Indian Secularism, Dialogue and the Ayodhya Dispute

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Abstract

Indian secularists compound difficulties for communal harmony by banking on a legal rather than a dialogical approach to settle India’s religious disputes as manifested in Ayodhya and elsewhere. There are, however, intellectuals who favour dialogue with religious communities to rebuild secularism but are afraid of suggesting dialogue with contending parties on contentious issues like the Ayodhya for the fear of legitimising religious fundamentalism. As a result, the notion of ‘contentious dialogue’ is avoided even while the need for dialogue is recognised. Instead of religious grievances getting resolved through law, they get embroiled over a period of time and result in the rise of religious fundamentalism and terrorism thereby deepening the crisis of secularism. In the Ayodhya dispute, communities encouraged by the secular state have followed a legal approach to the settlement of their religious grievances since 1950. While the dispute languished in court, the demolition of Babri mosque in 1992, the emergence of religious terrorism that followed and the riots of Gujarat in 2002 took place. All these developments are in some way interrelated and need a broad and holistic counter-strategy. Only dialogical approach will induce communities to comprehend the interconnected nature of problems arising from the Ayodhya dispute and make them seek solutions outside law. This paper proposes a model of reconciliation based on the themes of sacrifice, recognition of intrinsic faith and negotiation with extrinsic elements of each religion. This dialogical approach ought to be carried out by a non-sectarian political society that must involve ruling and opposition parties, NGOs, lawyers, administrators and contending religious organisations in order to seek a realistic solution to the Ayodhya dispute in the larger and long term interest of a secular polity.
Introduction

Secularism has been one of the foundational principles of the Indian state that was established at the end of British colonial rule in the subcontinent in 1947. Its relevance and significance for the stability and development of India hardly needs any reiteration given India’s religious diversity and also against the larger historical background of the division of the British India on a religious basis and the creation of the new state of Pakistan. However, India’s secular politics is increasingly trapped within a conception of legal state while religious disputes grow across India both in intensity and number. The legislature and judiciary are seen as the institutions that should resolve religious disputes and their failure to offer any timely resolution of these disputes is seen as a failure of the law.

The Ayodhya dispute in Uttar Pradesh\(^1\) is unresolved over the last sixty years. Yet, secular politics demands more of the same thing – new and stronger laws. The secular critics blame the state for lack of political will to implement constitutional law while politicians enact laws and pass the responsibility to the judiciary and/or police. Neither the secular critics nor the state is perturbed by the inefficacy of the exclusive reliance on the constitutional mechanisms to resolve religious disputes. It is high time that the secular front thought of politics and alternative political agencies rather than depend solely on constitutional entities to settle the growing religious disputes across India. It is, therefore, imperative that the framework of a secular state must go through a process of expansion rather than contraction to tackle the crisis that secularism is passing through in India today.
Can law rebuild broken social bonds?

It is, indeed, a sad commentary on the state of India’s secularism that the Sunni Wakf Board (Sunni property organisation), the VHP and the secular camp have gone on appeals to the Supreme Court and brought a stay order in May 2011 on the verdict of the Allahabad High Court (the Lucknow bench) on the Ayodhya dispute delivered in September 2010. More of the same litigation i.e. appeals to the highest court - rather than dialogical politics is thought of as a means to settle this dispute. Following the High Court verdict, there are a large number of writings on Ayodhya that end up in appeals to the Supreme Court urging it to annul the High Court’s verdict (Menon, 2011, pp. 81-89).

Meanwhile, as the dispute was pending with the High Court over the last six decades since 1949, the drawbacks of litigation have become clearer over the years: inordinate delay in settling disputes and the disproportionate spending of the nation’s time and energy on emotional issues; the loss of control over politics by legislature, civil society and communities themselves; the increasing alienation from secularism experienced by religious groups leading to heightened fundamentalism; and the rise of religious terrorism based on retribution and revenge especially after 1992, initially among Muslim groups and later among Hindu groups as well. Jafferlot and Maheswari argue that recent terror activities of the Indian Mujahedeen (‘Strugglers’, an Islamist group), inter alia, are due to the demolition of the Babri Mosque in 1992. It is argued that this has led to the subsequent rise of Hindu terror modules in India during 2000s (Jafferlot et al., 2011, pp. 42-46).

Yet, such horrific consequences of their legal approach do not seem to disturb the secularists in pursuing the legal path again. There are, however, a few exceptions to this general trend in
secular thinking. For instance, Lata Mani and Sarah Kazmi talk about the need for reconciliation through dialogic politics after the High Court verdict on Ayodhya (Mani, 2010, pp.10-12; Kazmi, 2010). But there is no explicit discussion of agencies, formats, forms and methods through which dialogue needs to be carried out.

Law can only help prevent a person from injuring or killing another but cannot enforce the ethics of friendship such as understanding, accommodation and respect between them. What is needed is the fortress of good neighbourhood to build and reinforce friendship. As Jurgen Habermas argues, when there are fractures in social bonds, no law can help bridge these gaps (Habermas et al., 2006, pp. 35-40). What is needed is a different kind of politics that expands the influence of law/parliament to include stakeholders in civil society and religious communities to rebuild secular social bonds.

Even in resorting to law to settle religious disputes, neither the secularists nor the protagonists of the Hindutva seem to be willing to accept judicial pronouncements as binding unless they are to their liking. For instance, the secularists were reluctant to accept the pronouncements of the highest court on ‘the Freedom of Religion case’ (1977), ‘the Shah Bhanu case’ (1985), ‘the Hindutva case’ (1993) and ‘the Staines murder case’ (2011). Yet, they go to court again on the Ayodhya dispute, hoping for a ‘favourable’ judgment. If the judgment is favourable to them, they expect the VHP/RSS to honour the law by following suit. The VHP, RSS, BJP too were on record saying that issues of faith cannot be settled in courts. However, they criticise the secular front for not honouring the law when it suits them. This deliberate and cultivated ambivalence on the part of both the groups has undermined their credibility and in turn diminished the possibility of a negotiated settlement of the Ayodhya dispute.
This anomaly also shows how such long-pending disputes as Ayodhya cannot be settled through law by excluding inter-faith dialogue. The ‘wait and see’ policy followed by the secular camp, which is a direct consequence of its total dependence on law, is counterproductive as the religious communities get restless and resort to retributive actions that are contrary to India’s secular ethics. The urgency of dialogue to settle long-pending disputes needs no reiteration after the emergence of terror groups among all major religious communities in India over the last decade. So the way ahead is not just a stronger commitment to law but to carry out what Mani Shankar Aiyar advocated in the context of India-Pakistan disputes, ‘uninterrupted and uninterruptible’ dialogue (Aiyar, 2011).  

**Political Society**

Partha Chatterjee, in his recent work, uses the concept of political society as an alternative to the legal state or civil society to tackle the crisis of governance in developing countries (Chatterjee, 2004, pp. 27-78). The present authors share his discomfort with legal state/civil society but would like to differ from his usage, for he sidesteps the question of ‘autonomy’ of communities, a critical variable relevant for political secularism. Moreover, his usage is sectarian for he excludes civil society and constitutional law without which secularism cannot be rebuilt by political society. We would like to present a complex notion of political society relevant to pursue dialogic politics to settle the religious disputes growing in India. This dialogue should go beyond religious communities and their front organisations like the VHP/RSS, the AIMPLB and the All India Christian Council. Inter-faith dialogue carried out by religious groups themselves may not be able to settle the Ayodhya dispute. For, it is futile to expect that religious groups will look for solutions for problems created by political parties. It has to be political dialogue carried out by a political society that needs to follow inter-faith
dialogue format, as the dispute involves major religious communities in India. Moreover, as benefits of the settlement of the Ayodhya dispute would accrue to India’s political secularism, the secular state must undertake the responsibility of pushing forward inter-faith dialogue rather than entrust it to communities themselves. Such an approach would explicitly reject the Indian state’s strategy of evasion to carry out inter-faith dialogue by passing on the responsibility to law courts or to the religious communities themselves. The Indian state must take responsibility for delivering political secularism to every household by involving itself in all major religious disputes from Ayodhya to Kandhamal, and must simultaneously retrieve and expand inter-faith dialogue formats practiced by the founding fathers of the secular state in India.

The secular intellectuals are aware of dialogue but do not seem to consider inter-faith political dialogue as a way out of the Ayodhya dispute. A number of them like Romila Thapar, Arundhati Roy, Swami Agnivesh and Medha Patker favour dialogue between the Indian state and the Maoists and even the Kashmiri separatists. Mani Shankar Aiyar insists on ‘uninterrupted and uninterruptible’ dialogue with Pakistan as stated before. But all of them are intriguingly silent on the need for dialogue with the RSS/VHP or the Sunni Board or the Christian missionaries, while the inter-faith disputes simmer in India. This smacks of double standards. Dialogic politics is favoured in some cases while non-dialogic politics is advocated in others. This inconsistency is, perhaps, a result of their political opportunism and intellectual timidity. They, therefore, conveniently ignore the dialogue that Mahatma Gandhi, Ram Manohar Lohia and Jayaprakash Narayan had with the RSS or Christian missionaries and Ambedkar with Savarkar. Consequently, India’s pre-existing history of dialogue with faith-based communities is deliberately self-censored and erased from national memory.
Even those who are exceptions to this general line of thinking do not go far enough. For instance, Akeel Bilgrami and Gyan Pandey agree that dialogue with faith communities is necessary for renewing secularism (Bilgrami, 1998, p. 410; Pandey, 2007, pp. 175-77).<sup>7</sup> Pandey rightly suggests that dialogic politics must deal with unequal relations growing among religious communities. Both aptly stress that India’s secularism must be constructed by a democratic state power by speaking to a community’s internal beliefs. However, the dialogue that is suggested in their writings suffers from several shortcomings. First, as Bilgrami argues, a dialogue with internal beliefs of a religious community may show that such beliefs are inconsistent and paradoxical. However, it is plausible to argue that all beliefs of a faith may not be wholly “internal”. From the vantage point of secular politics, faith may be broadly divided into two segments: ‘intrinsic’ and ‘extrinsic’ beliefs of a faith group, a point elaborated later. Only then, a variety of political strategies could be available to the state to settle religious disputes between communities. The secular state must recognize and respect “intrinsic faith” of each religious group and inhere such elements into a dialogic process as explained later. The state, however, could disagree with certain elements of “extrinsic” faith and carry out a dialogue with it for reforming them. It is, therefore, necessary to expand on Bilgrami’s model of dialogue. Second, Bilgrami and Pandey do not see dialogue as means to solve concrete problems that arise because of disputes between politicized faiths. This may be because there is an undercurrent of fear of ‘speaking to religious fundamentalism internally’: the fear of legitimising religious fundamentalism. Here, their model of dialogue, i.e., ‘speaking to faith internally’, is paradoxically circumscribed. In the absence of any emphasis on political dialogue with religious fundamentalism, the secular intellectuals have little choice but to hang on to the strong central state comprising legislature/police/judiciary to enforce secular laws and prevent the rise of fundamentalism or offer dialogic solutions in abstraction. This is tantamount to their complicity with the Indian state’s strategy of evasion on adopting
political dialogue as a means to settle major religious disputes that threaten India’s secular fabric.⁸

In the case of Ayodhya dispute, a dialogue was carried out by the Indian Prime Ministers before 1992 but it was incomplete, fractured and interrupted. Three different dialogue formats were followed by Bhuta Singh, (Home Minister in Rajiv Gandhi’s cabinet from 1985 to 1989), Prime Minister V. P. Singh of the United Front Government in 1990 and by Prime Minister Chandra Sekhar’s short-lived Government in the early 1990s. Bhuta Singh had just one discussion with the RSS to settle Ayodhya dispute. V. P. Singh did talk to both the parties in this dispute but he issued an ordinance without consulting contesting parties when talks were being held which annoyed the dialogue participants. Chandra Sekhar did not come to talks with any concrete proposal (Ananth, 2011, pp. 323-324, pp. 374-376, pp. 382-383). Therefore, these attempts at dialogue did not last long and each initiative was over in a month’s time. Such dialogue was never taken up again at the highest political level despite stable political formations being in place in New Delhi after 1992.

**Religious Common Sense**

However, what is important is to recognize that dialogue is to be carried out with dogged persistence by a non-sectarian political society which involves members of ruling and opposition parties, lawyers, bureaucrats, NGOs, and leaders of religious communities both in Ayodhya and outside. They need to participate and deliberate with a concrete proposal which must aim to share and inhere what Antonio Gramsci calls (religious) ‘common sense’ of masses, ‘intrinsic elements’ of religious communities and so on (Gramsci, 1995, pp. 112-265; Fulton, 1987, pp. 197-216).⁹ Recent studies demonstrate that such a dialogue is possible. As
Ranabir Samaddar argues, democratic dialogue means ‘allowing the dialogic situation to inhere and absorb conflict and conflictive positions’ (Samaddar, 2011).\(^{10}\)

Such dialogue never took place in relation to the Ayodhya dispute because most secular intellectuals operate with a variety of negative models of secularism.\(^{11}\) Even if some have a positive model of secularism, they are too timid to talk about it because of fear of “legitimising” the RSS/VHP. They do not seem to understand that the RSS/VHP/BJP gained political ascendency by sharing the religious ‘common sense’ of pan-Indian Hindus. Ironically, Ashish Nandy who has a more sympathetic understanding of faith fails to explain the connection between the RSS and Hindu social imaginary. He, along with others, argues, ‘The choice of Ram as a symbol in the 1990s was determined by political strategy and cost calculation, not by religious fervor or theology or by any attempt to return to the fundamentals of faith’ (Nandy et al., 1993, p. 99).\(^{12}\) While there is a definite political strategy in the Hindutva campaign, what is, however, missed by the above assessment is its connection with ‘religious common sense’ of several Hindu sects (such as Vaishnavaites, Shivaites and Great/Little traditions) in the idea of Janmabhumi (birth-place), which served as a pan-Indian instrument to mobilise Hindu masses.

The idea of Janmabhumi could be seen as an integral part of what Charles Taylor calls ‘social imaginary’ which predates both secularism and fundamentalism (Taylor, 2007, pp. 159-211).\(^{13}\) Social imaginary – religious and non-religious - may include a variety of background beliefs which secularism being an elite-initiated ideal must seek to connect and transform. Following both Gramsci and Taylor, a social imaginary may be classified as a pre-theoretical system of practices as under: (a) ‘common sense’ – religious or non-religious, (b) ‘folklore’ – religious or non-religious, (c) ‘religion of the popular’ or small societies – rebellious or non-
rebellious and also (d) ‘religion of the intellectual’ – right-wing, moderate or left-wing (Fulton, 1987, pp. 197-216). Secularism must connect with all forms of social imaginary to transform it in order to prevent fundamentalist groups from gaining ascendancy.

For instance, the idea of birth place of a god or goddess is a central feature of the idol-worshipping common sense of a variety of Hindu sects. Even Gandhi who is not an admirer of idol-worship admits that idol worship may be part of ‘human nature’ of Hindus for Hindus worship symbolism in the temple just as Christians need images in the Church. As a reformer, however, he does not believe in rejecting any of the essential things of Hinduism or Christianity. In Gandhi’s words (Gandhi, 1999, pp. 374-375):

I am a reformer through and through. But my zeal never takes me to the rejection of any of the essential things of Hinduism. …An idol does not excite any feeling of veneration in me. But I think that idol-worship is part of human nature. We hanker after symbolism. …I do not consider idol-worship a sin.

Thus, there develops a synergy between Gandhi’s secularism and the idol-worshipping Hindus (an example of a social imaginary) where he was not even a participant. This is crucial for political secularism. Whereas the idea of impersonal god – that god is in one’s mind and heart (as is the case with Gandhi) – may be a form of religion of the intellectual or religion of small societies. But the key issue here is that such ideas pre-date the birth of the RSS which merely relayed it through a fundamentalist format in order to gain Hindu mass support in 1992. The secular forces have had little understanding of this complex connection between the RSS and the idol-worshipping Hindu social imaginary. Consequently, the secular front did not find it necessary to organise any mass cultural movement to prevent the misuse of Hindu social imaginary as explained earlier. It hung on to the legal and parliamentary state
and made citizens passive onlookers when the Hindu fundamentalist outfits carried out the Ramjanmabhumi (birth-place of Lord Ram) campaign to mobilise Hindu masses prior to 1992. Syed Shahabuddin recently claimed in a television debate in 2010 that there is another Ramjanmabhumi site in Ayodhya. The secular camp, however, failed to mobilise Hindu masses on this issue prior to 1992 or later. Thus, the secular camp has already “legitimised” the Ramjanmabhumi site as claimed by the VHP/RSS/BJP in a Hindu social imaginary, though ideologically it has been a staunch critic. However, it should be possible even now to disentangle religious common sense of Hindu masses from a fundamentalist sway by breaking the ‘monolithic’ construction of fundamentalism through dialogic politics. Secularism can, then, gain ascendancy over the religious common sense.

**Dialogue needs non-sectarian secularism**

While the need for dialogue to resolve the Ayodhya dispute can hardly be overstated, it is necessary to examine the place of dialogue within different secular perspectives. Broadly speaking, there can be three models of secularism, namely, negative secularism, sectarian positive secularism and non-sectarian positive secularism. Negative secularism either de-recognises faith or may accept it as something personal. Romila Thapar recently outlined a negative model in response to the recent Ayodhya verdict. She argues (Thapar, 2010):

> The verdict has annulled respect for history and seeks to replace history with religious faith. True reconciliation can only come when there is confidence that the law in this country bases itself not just on faith and belief, but on evidence.

Thus Thapar argues that the Ayodhya verdict, therefore, is retrograde as law re-establishes faith. She assumes that (secular) law has nothing to do with faith as it should be derived from
reason or evidence. This is a binary construction between reason (i.e. law) and religion – a classic example of negative secularism.

On the other hand, sectarian positive secularism entails a narrow assertion of a sectional faith or many faiths such as belief in personal or impersonal god or animism. Kumkum Roy’s proposal could be seen as a case of narrow positive secularism. She argues that Ram may be in the minds or hearts of people (Roy, 2010, pp. 53-60). Therefore, the court verdict supporting the Ram Temple construction has de-legitimised the idea of impersonal Ram or other forms of polytheism that Hinduism is all about. She thinks that the court verdict amounts to de-recognition of India’s diversity of faith. She is critical of the court verdict for affirming one kind of faith in personal God/Ram, while ignoring other forms of faith in Hinduism. She wonders how the High Court’s re-affirmation of personal god could be an integral part of secularism. Thus, in both these models of secularism, people’s ‘aspiration’ for symbolism of institutions including idol worship is missed out or deliberately side-lined as ‘superstitious’.

First, they insist that secularism is opposed to ‘faith’ or is narrowly identified with impersonal God, which is not necessarily true. Here, partial truth is projected as whole truth. Second, they argue that secularism, faced with politics of faith, must rely on law and state power to counter it, which is only partly valid in the face of violent conflicts among religious communities. Therefore, a model of negative secularism or a narrow-minded positive secularism is not helpful for inter-faith dialogue as the former confronts faith per se and the latter confronts ‘aspects’ of faith.
Political dialogue, however, is possible only in a non-sectarian secular perspective because it (a) recognises three forms of faith (personal, impersonal, animistic) as well as non-faith, (b) prevents domination of one religious faith by another through rules, norms and conventions and (c) acts as facilitator of inter-civilizational dialogue in a non-partisan way. Jawaharlal Nehru’s concept of secularism belongs to this genre. He defines India’s secular state in a classic line:

It does not obviously mean a state where religion as such is discouraged. It means freedom of religion and conscience, including freedom for those who have no religion. It means free play for all religions, subject only to their not interfering with each other or with the basic concept of our state’ (Gopal et al., 2003, p. 192).

Nehru, therefore, distances himself from a negative model of secularism and argues that the secular state, apart from ensuring religious and non-religious freedom, must also provide ‘equal opportunities’ for all religions (Gopal et al., 2003, p. 194). He thus avoids a binary understanding of secularism by including a negative model within his positive view of religion. It is, therefore, inescapable that all secular institutions including law courts must negotiate with faith in India’s multi-religious society rather than de-recognize or counter it.

**Intrinsic and Extrinsic Faith: Relevance for Dialogue**

While non-sectarian positive secularism may facilitate dialogue with faith-based groups, it is necessary to make a distinction between the intrinsic and extrinsic elements of any given faith/non-faith so that different dialogue strategies (like affirmation/negation/modification) could be adopted. Rajeev Bhargava’s idea of political secularism maintaining ‘principled distance’ from religion presupposes such a dialectical play between (secular) politics and
faith-based communities. He argues for a framework of autonomy and intervention mediating between politics and religion following a value perspective (Bhargava, 2010, pp. 63, pp. 88-89, pp.90-108).\textsuperscript{18} Expanding on his ideas further, it may be argued that secular politics must recognize the autonomy of ‘intrinsic faith’ of a religion or ‘internal beliefs’ of the irreligious, while seeking intervention in their ‘extrinsic faith’, i.e., domains of domination, both inter- and intra-, sanctioned by religion or reason.\textsuperscript{19}

It must be emphasised here that the distinction suggested between intrinsic and extrinsic faith is from the point of view of political secularism rather than religion per se. This is important because it is political secularism that will guide state actions as to where it can interfere with faith and where it cannot in the cause of secularism.

Intrinsic faith refers to certain core metaphysical beliefs of each religious community, while extrinsic faith is about temporal and sociological beliefs sanctioned by each religion. Most of the core metaphysical beliefs survive across space and time, whereas most of the elements of extrinsic faith may change over space and time. For example, a Hindu’s faith in caste or women’s subordination is not intrinsic to Hindu faith (Nadkarni, 2008, pp. 77-129). But idol worship and the idea of Janmasthan are internal to Hindu metaphysics. Take for example the Dalit demand for temple entry. Intrinsic faith in a temple form of worship is retained by subaltern castes while many extrinsic beliefs such as untouchability are opposed and rejected. In fact, the persistent discrimination against their intrinsic faith has pushed many to non-Hindu folds where there is a promise of equal access to the shrines. Yet, India’s political secularism, beyond law and constitutional sanctions, has not undertaken any political responsibility to defend the Hindu Dalit’s right to follow what he or she wants to do with his or her intrinsic faith. By passing the responsibility to law and judiciary to ensure the Hindu
Dalit’s fight for temple entry, it has closed all other options of negotiation and reform of Hindu social order. To put it rhetorically, what is then the purpose of Dalit voters participating in electoral process which elects the members of a legal political society? Just to pass on the responsibility to judiciary when they are faced with a problem like the one mentioned above or to initiate the process of conflict-resolution by involving all stake-holders concerned with the dispute?

So also, secularism must recognise the ‘autonomy’ of Muslims and Christians to uphold their belief in monotheism and proselytisation. However, secular politics must legally and morally prevent non-proselytizing religions as well as proselytizing ones from hurting or dominating each other. It is, thus, the responsibility of the secular state to be vigilant of ‘certain aggressive missionary activities’ that might be mixed up with conversion or reconversion strategies of all religions in India. In 1947, immediately after India’s Independence, Gandhiji warned that if India’s secular state patronises ‘missionary practices’ among Christians, then secularism would face serious problems. Public campaigns for Suddhi (Purification) by Hindus, conversion by Christians and Tabligh by Muslims cannot be claimed as part of intrinsic faith of these religious communities and are incompatible with a secular order (Gandhi, 1999, p. 16-17; Rao, 1994, p. 56). Secularism, therefore, must educate communities to respect each other’s religion, and must restrain them from (organised) conversion-reconversion efforts so that India’s religious communities regard each other as ‘cousins’ or ‘neighbours’ as Gandhi used to describe them (Gandhi, 1996).

However, secularism cannot afford to adopt the above mentioned strategy of recognition or tolerance with regard to the extrinsic elements of religion for these are worldly rather than spiritual matters concerning a religious community. For example, the issue of caste or status
of women in any community cannot be left to religious beliefs. It must intervene in such matters to initiate reforms to end varieties of discrimination practised against Dalits and women by denying them the right to culture/development which are often justified by traditional laws. The religious sanction to marriage, divorce, entry to cultural spaces, sharing of property and the like may only lead to regression of secularism. Therefore, secularism needs to be pro-active and undertake a dialogic approach to address such contentious issues rather than adopt a passive wait-and-see attitude or indulge in vote-bank politics or resort to legal processes as a strategy of settlement of disputes. Such tactics only help religious fundamentalism to grow within each religious community.

It is only fair to say that opportunistic and unscrupulous ‘secular’ politics is at least partly responsible for the weakening of India’s political and cultural secularism. As a result, religious disputes remain insoluble in India today. It is obvious now that law alone cannot settle religious disputes. Law can at best offer some guidelines for reconciliation. It is possible to bring about a cultural rapprochement between Hindus and Muslims or between Hindus and Christians if only Indian politics becomes more positive, non-patronizing and dialogic. India politics, therefore, needs to overcome its secular deficit in order to deepen India’s secular beliefs and wean people away from the language of terror and hate.

It follows from above that it is possible to look for solutions to the long-pending disputes such as Ayodhya if India’s secularism respects the intrinsic faith of all religions. There are many secular solutions to the Ayodhya dispute like building a hospital or a museum on the site in question. These, however, are atheistic solutions. They betray a degree of indifference, insensitivity or even hostility to the religious grievances involved in the Ayodhya dispute. A
cultural problem is offered a developmental solution, just like the old left’s response to the caste problem by looking for its resolution in class struggle.

Therefore, it is advisable to find a cultural solution to the Ayodhya dispute within the intrinsic faith of Hinduism and Islam. Political dialogue, as stated before, must begin to inhere what Gramsci calls religious ‘common sense’ of both communities and confront their extrinsic beliefs wherever necessary through reason and empirical proof. If secular political society begins a dialogue from within the ‘intrinsic faith’ of each religious community, it is possible to craft a solution to the Ayodhya dispute.

**Dialogue, Sacrifice and Reconciliation: Toward a Resolution of the Ayodhya Dispute**

Given the painful reality of the Indian state’s failure to settle such disputes through dialogue and reconciliation, the Allahabad High Court judgment needs to be seen as a crucial intervention to break the current impasse in secular thinking in India. Despite several flaws in its judgment, the model of reconciliation worked out by the court has immense possibilities for renewing India’s secularism. It is distressing to note that most secular intellectuals do not appreciate the fact that the High Court has asked each community to sacrifice its maximalist claims without challenging its ‘intrinsic faith’. Thus, the High Court’s verdict is remarkable for its philosophical and social perspective. Justice S U Khan in his verdict argues:\(^\text{23}\)

> The one quality which epitomized the character of Ram is Tyag (sacrifice). When Prophet Mohammad entered into a treaty with the rival group at Hudayliyah, it appeared to be abject surrender even to his staunch supporters. However, the Quran described that as clear victory and it did prove so. Within a short span therfrom Muslims entered the
Mecca as victors, and not a drop of blood was shed. …Under the sub-heading of demolition I have admired our resilience. However, we must realise that such things do not happen in quick succession. Another fall and we may not be able to rise again, at least quickly. Today the pace of the world is faster than it was in 1992. We may be crushed.

Justice Khan’s prophecy could come true unless religious communities contribute to secularism by sacrificing their maximalist positions on the Ayodhya dispute. While one may criticise the court verdict on various grounds, it is also necessary to appreciate its idea of secularism as neighbourhood which is implicit in its 2-1 majority verdict. The court has asked each community to share the contested space within the Babri mosque complex which is already the case in Kashi and Mathura and in our numerous syncretic religious places called ‘Darghas’. Each community must sacrifice part of whatever it claims in order to contribute to a higher order value, i.e., political secularism which provides the broader political and cultural framework for religious communities to live in peace and harmony. The High Court verdict thus could be described as a landmark judgment on secularism from a non-maximalist perspective.24

The High Court’s verdict, however, did give rise to some misgivings among the Muslim community. First, the fear of the Muslim community that the judgment could lead to similar demands in relation to mosques in Mathura, Kasi and elsewhere needs to be addressed.25 Second, it does not contain an explicit appeal for reconciliation through dialogue by the disputants themselves. Keeping in mind the strengths and limitations of the court verdict, what follows is a proposal for a possible resolution of the Ayodhya dispute. The secular state ought to undertake the initiative for resolution and form a political society involving all the
stakeholders – ruling and opposition parties, administrators, lawyers, non-state actors and concerned religious leaders in a multilateral dialogue process.

The state must try to persuade the Hindu community, particularly the VHP, to take moral responsibility for the demolition of the Babri mosque and promise to rebuild it by sharing the contested space in Ayodhya as in Kashi and Mathura. Further, the VHP should promise the nation that it would not rake up Mathura and Kashi disputes as the idea of Janmabhumi is not compromised there. In these places, the Hindu temples co-exist with mosques as a sort of symbol of India’s secularism. By giving up its claim over mosques in Mathura and Kashi, the VHP would also give a positive signal to the Sunni Board, the principal litigant for Muslims.

It would have a positive effect on the minds of Indian Muslims that they need not worry about other mosques elsewhere in India. Until now, Muslims opposed the construction of Ramjanmabhumi temple out of fear that similar claims will sprout in other parts of India. By giving up claims over many mosques across India, it would be possible to persuade the Muslim community towards compromise and reconciliation rather than confrontation and conflict.

The Sunni Wafk Board must also respond to the theme of sacrifice positively. Such response calls for extra-judicial thinking. The Ayodhya dispute should not be treated merely as a ‘title to property’ given the fact that the emotions of both the communities are involved. The Board should be prepared for a negotiated settlement keeping in mind the need for a broader and durable cultural reconciliation between Hindus and Muslims based on the Quran itself. As Zafryab Jilani, the principal lawyer of the Sunni Board affirms, if there is a proposal of reconciliation based on the Quranic laws, Muslims are prepared to listen.
The lessons from the Quran can guide a dialogue process. It can be argued that the Quran makes a distinction between the ‘sacred mosque’ and the ‘remote mosque’. (Haleem, 2004, p.175) The sacred mosque at Mecca has a special significance as it is here that Allah’s (God) message was revealed to the Prophet. But, remote mosques in Jerusalem and elsewhere can be built anywhere, as God’s land is everywhere in the East or the West (Haleem, 2004, p. 395). However, all mosques are ‘places of worship for God alone’ (Haleem, 2004, p. 394).

When the Sunni Board compromises a little bit of land in the Babri mosque complex, it would not amount to giving up Allah’s message. For, remote mosques can be built anywhere. Nor would it amount to a ‘total surrender’ of land title suit. However, the Board might argue that as a mosque is a place of worship for God alone, the demolition of a mosque by ‘non-believers’ does hurt Islam. Thus, the question arises as to how to atone for the demolition of Babri mosque. This can be done in the form of another sacrifice by the Hindus – that is “true Suddhi” (self-purification as Gandhi would call it) by the VHP which must own up responsibility for its demolition and be prepared to rebuild it within the Babri mosque complex. Thus, through a model of differential sacrifices by religious communities, a programme of reconciliation can be envisaged.

Only dialogue can help the disputant communities and their organisations to develop a shared understanding of the complications involved in the Ayodhya dispute and the importance of solving it in their own long term interests. It is the responsibility of the secular state to provide a forum for an inter-faith dialogue as the first step towards resolving religious disputes between communities. The ‘secular’ state and its dialogic politics, therefore, need not and should not shy away from contentious religious issues. It must, however, respect and protect the elements intrinsic to all faiths so that dialogic politics is likely to continue uninterrupted. It would then be possible to initiate dialogue to reform extrinsic elements of a community’s
faith which are inconsistent with contemporary life based on modernity, equity and humanism. It is difficult to envisage any other way of building a genuinely secular state and society in an open, diverse and democratic country like India in the long run.

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Notes

1 ‘The Ayodhya dispute’ refers to the controversy enveloping the Indian nation with regard to the Babri mosque built by Babur, the first Mughal Emperor which was pulled down to build a Ram temple for popular Hindu god by the Hindutva forces in Ayodhya in Uttar Pradesh, on December 6, 1992. The Hindutva organisations believe that the Babri Mosque was built after the demolition of the pre-existing Ram temple at Ram Janmabhoomi (Ram’s birth place) in Ayodhya. These organizations include the Hindu nationalist Rashtriya Swayamsevak Sangh (RSS) (National Volunteer Organisation), the Viswa Hindu Parishad (VHP) (World Hindu Council) and their front political party, Bharatiya Janata Party (BJP) (Indian People’s Party).

2 On September 30, 2010, the three-judge bench of the Uttar Pradesh High Court ruled in a majority judgment 2 to 1 that there would be a three-way division of the disputed land - one-third for the ‘Babri mosque’, one-third for ‘Ram Chabutara’ (platform for Ram plays) and one-third for ‘Ram Lalla’ (infant Ram). For the texts of the court judgment see, http://www.rjbm.nic.in (last accessed 13 October 2011).
India’s secular ethics refer to a set of diverse values such as mutual respect/tolerance, autonomy/syncretism, inter-religious, intra-religious and non-religious liberty/equality, a point discussed later under Nehru’s secularism.

Also, his ‘An Indo-Pak dialogue will give us something to celebrate in this 50th year of our Independence’, Parts 1, 2 and 3, http://www.rediff.com/news/mar/06mani.htm (last accessed 01 September 2011).

Kandhamal is a district in the province of Odisha (formerly Orissa) where major anti-Christian riots occurred during 2007-2008 that displaced nearly 35, 000 (official figure) Christians, mainly Dalits and tribes, from villages/towns. This drew the attention of the international community including a visit by a delegation of 11 diplomats from the European Union in February 2010, http://www.telegraphindia.com/1100205/jsp/nation/story_12067549.jsp (last accessed 23 September 2011).

on a variety of issues affecting India, what is, however, notable is their hesitation in extending a ‘multilateral political dialogue’ with Hindutva/Islamic/Christian organisations. This selective approach of dialogic-oriented intellectuals is deeply worrying for the future of India’s political secularism.

7 Unlike Bilgrami, Gyan Pandey comes closer in recognising dialogue as contested discourse. (Pandey, 2007, pp.175-76). But he fails to push his model of dialogue further to incorporate ‘contested agencies’. He departs from Bilgrami in order to return to latter’s placid conception of dialogue. The specter of fundamentalism haunts both.

8 Unlike the secularists, the Hindutva forces however are interested in a classic ‘two-line struggle’ - war and dialogue - with religious minorities. However, India’s minorities and the secularists, with a war-like mindset, hang on to the strong state and law for protection. Gowri Viswanathan argues that the Hindutva organisations resists dialogue due to its implication for religious conversion (2007, p.354). This is far from true. After every ‘war’ on Christians in Dang (December, 1998) or Kandhamal (December 2007, August 2008), the Hindutva forces have shown interests in ‘dialogue’. The BJP leader and India’s former Prime Minister Atal Bihari Vajpayee called for dialogue on conversion after the burning of Graham Staines and his two sons in Odisha in September 1999 as revealed by her own study, pp. 334-35.

9 Religious common sense may be a set of contradictions between intrinsic and extrinsic elements of faith, a point to which the paper returns later.
In a negative model of secularism, religious beliefs are suppressed or ignored. For Gramsci’s distinction between positive and negative secularism, see La Rocca (1997).

Elsewhere in their work, the Karsevaks, the followers of the Movement, are described as “lumpenised” elements (Nandy et al., 1993, p. 26).

For an idea of social imaginary, a pre-theoretical resource, and its connection with secularism, see Charles Taylor, A Secular Age (Cambridge/Massachusetts: Harvard University Press, 2007), pp. 159-211. If there is a disconnect between political secularism and a social imaginary over a long period of time, anti-secular forces however fill up the void and gain ground without any opposition. For this insight the authors are indebted to Gramsci’s works on the rise of fascism.

For instance, the Hindu religious text the Bhagawad Geeta reflects this view: ‘Whenever there is a decay of righteousness, O Bharat, and a rise of unrighteousness, then I manifest Myself’ (Chinmayananda, 1996, p. 270).

Roy’s criticism of the Ayodhya verdict is based on an assumption that a law court justifies a sectional faith by ignoring polytheism in Hindu religion. Nowhere the court verdict denies polytheism in Hindu religion.
Every religion has three streams of belief: a) personal god; b) impersonal god; c) animism or naturalism (Gramsci, 1995, pp. 118-19). While ‘civilisational dialogue’ among these three streams may continue, it is not the business of political secularism to join this debate. Its job is rather to provide for a legal, moral and institutional framework for such dialogue including the debate around faith as raised by atheism. In any case, secular politics must prevent all forms of domination including domination of reason/law over faith.

According to M V Nadkarni, ‘In understanding any religion, it is useful to distinguish between what is intrinsic to it and what is peripheral and discardable’ (Nadkarni, 2008, p.78).

However, it is possible to expand on his idea of principled distance beyond the twin principles of (1) ‘autonomy’ and (2) ‘intervention’ to include a third principle of (3) ‘assimilation’ or ‘unity-in-diversity’ or syncretism. It should be added that the first two principles may only be relevant for political secularism in India but all three principles need to be seen as integral to India’s cultural secularism.

Bhargava argues that political secularism needs to confront both inter-religious and intra-religious domination (Bhargava, 2010, pp. 63-108). However, in addition, secular politics needs to confront domination of law over faith as the Ayodhya dispute indicates that there is no legal solution to it. It is not settled over last 60 years, partly due to the domination of law over faith allowed by secular politics since 1949.

As Gandhi argues, ‘The State should undoubtedly be secular. .....There should be no interference with missionary effort, but no mission could enjoy the patronage of the State as it did during the foreign regime’ (M K Gandhi, 1999, pp. 238-39)
According to Gandhi, ‘The existing innumerable divisions with the attendant artificial restrictions and elaborate ceremonial are harmful to the growth of a religious spirit, as also to the social wellbeing of the Hindus and therefore also their neighbours’ (Bose, 1996). Gandhiji here refers to caste divisions among Hindus which affect their well-being and also that of their neighbours.

The Indian constitution presupposes that the state must intervene and offer a safeguard vide. Article 25 (2) (B) for ‘providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus’. See, Government of India, Ministry of Law & Justice, *The Constitution of India*, [http://lawmin.nic.in/coi/coiason29july08.pdf](http://lawmin.nic.in/coi/coiason29july08.pdf) (last accessed 13 October 2011).

See Justice S U Khan’s judgment delivered on 30 September 2010, [http://www.rjbm.nic.in](http://www.rjbm.nic.in) (last accessed 13 October 2011), pp. 277-278.

This position is vindicated by the Supreme Court’s stay order of May 2011, which has been welcome by all disputant parties - the secularists, the Sunni Board and the BJP spokesman. It derides the High Court verdict as ‘strange one’ for asking the communities to share space which is not prayed for by each party. Thus, its stay order encourages each party them to stake its maximalist claims, [http://liveindia.tv/india/Ayodhya-case-sc-stays-allahabad-hc-strange-verdict](http://liveindia.tv/india/Ayodhya-case-sc-stays-allahabad-hc-strange-verdict) and [http://www.flonnet.com/fl2811/stories/20110603281109900.htm](http://www.flonnet.com/fl2811/stories/20110603281109900.htm). (last accessed 19 November 2011).

In the TV debates following the Ayodhya verdict of the Allahabad High Court during October, 2010, Syed Shahabuddin, the ex-convener of the Babri Mosque Coordination
Committee, and Assaduddin Owaisi, Hyderabad’s Member of Parliament, and others expressed apprehensions that if Muslims agree for the Ram Janmabhumi site as claimed by the VHP, it would embolden the Hindu organisation to stake a similar claim in Kashi and Mathura and elsewhere and ask for their displacement.

Menon also makes a similar point though in a legalistic mode: ‘That is, rather than treating the issue either as a straightforward property dispute (which can legally only be resolved in favour of the SWB) or as a situation in which the powerful threatening majoritarian forces have to be appeased, the Supreme Court could address the issue as one involving the future of plural faiths, India’s future as a democracy, the need to live together, and above all, the desires of the people of Ayodhya themselves’ (Menon, 2011, p. 89).

‘If somebody has a proposal which is consistent with our dignity, upholds the values of the Constitution and the sharia, then the Board will consider it,’ said Yusuf Hatim Machalla, Convenor, Legal Committee, All India Muslim Personal Law Board and its legal counsel Zafryab Jilani, http://www.ndtv.com/article/india/ayodhya-verdict-all-india-muslim-personal-law-board-to-appeal-in-supreme-court-60202&cp (last accessed 13 October 2011).


Remote mosques can be built anywhere on one condition that they must face the Sacred mosque in Mecca, as the Allah is ‘Lord of the East and the West; there is no god but He; so take Him for a Guardian’ (Haleem, 2004, p. 395).

M S S Pandian drew our attention to a model of differential sacrifice and its significance in rebuilding inter-religious harmony.
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