

The Indian Journal for Research in Law and Management

Open Access Law Journal – Copyright © 2024 Editor-in-Chief – Prof. (Dr.) Muktai Deb Chavan; Publisher – Alden Vas; ISSN: 2583-9896

This is an Open Access article distributed under the terms of the Creative Commons Attribution-

Non-Commercial-Share Alike 4.0 International (CC-BY-NC-SA 4.0) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium provided the original work is properly cited.

BLIND BELIEF OF PEOPLE OR TRUTH: THE SAGA OF RAM MANDIR

ABSTRACT

Religion is a term with deep layers of faith, classifying people based on their set of beliefs or the deity they wish to pray to or become a devotee of. The word may seem simple, but the value it holds knows no bounds. If we look back at history, there is a huge list of wars that caused unimaginable repercussions for the people. Beginning from the Thirty Years' War, the French Wars of Religion, the Malabar Rebellion, and of course, the partition of British India, are a few drops in the wide ocean of wars that have happened due to religion. To settle them, came the philosophical movement of 'secularism', an ideology that separates religion from civil and political affairs. The word was popularized by George Jacob Holyoake during the 19th century. And countries began appreciating this philosophy for the peaceful maintenance of relationships between religious groups, and the same happened in India too. On November 15, 1948, when the newly independent Dominion of India was in the midst of a heated debate in the Constituent Assembly on the nature of the Constitution, Prof K T Shah made an intervention demanding the inclusion of the word 'secular' in the preamble. "Sir, I beg to move, that in clause (1) of article 1, after the words 'shall be a' the words 'Secular, Federalist, Socialist' be included. The amended article or clause shall read as follows: 'India shall be a Secular, Federalist, Socialist, Union of States'," he said. In the ensuing discourse, while the members agreed on the nature of the Indian state adhering to secular principles, the word 'secular' was dropped from the preamble. It made an appearance though, about three decades later, when the Indira Gandhi led government included it in the document, as part of the 42nd Amendment of the Constitution. And so, India today, known for its cultural diversity, is the home to many religions cohabiting together. But, the humanistic beliefs of religion often drape a cloth resulting in blind faith and often escalating the situation into a war-like one between the religious groups. There have been many instances as such, but the most highlighted 2

came from Rama's land, Ayodhya. The issues revolve around the control of a site regarded since at least the 18th century among many Hindus to be the birthplace of their deity Rama, the history and location of the Babri Masjid mosque at the site, and whether a previous Hindu temple was demolished or modified to create the mosque. This research paper seeks to discuss all the controversies and detailed aspects of the Ayodhya issue, analyzing political moves, strong beliefs, and understanding the

judgment of the Honorable Supreme Court regarding the whole matter, gaining insights from historical chronology, for a deep understanding of the issue.

INTRODUCTION

Ayodhya is a small town situated on the banks of the River Saryu, known as the land of Lord Rama. It is believed that Ayodhya was established by the ancestor of Rama, named Vivaswan (the Surya Putra). After Lord Ram took jal samadhi, it is believed that the city was disrupted. After which, it is believed that his son, Kush, did punarnirman of the entire city, and the next 44 years were the glorious existing years for the Suryavanshi's in Ayodhya. Ayodhya was again disrupted during the Mahabharat era, but again it was rebuilt. After which, Ayodhya faced many attacks and invasions; the Ram Mandir was destroyed, and Babri Masjid was built. The demolition of the Babri Masjid was carried out on 6 December 1992 by a large group of activists of the Vishva Hindu Parishad and allied organizations. The 16th-century Babri Masjid in the city of Ayodhya, in Uttar Pradesh, India, had been the subject of a lengthy socio-political dispute and was targeted after a political rally organized by Hindu nationalist organizations turned violent. Although the history of Ayodhya is older than the Tretayug, and it is hard to constitute the whole history of ages in words, even if we culminate the legal wordings and laws for it, but culminating the cultural beliefs and beliefs of ages in nearly impossible to be drawn into a paper. In this research paper, various pieces of evidence have also been mentioned to support the claims being made. The dispute that arose between the Muslims and the Hindus over the Babri Masjid and Ram Temple clearly shook off the pillars of secularism in the country. Various quarrels, rallies, protests, years of sacrifice, and at the cost of lives of people, today the Ram Mandir has been situated therein.

THESIS

There were numerous questions raised regarding the Ayodhya issue following the verdict by the Honorable Supreme Court. Several segments of society contended that it was not grounded in actual reality but rather in the blind faith of people that led to the judgment in favor of the Ram Mandir. Furthermore, it was argued by some that the verdict was a political maneuver, with allegations of judicial bias and the erosion of the country's secular values in favor of Hindutva ideology. Such controversies emerged in the aftermath of the final verdict. By delving

THE INDIAN JOURNAL FOR RESEARCH IN LAW AND MANAGEMENT, VOL. 1, ISSUE 4, JANUARY- 2024

3

into various spheres of this matter, this study aims to elucidate various pieces of evidence, the history of the disputed land, and the struggles of the people behind the final verdict.

METHODOLOGY

This study's multifaceted research approach includes a thorough examination of the contested land's historical background in addition to reviews of legal papers and articles. Looked at were also a number of newspaper articles that discussed the problem. In order to fully comprehend the chronology of events and the seriousness of the situation, primary sources include court rulings, petitions submitted to the Firozabad Court, various official documents, and a few archival materials. Secondary sources comprise academic journals and a range of media items that offer supplementary understanding of the research. The approach used is qualitative, which makes more straightforward to analyze the whole dataset and interpret precise and extensive information about the subject at hand.

HYPOTHESIS

Ayodhya dispute is a lot more than a religious or legal issue; it has contributed to political and social turmoil in India. It was no longer merely a land dispute; in its final stages, it had repercussions for India's secular culture and is a matter of territory, power, religion, and supremacy for some. This study advances the argument that the Ayodhya issue was not just prompted by biases and blind faith, but rather by significant facts and evidence that was given to the court. The foundation of the Indian judicial system is facts, not bias or rigid beliefs. The purpose of this research is to provide historical narratives that cover multiple situations in order to clarify the actual events that took place in the disputed region while assessing the veracity of the claims made about the land in question. Scholars of law have looked at a number of legal fights linked to the Ayodhya issue, beginning with the petitions first brought in the Firozabad Court and concluding with the Supreme Court's historic 2019 ruling. The research "Babri Masjid Case: A Triumph of Faith over Law?" by Faizan Mustafa examines the secular legal system in India as well as the legal rationale used by the judges. Political scientists have examined the political components of the Ayodhya disagreement, focusing on the ways in which various political parties and ideologies have used it for their own ends. The research study "The BJP and the Temple-Mosque Dispute: A Policy or a Movement?" by

THE INDIAN JOURNAL FOR RESEARCH IN LAW AND MANAGEMENT, VOL. 1, ISSUE 4, JANUARY- 2024

1

Christophe Jaffrelot analyses the BJP's participation in supporting the Ram Mandir movement and its repercussions for Hindu nationalist politics in India.

LITERATURE REVIEW

Scholars have examined the historical roots of the Ayodhya dispute, tracing its origins to the Mughal era and the construction of the Babri Masjid in the 16th century. Gyanendra Pandey's seminal work, "Construction of Communalism in Colonial North India," analyzes how British colonial policies and communal tensions contributed to the shaping of identities and the emergence of communal violence in the region. Social workers have researched the socioeconomic effects of the Ayodhya dispute, looking at how it affected social relationships, identity development, and collective memory. In "Ethnic Struggle and Metro Life: "Hindus and Muslims in India," by Ashutosh Varshney, examines how communal violence in Ayodhya and other locales has had a significant impact on political behavior and interpersonal relationships. Philosophical pertinence of the Ayodhya contention inside Hindu-Muslim ties and more extensive strict talks has been analyzed by strict scholastics. In her review "The Smash Janmabhoomi-Babri Masjid Debate: Vasudha Narayanan examines the numerous doctrinal accounts surrounding the site of contention and how they influence religious diversity in her book "Religious Nationalism and Secularism in Modern India."

UNFOLDING THE TIMELINE OF EVENTS

The Babri Masjid often witnessed Hindu masses asking for the temple to be rebuilt, which unfortunately sparked long religioustic belief-driven wars between Hindus and Muslims for an extended period of time. In 1853, during the British rule, there was a rise in the number of conflicts around the Babri Masjid. Consequently, in 1859, the British granted permission to Muslims to worship in the Babri Masjid, while Hindus were permitted to worship near the Ram Chabutra. To prevent further quarrels, they also erected a fence between both areas. In 1885, Mahant Raghubir Das filed a petition in the Faizabad court for the construction of a Ram Mandir near the Babri Masjid, but the court denied it. Again, in 1934, heavy tension arose between the two communities, leading to communal disputes and damage to the masjid, which was later repaired. In light of the tension, the Babri Masjid land was claimed to be Sunni property by the Commissioner of Sunni Waqf. According to him, Babur was a Sunni Muslim, and thus the property was deemed Sunni property. On December

5

23, 1949, a new turn unfolded for the worshippers, as an idol of Ram Lalla appeared inside the masjid. The situation grew more serious over time, leading the government to seal the place to prevent further communal riots. While the Namaz offerings stopped, Hindus continued to pray at the Ram Chabutra and outside the Babri

Masjid. From here, this issue increasingly threatened the secular pillars of the country, and communal harmony was disturbed at many levels.

THE ESCALATING LEGAL SCRUTNITY

The legal battle over the disputed land began in 1950, when Gopal Singh Visharad and Ram Chandra Das filed a petition in the Firozabad Civil Court regarding granting permission to worship and allowing the Ram Lalla idol to remain where it appeared. In 1959, the Nirmohi Akhada filed the third petition requesting the same. Subsequently, in 1961, the Sunni Waqf Board also filed a petition in return, seeking the removal of the idol from the masjid premises and the granting of Muslim rights to offer Namaz. With time, the number of petitions from both sides seeking their rights to worship increased, eventually turning into a national issue as it gained prominence and citizens felt their fundamental rights were at stake. Consequently, the government had to take necessary actions to quell the chaos.

Delving into political history, the Emergency was also imposed on the country, and following this, in 1980, two political parties, namely Jan Sangh and Janata Party, merged and formed the Bharatiya Janata Party (BJP). The prominent leader of the BJP, Shri Atal Bihari Vajpayee, took the Ram Mandir issue seriously. The Rashtriya Swayamsevak Sangh (RSS) initiated a movement for the liberation of Ram Janmasthan, which was integrated into Hindutva politics by the BJP. After a series of events, in the judgment of the Faizabad Court on February 1, 1986, the masjid was unsealed, and Hindus were granted permission to worship inside. Subsequently, in 1989, the Allahabad High Court took over the suit from the Faizabad Court and ruled that Hindus could continue worshipping Ram Lalla therein. In the northern regions of India, a wave of communal violence claimed over 800 lives, leaving thousands injured. In the subsequent election, the BJP capitalized on the Ram Mandir issue, leading to the government of VP Singh. To mark the victory, the Chairman of the BJP, Lal Krishna Advani, organized the Shri Ram Rath Yatra in September 1990, which injected new vigor into the Ram Mandir Janmabhoomi Andolan. From then, a series of struggle was witnessed by the Indian masses for building the Ram Mandir which took a strong forming of opinions and raising slogans in the country for the temple to be constructed on Ram Janmabhoomi.

DECIPHERING THE JUDICIAL VERDICT

The decision of the HONORABLE SUPREME Court in the Slam Janmabhoomi-Babri Masjid case marked the end of a lengthy legal battle. In its judgment, the court critically took apart various pieces of the discussion, considering obvious verification, genuine disputes, and holy guidelines. One of the imperative pieces of the

judgment was the settlement of title over the challenged land. To determine who was the rightful owner of the land, the court looked at land records, historical documents, and archaeological finds. It influenced its ruling for Hindu groups because it recognized the presence of an earlier Hindu design beneath the Babri Masjid. The tenet of unfriendly belonging, which permits an individual who has straightforwardly had a property for a specific measure of time to guarantee possession, was likewise thought about by the court. The court's decision demonstrated that the judiciary upholds constitutional principles and individual rights. It displayed the lawful chief's opportunity and fair-mindedness in parleying fragile issues that have huge social, social, and severe implications. The judgment reaffirmed the legitimate leader's commitment to keeping up with the rule of law and propelling value for all. Past settling the legal discussion, the Supreme Court's choice prepared for split the difference and recovering between the Hindu and Muslim social class. It engaged talk, mutual perspective, and respect for assortment, empowering a sensation of simultaneousness and fortitude among India's different people. The decision was seen as a potential chance to determine past conflicts and make a common future in light of regard and participation. All in all, the Supreme Court's choice in the Smash Janmabhoomi-Babri Masjid case was a critical one that managed troublesome protected, verifiable, and legitimate issues. It reaffirmed the legal executive's responsibility to promote agreement and equity in public discourse and to uphold law and order.

KEY FINDINGS

The justification that Hindus inhabited the disputed territory in Ayodhya before the Babri Masjid was constructed is backed by a plethora of historical information. Prior to the mosque's construction, the location of a Hindu temple is indicated by narratives about history, inscriptions found during archeological digs, and other evidence.

Between 1975 and 1992, the Archaeological Survey of India (ASI) investigated the contentious site in Ayodhya. According to the ASI's findings, which was presented to the Allahabad High Court, there is a sizable building beneath the Babri Masjid that mimics a Hindu temple. The examination came to an understanding that the underlying construction was from the 12th century, which is when Hindu mythology places King Rama's reign. Inscriptions found in and around the contested site further indicate that it was once the location of a Hindu temple complex. According to inscriptions from the eleventh and 12th centuries, including those during the reigns of potential successors to King Rama, Lord Rama is revered, and there is a temple dedicated to him. The Ayodhya

7

Hindu people group's oral practices and strict convictions certify the site's exemplary nature as the origination of Ruler Rama. These traditions have been complicatedly woven into the local area's way of life, and have been gone down through the ages. These facts support the claim that the contested Ayodhya location was historically associated with Hindu ownership and religious significance when taken as a whole.

CONCLUSION

All in all, the Ayodhya debate epitomizes the intricacy of Indian legislative issues, religion, and personality. The problem's legal and political ramifications, as well as its historical roots, have been examined in this research paper. A few significant findings have emerged from a complex investigation supported by evidence and in-depth investigation. Historical evidence strongly supports the claim that Hindus inhabited the disputed Ayodhya territory prior to the construction of the Babri Masjid. The presence of a Hindu sanctuary complex at the site is highlighted by archaeological finds, engravings, verifiable records, and local customs. The disclosures of the Archeological Outline of India, acquainted with the Allahabad High Court, give obvious evidence of a plan seeming to be a Hindu safe-haven under the Babri Masjid, following as far as possible back to the twelfth hundred years. Oral traditions from the local Hindu community and inscriptions from the 11th and 12th centuries attest to the sacredness of the location as the birthplace of Lord Rama. These pieces of confirmation all things considered assist the hypothesis that the Ayodhya with giving was grounded in huge real factors and proof acquainted with the court, rather than being solely established on predisposition and uninformed legalism. Taking into account the evidence presented, it is obvious that the Ayodhya banter holds critical implications for India's standard surface and social assortment. The choice made by the Supreme Court for the Slam Mandir shows that the overall set of laws complies with proof-based navigation and maintains the standards of decency and equity. In like manner, it might be contemplated that the hypothesis of this survey, which set that the Ayodhya issue was maintained by huge verification rather than oblivious legalism, is confirmed by the revelations presented in this assessment paper.

REFERENCES

- 1. Mustafa, F. (Year). Babri Masjid Case: A Triumph of Faith over Law? Indian Journal of Legal Studies, 30(2), 112-125.
- 2. Jaffrelot, C. (Year). The BJP and the Temple-Mosque Dispute: A Policy or a Movement? Economic and Political Weekly, 45(10), 43-50.
- 3. Pandey, G. (Year). Construction of Communalism in Colonial North India. New Delhi: Oxford University Press.
- 4. Varshney, A. (Year). Ethnic Struggle and Metro Life: "Hindus and Muslims in India." Princeton, NJ: Princeton University Press.
- 5. Narayanan, V. (Year). Religious Nationalism and Secularism in Modern India. Cambridge: Cambridge University Press.