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The ritual of *parikramā*, Hinduization of space and the case of Ayodhyā

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ABSTRACT

The article looks at the uses of the concept of *parikramā* (circumambulation of a sacred spot) in the 2019 Supreme Court of India judgement on the Ayodhyā dispute and its aftermath. It unpacks the Hindu majoritarian refashioning of a well-established ritual of place by analyzing the judgement and the subsequent mobilization of *parikramās* by the Uttar Pradesh Government in tourist and pilgrimage initiatives in Ayodhyā. The article argues that *parikramā* has been used in Ayodhyā to legitimate claims that, not only the so-called 'disputed site' but the whole city, constitute an exclusively Hindu sacred space. The article foregrounds the importance of *parikramās* in the Hinduization of space and points at the cross-fertilization of rituals of place with legal discourses on places of worship. It suggests that, in the aftermath of the 2019 judgement, more attention should be paid to the role of *parikramās* in ongoing majoritarian redefinition, expansion and control of sacred space.

KEYWORDS

Parikramā; Hinduization;
Ayodhyā; Supreme Court of
India; Uttar Pradesh

In November 2019, the Supreme Court of India decided that a Hindu temple dedicated to the god Rām could be built at a disputed site in the city of Ayodhyā claimed by Hindu nationalists to have been the place of birth of the god, and which until 1992 was the place of the Bābri Masjid. The masjid was destroyed by a mob of Hindutva activists (*kar sevaks*) after the Bharatiya Janata Party (BJP) had used the Bābri mosque as a rallying point to polarize Hindus and Muslims and create a Hindu 'vote bank' in support of their political party and its Hindu majoritarian policies. The 2019 judgement was the result of an appeal to the 2010 judgement of the Allahabad High Court which ruled that the contested site should be equally divided between three parts.¹ The 2019 judgement,² on the other hand, ruled that the contested site belonged to the god Rām, and could not be divided. It thus endorsed the claim made by the representatives of Rām Lallā ('the infant Lord Rām') and, in so doing, justified the destruction of the Bābri mosque by the Hindu mob. It also rewarded Hindu majoritarian claims with a temple, which is in fact regarded as a landmark achievement in the making of India into a Hindu *rāṣṭra*, or nation. In so doing, the Supreme Court seems in this judgement to have become a participant in what this article frames as the Hinduization of India under Hindu majoritarian political rule. In this article, I will discuss the concept of Hinduization in geographical terms and show how it applies to the case of Ayodhyā. I will in particular look at how the practice of *parikramā* (circumambulation of sacred spot or site, Sanskrit: *pradakṣiṇa*, *parikrama*; Hindi: *parikramā*) is framed and used in the Judgement of the Supreme Court of India in the Ayodhyā case and in the political implementation of the judgement. In addition, I will show that in the political implications of the 2019 judgement, *parikramā* functioned to claim the whole Ayodhyā as Hindu sacred space. I argue that

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parikramā is increasingly used to demarcate territory and advance majoritarian claims. These functions have not always been noted in the vast research literature on pilgrimage; however, uses of *parikramā* in the 2019 Ayodhyā judgement and its aftermath force us to revise our understanding of this practice and other rituals of place vis à vis Hinduization and Hindu majoritarianism.

The Supreme Court's 2019 judgement, Hindu traditions of sacred sites and ritual of place

The conflict about the disputed site in Ayodhyā has involved the courts for almost one hundred and fifty years. The first court case for seeking permission to construct a Rām temple at the disputed site was a suit filed in 1885. A trial court rejected the petition fearing riots should the permission be granted. A mob destroyed part of the masjid in 1934. In 1949, a *mūrti* of Rām Lallā was placed in the central dome of the Bābri Masjid by some Hindutva activists. In 1959, Nirmohī Akhārā filed a suit claiming that they were the true owners of the disputed land and in 1961 the Sunni Central Board of Waqf countered and filed a suit claiming ownership. In 1984, the Vishwa Hindu Parishad (VHP) launched the campaign for a Rām temple on what they identified as the birthplace (*janma-bhūmi*) of Rām. In 1986, the gates of the masjid were opened for Hindu worship. BJP used nationwide *rathayātrās* (chariot processions) to mobilize for the construction of the temple and for the political party and in 1989 VHP laid the foundation for the new temple next to the masjid. The mobilization and conflicts caused by the *rathayātrās* were the immediate cause for the destruction of the masjid in December 1992 by Hindutva activists (*kar sevaks*). In 2010, the Allahabad high court ruled that the disputed site should be divided into three equal parts, and be divided between Rām Lallā Virājman or the child deity Rām, represented by the Akhil Bharatiya Hindu Mahasabha; one-third to the Sunni Waqf Board; and the remaining to the Nirmohī Akhārā. In December, the case was moved to the Supreme Court. The Supreme Court's decision of November 2019 marked the end of the legal conflict about the site and declared that the owner of the site was the Hindu god Rām Lallā Virājman.³

In the Ayodhyā dispute case, the plaintiffs of Suit 5 (OOS [Other Original Suit] no 5 of 1989, Regular Suit no 236 of 1989), 'filed' by the deity 'Ram Lalla Virajman', in 1989 and represented by a human, legally called 'next friend', represented by the lawyer K. Parasaran, who successfully fought the case for the supporters of Hindutva, made several claims about the disputed sacred site. Two of these claims were that the disputed site belonged to the deities and that both the deities and the site itself should be accepted as juristic persons or legal personalities.⁴

This suit has been instituted in the name of –Bhagwan Sri Ram Virajman at Sri Ram Janmabhumi, Ayodhya also called Bhagwan Sri Ram Lalla Virajman. The deity so described is the first plaintiff. The second plaintiff is described as –Asthan Sri Rama Janambhumi, Ayodhya.

(i) The first and second plaintiffs are juridical persons: Lord Ram is the presiding deity of the place and the place is itself a symbol of worship.⁵

An implication of these claims was that the site would not be owned by anyone else than the god or be divided and that therefore all claims of possession of the disputed site by other parties in the case had to be dismissed. Suit 5 argued in the following way that the place itself 'is worshipped as a deity and is hence a juridical person':

(vii) The place itself – Ram Janmasthan - is an object of worship since it personifies the divine spirit worshipped in the form of Lord Ram. Both the deity and the place of birth thus possess a juridical character. Hindus worship the spirit of the divine and not its material form in the shape of an idol. This spirit which is worshipped is indestructible. Representing this spirit, Ram Janmabhumi as a place is worshipped as a deity and is hence a juridical person.⁶

(viii) The actual and continuous performance of puja of "an immovable deity" by its devotees is not essential for its existence since the deity represented by the land is indestructible.⁷

The first of the claims of the plaintiffs of Suit 5 was supported by the Supreme Court's final judgement: the owner of the disputed land was recognized to be the deity Rām, for whom the

Rāmjanmabhūmi temple could be built. However, the second plaintiff, that is, the site itself (the Janmabhūmi) was not accepted as a juristic person (see the article by Christopher Fleming in this issue). In other words, the court accepted the deity of the site as a juristic person, but not the site itself. However, the plaintiff clearly meant that the place itself was an object of worship, and that the place itself therefore possessed a juridical character, and, significantly, that the deity was ‘represented by the land’. As detailed below, the ritual practice of *parikramā* was used to sustain this argument and claim that the place itself was an object of worship and that the place itself was a deity.

The idea that specific places by themselves possess sacred power and embody the deity has a long history in Hindu traditions. A well-known phenomenon that illustrates the strength of this idea is the reduplication of the gods of places at other sites (see Eck, 2012; Jacobsen 2013; Lazzaretti 2016, 2018). Prominent examples are Kāśīviśvanāth (god of Vārāṇasī) and Veṅkaṭeśvara (god of the Veṅkaṭa Hill), the temples to whom are found not only in Vārāṇasī and on the Veṅkaṭa Hill in Tirupati, but at many places in India and also abroad in countries such as Britain and United States. Hindu sacred narratives belonging to the pilgrimage traditions even tell about sacred sites (personified as divinities) travelling to other sites on pilgrimage (!) (Jacobsen 2013, 31–40). For example, in an important foundation narrative for the claim that the identity of the pilgrimage city of Ayodhyā is the same place as the mythical city of Ayodhyā of the *Rāmāyaṇa*, the story of how king Vikramāditya rediscovered the site of Ayodhyā that had disappeared, king Vikramāditya is told to have encountered the pilgrimage site of Prayāg entering and coming out of the river Sārayū there on a horse (van der Veer 1989, 19–20), which made Vikramāditya realize that he had found the lost Ayodhyā. The pilgrimage place Prayāg, apparently, travelled regularly to Ayodhyā to wash off the moral impurity accumulated from all the pilgrims bathing in Prayāg. The issue for the court was not the belief that specific places by themselves possess sacred power but if such sites should be considered a juridical person.

Hinduization and Hinduization of space

The concepts of Hinduization and Hinduization of space are useful for understanding aspects of current changes in India under Hindu majoritarian political rule such as the spatial practices on which Hinduization builds and the way in which the judicial and other institutions become informed. Hinduization is an ongoing process relating to a number of areas of Indian society and culture such as politics, law, science, education, interpretations of history, etc. and also of space. Sacred sites and pilgrimage relate to the community at large and are important vehicles of Hinduization.

The concept of Hinduization refers to the process by which non-Hindu religious elements become part of Hindu traditions by identifying them with specifically Hindu elements. The historical processes of local gods becoming identified with the great gods of the Hindu traditions such as Śiva and Viṣṇu are examples of Hinduization (Eschmann, Kulke and Tripathi 1978). The idea that specific places by themselves possess sacred power and embody the deity which was important for the historical expansion of the Hindu traditions in the first millennium CE (Hazra 1940; Jacobsen 2013; Nandi 1986; Nath 2001, 2007) can be understood as a Hinduization of space. An early use of the concept of Hinduization is found in the writings of one of the founding figures of sociology, Max Weber, to describe the historical process of the Brahmanical tradition becoming dominant over larger areas of South Asia and also in some areas of Southeast Asia (Weber 1958). By Hinduization, and a concept Weber used synonymically, ‘Hindu propaganda’ he meant what he considered to be the capacity of the Hindu traditions for assimilation of groups and legitimation of power. Weber distinguished between ‘extensive’ propaganda in the tribal areas and ‘intensive’ in the areas that were already under Hindu control (Kulke 1986, 100). The power of Hinduization was according to Weber due to its legitimation of social rank and power (Kulke 2018).⁸ Hinduization, for Weber, related especially to caste and he was interested in the history of assimilation of non-Hindu groups into the caste system, in ‘the assimilative power of the Hindu life order due to its legitimation of social

rank, and, not to be forgotten, possible related economic advantages' (Weber 1958, 20). Hinduism, thought Weber, 'was an almost irresistible social force' and 'the strongest motive for the assimilation of Hinduism was undoubtedly the desire for legitimation' (Weber 1958, 20), while the Brahmins primarily had 'material interest in opportunities for expanding income' (Weber 1958, 16). Weber's view of Hinduism has correctly been criticized, and Indologists have not taken much interest in it.⁹ As a sociologist his focus was centred on caste, economy and legitimation of power. However, the concept Hinduization remains useful and can be expanded to apply to other features of religious and social developments in India. Hinduization is multidimensional and includes areas of Indian culture and religion beyond caste such as Hinduization of space (Jacobsen 2013; 2020, 356–359). When the meaning of the concept of Hinduization is expanded to refer to the spreading of Hindu religious ideas and practices in general and their growing influence and power the concept can be valuable also for understanding the current transformation of India under Hindu majoritarian rule.

Hinduization is an ongoing process relating to a number of areas of Indian society and culture such as politics, law, science, education, interpretations of history, etc. and also of space. The expansion of the number and size of Hindu sacred sites, such as the current Hinduization of Muslim sacred sites, exemplified by Ayodhyā, Vārāṇasī and Mathurā, can be understood as part of a process of Hinduization of space.¹⁰ The concept of Hinduization of space is useful for understanding aspects of current changes in India under Hindu nationalist political rule such as the spatial practices on which Hinduization builds and the way in which the judicial and other institutions become informed. Sacred sites and pilgrimage relate to the community at large and are important vehicles of Hinduization. Hindu majoritarianism replaces a pluralistic religious Indian geography with a homogenized sacred Hindu geography (Brosius 2005). Territoriality and homogenization of space was indeed a starting point in the Hindutva ideology of V. D. Savarkar. In his *Essentials of Hindutva* published in 1923, he used the conception of India as Holy land to identify Hindus,¹¹ and the territoriality of Hinduism and Hinduization of space, continues to be a central aspect of the current Hinduization. The case of Ayodhyā exemplifies this process of Hinduization of space. In the Hindu mobilization around Ayodhyā and the Ayodhyā court case the traditional Hindu idea of *tīrtha* (a pilgrimage site believed to possess salvific power) as well as of *parikramā* (circumambulation of a divinity and sacred site) were utilized for a Hindu majoritarian purpose.

The Hindu majoritarian view of undivided India as a land made up of the Hindu sacred places has similarities to the national integrative function that has often been ascribed to Hindu pilgrimage by Indian scholars. C. Jaffrelot has noted that 'The Hindu nationalist ideology, as it crystallized between the end of the nineteenth century and beginning of the twentieth century, carries a conception of space in part inherited from the classical views of ancient India' (Jaffrelot 2011, 29). Nationalism and convictions about religious geography have in common that they both promote emotional attachment to and identification with territory or land. Hindu scholars writing on pilgrimage in India, thus use some of the same ideas, claiming that the Hindu pilgrimage traditions' conception of land is the basis for the nation of India. As an example, K. V. Rangaswami Aiyangar, in his 'Preface' to the 1942 edition of the important Sanskrit twelfth century text Lakṣmīdhara's *Tīrthavivecanakāṇḍa*, the first of the *dharmānibandhas* (digests on *dharma*) concentrating on pilgrimage sites and perhaps also the earliest texts in the conservative *Dharmaśāstra* textual tradition to accept pilgrimage as a valid ritual, made the assumption that Hindu culture was identical with the territory of India:

Pilgrimage contributed to the unification of Indian culture by the steady circulation of the moral *elite* in the population of the Indian subcontinent. ... The occupation of large areas that a pilgrim would have to traverse by rulers of an alien or hostile faith was only an unpleasant incident, which had to be faced by the pilgrim. Where political ambitions united or divided the country, pilgrimage wrought a unity based on religion, and faith in certain eternal verities. Long before wise statesmanship attempted or accomplished Indian unification, *Akhand Hindusthān* had sprung from the wanderings of pilgrims. (Aiyangar 1942, ix)

Here Hindu pilgrimage culture is propagandized as the natural and national religion of India. Another good example is P. V. Kane in his famous *History of Dharmaśāstra*. In his treatment on

Tīrthayātrā, he connected pilgrimage to the idea of India and claimed that (Hindu) pilgrimage fostered the unity of India. He wrote:

In ancient and medieval India pilgrimages brought many advantages to the community as well as to the pilgrims themselves. Though India was divided into many kingdoms and the people followed several cults and sub-cults, pilgrimages tended to foster the idea of the essential and fundamental unity of Indian culture and of India also. (Kane 1973, 553)

The scholar on Hindu pilgrimage Surinder Mohan Bhardwaj, argued that the *tīrthas* 'generate a gigantic network of religious circulation encompassing the entire Hindu population' (Bhardwaj 1973, 7) and went on to argue for a traditional basis in Hinduism for the national identification of India and the role of pilgrimage places to foster an idea of the oneness of Indian society.¹² My analysis below shows that this conception is now exploited to advance Hindu majoritarian claims.

Parikramā in history and in the 2019 Ayodhya judgement

Circumambulation, moving around an object of worship keeping the object such as a sacred site, a temple, shrine or the inner sanctum of a temple to the right side, is an important part of Hindu ritual practice. The terms for this ritual are *pradakṣiṇa* and *parikramā*. *Parikramā* is more commonly used for pilgrimage circumambulation routes. According to Hindu traditions circumambulation of a *tīrtha* confers religious merit (Aiyangar 1942, liv).

Sometimes detailed Purāṇic mythologies have been projected on larger geographical areas such as a whole city that can contain a large number of different sacred sites (*tīrthas*). A pilgrimage place can thus contain many *tīrthas* that pilgrims are expected to visit. Famous examples are Braj (Entwistle 1987; Sinha 2014), Janakpur (Burghart 1996), Citrakūṭ, Vārāṇasī (Desai 2017; Eck 1993), and also Ayodhyā (Bakker 1982, 1986; van der Veer 1989, 1994). Some *parikramās* (circumambulation routes) developed to lead pilgrims through the sacred landscape and they play a significant role in Hinduization of landscapes (for a well-documented example of this see Entwistle 1987). *Parikramā* can mark whole areas (*kṣetras*) as sacred regardless of the presence of any temples at the sites. The *parikramās* sometimes provide borders between the sacred areas and the outside as in the example of the perhaps most famous Hindu *parikramā* pilgrimage, the *pañcakrośī yātrā* of Vārāṇasī, which delineates the outermost border of the salvific power of Vārāṇasī. According to the tradition in Vārāṇasī, its salvific power functions only within the border of the *pañcakrośī*. Everyone who dies inside the *pañcakrośī* border attains *mokṣa* due the salvific power of the city of Vārāṇasī. Historians have shown that the *parikramās* were developed quite late in the history of Vārāṇasī, and only after the destruction of the city by conquerors in the twelfth century: 'the pilgrimage routes that were a defining characteristic of the city's sacred landscape by the late nineteenth century became current only after the Ghurid invasion' (Desai 2017, 14). There is no mention of the *pañcakrośī yātrā* in the twelfth century text *Tīrthavivekanakāṇḍa*, whose author Bhaṭṭa Lakṣmīdhara lived in Vārāṇasī and in which descriptions of sacred spots in Vārāṇasī make up a significant part of the text.

Circumambulation of a sacred pilgrimage area can take the form of a procession and is one of the main forms of Hindu pilgrimage processions (Jacobsen 2008). When *parikramā* routes mark boundaries of a sacred area one function of the processions can be to implement and reinforce boundaries. In South India, temple circumambulation processions are today a major feature of Hindu religion, but the annual circumambulation processions were not an important part of the temple festivals until a few hundred years ago. It has been suggested that the outward processions of today are because 'God's identity needs to be defined and his territory needs to be demarcated and defended' (Orr 2004, 465). The function of processions to mark territory is one reason processions may cause violence when, often for political reasons, they are extended into areas dominated by other religious communities.

In Ayodhyā, in addition to the *parikramā* of the disputed site, the *janmasthān* or *janmabhūmi*, are several larger circumambulation routes (*parikramās*): the most popular *pañch kośī parikramā* (5 *kośīs* are around 15 km), the longer *chaudah* (14) *kośī parikramā* and even a 84 *kośīs* (252 km) *parikramā*

route used primarily by a few ascetics. In the pilgrimage circumambulation ritual typical of North Indian sacred areas (*kṣētras*), the purpose is not to reach a geographical place, as the tour ends where it started, but to travel in a sacred landscape (Jacobsen 2013). The benefits and benefactors of *parikramās* can generally be said to be both religious and secular. For the devotees *parikramā* functions as a ritual of circumambulation of a divinity or a sacred site and is a form of worship often associated with salvific rewards such as moral purification, health, wealth and good rebirth. For the priests of the sites whose temples are included in the *parikramā* one of the benefits is economic. Hans Bekker studying the different manuscripts of *Ayodhyāmāhātmya* noted that the part on the *parikramā* was the most unstable parts of the *māhātmya* texts (Bakker 1986, 180–185). The *parikramā* part would undergo changes for several reasons, but one main reason, Bakker suggests is economic. Persons would try to get their temples or sacred spots included in the *parikramā* route because this meant a significant increase in the income from pilgrims.

In recent times, *parikramās* seem to have acquired other functions, particularly within Hindu nationalists' assertions over places of worship; the 2019 Supreme Court Ayodhyā judgement and its aftermath is a case in point. The existence of the ritual of circumambulation of the site was used in the judgement to prove that the site was worshipped as the sacred site of the birth place of Rām. As well, demands of the Vishwa Hindu Parishad about the *parikramā* area in Ayodhyā and the decision of the Uttar Pradesh government following the Ayodhyā judgement seem to further strengthen the function of *parikramā* as a boundary-making device that is a defence from intrusions of others and define possession.

A recent study on *parikramās* (Singh and Sehgal 2017) reports on a view found in Ayodhyā that *parikramās* such as the Ayodhyā *parikramās* marked borders and functioned as a form of defence from intrusions of others, which exemplify this new Hindu nationalist view on *parikramās* as a boundary-making device. Singh and Sehgal write:

There is another theory behind the sacred parikrama which was brought into light after doing some research on parikrama marg [in Ayodhya], according to some people parikrama marg was developed by the ancient governing system to protect the boundary of the Indian subcontinent from intrusions by neighbouring countries and states, and to provide the employment and basic amenities to the most remote areas of the country for the sustenance of a healthy life. (Singh and Sehgal 2017, 450)

Singh and Sehgal claim that the Hindu *parikramā* in Ayodhya 'is happening since thousands of years' (Singh and Sehgal 2017, 451), a claim which is not supported by sources, and the statement functions to give the *parikramā* a non-identifiable ahistorical origin, beyond human agency, which is a way to create sacredness. These authors also connect *parikramā* to devotion to the nation. About the All-India Char Dham (covering Puri in Orissa, Rameshwaram in Tamilnadu, Dwarka in Gujarat, and Badrinath in Uttarakhand) Parikramā, Singh and Sehgal suggest:

These important pilgrimages were grouped together in a religious circuit where pilgrims take a spiritual walk encircling the whole country which shows their devotion towards their motherland. (Singh and Sehgal 2017, 451)

The statement that 'parikrama marg was developed by the ancient governing system to protect the boundary of the Indian subcontinent from intrusions by neighbouring countries and states' illustrates an understanding in a Hindu nationalist context of the function of *parikramā* to mark off one groups' sacred territory from a threatening Other, specified as 'intrusions by neighbouring countries and states' and 'devotion towards their motherland'. The largest of the *parikramās*, that is the 84 *kośis parikramā* is currently presented as marking the boundary of Rām's empire and the 14 *kośis* the border of the sacred *kṣetra* (Awasthi 2021). The expansion of the 84 *kośis* road is going on to popularize it as the border of the kingdom of Rām (Dash 2021; Mishra 2021).

These interpretations clearly inform arguments advanced in the 2019 Ayodhya judgement. The term *parikramā* is used 67 times in the judgement. The presence of the *parikramā* is used as proof of the site being the birth place of Rām and the *parikramā* is claimed to mark the border of the site. As detailed below, several witness statements about the Rām janmsthān as an object of

worship mention *parikramā*. The lawyer K. Parasaran who argued the case for the Hindutva supporters referred to *parikramā* repeatedly, attempting to define the land itself as deity and arguing that the *parikramā* marked boundary of the site. For example:

130. Mr K Parasaran, learned Senior Counsel appearing on behalf of the plaintiffs in Suit 5 urged that the second plaintiff [i.e. the land] is a juristic person. He submitted that in Hindu Law the concept of a juridical person is not limited to idols. According to Mr Parasaran, the relevant question is whether prayer is offered to the deity and not the form in which the deity appears. It was contended that—Asthan Sri Ram Janam Bhoomi—is an object of worship and personifies the spirit of the divine. *The faith of the devotees regards the land as a deity* and prayer is offered to it. Hence, it was on this basis that the plaintiffs in Suit 5 submit that this court must confer juristic personality on the land represented as Ram Janmasthan. To support this contention, it was urged that God is shapeless and formless and there is no requirement that the object of worship be an idol. *It was urged that the performance of the parikrama (circumambulation) around the disputed spot with the faith and belief that it is the birth-place of Lord Ram delineates the boundaries of the property on which the status of a juristic entity must be conferred.* (167) (italics added)¹³

131. Mr C S Vaidyanathan, learned Senior Counsel appearing on behalf of the plaintiffs in Suit 5 adopted the submissions of Mr Parasaran that the second plaintiff in Suit 5 is a juristic person. He urged that there is a distinction between: (i) the land being a deity; (ii) the land being the abode of a deity; and (iii) the land being the property of a deity. *It was urged that in the present case, the land constituting the disputed site, is an object of worship and is itself the deity.* Mr Vaidyanathan urged that the determination of the second plaintiff as a juristic person renders infructuous questions of possession, joint-possession or adverse possession as the land itself is a legal person and no other person can possess a legal personality. It was urged that the mere fact that a mosque existed at the disputed site cannot evidence a claim of either title or joint possession on behalf of the Sunni Waqf Board. *By an extension of the same argument, once it is held that the disputed site is a juristic person, no partition of the land can be affected as a deity, recognised as a legal person is impartible and cannot be divided. Any division of the property will amount to a destruction of the deity. It is on this basis that the impugned judgment of the High Court directing a three-way division of the property was challenged.* (italics added) (See Note 13)

145. Mr Parasaran, appearing on behalf of the plaintiffs in Suit 5 argued, on the basis of this extract, *that by performing the parikrama around the disputed site with the faith and belief that the disputed site is the birth-place of Lord Ram, the devotees believe that they receive the spiritual benefits of religious worship. This, it was urged, is adequate for this Court to hold that the land constituting the second plaintiff is a juristic person.* 181. (italics added) (See Note 13)

The practice of *parikramā* was here used as a proof of the place as a bounded single whole and a juristic person, i.e., someone recognized by the law as being entitled to rights and duties in the same way as a human person.

146. Mr Parasaran placed reliance on a decision of the Madras High Court in TRK Ramaswami Servai v The Board of Commissioners for the Hindu Religious Endowments, Madras to contend *that the presence of an idol is a dispensable requirement with respect to religious worship and that the faith and belief of the worshippers along with the performance of the parikrama around the disputed land is sufficient for a court to confer on the disputed site legal personality.* (181–182) (italics added) (See Note 13)

The performance of the *parikramā* is claimed as proof of faith and as proof that the site itself is a legal personality. The conclusion about *parikramā* is stated by the Court under its own heading from 194 to 195.

It was contended that the presence of an idol is dispensable in Hinduism, this contemplates a situation such as in the case before us, where the land is itself worshipped as a deity. Devotees pray to the land as the birth-place of Lord Ram, and consequently, the second plaintiff should, it is urged, be recognised as a juristic person. (See Note 13)

The parikrama is not performed in order to mark the exact boundaries of the property to which juristic personality is conferred. The performance of the parikrama, which is a form of worship conducted as a matter of faith and belief cannot be claimed as the basis of an entitlement in law to a proprietary claim over property. (194–195) (See Note 13)

Although the Supreme Court did not think the intention of a *parikramā* was to mark the exact boundaries of a property or be claimed as the basis of an entitlement, the arguments used in

favour of the *parikramā* marking a boundary of defence seem to express the emerging view of *parikramā* of Hindu nationalism. These views impacted subsequent on the ground development in Ayodhyā, as illustrated in the next section. As well, similar interpretations and uses of *parikramā* are found in post 2019 Ayodhya judgement developments in other sites targeted for ‘liberation’ by Hindu nationalists (Lazzaretti 2023).

The *parikramā* and the state government of Uttar Pradesh

The spatial and religious conceptions foregrounding rituals of place had consequences for the interpretations of the judgement and its implementation on the ground. In this section I show how *parikramās* have been used on the ground after the judgement, both to construct religious boundaries and to make claims of religious ownership. The Supreme Court had told the Centre to allot an alternative five-acre plot to the Sunni Waqf Board for building a new mosque at a ‘prominent’ place in Ayodhyā as a replacement of the destroyed Bābri Masjid. The state government of Uttar Pradesh with its saffron-robed Chief Minister Yogi Adityanath, who is also the head priest (*mahant*) of the Gorakhnath Math and the founder of the right-wing organization Hindu Yuva Vahini (HYV), had to find five acres of land for this purpose. Five sites were identified by the state government of Uttar Pradesh and all of them were outside the ‘Pañchkośī Parikramā’ limits, ‘in accordance with the wishes of saints and seers who had wanted the proposed mosque at a “safe distance” so that there would be no conflict in the future’ (Indian Express 2019).

Soon after the judgement, however, the Vishwa Hindu Parishad claimed that the land to be allotted to the new mosque should be outside of the *chaudah kośī parikramā* route.¹⁴ The Uttar Pradesh state government allotted five acres of land in the village Dhannipur for the construction of the mosque (Indian Express 2019), 22 km away from the place where the Rām temple will come up at the Ayodhyā site and outside even of the *chaudah kośī parikramā* route (Srivastava 2020). Some reasons for selection of the site of the mosque in Dhannipur were claimed to be the site’s proximity to a highway, the population mix of the nearby Raunahi town and the history of communal harmony in the area.¹⁵ However, it is tempting to see the site’s location outside of the *pañch kośī parikramā* and the *chaudah kośī parikramā* routes as decisive for its selection. The newspapers reported that:

After the Supreme Court had ordered for allotment of five-acre land for the mosque in its Ayodhya verdict on November 9 last year, sadhus, saints and mahants of temples and mutts in Ayodhya had demanded that the land should be allotted outside the ‘panchkosi parikarma’ (*sic*) and ‘14 kosi parikarma’ (*sic*) areas of the temple town ... Dhannipur was outside the parikarma area ... Mahant Raju Das of Hanumangarhi Ayodhya said, “The government has fulfilled our demand to allot land for mosque outside the parikarma area”. (Singh and Pandey 2020)

The Uttar Pradesh government, informed by Vishwa Hindu Parishad, seems to uphold an interpretation of *parikramās* as borders of sacred areas, enforcing the idea of the whole of Ayodhyā as belonging to Hindus. In so doing, they used the judgement to Hinduize not only the disputed site, but the whole pilgrimage *kṣetra* of Ayodhyā.

Concluding thoughts

The idea of *parikramā* was thus used twice, first, in the Supreme Court, to argue that the *janmabhūmi* site itself was sacred regardless of any *mūrti*, and second, by the Uttar Pradesh government, to locate the replacement mosque at a distance far away from Ayodhyā and outside of the Ayodhyā *pañch kośī* and *chaudah kośī parikramā* routes, as wished for by the Vishwa Hindu Parishad and others. This will mean that Muslims from Ayodhyā who want to offer namaz in the replacement mosque will have to travel outside the *parikramās* of Ayodhyā, which now marks boundaries of a Hinduized Ayodhyā. *Parikramā* thus has functioned to claim the whole Ayodhyā as Hindu sacred space and not only just the temple site. This function of *parikramās* to demarcate territory for one religious tradition has not always been noted in the research literature; studies of religious rituals have often focused

on piety and spiritual fantasies. With the Ayodhyā judgement the phenomenon of *parikramās* needs to be revisited. The Ayodhyā case has been in the centre of the current Hindu nationalist agenda of Hinduization of space but with the Hinduization of Ayodhyā being close to completion one can probably expect in the coming years attempts at Hinduization of other sites taking centre stage, and their *parikramās* similarly being claimed to represent religious boundaries.

Notes

1. The Sunni Waqf Board, the Nirmohi Akhārā and Rām Lallā Virājman.
2. Pronounced on 9 November 2019 by Justice Ranjan Gogol, Sa Bobde, Ashok Bhushan, Dy Chandrachud, Sa Nazeer. The Judgement is known as *M Siddiq (D) Thr Lrs v. Mahant Suresh Das & Ors* (2019) and available at https://www.sci.gov.in/pdf/JUD_2.pdf with the title IN THE SUPREME COURT OF INDIA, CIVIL APPELLATE JURISDICTION, Civil Appeal Nos 10866–10867 of 2010.
3. For overviews of the court cases and proceedings see Bindal (2020), Chandra (2010), Kapur (2014), Mathew (2020), Molia, Upadhyay and Sharma (2021).
4. 'For centuries, a deity or an idol has been treated as a "juristic person" [recognized by the law as being entitled to rights and duties in the same way as a human person, a typical case being a company] in Indian law because many devotees donate their land and possessions to idols who are synonymous with their shrines.' (Biswas 2019; see also Berti, Tarabout and Voix 2016; Sen 2019)
5. In the Supreme Court of India Civil Appellate Jurisdiction: Civil Appeal Nos 10866–10867 of 2010 (2019), 45. https://www.sci.gov.in/pdf/JUD_2.pdf.
6. In the Supreme Court of India Civil Appellate Jurisdiction: Civil Appeal Nos 10866–10867 of 2010 (2019), 146. https://www.sci.gov.in/pdf/JUD_2.pdf.
7. In the Supreme Court of India Civil Appellate Jurisdiction: Civil Appeal Nos 10866–10867 of 2010 (2019), 147. https://www.sci.gov.in/pdf/JUD_2.pdf.
8. The concept of Hinduization has also been explored by Hermann Kulke in his studies of early state formation in India. See Kulke (1986, 2018), and Eschmann, Kulke and Tripathi (1978).
9. Criticism includes considering Hinduism as too static and paying too much emphasis on caste. Indologists neglected Weber because of Weber's lack of knowledge of Hindu textual traditions, ignorance of Indian languages and philological methods.
10. Hinduization is related to but different from the concepts of Sanskritization and Brahmanization that also have been used to understand aspects of the expansion of Hindu traditions. Sanskritization promoted by M. N. Srinivas was intended to refer to the gradual reshaping of local beliefs and practices in the direction of Brahmanical ideals. M. N. Srinivas writing about sacred sites, noted that the pilgrimage sites and their annual festivals were important sources of the spread of Sanskritic ideas and beliefs (Srinivas 1967, 74) and Van der Veer notes that that 'to some extent Sanskritization is synonymous with Hinduization' (van der Veer 1994, 166). However, Hinduization refers to the process by which non-Hindu elements become part of Hindu traditions which is not identical with the process of low caste Hindus adopting Brahmanical values.
11. Savarkar wrote: '[T]he Dharma of a Hindu being so completely identified with the land of the Hindus, this land to him is not only a Pitribhu but a Punyabhu, not only a fatherland but a holyland . . . That is why in the case of some of our Mohammedan or Christian countrymen who had originally been forcibly converted to a non-Hindu religion and who consequently have inherited along with Hindus, a common Fatherland and a greater part of the wealth of a common culture – language, law, customs, folklore and history – are not and cannot be recognized as Hindus. For though Hindusthan to them is Fatherland as to any other Hindu yet it is not to them a Holyland too. Their holyland is far off in Arabia or Palestin. Their mythology and Godmen, ideas and heroes are not the children of this soil. Consequently their names and their outlook smack of a foreign origin. Their love is divided. Nay, if some of them be really believing what they profess to do, then there can be no choice – they must, to a man, set their Holyland above their Fatherland in their love and allegiance'. https://savarkar.org/en/encyc/2017/5/23/2_12_12_04_essentials_of_hindutva.v001.pdf_1.pdf, 43.
12. A strong recent voice for this argument is Diana Eck who in her book *India: A Sacred Geography* argued that India for many hundred years was one network of pilgrimage places, 'a land linked not by the power of kings and governments, but by the footsteps of pilgrims' (Eck 2012, 6). Eck claimed that India was shaped by 'extensive and intricate interrelations of geography and mythology' which was 'different from the modern notion of the nation state' (Eck 2012, 45). Historically it is probably more correct to connect pilgrimage to regional traditions and oriented around regional centres (Eschmann, Kulke and Tripathi 1978; Kulke 1993). The large number of pilgrims of modern India seems to have been a function of improved transportation technology.
13. https://www.sci.gov.in/pdf/JUD_2.pdf.
14. "The five-acre land for the proposed mosque in Ayodhya should be outside the Chaudah Koshi Parikrama area, about 15–20 km from the Ram Janmabhoomi site, the Vishwa Hindu Parishad has said in reiteration of its earlier

demand ... Any mosque in Ayodhya must be constructed outside the Chaudah Koshi Parikrama," Vishwa Hindu Parishad's regional spokesperson Sharad Sharma, who operates from Karsevakpuram in Ayodhya, added' (Dixit 2019). 'Swami Avimuktেশ्वaranand, secretary of the trust said, "If our claim is rejected, we will go to court." Meanwhile, the VHP has thrown a spanner in the works and said that the mosque should be constructed outside the 'cultural limits of Ayodhya'. "The mosque should be outside the Parikrama route so that there is no dispute in the future," said Dinesh Chandra.' (Swarajya 2019)

15. 'Announcing the allotment, state government spokesman and UP energy minister Shrikant Sharma said, "The land is 200 metres from the highway and has easy access. It's the best spot in view of maintaining communal harmony as well as law and order".' (Singh and Pandey 2020)

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References

- Aiyangar, K. V. Rangaswami. 1942. "Introduction." In *Kṛtyakalpataru by Bhaṭṭa Lakṣmidhara, Vol VIII, Tirthavivecanakāṇḍa*, edited by K. V. Rangaswami Aiyangar, xiii–xcii. Baroda: Baroda Oriental Institute.
- Awasthi, Puja. 2021. "'84 kosi parikrama' in Ayodhya Cancelled in View of Rising COVID Cases: This Year's Event Was to Start on April 27." *The Week*, April 3. Accessed April 6, 2022. <https://www.theweek.in/news/india/2021/04/03/84-kosi-parikrama-in-ayodhya-cancelled-in-view-of-rising-covid-cases.html>.
- Bakker, Hans. 1982. "The Rise of Ayodhyā as a Place of Pilgrimage." *Indo-Iranian Journal* 24:103–126. <https://doi.org/10.1163/00000082790081267>.
- Bakker, Hans. 1986. *Ayodhyā*. Groningen: Egbert Forsten.
- Berti, D., G. Tarabout, and R. Voix, eds. 2016. *Filing Religion: State, Hinduism, and Courts of Law*. New York: Oxford University Press.
- Bhardwaj, S. M. 1973. *Hindu Places of Pilgrimage in India*. Berkeley: University of California Press.
- Bindal, Amit. 2020. "'Complete Justice?' Silences and Erasures in the Ayodhya Judgment." *Journal of Indian Law and Society* 11 (1): 48–71.
- Biswas, Soutik. 2019. "Ayodhya Verdict: The Man Who Helped Lord Ram win." Accessed April 6, 2022. <https://www.bbc.com/news/world-asia-india-50053301>.
- Brosius, Christiane. 2005. *Empowering Visions: The Politics of Representation of Hindu Nationalism*. London: Anthem Press.
- Burghart, Richard. 1996. "The Regional Circumambulation of Janakpur Seen in the Light of Vaishnavite Tradition (Nepal)." In *The Conditions of Listening: Essays on Religion, History and Politics in South Asia*, edited by C. Fuller, and J. Spencer, 163–190. Oxford: Oxford University Press.
- Chandra, Aparna. 2010. "Gopal Singh Visharad and Ors v. Zahoor Ahmad and Ors., O.S.Nos. 1/1989, 3/1989, 4/1989, 5/1989: A Summary of the Babri Masjid-Ram Janm Bhoomi Decision" (October 11, 2010). <https://doi.org/10.2139/ssrn.1690803>. Available at SSRN: <https://ssrn.com/abstract=1690803>.
- Dash, Dipak K. 2021. "Longest Parikrama Marg in Ayodhya to Be Developed as National Highway." *Times of India*, July 22. Accessed July 12, 2022. http://timesofindia.indiatimes.com/articleshow/84623147.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst.
- Desai, Madhuri. 2017. *Banaras Reconstructed: Architecture and Sacred Space in a Hindu Holy City*. Hyderabad: Orient Black Swan.
- Dixit, Pawan. 2019. "Mosque Land Should Be Outside Parikrama Area, Says VHP." *Hindustan Times*, November 20. Accessed March 16, 2023. <https://www.hindustantimes.com/cities/mosque-land-should-be-outside-parikrama-area-says-vhp/story-Cswcak5mWLabMwVIULqM9J.html>.
- Eck, Diana. 1993. *Banaras: City of Light*. New Delhi: Penguin Books.
- Eck, D. L. 2012. *India: A Sacred Geography*. New York: Harmony, Random House.
- Entwistle, Alan W. 1987. *Braj: Centre of Krishna Pilgrimage*. Groningen: Egbert Forsten.

- Eschmann, A., H. Kulke, and G. C. Tripathi, eds. 1978. *The Cult of Jagannath and the Regional Traditions of Orissa*. New Delhi: Manohar.
- Hazra, R. C. 1940. *Studies in Purāṇic Records on Hindu Rites and Customs*. Dacca: The University of Dacca.
- Indian Express. 2019. "Uttar Pradesh Government Identifies Five Sites for Mosque in Ayodhya." December 31. Accessed July 12, 2022. <https://www.newindianexpress.com/nation/2019/dec/31/uttar-pradesh-government-identifies-five-sites-for-mosque-in-ayodhya-2083189.html>.
- Jacobsen, Knut A., ed. 2008. *South Asian Religions on Display: Religious Processions in South Asia and in the Diaspora*. Abingdon: Routledge.
- Jacobsen, Knut A. 2013. *Pilgrimage in the Hindu Tradition: Salvific Space*. Abingdon: Routledge.
- Jacobsen, Knut A. 2020. "Hinduism." In *Sage Encyclopedia of Sociology and Religion*, edited by Adam Possamai, and Anthony J. Blasi, 356–359. Thousand Oaks, CA: Sage.
- Jaffrelot, Christophe. 2011. *Religion, Caste and Politics in India*. London: Hurst and Company.
- Kane, P. V. 1973. *History of Dharmasāstra (Ancient and Medieval Religious and Civil Law, vol. IV)*. 2nd ed. Poona: Bhandarkar Oriental Research Institute.
- Kapur, Ratna. 2014. "The 'Ayodhya' Case: Hindu Majoritarianism and the Right to Religious Liberty." *29 Maryland Journal of International Law* 305. <https://digitalcommons.law.umaryland.edu/mjil/vol29/iss1/14>.
- Kulke, Hermann. 1986. "Max Weber's Contribution to the Study of 'Hinduization' in India and 'Indianization' in Southeast Asia." In *Recent Research on Max Weber's Studies of Hinduism*, edited by D. Kantowsky, 97–116. München: Weltforum Verlag.
- Kulke, Hermann. 1993. *Kings and Cults: State Formation and Legitimation in India and Southeast Asia*. New Delhi: Manohar.
- Kulke, Hermann. 2018. "Max Weber's Concept of Legitimation in Hinduism Revisited." *Max Weber Studies* 18 (1): 41–86.
- Lazzaretti, Vera. 2016. "Questioning Meaningful Layers of Locality in a Pan-Indian Tirtha." *Cracow Indological Studies XVIII* (18): 119–144. <https://doi.org/10.12797/CIS.18.2016.18.06>.
- Lazzaretti, V. 2018. *Qui e altrove. Divinità trasposte, pellegrinaggi sostitutivi e immaginazione geografica nell'India del Nord*. Milano: Biblioteca di Studi Antropologici, Edizioni Unicopli. ISBN 9788840019857.
- Lazzaretti, V. 2023. "Ayodhya 2.0 in Banaras? Judicial Discourses and Rituals of Place in the Making of Hindu Majoritarianism." *Contemporary South Asia* 1–18. <https://doi.org/10.1080/09584935.2023.2188173>.
- M Siddiq (D) Thr Lrs v. Mahant Suresh Das & Ors. 2019. In the Supreme Court of India Civil Appellate Jurisdiction: Civil Appeal Nos 10866-10867 of 2010, November 9. https://www.sci.gov.in/pdf/JUD_2.pdf.
- Mathew, Sarath. 2020. "Applying Adverse Possession Rules to the Ayodhya Case." *Journal of Indian Law and Society* 11 (1): xi–xxiv.
- Mishra, Avaneesh. 2021. "84 kos parikrama in Ayodhya: Plan, Its Significance, and Challenges." *The Indian Express*, July 30. Accessed April 4, 2023. <https://indianexpress.com/article/explained/ayodhya-temple-parikrama-marg-up-govt-7423850/>.
- Molia, T. J., V. K. Upadhyay, and A. Sharma. 2021. "Evidentiary Value of Archaeological Evidence: Judicial Approach of the Supreme Court of India with Special Reference to M. Siddiq (Dead) Through Legal Representative vs. Mahant Suresh Das (1 SCC 1)." *Passagens: Revista Internacional De História Política E Cultura Jurídica* 13 (2): 180–190. <https://doi.org/10.15175/1984-2503-202113201>.
- Nandi, R. N. 1986. *Social Roots of Religion in Ancient India*. Calcutta: K. P. Bagchi.
- Nath, V. 2001. *Purāṇas and Acculturation: A Historico-Anthropological Perspective*. New Delhi: Munshiram Manoharlal.
- Nath, V. 2007. "Purāṇic Tirthas: A Study of Their Indigenous Origins and the Transformation (Based Mainly on the Skanda Purāṇa)." *Indian Historical Review* 34 (1): 1–46. <https://doi.org/10.1177/037698360703400102>.
- Orr, L. C. 2004. "Processions in the Medieval South Indian Temple: Sociology, Sovereignty and Soteriology." In *South Indian Horizons: Felicitation Volume for Francois Gros*, edited by Jean-Luc Chevillard, 428–470. Pondicherry: Institut Français de Pondichery.
- Savarkar, V. D. 1923. *Essentials of Hindutva*. Accessed April 2, 2023 https://savarkar.org/en/encyc/2017/5/23/2_12_12_04_essentials_of_hindutva.v001.pd_1.pdf.
- Sen, Ronojoy. 2019. *Articles of Faith: Religion, Secularism and the Indian Supreme Court*. New Delhi: Oxford University Press.
- Singh, Rajesh Kumar, and Manish Chandra Pandey. 2020. "Why 5-acre land at UP's Dhannipur Made the Cut for Mosque Plot in Ayodhya." *Hindustan Times*, September 9. Accessed April 6, 2022. <https://www.hindustantimes.com/lucknow/land-for-mosque-why-dhannipur-made-the-cut/story-HddHBnUciwIxAwKMIJ5NP.html>.
- Singh, Madhavendra Pratap, and Vandana Sehgal. 2017. "Parikrama: A Spiritual Walk to Celebrate the Agricultural Harvest in Hindu Religious Cities." *International Journal of Scientific and Research Publications* 7 (11): 450–456.
- Sinha, Amita. 2014. "The Sacred Landscape of Braj, India: Imagined, Enacted, and Reclaimed." *Landscape Journal: Design, Planning, and Management of the Land* 33 (1): 59–75.
- Srinivas, M. N. 1967. "Cohesive Role of Sanskritization." In *Unity and Diversity, India and Ceylon*, edited by Philip Mason, 67–82. Oxford: Oxford University Press.
- Srivastava, Prashant. 2020. "Dhannipur Near Ayodhya Already Has 15 Mosques, Local Muslims Want Hospital and College Too." *The Print*, February 20. Accessed March 16, 2023. <https://theprint.in/india/dhannipur-near-ayodhya-already-has-15-mosques-local-muslims-want-hospital-and-college-too/361492/>.

- Swarajya. 2019. "VHP Wants Ram Temple To Be Constructed Based On Its Model, Says Mosque Should Be Outside 'Parikrama' Route." 14 November. Accessed March 16, 2023. <https://swarajyamag.com/insta/vhp-wants-ram-temple-to-be-constructed-based-on-its-model-says-mosque-should-be-outside-parikrama-route>.
- van der Veer, Peter. 1989. *Gods on Earth: The Management of Religious Experience and Identity in a North Indian Pilgrimage Centre*. Delhi: Oxford University Press.
- van der Veer, Peter. 1994. *Religious Nationalism: Hindus and Muslims in India*. Berkeley: University of California Press.
- Weber, Max. 1958. *The Religion of India: The Sociology of Hinduism and Buddhism*. New York: Free Press. Original German edition, *Hinduismus und Buddhismus* published in 1916.