

# Post-judgment, a chance for Hindus & Muslims to forge new ties

By Najeeb Jung

After a wait of 61 years, the learned judges presented a cocktail of belief, history and jurisprudence in the Babri Masjid title suit. Wrestling with the expectations of society and influenced by their own beliefs the parts of the judgment revealed thus far manifest an attempt at statesmanship and matchmaking that go beyond the issues they were expected to adjudicate upon. As if on cue, the order is to divide the cake into three slices that may satisfy three expectant children. As expected the parties now prepare for petitioning the Supreme Court.

The question now is on the path forward. Should the matter go on to the SC where it will perhaps be contested for a further two decades, and even then the outcome may only open sore wounds once again? Or should this be converted into an opportunity, resting upon the understanding that Hindus and Muslims are inherent to the DNA of India, and if parts of the DNA are mutually antagonistic the body turns cancerous? As I write, I comprehend the pain of large sections of Muslim society and the pain of millions of Hindus with regards the judgment. But the deed is done, and is it possible to turn this moment of doubt into one of historical significance when the two communities can forge a new relationship?

The answer, at least for Muslims, lies imbedded in Justice Khan's judgment where he quotes the Prophet's (peace be

upon him), treaty of Hudaib. The Muslim armies had encircled Mecca having converged on Mecca from all parts of Arabia to perform the first Haj. Undeniably, had a battle had taken place, the Muslims would have conquered Mecca and performed the Haj. This victory would not just be a military conquest over a powerful city but a payback for the atrocities committed on the Prophet and his followers by the powerful Quraish tribe over the past two decades. But, in the midst of all the hysteria, the Prophet held talks with the Quraish. Much to the dismay and shock of the Muslims, he agreed to withdraw for a period of one year. At the conclusion of the year the Muslims would return for Haj without hindrance. No historic decision



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is ever easy, and the Prophet was questioned by no less than the tallest of his companions, the second Caliph, Hazrat Omar. The following year, the Muslims not only performed the Haj but were welcomed by the Meccans as their own!

The minorities anywhere are sensitive to being overwhelmed by the majority. And therefore there is an inherent zeal to protect their beliefs and culture. But in this case, we are

aware that a very large section of the Hindu community realizes the "majoritarian" aspect of this judgment and sympathizes with the Muslims. To this end this judgment carries a hope that these two communities which have lived in this ancient land for over 1,000 years can now pray together. This moment presents an opportunity to the Muslim community to emerge from the shadows of history, the stigma of partition, the throes of fundamentalism and stand tall in the interest of the future generations and of the motherland itself.

But a word of caution is necessary. Because the judgment is being perceived as a "majoritarian" one, there is need for care on the part of the protagonists. Perceptions of glee and exaggerated cries of "grand" temple to be con-

structed will muddy the waters. The question of any construction is indeed a very complex one because the adjudicated site stands only on 2.77 acres of land of which one third is with the Muslims. Another 70 odd acres of adjoining land has been acquired and vests with the government. No "grand" temple or mosque can be constructed over less than 2 acres of land, and I believe sensing

this complexity, spokespersons of various political parties scurried for cover under the excuse of not having read the full judgment. Even if the matter of title is referred to the SC, this complexity shall remain.

Perhaps then it is sensible for the government to be more proactive than it has so far been in resolving this matter. This issue is more complicated than Kashmir or the Naxal issue by multiples. However, afraid of the political fallout, successive governments have not attempted a resolution, putting it on the shoulders of the courts. This judgment proves that it will now require a combination of political effort and the legal process if we are to see a peaceful resolution. Unfortunately knowing our system, one can safely presume that the government will continue to play safe till it is forced into action. On that presumption we must rely on the greater sense of the people of India, the religious leaders and the intellectuals of all sections of society to look for a resolution. This is the need of the time. In the words of Iqbal:

*Watan ki fikr kar nadaan  
musibat aane waali hai,*

*Teri bar baadiyon ke mash-  
ware hain aasmanon main,*

*Na samjoge to mit jaoge e  
Hindustanwalon,*

*Tumhari daastan tak bhi na  
hogi daastanon main.*

(Think for the country o fool, for disaster awaits. The skies speak of your tragedies. Worry for the country. Or you will be wiped out)

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