

A highly political decision

Indian deputy prime minister exonerated over destruction of Ayodhya mosque

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Eleven years after the destruction of the Babri mosque in Ayodhya by a Hindu chauvinist mob triggered communal riots across the Indian subcontinent, an Indian court has dismissed the remaining charges against one of the chief perpetrators—Lal Krishna Advani, deputy prime minister and a key figure in the ruling Hindu supremacist Bharathiya Janatha Party (BJP).

A special magistrates court at Rae Bareilly in the Indian state of Uttar Pradesh announced the decision to dismiss all charges on September 19. But the key decision was taken by the Central Bureau of Investigation (CBI) in May to drop charges of “criminal conspiracy” against Advani for his role in mobilising the mob that destroyed the Babri mosque on December 6, 1992. Ten years after it brought the charge against Advani and seven years after a court found he had a case to answer, the CBI claimed there was insufficient evidence to proceed.

Having dropped the charge of conspiracy, the remaining charges—rioting, spreading communal frenzy and creating ill will among different classes at a place of worship—were more difficult to prove. Taking his cue from the CBI decision, special court magistrate V.K. Singh threw out the remaining charges against Advani, saying that suspicions were not enough. His judgement, which is reportedly 130 pages long, has not been published.

Seven others also faced charges, including three senior BJP leaders: Indian Human Resources Development Minister Murli Manohar Joshi, Madhya Pradesh chief organiser Uma Bharathi and Uttar Pradesh President Vinay Katiyar. While they were asked to reappear in court on October 10, the seven appealed to the Allahabad High Court against the special court order to frame charges on them and obtained a stay until next month.

The decision to dismiss all charges against Advani is a highly political one. It demonstrates the degree to which the entire Indian political establishment and the state apparatus have accommodated themselves to the Hindu supremacist agenda of the BJP and allied groups such as the World Hindu Congress (VHP).

The financial markets responded positively to the court decision. The Bombay share index rose 2 percent from 4215 to 4225 points. As Chandan Desai, a securities analyst, explained: “There was some nervousness because had the deputy prime minister been compelled to resign it could have possibly led to an early election.”

Big business regards Advani as the pivotal figure in the BJP-led coalition government and the likely successor to Prime Minister Atal Behari Vajpayee. He has been crucial to cementing a close alliance with Washington, which has become the central plank of the political

and economic strategy of the most powerful sections of the corporate elite.

In 1992, Advani’s actions provoked widespread outrage. But the media reaction to the latest court decision has been decidedly muted. The BJP’s main allies in the ruling National Democratic Alliance, which previously have been careful to distance themselves from the sensitive Ayodhya issues, have made no criticisms.

Congress and other opposition parties made a hue and cry in the Indian parliament following the CBI’s decision to drop the charge of criminal conspiracy against Advani. Since then, however, none of them has denounced the decision. Congress has requested that Vajpayee review the case. Communist Party of India-Marxist leader Prakash Karat tamely suggested that “nothing less than a full judicial verdict will solve this problem.”

The overriding sentiment in ruling circles was summed up in an *Indian Express* editorial which stated: “The Rae Bareilly ruling then presents the deputy prime minister with a rare and valuable chance to put that contentious history behind him and move onward along the governance curve rather than the Rath Yatra (procession movement).” In other words, the whole matter should be dropped.

However, neither Advani nor the BJP has shown the slightest intention of dropping the issue. The destruction of the Babri mosque in 1992 played a key role in the BJP’s rise to power. It demonstrated the party’s ability to capitalise on the widespread hostility towards the Congress Party on the basis of a right-wing communalist agenda that made Muslims the scapegoats for deteriorating social and economic conditions.

Despite concerted media attempts to downplay Advani’s role, he was central in the campaign to dismantle the Babri mosque. The building has long been a target of Hindu supremacists demanding that the symbols of the “Muslim conquest” be erased. They claim that, under the Muslim emperor Babar, a Hindu temple was torn down in order to construct the mosque in 1528.

In 1984, then BJP president Advani assumed the leadership of the committee for “liberating” Rama’s birthplace. Over the next eight years, the issue became a central feature of the BJP’s Hindutva agenda of asserting the predominance of Hinduism. By exploiting popular discontent with Congress, the BJP was able to boost its representation in the Lok Sabha (India’s lower house of parliament) from two in 1984 to 86 in 1989 and 118 in 1991.

In 1990, Advani launched a 10,000-kilometre Rath Yatra (chariot procession) throughout central and northern India that had the stated aim of beginning the construction of a Ram temple at Ayodhya. In the

course of the lengthy campaign, Advani seized on the discontent among the upper caste to the decision of the Janatha Dal coalition government to introduce a quota system for the lower castes for university places, government posts and other positions.

The procession culminated in December 1992 in Ayodhya in the state of Uttar Pradesh where the BJP had taken power for the first time at the state level in 1991. BJP chief minister Kalyan Singh allowed large mobs of Hindu extremists into Ayodhya and to gather near the Babri mosque. When concerns were raised over a possible attack on the mosque, the march leaders insisted that their actions would only be symbolic.

But Advani was among the BJP and VHP leaders at the site who were intent on demolishing the mosque. An article at the time published in *India Today* quoted Advani on December 2 as saying that *kar seva* [construction of a temple] would be “physical with bricks and shovels” and would “not be limited only to the singing of bhajans and kirtans (Hindu prayers).”

On December 6, at least 60,000 Hindu extremists gathered around the mosque, many carrying pickaxes, hammers, shovels, iron rods, crowbars and grappling hooks. Advani, along with other BJP leaders, presided on a special platform as the mob invaded the mosque grounds and began to physically tear it down.

Ruchira Gupta, a former BBC correspondent, was an eyewitness and gave evidence to a judicial inquiry into what took place. She explained that Advani raised no objections. Only when it appeared that the structure might crash down did he call for those on the top of the dome to climb down.

Gupta quoted Advani as boasting that the demolition was “historic.” She told the inquiry that Advani had advised his supporters to blockade the road to prevent police from reaching the mosque. She said that Advani had ignored her when she approached him to complain about the attacks by his supporters on journalists.

Some 25,000 police, including elite armed officers from the national paramilitary units, were present on the day but stood by passively as the demolition took place. Police commanders attempted to justify their stance by saying that any intervention would have led to a bloodbath—a concern they have not shown in other circumstances.

The destruction of the Babri mosque immediately inflamed communal sentiments across the Indian subcontinent. In India, about 3,000 mostly Muslim people were killed, thousands were injured and hundreds of thousands were left homeless. Anti-Hindu mobs took to the streets in Pakistan, Afghanistan and Bangladesh, leaving more dead and injured.

In a bid to control the volatile situation, the Indian government of Narasimha Rao imposed presidential rule in Uttar Pradesh and banned the VHP and allied Hindu chauvinist organisations. Having helped facilitate the demolition, the BJP chief minister Singh resigned rather than waiting to be sacked.

After a protracted delay, the CBI eventually charged Advani and seven other leaders of the procession in 1993 with conspiracy to demolish the mosque. The charge sheet cited a speech by Advani in which he openly appealed to the assembled mob to ensure that that day would be the last time on which such a protest would be necessary. According to the police, Advani had asked chief minister Singh not to resign, and thus lose direct control over the state apparatus, until the structure had been completely demolished.

For the last decade, however, the case has been bogged down in legal wrangling. It was clear from the outset that political pressures were involved. A senior CBI officer told *Frontline* magazine in

December 1993 that the investigators “do not know how long this case will drag on.... It might take a long time given the political factors involved.... All kinds of unforeseen political factors could come as the trial proceeds.”

In September 1997 a special magistrate, J.P. Srivastava, found that Advani had a *prima facie* case to answer. “The accused indulged in some activities, and in the same context from September 1990 a Rath Yatra was performed by Lal Krishna Advani from Somanath to Ayodhya where he contacted different leaders of Hindu religious sects or political parties at which his main subject was felling of the disputed structure of Ram Janam Bhumi/Babri Masjid,” he stated.

Since then the case has dragged on for six years. While there have been legal technicalities, the main reason for the delays has been political. The BJP came to power nationally in the 1998 elections and has been instrumental in deepening the program of economic restructuring begun under previous Congress governments. As a result there has been pressure from ruling circles to simply have the charges against Advani and other BJP leaders dropped.

At the same time, the destruction of the Ayodhya mosque, and Advani’s role in it, continues to be a sensitive issue. It has taken more than a decade for the courts and police to find a means to simply drop the charges. The lack of any significant opposition from the media and opposition parties has facilitated the process.

Far from being chastened by the lengthy court proceedings, Advani was unapologetic. After denying any involvement in the destruction of the Ayodhya mosque, he further stirred up communal sentiment by suggesting that the Ram temple should be built on the site. “If a spectacular temple can be built at the birth place of Ram, it will bring about political unity and mutual goodwill amongst the people of India,” he cynically told a reporter.

The BJP’s popularity has plummeted as its economic restructuring measures have led to a growing social gulf between rich and poor. Over the last two years, the party has lost a string of state elections and is staring at the possibility of defeat in next year’s national elections. Hard-line sections of the BJP, those closest to Advani, are openly advocating the whipping up of communal tensions as the means for diverting attention from the party’s record.

The court decision to drop the charges against Advani over the demolition of the Ayodhya mosque can only encourage the BJP to resort to such methods again.



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