for the Babri Masjid and not just a plot of land.”

These latest developments are keeping the Indian leadership on their toes with regards to the dispute over the land on the top of the hill in Ayodhya.

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