

The Ayodhya Verdict: When Fear-struck Muslims Prayed to Lose



[Vidya Subrahmaniam](#)



Indian Muslims in Ayodhya read about the verdict in the decades-old land title dispute on November 10, 2019, a day after the Supreme Court ruled in favour of a Hindu temple in Ayodhya and ordered that alternative land be given to Muslims to build a mosque. Photo: AP

It was common knowledge that the Supreme Court would deliver its judgment in the Ramjanmabhoomi-Babri Masjid title suit before the Chief Justice of India, Ranjan Gogoi, retired on November 17, 2019. As the hour drew close, however, there was panic in Muslim homes, particularly in the Hindi belt. Parents wanted their wards to be safe and preferably among Muslims. Many fervently prayed for the judgment not to be in favour of the mosque because the consequences of that would impact Muslims more than any joy they felt at winning back the mosque. But losing the case, which they did, crushed their spirit, more so because the court had accepted almost all the claims of the Muslim plaintiffs.

In contrast, the court rejected the central plank of the Hindu side that the Babri Masjid had been built by demolishing a pre-existing Ram temple. The court also accepted that the Masjid had been desecrated in 1949 by the surreptitious placement of idols and was illegally demolished by Hindutva vandals on the fateful day of December 6, 1992. How then was the site handed over to the Hindu side?

*Following the Allahabad High Court's three-way partitioning of the site in 2010, **Vidya Subrahmaniam, Senior Fellow at The Hindu Centre for Politics and Public Policy** had spoken to a cross-section of young Muslims. She recalls that at the time, they expressed no despair, and were confident about moving on with their lives, leaving behind the bitter past of the Mandir-Masjid conflict. She spoke to another set of younger generation Muslims after the Supreme Court verdict and this time, as she notes in this essay, the finding was a disturbing one: In majoritarian India, young Muslims had to reconcile to being second-class citizens.*

The first flash that the Ayodhya judgment—on the title suit in the Ramjanmabhoomi-Babri Masjid dispute—had been scheduled for the morning of Saturday, November 9, came late in the evening the previous day. With hours to go for the verdict, there was panic in Muslim homes across North India. The scare ripped through social media, and on Facebook it reflected in the rush of posts from Muslims appealing to friends and family to stay safe and out of harm's way.

One post by Saima Rehman, a 25-year old college student and resident of North Delhi, captured the fear that had gripped the community: "In my 25 years of life I've never seen my father so scared and terrified. (We) being the only Muslim family in the neighbourhood, he has put an extra lock on our house main gate." Saima has a fan club on Facebook because of a crackling sense of humour that is more often than not directed at her own self. Yet this time it was different. Her friends urged her to avoid sounding alarmist as that could get her into trouble with the law. And they were serious.

“I wish there wasn’t such an atmosphere that we would be frightened of the idea of justice. This is sad for the idea of democracy that our founding fathers envisioned.”

Later that night Saima sent me a sombre text on my phone which read, "Forgive me for saying this but the only thing I'm scared of right now is the judges giving the verdict in favour of the mosque. In the times we live in, justice is frightening." It was a powerful, searing statement, and soon there were multiple posts saying much the same thing. Zeyad Masroor Khan, a 30-year old roving reporter with *Brut India* , ran similar words as his status. When I asked Zeyad about it, he said it was a layered message that had to be understood as emerging from a frightened community's fear of reprisals "I wish there wasn't such an atmosphere that we would be frightened of justice. This is sad for the idea of democracy that our founding fathers envisioned: 'Where the mind is without fear and the head held high.'" Zeyad then rhetorically asked: "After all, which citizen would pray to lose a case?"



The five-judge bench of the Supreme Court of India comprising the Chief Justice of India Ranjan Gogoi (C) flanked by (L-R) Justices Ashok Bhushan, Sharad Arvind Bobde, Dhananjaya Y. Chandrachud, and S. Abdul Nazeer after delivering the Ayodhya verdict on November 9, 2019.
Photo: PTI

Thirty-four year old Mohammad Reyaz, an Assistant Professor at Aliah University in New Town, West Bengal, was not worried for himself because Muslims in Bengal, in his own words, were relatively sheltered from the insecurities of their counterparts in the Hindi belt. However, his youngest brother was in Delhi which in the tension-filled hours before the verdict was a cause for worry. At 11.32 p.m on November 8, Reyaz uploaded this post: "As I was following the news of the (upcoming) Ayodhya verdict, it suddenly struck me that my youngest brother lives in one of those localities in Delhi where young students live with the dream of cracking civil services examinations and serving the country. I am worried for him now and frantically called my friends in Jamia Nagar (a Muslim majority enclave) to ask them if he can shift there for a few days, although my brother is assuring me he is fine and will stay there for now.

"Thank you India for bringing it to this level, and you ask why Muslims live in ghettos." **"Gone to bed in India and woke up in Hindu Rashtra"**

A little after the court ruled in favour of a Ram temple at the site, Saima would post another status : "had gone to bed in India and woke up in Hindu Rashtra." The young woman's form had returned but the black humour, like all black humour, had a sub-text that was not funny at all. Indeed, not only Saima, Zeyad and Mohamamd Reyaz, a dozen or so Muslims I spoke to, ranging in age from the very young to those in their thirties and early forties, expressed the same mix of emotions.

"The court thought it was a fair award that affirmed the best traditions of Constitutional justice but for Muslims it was a mockery, an insult added to the injury of defeat."

They were afraid to win but despaired that they had not, because while losing the case had possibly saved them from a communal backlash, it had reinforced a reality that had been stealing up on them. The reality of a majoritarian India where the best Muslims could hope for was a consolation prize gift wrapped in a lot of pious homilies. That is exactly what it was. The Supreme Court had spent pages declaiming on secularism, fair play and equality while decreeing the disputed site to the temple and compensating that with the allotment of five acres of land outside the site to the Sunni Central Wakf Board. The court thought it was a fair award that affirmed the best traditions of Constitutional justice but for Muslims it was a mockery, it was insult added to the injury of defeat.

In 2010: Unhappy but hopeful

One reason why I decided to reach out to younger generation Muslims on the Ayodhya verdict was because I had done a similar exercise after the 2010 High Court judgment which the Supreme Court has now overturned. The High Court had ordered a three-way division of the disputed site in which the central dome was given to the Hindu side. Though unhappy with the judgment, my Muslim interviewees at the time betrayed no anxiety about their futures, and none at all about their physical safety. I wrote at the time ¹:

"The educated post-technology generation, innocently young during the benumbing years of the Ram mandir movement, seemed disconnected from the issue... Conversations revealed an impatience to leave behind the past and embrace the future, however uncertain. There were complaints about biases, about being shut out of opportunities, about a sense of alienation. (Even so), the world ahead was better for the young than the violence and darkness of the past. Their parents would know: All that mattered to the community in the decade after December 6, 1992 was their personal safety."

The contrast between 2010 and 2019 could not have been starker. As I started on my second round of interactions, it occurred to me that 2010 and 2019 were separated by far more than the nine years between them. India in 2010 was not particularly protective of its Muslim citizens but it did not frighten and suffocate them. Prime Minister Narendra Modi's New India was large, hostile and ever present; it hovered over the community in a constant reminder that they existed at the pleasure of the state and majority Hindus. In 2010, no one I spoke to felt insecure about their citizenship. In 2019, that was the overwhelming feeling.

Like in 2010, the cross-section of Muslims I interviewed in 2019 constituted a generation that was completely invested in India. Unlike their parents and grandparents who carried the angst of post-Partition separation, the younger Muslim men and women had no interest in Pakistan, let alone feel any affinity to it. Few had the resources to go abroad and so their dreams, futures and sense of self-worth were all tied to the only country they knew as home. For all that, in the past six years, there was never a time when this young, aspirational section did not feel excluded and discriminated against, their rights and freedoms under increasing assault, and a gnawing fear in their bellies each

time they stepped out. A spate of killings of Muslims for being Muslim – Mohammad Akhlaq ² , Junaid Khan ³ , Pehlu Khan ⁴ and many more had been lynched only because they were Muslim – had instilled a fear of the public space in the Muslim mind.

In 2019: Heartbroken, with no place to go

Hate speeches by VIPs, almost 90 per cent of them by members of the Bharatiya Janata Party (BJP), including ministers and MPs, had risen several fold since 2014 (a rise of 500 per cent according to data compiled by NDTV) ⁵ , and for the first time since Independence, democratic India was enacting legislation to outlaw Muslims via a discriminatory Citizenship (Amendment) Bill. In theory, the Bill was against Muslim refugees but in practice the threat of deportation hung over all Muslims. On social media, on Twitter especially, Muslim handles invited the worst name-calling and trolling. The horror of it all could be gauged from the hate hashtags that trended against the Prophet and Islam, and one calling for the boycott of Muslims. The Twitter rants were without doubt manufactured and synched by trolls sitting in right-wing laboratories but the fact they could operate with impunity showed official connivance and sanction. Many of the hate handles continued to be followed by the Prime Minister despite commentators repeatedly drawing attention to the fact. In Banaras Hindu University , the outrageous #BoycottMuslims campaign, translated into a fearsome, physical reality, shocking even to supporters of the Bharatiya Janata Party, with students demanding the removal of Feroz Khan, a PhD holder recently appointed Assistant Professor in the University's Sanskrit Vidya Dharam Vigyan . A distraught Khan told Indian Express ⁶ : "All my life, I learnt Sanskrit and I was never made to realise I am a Muslim, but now when I am trying to teach, suddenly it (his Muslim identity) has become the only subject."

In his October 23, 2019 article for *Outlook* magazine, # *BoycottMuslims: When Hate Is Mainstreamed, It Becomes A National Trait* , Shahjahan Madampat, expanded on the plight of his community: ⁷ "Where do we go from here? Is there an end in sight for our Republic's headlong fall into the nether world of meticulously engineered culture of hatred and violence? As recently as a couple of decades ago, even in the face of a fast-eroding trust in the fairness of the State and in spite of the horrendous happenings of 1992-1993 and 2002, there was a robust sense of faith in the goodness of the people, and in our great institutions.

"The penetration of barbarism was still relatively negligible. One felt that a majority of our compatriots continued to adhere to some of the foundational values of the Republic in spite of the growing communalisation in some parts of the country.

"Last month, two Muslim friends from my university days in Delhi called up asking advice on migrating out of India. I asked them why, as both were financially well off and decently employed. 'It is not safe for the kids to grow up in this country any more. The sense of insecurity is increasing every day', both said", the article observed.

"The abrogation of Kashmir's special status under Article 370 and other acts that followed, would have been unthinkable under any other government."

Muslims I spoke to noted that for the first time India had a government that was unafraid to cross the line: it was vicious in words and deed; it had made bigotry and hate respectable and it had made commonplace the perception that to be Muslim is to be anti-national.

The logic of this meant that Muslim interests would become separatist and therefore the opposite of the national interest. Once national interest was invoked, history could be rewritten and sacred agreements breached – to the detriment of Muslims but with the full support of the Hindu majority. The abrogation of Kashmir's special status under Article 370 and other acts that followed on August 5, 2019, would have been unthinkable under any government except one led by Narendra Modi and Home Minister Amit Shah. That day the regime went the whole hog and some more. It legislated to void Jammu and Kashmir's special status, carved up the State into two Union Territories and imposed a draconian lockdown that saw mainstream, pro-India leaders arrested and ordinary Kashmiris deprived of their fundamental rights to free movement and communication. In the over 100 days since then, the lockdown has only partially been lifted, and countless stories have surfaced of severe physical and mental hardship, of Muslim boys being picked up, of pregnant women losing their babies, of elderly parents losing contact with their wards, of psychological breakdowns.

"Kashmir was and is about life and liberty. But the judges of the highest court prioritised Ayodhya over it."

Significantly, the Supreme Court has not found the time to hear a bunch of urgent petitions praying for the restoration of civil liberties in the Valley. Kashmir was and is about life and liberty. But the judges of the highest court prioritised Ayodhya over it. And when they did, via daily, urgent hearings, it was to hand over the whole of the disputed site to Hindus. Muslims were turfed out entirely though by the court's own arguments and logic, this was injustice. The court rejected the core Hindu claim - that the Babri Masjid had been built by demolishing a previously existing Ram temple. On the other hand, it accepted that vandals had repeatedly desecrated the Masjid, finally razing it to the ground, which acts had caused grievous hurt to Muslims. But the court decided on compensatory land for Muslims in place of restitution of property. As Mohammad Reyaz (mentioned earlier) remarked: "The case was about legal rights. What the SC has said in a way amounts to telling us we are a minority living in a majority country."

Kashmiri Muslims were always alienated from India. Until recently, mainstream Muslims did not identify with them. The status changed on August 5, 2019: the Centre's actions in Kashmir brought home the enormity of what the rulers could do if they set their minds to it. As A.S. Dulat, former chief of the Research and Analysis Wing (R&AW), told me in an interview,⁸ the downgrading of Kashmir into a UT, was delivered as a humiliation to the Kashmiris, to rub their noses into the ground. The Ayodhya judgment, mainland Muslims feel, has done the same thing to them: Humiliated them and rubbed their noses into the ground. As a result, today, the gap between the Kashmiri Muslim and the Hindi belt Muslim has closed, and both sides can increasingly understand and identify with each other's frustrations and insecurities.

Azhar Amim, a 26-year old Kashmiri Muslim from the border district of Rajauri, said that for him and other Kashmiri Muslims, the Ayodhya judgment was a double betrayal. "The blows have been unending. We were already heartbroken by what the Centre did to us in Kashmir. This judgment has completed our disillusionment. The last few months have been nightmarish for us. We have been under constant tension and fear." Azhar, who is doing his PhD from Jawaharlal Nehru University -- which has been defamed as a 'hub of Kashmiri terrorists' -- said that in all the time Kashmir faced a communication blackout, Kashmiris living outside worried about their kin's safety. But in the days before the Ayodhya judgment, the reverse happened: "My mother desperately called to ask about my safety."

"Okhla, Jamia, go anywhere where there are Muslims. My parents wanted me to be in a ghetto," Sharjeel recalled, finding the situation both comic and deadly serious."

Sharjeel Usmani, is all of 22 and from Aligarh Muslim University (AMU), which carries the double burden of being both largely Muslim and hosting hundreds of Kashmiri Muslim students. As a student activist known for his trenchant political views and writings, he has been particularly vulnerable to punitive action by the administration. For his parents, his safety has always been of utmost concern, something they felt even more acutely in the days before the Ayodhya judgment. Sharjeel said his father, originally from Azamgarh, and now teaching in AMU, had given him strict instructions to keep his skull cap in the bag while going for prayers, and to wear it only inside the masjid. Sharjeel is from a traditional Muslim family where the men wore kurta-pyjama. Now the same attire induced discomfort. "After the Junaid incident, they just don't want that I should get into trouble because of my Muslimness."

The night before the judgment, Sharjeel was in Delhi staying with friends in a Hindu neighborhood. Sick with worry, his father booked him a cab to return to Aligarh. Seeing Sharjeel's reluctance, the father then called up a friend who is a professor in Jamia Millia Islamia University (like AMU it caters in the main to Muslim students) and asked him to keep Sharjeel with him for a few days. In the end it was decided that Sharjeel would stay for a few days in Muslim-dominated Okhla. "Okhla, Jamia, go anywhere where there are Muslims. My parents wanted me to be in a ghetto," Sharjeel recalled, finding the situation at once comic and deadly serious.

Sharjeel said all his Muslim friends either left Delhi to go home to their parents or huddled together in Muslim clusters and shanties. And like so many others I spoke to, Sharjeel said, "Frankly, till the moment the judgment came, every Muslim I know was praying that, 'Allah sab ko salamat rakhen (Allah, keep us safe)'. A favourable verdict was farthest from our thoughts." However, "once the judgment came, there was a sense of resignation, a realisation that for Muslims there was no going back: "The court has said, 'Mandir wahin banyenge' in a constitutional language."

Political activism has always been part of student life on AMU campus. AMU was considered a safe zone for Muslim students and faculty. Sharjeel and his friends had protested the September 2015 lynching of Akhlaq in western Uttar Pradesh and the July 2016 gunning down of Burhan Wani in

Kashmir ² . But by end 2016, the administration had begun to crack down on all protests with increasing ferocity, probably sensing the rise of Hindutva and the coming regime change in U.P. When Najeeb Ahmad ¹⁰ disappeared from the JNU campus in an obvious case of foul play, AMU students held a demonstration in solidarity. That day they were set upon brutally by the police who also filed dozens of FIRs against them. "In the past three years, FIRs have been indiscriminately filed against students, charging them with attempt to murder, looting and riots."

"If earlier, the Muslim character of AMU made it safe for Muslims, now the same character had rendered it vulnerable to indiscriminate police violence."

Sharjeel spoke of getting warning calls from the highest in the U.P. police each time he wrote Facebook posts critical of government actions. "When Article 370 was voided, I was in Delhi and wrote a sharp critique on Facebook. Back in Aligarh, the police summoned a close friend to the police station and told him to call me. When I answered his call, my frightened friend handed over the phone to a cop who told me in no uncertain terms to remove the post or face consequences that neither I nor my parents could imagine." Sharjeel remarked ruefully that, if earlier, the Muslim character of AMU made it safe for Muslims, now the same Muslim character had rendered it vulnerable to increasing police brutality.

Syed Hasan, a 36-year old freelance journalist, said what happened to the Babri Masjid in 1992 was upfront. It was inexplicable therefore that the highest court had allowed the temple to be built at the same spot of desecration. "Today, there is a deep sense of alienation. For the first time in my life, officially and legally, I have been made to feel that I'm a second-class citizen. What do you say to the fact that out of hundreds of public universities, only two, the Aligarh Muslim University and Jamia Millia Islamia were singled out for hostile attention in the days before the verdict? Students and teachers of the two universities were told not to react to the judgment, not to criticise it. Don't we even have freedom of speech?"

Syed Hasan said it didn't matter to him whether there was a mandir or masjid on the disputed site. "It is not about mandir or masjid. It is about justice. Instead what we have got is humiliation."

A small number of optimists

A small number among those I spoke to expressed optimism about the future. The disappointments were huge, but nonetheless they felt positive about India. Mohammad Reyaz (mentioned earlier) despaired that the Supreme Court verdict had become "a manifestation of the discrimination we face." But this was not reason to give up hope. "We are Indians first and last. This is our land as much as it is anybody else's. You can intimidate us, deny us justice but we will keep fighting. There is a strange sense of confidence we have in this country. There is a lot of anger but there is also assertion, a pride in our identities. I'm Muslim, I'm also Indian."

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Forty-four year old Syed Ubaidur Rahman lives in Delhi's Jamia Nagar and runs a publishing company. He felt that North Indian Muslims had not done enough to uplift themselves and therefore compared unfavourably with Muslims in the South who had countered poverty and discrimination by educating themselves: "Our faith in the Supreme Court was very strong. We believed that no matter what, the highest court would never let us down. That faith has been shaken. Even so I say that our future is bright. Muslims have integrated themselves fully in India. They want construction of the nation on the basis of constitutional equality and they will continue to work for this country."

The predominant view among Muslims, though, was one of disappointment bordering on anger – anger at being at the receiving end of vindictive action by the state and the majority community, and now at being let down by the one institution that they instinctively trusted.

Perhaps worried about the lasting damage this distrust could cause Muslims, commentators Faizan Mustafa and Ayman Mohammad tried to talk up the community's morale in a November 12, 2019 article published in *The Hindu* , In the article, *Ayodhya Verdict/ Several positives for the Muslim plaintiffs* ¹¹, Mustafa and Mohammad argued that "The defenders of the rule of law, minority rights and secularism in general and Muslims in particular need not feel disappointed with this judgment though it is true that the court, after correctly spelling out the law, wrongly applied them to facts."

Mustafa and Mohammad counted nine positives in the verdict that Muslims could draw comfort from. The court had accepted the Sunni Waqf Board's plea that the "place of Lord Ram's birth is not in itself a juristic person" which would help avoid future religious conflicts. It had ruled that a method of offering worship unique to one religion cannot result in conferral of an absolute title. "In other words", said Mustafa and Mohammad, "the court made it clear that it could not accord primacy of one faith over others. This should really be music to the ears of proponents of multiculturalism who are every day feeling the heat of aggressive majoritarianism."

Most importantly, the authors pointed out, the court had "categorically accepted the central argument of the Muslim plaintiffs that the mosque was not constructed after the demolition of a Ram temple." Thus, "the Hindu right's primary narrative has been clearly rejected." Furthermore, "the court said remnants of a pre-existing structure were not used for the construction of the mosque." It also accepted the argument of the Muslim plaintiffs that a title cannot be decided solely on the basis of faith or archaeological findings, which is "not a small victory and will be of great use in future disputes."

Mustafa and Mohammad obviously meant well, but among the Muslims respondents I spoke to, the positives the authors had counted only reinforced the feeling of injustice: If the court had substantially accepted the points raised by the Muslim plaintiffs, why were they not awarded the site instead of a compensatory piece of land?

The Muslim dilemma in the aftermath of the verdict was summed up by Mohammad Sajjad and Zeeshan Ahmad. In a November 17, 2019 article for Newsclick ¹², *Keeping hope alive, even against hope, is India's way out*, the authors questioned the wisdom of the Muslim parties in seeking a review of the judgment which they accepted was full of "deep flaws and baffling contradictions." The position of Muslim parties was always that they would accept the court judgment which was in contrast to the Hindutva side's refusal to commit itself to an unfavourable verdict. If Muslims now rejected the compensatory land offered to them "they may be accused of never being inclined towards an amicable solution to the fraught Babri dispute." Secondly, a review petition would necessarily assume that the glaring flaws in the judgment were unwittingly made. However, the unanimity among judges did not suggest this at all. Therefore, why not leave it to the court to "go for a *suo moto* review, if it wishes?"

But Sajjad and Zeeshan had another reason, a more troubling one, for counseling restraint, "...given the majoritarian stride India has taken, with state complicity all but apparent, a review petition filed by the Muslim parties would raise the decibel of fear and anxiety in the community. It is an open secret that many Indian Muslims were in the awkward position of praying that their side loses this case. The moment the verdict announced that the land was allotted to the Hindu parties, they heaved a sigh of relief. At least they thought angry, bigoted Hindus will have no reason to attack them, not at this moment.."

Sajjad and Zeeshan said the Muslim parties seeking a review should be "more concerned about the vulnerability and security of Muslims in these circumstances. Linger on this issue is bound to boost their anxieties."

"From today's perspective 2010 looks so much better. When you are robbed of your sense of belonging to your nation, it is dangerous and I am worried."

In 2010, my Muslim respondents were not exuberant about the Indian state but still felt hopeful. They were critical of the High Court judgment but took it in their stride. The verdict certainly was not seen as life-altering. It did not hurt and scar their sense of themselves. Aftab Alam, who teaches in Delhi University, and who was one of those I spoke to in 2010, said: "Yes, I remember our 2010 conversation. From today's perspective 2010 looks so much better and so much more balanced. At least everyone got something. This time, I'm completely speechless, deeply disturbed, what can I say? Feel like I have been robbed of my identity, my citizenship, equal status in society... No hope from any institution in India... When you are robbed of your sense of belonging to your nation, it is dangerous ...and I am worried."

The wheel, it would appear, has come a full circle. Today's young Muslims find themselves standing precisely where their parents stood in the aftermath of the demolition of the Babri Masjid, a place they thought they had left far, far behind.

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[Judgment by the Allahabad High Court on September 30, 2010 \[PDF 456 KB\]](#) [Source: Indian Kanoon](#)

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