



Who tells the story
The Ayodhya campaign spun the narrative of a religious community that put its own interests above rightful claims of the majority PTI

STATES OF MATTER

India's original sin

The ghosts of the Partition have returned to haunt the politics of the republic



SUKUMAR MURALIDHARAN

The Supreme Court's (SC) judgment in the Ayodhya title dispute may have receded from public attention, but other events crowd into view, all playing variations upon the theme of a republic diminished.

Students in Varanasi's historic Banaras Hindu University are in agitational mode over the appointment of a learned individual, with all necessary qualifications, to a teaching position in Sanskrit. For all his devotion to the classical language from early school days, the person's identity as a Muslim disqualifies him in the agitators' perception.

Two days after the SC verdict, a cattle trader in Bihar's Katihar district was stopped on his way to market and beaten to death when he refused to yield to an extortionate demand. It was a hate crime with an underlying pecuniary motive, one obviously empowered by the growing climate of impunity for crimes against the minority faith.

Equality before the law was a promise India made to all citizens seven decades ago. It has not weathered well. The Ayodhya campaign spun the narrative of a religious community that put its own interests above rightful claims to historical restitution of the majority. In equal measure, the religious minority was held guilty of valuing its traditions more than the imperatives of a liberal order.

A point of reference is the SC's Shah Bano judgment in 1986, which extended to a woman divorced under Muslim customary law the protection of maintenance paid by her former husband. The verdict was fiercely resisted by organised religious bodies as an assault on the fundamentals of the faith, inducing a government eager for easy votes to nullify it through legislation.

As the same bodies today unite to decline the SC's offer of five acres to recompense the loss of the Babri Masjid, minds have gone back

to a time when their supposed recalcitrance fuelled a consolidation of majoritarian sentiment. LK Advani, the ageing political veteran who stoked the Ayodhya issue into its early virulence, had the perfect rationalisation for those times. In their defiance of the law in Shah Bano, he said, organisations purporting to represent the Muslim faith had forfeited their right to the protection of the law. But in the next breath, Advani could also pronounce the law an imperfect instrument to settle a matter of faith of the majority.

Advani's mortification after the demolition of the Babri Masjid was quickly supplanted by a more brazen rationale which recalled a particularly horrific incident from India's catalogue of police atrocities. Evidently drawing inspiration from medieval times, police in Bihar's Bhagalpur district in 1980 had used acid to blind a group of criminals — some suspects and some convicts — in a cynical effort to eliminate the risk of recidivism. Yet outrage over the horror as Advani read it soon ebbed since the victims had forfeited all rights by their unrepentant criminality.

There is a hint of theological retribution here, a suggestion that even within the most liberal of democracies, there are elements scarred by an original sin. Those who bear the scar could well be condemned to the endemic denial of justice. For Indian Muslims, the original sin is the Partition, which nationalist theology has determined to blame upon representatives of the religious community.

The criminal trespass at Ayodhya in December 1949 and the introduction of idols into the Babri Masjid came with ample warning. In the weeks prior, Muslim graveyards in Ayodhya were dug up by religious figures who claimed

the land as hallowed territory for their faiths.

The previous year, the Congress chief minister of Uttar Pradesh, Govind Ballabh Pant, otherwise known for lofty pronouncements about the need to put the citizen rather than the community at the core of the new republican order, had run a campaign in which all proprieties were shredded in the effort to defeat Socialist Party founder Acharya Narendra Dev in a by-election. Communal provocation was a fruitful electoral strategy while the rancour of the Partition remained unappeased.

For Prime Minister Jawaharlal Nehru, the portents of the 1949 events at Ayodhya were frighteningly clear: A possible erosion of citizen loyalty and potential damage to India's claims on Kashmir. That was the substance of urgent communications he sent to Pant, governor-general C Rajagopalachari and home minister Vallabhbhai Patel. Pant continued to hedge, waiting for what he termed an "opportune" moment to reverse the intrusion.

His approach won the endorsement of Patel, who spoke of the "shock of Partition" abating and the diminishing likelihood of "any transfer of loyalties on a mass scale".

As things transpired, the "opportune" moment never arrived and the stigma of infirm loyalties was never quite erased. Justice can today be denied to citizens believed to carry the scar of the original sin, without the slightest prospect of a moral stricture from those in political authority. Never quite placated, the ghosts of the Partition have returned to haunt the politics of the Indian republic.

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