

THE JUDICIAL RULINGS PERTAINING TO THE HAGIA SOPHIA IN TURKEY AND THE BABRI MOSQUE IN INDIA: AN ANALYSIS

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Abstract: On November 9, 2019, the Supreme Court of India issued a ruling allowing for the construction of a temple dedicated to the Hindu deity Ram on the site of Babri Masjid in Ayodhya, Uttara Pradesh. Similarly, on July 10, 2020, the State of Council, the highest administrative court in Turkey, issued an order to convert the status of Istanbul's Hagia Sophia from a museum back into a mosque. The court's decision in both nations has been regarded as a transformative political development within their respective contexts. This decision has garnered praise from certain individuals, while also attracting criticism from others, both domestically and internationally. This article is thematically based, library-focused, and qualitative. The article examines and evaluates both cases based on the existing evidence pertaining to the historical structures, and endeavours to propose the most persuasive perspective to adopt in such situations. The study's findings suggest that the judicial decision under scrutiny exhibits a greater inclination towards political considerations rather than rational ones.

Keywords: Hagia Sophia, Babri Mosque, Judicial Rulings, Recep Tayyip Erdogan, Narendra Modi

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Introduction

The central governments of Turkey and India exhibit a religious orientation. Both nations are formulating policies that are grounded in religious principles, while simultaneously rectifying previous errors in alignment with historical realities and the inherent characteristics of their respective nations, as asserted. According to Sanderson, the rate of Istanbul's transformation is comparable to that of the entire country of Turkey. The actions taken by President Erdogan in 2016 have resulted in the marginalisation of moderate and secular perspectives in Turkey, as the ruling AKP party endeavours to expand the influence of political Islam across various domains. The Hagia Sophia, a prominent tourist destination and cultural symbol located in the historic district of Istanbul, is presently undergoing a gradual process of Islamization due to the prevailing socio-political climate in Turkey, characterised by an increasing influence of Islamic values.¹

The inauguration of the Ram temple in Ayodhya on August 5, 2020 has been interpreted by some individuals as a possible trigger for the formation of a Hindu Rashtra in India. The temple rituals conducted by Narendra Modi serve as a manifestation of a revival of monarchical principles. He exceeded the ritual of temple consecration. He was creating a brand-new form of political authority: a king who respects Hindu royal customs, dedicates and protects temples, and defends the community's religious beliefs.² After the new parliament of India was inaugurated, political analysts shared a similar opinion. He is endeavouring to reclaim the territorial presence of colonial India by advocating for his own version of Hindu nationalism. He has consistently expressed pride in the construction of new Hindu temples throughout the country as a strategy to advance his Hindutva ideology. Additionally, he has highlighted how the Central

Vista project incorporates various Hindu symbols, such as the peacock, lotus flower, and banyan tree.³

This paper examines the decision-making process concerning the Babri Mosque and the Hagia Sophia, examining the probable repercussions for India and Turkey. In addition, the purpose of this undertaking is to investigate the underlying reasons that led to this judgement.

Research Method

Comparative Qualitative Analysis (CQA) is a research methodology predominantly used in the social sciences for the systematic evaluation and comparison of multiple case studies.⁴⁵ This approach is particularly advantageous when researchers are dealing with a number of cases that are too few for meaningful statistical comparisons but too many for in-depth, single-case analyses.⁶ CQA involves several key steps, starting with the selection of cases based on specific criteria that align with the research questions. Data are then collected through various means such as interviews, archival research, or field observations. The next steps involve identifying variables or themes for analysis, followed by coding these variables to facilitate systematic comparisons. Researchers seek to identify patterns, similarities, and differences across cases.⁷ Interpretative analysis is conducted based on these identified patterns, which can be used to either refine existing theories or develop new ones.⁸ Ultimately, the methodology allows for a nuanced understanding of complex phenomena, capturing intricacies and contextual variables that may not be possible through quantitative methods alone.⁹

In the context of analyzing the historical and socio-cultural complexities of Hagia Sophia and Babri Masjid, Comparative Qualitative Analysis (CQA) offers a robust framework for a systematic exploration. CQA would involve the careful selection

of both sites as cases of interest, each representing unique instances of religious and political transformation. Data collection entails archival research and examination of legal and historical documents to capture a multi-faceted understanding of each site. Key variables such as historical timelines, changes in religious affiliations, and political influences are observed and analyzed. Through this, CQA enabled researchers to identify patterns and divergences in how each site has been influenced by external forces, and how they reflect broader national and religious identities. This nuanced approach yields insights into the ways in which religious spaces are not just physical structures, but also socio-political entities shaped by various influences over time

A Brief History

Hagia Sophia was built in 537 by the Eastern Roman, Byzantine Emperor, Justinian I after it was burnt down in the Nika insurrection in 532. The church was restored by Theodosius II, in 415, after it was rebuilt by the Roman emperor Constans I, as the structure was damaged due to fire, in 404, during a riot following the second banishment of St. John Chrysostom, the patriarch of Constantinople. Originally, its construction was proposed by Constantine I in 325 CE on an old Roman pagan temple, which was consecrated in 360 by his son, Constantius II¹⁰ From the year 537, it remained a Christian place of worship for nearly 1,000 years and the world's largest cathedral before what was then known as Constantinople was conquered by the Ottoman Emperor, Mehmet Fatih II on May 29, 1453, who then renamed the city Istanbul, constructed four beautiful, towering minarets on the giant cathedral and ordered to be a mosque.¹¹ However, in the year 1204 to 1261, it was plundered and came under the guardianship of the Venetian and crusaders from Europe, and it served as a Roman Catholic Church until it was

recaptured by the Byzantinists again.¹² Muslims kept praying in it till 1924 when after the fall of the Ottoman Empire in the same year, Mustafa Kemal Pasha entitled Ataturk then President of new secular Turkey decreed to shut down the Masjid and then converted it into a museum in 1935 to secularize and construct a modernized Turkey, thus, opened it to tourists from around the world.¹³ In 1985, UNESCO listed it in the World Heritage Site.¹⁴

On the other hand, the Babri Masjid was built in 1528 under the kingship of the first Mughal Emperor, Babur. Since then, the Muslims prayed there till December 23, 1949, when an idol of Hindu deity Ram Lalla housed in it, later the authority declared it as a 'disputed property' which resulted in banning prayers inside it. On December 6, 1992, the Hindu fanatic group smashed the masjid which led to a riot between Hindu and Muslims, and consequently, about 2000 individuals died. In 2010, the Allahabad recently renamed Prayagraj High Court divided the land between Hindu and Muslim giving them 2/3 and 1/3 of it respectively; third should go to Ram Lalla Virajman, represented by the Akhil Bharatiya Hindu Mahasabha; one-third to the Sunni Waqf Board; and the remaining to the Nirmohi Akhara.¹⁵ The latter court's decree was denied by both parties; Hindu and Muslim in the Supreme Court of India claiming that the land should be given to the one whom it belongs to, thus the latest verdict was pronounced in the favor of Hindus while Muslims will be awarded a five-acre separate land to build the mosque.

The Matter of Conflict

The Hagia Sophia, originally a cathedral during the Byzantine Empire, underwent a transformation into a mosque during the Ottoman era, and later transitioned into a museum under the

leadership of Atatürk. Throughout its history, the Hagia Sophia has been emblematic of the ongoing struggle between various factions, namely Islamists and Kemalists, who have sought to either preserve its secular character or reinstate its Islamic heritage. This tension manifests in the continuous efforts to safeguard its secular identity while simultaneously endeavoring to revive its Islamic identity.¹⁶

Regarding Hagia Sophia, from the 1980s, when the Islamic influence amplified in Turkey and in its politics, common people who used to fear to express their Islamic identity before started showing their desire to prostrate in the Hagia Sophia.¹⁷ That could be a reason in 1991, a small chamber was identified as a prayer room for Muslims.¹⁸ After the arrival of AKP in power in Turkey, the demand even increased but was declined by Recep Tayyip Erdogan. However, on 29 May 2012, thousands of people gathered around the Hagia Sophia and wished to fulfill their longingness of praying in it one day. Due to their perspective, individuals held the belief that Mustafa Kemal Atatürk's actions were constitutionally incorrect, as he violated the provision outlined in Mehmet II's 1453 endowment deed, which strictly prohibits the utilization of the structure for any purpose other than that of a mosque¹⁹ and he did ignore rather suppress the Muslim identity.²⁰

At the same time, in 2016, Turkey's ministry of religious affairs (Diyanet) has appointed a person who is considered a 'modern imam' to call to prayer five times daily.²¹ Recently, in March 2019, days before Turkey's municipal elections. He mentioned live on a TV show that he could change Hagia Sophia's status from the museum to the mosque. Many analysts saw this as a desperate effort to gain votes ahead of challenging elections for the country's municipalities, in which the AKP ended up losing Istanbul to the main opposition Republican People's Party (CHP).²²

Turkey's President, Recep Tayyip Erdogan also mentioned twice in his public address to restore its position of being a mosque.²³ Aljazeera reported that there was not strong opposition towards this wish and the rule from the minority community of Turkey due to becoming easy prey of people and the government and labeled as anti-nationals. However, it can be simplified that from the international community, a huge concern was raised before and is still being raised.²⁴

Consequently, concerning Babri Masjid, the central problem was that the Hindu community believe that Ayodhya is a birthplace of Shri Ram and Babur had built the Masjid after demolishing the temple on the site. This issue even existed during the British rule in India, that's why they had constructed a barrier in it to let both Muslims and Hindus worship in it. The drastic change took place in 1949 when an idol of Ram Lalla was placed under the dome of Masjid which caused violence between the two communities, consequently, Masjid was locked down by the authority completely. From then several title suits were filed in 1950, 1959, 1981, 1989 from both communities demanding different things. In 1986, the Faizabad district administration permitted Hindus to visit the site for darshan only. In 1991 when the BJP (Bhartiya Janata Party) assumed the power in Uttar Pradesh, the call for a Ram temple reinforced which led to the annihilation of the structure of Masjid on December 6, 1992. Later, the central government acquired a total disputed area of 67.703 acres by an ordinance and decided to handover it to two Trusts to build a temple and a mosque. The ordinance was confronted and in 2003, the Supreme Court disallowed any activity of worship by anyone at the site, and in the same year, the Allahabad High Court recommended the Archaeological Survey of India (ASI) to conduct excavations at the disputed site.²⁵ In 2017, the Chief Justice J.S. Khehar initiated urging community leaders for mediation to resolve the issue. After some ups and downs

in mediation, along with day-to-day hearing by the Supreme Court under the Chief Justice of India, Gogoi, the mediation panel had submitted its report on October 16, 2019, while the Constitution Bench reserved its verdict.

The demolition of the Babri mosque had a significant impact on the political landscape of India. In what manner did it contribute to the political advantage of the Bharatiya Janata Party (BJP)? Examining the electoral performance of the Bharatiya Janata Party (BJP) in comparison to the Congress party is a valuable exercise, particularly considering the BJP's ascension as the dominant political force at the national level. According to Kishore, during the 1991 elections, the Bharatiya Janata Party (BJP) strongly lobbied for the development of the Ram temple. In 1990, Lal Krishna Advani led a huge Rath Yatra with the goal of erecting a Ram Temple in Ayodhya. The goal, according to the 1991 BJP manifesto, is to achieve the reinstatement of Ram Janmabhoomi in Ayodhya by a symbolic right of past injustices, with the goal of ending the preceding period of strife and creating major national healing. The BJP's temple campaign was also begun in response to the Mandal Commission report, which proposed 27% OBC reservations for the VP Singh administration. This scenario could result in a shift in support from Other Backward Classes (OBC) voters to political parties campaigning for social justice.

As a result, between 1989 and 1991, the Bharatiya Janata Party (BJP) saw a significant surge of 10 percentage points in electoral support within the Hindi belt region. Since 1989, the Congress party has consistently failed to achieve more over 30% of the vote share in the region, and its electoral popularity has declined. In 1991, the Bharatiya Janata Party (BJP) saw an increase in electoral popularity in the western area, topping 30%. This was a significant improvement over its last performance

in 1989, when it received 25% of the vote in the same region. In 2019, the Bharatiya Janata Party (BJP) received 30% of the vote entirely in the East and North-East subregions. The Bharatiya Janata Party (BJP) has won several elections as a result of the Ram temple controversy. The party won in the Hindi belt states, establishing itself as a significant political entity on a national scale. Under the leadership of Narendra Modi and Amit Shah, the Bharatiya Janata Party (BJP) has successfully solidified the party's national dominance, particularly in places where Hindi is not the major language. The Ram Janmabhoomi movement was a driving force behind the current condition of supremacy.²⁶

Table 1. Hagia Sophia and Babri Masjid Parallel Timeline

Hagia Sophia Timeline	Babri Masjid Timeline
<p>4th Century 360 AD: First church built on the site, known as <u>Megale Ekklesia</u> (Great Church), under Emperor <u>Constantius II</u>.</p>	<p>16th Century 1528: The <u>Babri Masjid</u> is built in <u>Ayodhya</u>, reportedly on orders of Babur, the first Mughal Emperor of India.</p>
<p>5th Century 404 AD: Church damaged during riots.</p>	<p>19th Century 1853: The first recorded incidents of religious violence at the site occur.</p>
<p>415 AD: Church rebuilt and expanded by Emperor Theodosius II, renamed <u>Hagia Sophia</u> (Holy Wisdom).</p>	<p>1859: The British colonial administration erects a fence to separate the places of worship, allowing Muslims to use the inner</p>

<p>6th Century 532 AD: The second <u>Hagia Sophia</u> destroyed during the <u>Nika Revolt</u>. 537 AD: Construction completed on the current structure under Emperor Justinian I. <u>Anthemius of Tralles</u> and <u>Isidorus of Miletus</u> were the architects.</p> <p>13th Century 1204-1261: Latin Empire takes control of Constantinople and <u>Hagia Sophia</u> converted to Roman Catholicism.</p> <p>15th Century 1453: Ottoman Turks, led by Mehmed the Conqueror, capture Constantinople. <u>Hagia Sophia</u> is converted into a mosque.</p> <p>16th and 17th Century Various Dates: Various improvements and additions made to the structure, including minarets, by Ottoman architects such as Sinan.</p> <p>19th Century 1847-1849: Restoration led by Swiss architects, <u>Gaspere</u> and <u>Giuseppe Fossati</u>.</p> <p>20th Century 1935: Following the establishment of the Republic of Turkey, <u>Hagia Sophia</u> is secularized and converted into a museum.</p> <p>21st Century 2020: Turkish court annuls museum status, and <u>Hagia Sophia</u> is converted</p>	<p>court and Hindus to use the outer court.</p> <p>20th Century 1949: Idols of Lord Rama appear inside the mosque. Muslims allege desecration, and both parties file civil suits. The government locks the gates.</p> <p>1986: A district judge orders the gates to be unlocked to allow Hindu worshippers to enter.</p> <p>1992: The mosque is demolished by Hindu nationalists, sparking widespread religious riots in India that result in the deaths of over 2,000 people.</p> <p>2003: The Archaeological Survey of India (ASI) conducts excavations to determine if a temple existed on the site before the mosque.</p> <p>21st Century 2010: The Allahabad High Court rules that the site be divided into three parts: one for Muslims, one for Hindus, and one part to the <u>Nirmohi Akhara</u>, a Hindu sect.</p> <p>2011: The Supreme Court of India stays the High Court's order, effectively keeping the status of the land unresolved.</p> <p>2019: The Supreme Court of India awards the entire disputed area to the Hindu parties, paving the way for a Ram temple to be built. The court also directs the government to</p>
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<p>back into a mosque.</p> <p>Present (2023): Hagia Sophia functions as a mosque and is also open to visitors.</p>	<p>provide an alternative site to Muslims to build a mosque.</p> <p>2020: Construction work for the new Ram temple begins.</p> <p>Present (2023): The Ram temple is under construction, and an alternative site has been provided for the construction of a mosque.</p>
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The Status of Mosque, Church, and Temple

The status, establishment, and dismantling of religious sites are contingent upon the respective religious scriptures and traditions. This article endeavours to conduct a comprehensive examination of the procedures and doctrines observed within mosques, temples, and churches.

Christianity places a high value on the role of churches, which are considered important to religious practises. Churches are important places for religious activities such as worship, prayer, preaching, and community meetings of believers.²⁷ However, in its nascent stages, Christianity did not possess dedicated structures for communal worship. In order to evade persecution, Christians during the first century congregated in domestic settings. The proliferation of churches coincided with the expansion of Christianity.²⁸ The particular standards and rules governing church construction vary significantly, which can be linked to the diversity of Christian faiths and local jurisdictions. Churches usually incorporate specific architectural features and arrangements in addition to a dedicated site for religious worship, such as a sanctuary, a pulpit, or altar, as well as extra spaces intended for social gatherings or educational initiatives. The custom of demolishing

a church is generally discouraged, unless there are specific justifications, such as safety concerns or the need for renovation, which are often assessed and determined by the local congregation or governing authorities.²⁹ It also looks like that position of Church can be changed and even it can be sold off. Yvonne Ridley writes “I would have thought Pope Francis would be far more distressed the fact that across America and Europe, for instance, hundreds of churches have been abandoned, demolished or sold off”. I observed many people stating that the church was converted into a shop and even into a mosque in the exchange of money by the Christian community itself willingly.³⁰

In Hinduism, the temples function as revered locations for the practise of religious devotion. The diversity in regional and cultural influences can be attributed to the considerable variation observed in the design and architecture of temples. Temples are dedicated to specific deities and serve as places for the worship, ceremonial practises, and religious rites.³¹ The act of demolishing a temple can elicit a heightened level of sensitivity, particularly when it is interpreted as an act of desecration or a manifestation of disrespect towards the religious community affiliated with the temple. In Hinduism, the time is divided into four periods from Krta to Treta, Dvapara, and Kali. Accordingly, the construction of a temple in Hinduism started in the last period only about 3102 BC, when God ceased to come down and living with humans on earth. Thus, to feel His presence, temples were built.³² Even the philosophy of worshiping idol in Hinduism is not worshiping the idol itself rather than the only one God but it is just for concentration.³³ That’s why it is observed in the Hindu community that they have a variety of temple placed in from house to shop till the separate entity, suggesting there is no permanency of temple as considered in Islam related to Masjid.

Within the context of the Islamic faith, the mosque is extremely important and vital. The designated area is crucial in conducting religious rites, spreading knowledge, and organising several initiatives that benefit Muslims' religious and worldly concerns. It is essential that no mosque be built on land that has been unlawfully taken, a graveyard, or another location regarded as ritually unclean. Mosques must be protected from harmful elements such as filth, potential damage, unpleasant odours, the recitation of incorrect material, commercial endeavours, increased noise levels, heated arguments, and pointless conversations in order to maintain their sacredness. In Islam, it is believed that once a mosque is built, it will remain there until the Day of Resurrection, earning it the distinguished status of a universal endowment. Hence, it is forbidden to change its position.³⁴

It is imperative to underscore that the judgement pertaining to the Babri Masjid case explicitly states that a mosque is not deemed an indispensable component of the Islamic faith, given that Muslims are granted the liberty to engage in prayer at any location upon the Earth's surface.³⁵ The statement is partially accurate in asserting that Muslims are not exclusively limited to praying within the confines of a physical mosque. However, it is also incorrect in suggesting that if a Muslim, particularly a man, is able to attend the mosque for congregational prayer without facing any obstacles, it becomes obligatory for him to do so. This implies that the function of the masjid extends beyond prayer in Islam, encompassing roles such as an educational institution, a platform for consultation, a space for sharing ideas, a forum for addressing social issues, and, importantly, fostering a sense of brotherhood among Muslims. These multifaceted aspects should be taken into consideration when making judgements about the masjid's purpose.

Result and Discussion

The Council of State of Turkey has made an observation in its judgement, stating that the settlement deed designates the structure in question as a mosque, and therefore, any use of the structure that deviates from this designation is legally impermissible. Furthermore, the Council of State has determined that the cabinet decision made in 1934, which discontinued the use of the structure as a mosque and designated it as a museum, was not in accordance with existing laws. One more thing that could be said or argued for is that since Turkey had adopted a secular and democratic form of government, it was required to maintain all religious and sacred institutions in their original positions at the time, which seems to go against the 1935 decree that turned Hagia Sophia into a museum. This raises the question of why, when his party came to power in Turkey in 2002, Recep Tayyip Erdogan did not convert it, as opposed to doing so in 2020. Even at first, he refused to comply with proposals to turn Hagia Sophia into a mosque.³⁶

There are numerous potential reasons, but some have suggested that Recep Tayyip Erdogan and his party played the religion card to get votes because they didn't address the recent socioeconomic issues that Turkey has faced. According to Tugba Tanyeri Erdemir, a member of Turkey's Association for the Protection of Cultural Heritage, Erdogan's choice to convert Hagia Sophia into a mosque can be interpreted as a strategic manoeuvre aimed at bolstering his declining voter base and solidifying his personal legacy. He further said that it aimed at redirecting the public's focus from the AKP's mishandling of both the economy and the Covid-19 pandemic.³⁷

According to Berk Esen, a scholar at Bilkent University in Ankara, the Hagia Sophia has been a matter of great importance

for devout voters ever since its conversion into a museum. However, Esen does not believe that this development will have a substantial impact on the current state of affairs for President Erdogan and the political landscape in Turkey. It is unlikely that a significant number of voters, amidst an ongoing economic crisis, have been eagerly anticipating this development. According to³⁸, it could be argued that the decision to convert the position of Hagia Sophia at the onset of his rule in Turkey may have had potential negative consequences for the leader and his political party. This is due to the prevailing influence of secularism in the country at that time, as well as the potential for international criticism. Consequently, the leader initially prioritised economic and developmental matters. However, with the consolidation of power by his party in Turkey and the wider region, there arose a desire to restore the original position of Hagia Sophia, which had been altered in 1935.

In the case of Babri Masjid, it is evident from the judgement of the Supreme Court of India that it was based on the inclusive consideration of the Archaeological Survey of India (ASI) report from 2003. This report asserts the existence of a substantial structure beneath the surface of the land. Nevertheless, there are critics who challenge this assertion, arguing that it does not necessarily endorse the architectural design of the temple. Furthermore, the architectural design was attributed to Shri Ram. The judgement further stipulates that the demolition of the mosque in 1992 was deemed illegal and in violation of the law. The court also recognised the Muslim party's contention that the idol of Ram may possess juristic personality, whereas the Hindu party contended that the land itself possessed juristic personality, a claim that the court ultimately dismissed.

Given the aforementioned factors, it is pertinent to inquire why the entirety of the contested territory was ultimately granted

to the Hindu community. Initially, it is worth noting that a prevailing observation has been made by people, indicating that the ruling exhibited a preference for religious belief over territorial considerations. In addition to this, a significant factor that contributed to the Bharatiya Janata Party's (BJP) emergence in mainstream politics during the 1980s was its ability to garner public support through its stance on the construction of the Shri Ram temple in Ayodhya, specifically at the location of the Babri Masjid. This is why the political party consistently made commitments to the electorate in its election manifesto from 1996 (Sharma, 2020). With the beginning of the 1989 elections, when the BJP won 89 seats, a significant increase from its total of two in the previous Lok Sabha elections, this was a great card to use to win the election.³⁹

However, upon recognising their victory in the 2019 election, the Bharatiya Janata Party (BJP) became aware of the necessity to fulfil their electoral promises. Failure to do so could potentially result in a loss of trust from the public towards the BJP. This strategic approach also served as a means to divert attention from their shortcomings in various areas, such as the economic situation, rising crime rates, inadequate healthcare system, and strained international relations, particularly with neighbouring countries. The foundation stone and commencement of the Ram Temple were observed on August 5, 2020. The current government is motivated by the right-wing Hindutva ideology, which seeks to establish India as a Hindu Rashtra (country), therefore this is one step in that direction, which may be cited as another justification.

From a rational standpoint, it can be argued that the most optimal course of action for India upon gaining independence was to adhere to its initial stance and embrace governance rooted in democratic and secular principles. This approach would have

facilitated an environment where both communities in the disputed area could exercise their religious practices, similar to the practices established by the British colonial rulers. One notable development occurred in the aftermath of a significant controversy surrounding Babri Masjid during the 1980s and early 1990s. In September 1991, P.V. Narasimha Rao, the Prime Minister of India at the time, implemented legislation to establish a freeze on the status of all places of worship, preserving them in the state they existed on August 15, 1947. Nevertheless, the matter concerning Babri Masjid was deliberately omitted from this legislation due to its ongoing litigation. The legislation's goal was to rule out "any new claims by any party about the historical status of any place of worship and attempts to recapture the buildings or the land on which they existed. According to a report in *The Hindu* newspaper, there was an expectation that the legislation would contribute to the long-term preservation of communal harmony. The implementation of this measure holds great importance in preventing the occurrence of any subsequent event resembling the Babri Masjid incident.

There are several instances of places of worship changing from one position to another in both the past and the present. It is alleged that many modern churches were formerly mosques or pagan temples, such as St. Peter's Basilica in the Vatican City, which was built on pagan temples from ancient Rome. The Grand Mosque of Cordoba, a site of historical significance, has been subject to transformation into a cathedral. This change has been lamented by the renowned Eastern poet, Iqbal, who extensively wrote poetry highlighting the glorious past of Muslims and expressing discontent with the current decline. Some Hindus in India assert that numerous mosques are constructed over Hindu temples, citing the construction of the Gyanvapi Mosque in Varanasi and the Shahi Eidgah Mosque in Mathura, among others, over Hindu temples. It is also noted that temples are also constructed on top of mosques, as noted by historian Harbans Mukhia in *The*

Wire newspaper, who claimed that Sher Shah, the Afghan ruler who had defeated Humayun's Mughal empire in 1540, had sworn to punish the Hindu landowners who, in his words, had "after destroying the mosques and places of worship of Muslims converted them into places of idol-worship." During the reign of King Akbar, theologian Shaikh Ahmad Sarhindi expressed his concern regarding the alleged demolition of mosques by Hindus, who were reportedly constructing their own places of worship in their place. In the year 2019, a notable mosque in Israel known as Al-Ahmar underwent a conversion into a pub establishment named Khan Al-Ahmar. This transformation has received limited coverage and scrutiny in terms of reporting and criticism.

The result will be turmoil and distress in society if everyone starts claiming to convert them back to their original positions. What is necessary is to observe and analyse them in accordance with the prevailing policies during each respective period. The examination of historical events necessitates an analysis of the policies that were in effect at the global and local levels during the time of occurrence. Likewise, the evaluation of contemporary matters requires an assessment of the current policies of both the international community and the specific state involved. The majority of nations across the globe have reached a consensus to join the United Nations, an international organisation that grants each member state the complete autonomy to exercise sovereignty. Hence, it is imperative that nations refrain from interfering in the internal matters of other nations. However, it is imperative for nations to abide by the regulations within their respective jurisdictions. Otherwise, they allow for criticism from others, and we believe that when a state carries out an open injustice against a certain community within the state, it should be addressed on humanitarian grounds. Both Turkey and India are secular and democratic countries; as a result, both

should refrain from further involvement in any such dispute and show respect for all communities and the places of worship located inside them.

The response to the Hagia Sophia ruling, as was stated from the outset, was more significant than the response to the Babri Masjid decision. The first is that it is now very simple for anyone to criticise Islam and Muslims, therefore whether something is good or terrible, people will always find a way to do so. This is happening as a result of the negative perception that corrupted Muslim terrorist organisations around the world have given Muslims and also the negative propaganda made by international media. The second is that the Muslim community itself is split up into several factions and groups, making it difficult for them to speak with a unified voice on any issue, despite the scale of the wrong. In the context of global perception, India holds a relatively higher level of value compared to Turkey in terms of fulfilling obligations towards the international community. Nevertheless, the perception of India is currently undergoing a decline as a result of its recently implemented policies and actions targeting the Muslim community and Dalits. In addition to this, the fourth factor pertains to the perception of President Recep Tayyip Erdogan among numerous Muslims, who regard him as a messianic figure. This perception has garnered significant admiration and positive remarks from the global Muslim community.

Regarding the effects of this decision, firstly both countries have witnessed after the judgment that people around the world began coining them as a conservative state or moving towards conservatism. There exist multiple justifications for the AKP's endorsement of the conversion of Hagia Sophia. Initially, the party's Islamist ideology is symbolically vindicated⁴⁰ The Hagia Sophia was initially constructed as a cathedral affiliated with the Orthodox Christian faith. The potential transformation of

this historical site into a mosque could be interpreted as indicative of the increasing authority and impact of the AKP.⁴¹ Furthermore, the transformation of Hagia Sophia would likely garner significant support from the AKP's core constituency. A significant portion of the Turkish Muslim population holds the belief that the Hagia Sophia ought to function as a mosque, perceiving its conversion as a means to reinstate the edifice to its appropriate status.⁴²

Moreover, the transformation of Hagia Sophia could be interpreted as a means for the AKP to assert its autonomy from Western influences. The structure in question holds the prestigious designation of being a UNESCO World Heritage site, and its transformation into a mosque could potentially be perceived as a contravention of established principles within the realm of international law.⁴³ Nevertheless, the Justice and Development Party (AKP) has demonstrated its readiness to disregard established international norms in its pursuit of self-interests. The conversion of Hagia Sophia into a mosque has elicited a range of responses. The decision has been met with both approval and criticism, with certain individuals expressing support and others expressing disapproval on the grounds of religious freedom and cultural heritage infringement. The decision has also resulted in strained relations between Turkey and other nations, such as Greece and the United States.⁴⁴

The future implications of the conversion of Hagia Sophia remain uncertain, but it is apparent that the decision made by the AKP to modify the structure signifies a significant development in Turkish politics and society.⁴⁵ The following points should be taken into consideration:

1. The transformation of Hagia Sophia has garnered criticism from certain quarters, who perceive it as a calculated political maneuver by the AKP aimed at consolidating its backing

among conservative constituents.

2. The decision has additionally been perceived as indicative of the AKP's increasing authoritarian tendencies and its inclination to disregard established international norms.
3. The transformation of Hagia Sophia has engendered diplomatic tensions between Turkey and various nations, such as Greece and the United States.
4. The future consequences of the conversion of Hagia Sophia remain uncertain in the long term. Nevertheless, it is evident that the aforementioned decision represents a noteworthy advancement in the realm of Turkish politics and society.

Dr. Erdemir, who is a research associate at the University of Pittsburgh stated that "Turkey already has a problematic track record when it comes to minority rights and freedom of religion or belief," thus, "Hagia Sophia's conversion will further undermine the country's global image."⁴⁶ Berk Esen, at Bilkent University in Ankara, said religious minorities in Turkey had "no illusions about the current government, which has been proceeding in this direction for some time, so this will only solidify that image".⁴⁷ This judgement has the potential to strain relations between India and Muslim-majority countries, as well as between Turkey and Christian-majority countries.

Recently, it is noticed that along with the Greece government of trying to compel Turkey through diplomatic tactics, the Greek businesses have started campaigning to boycott goods and services from Turkey. According to Vassilis Korkidis, a leading representative of commerce in Greece commented that it is time to strike back on Turkey and he said Turkey's goods bear the bar code numbers of 868 and 869 which are easily identified. Both countries trade had grown up massively in

recent years as data shows that Greece export amounts around 1.6 billion dollars annually to Turkey while its import amounts to about 1.2 billion US dollars. But still, there is no clear information on how and what Greece and Greek businesses will be doing and how much Turkey will suffer from ⁴⁸There is also a strong fear that may the number of tourists who used to visit Hagia Sophia in millions will reduce due to this judgment as it affected sentiments of many Christians inside Turkey and around the world.⁴⁹ The status of the building, which received 3.7 million visitors last year.⁵⁰

Ekaterini Tzitzikosta, President of the Hellenic National Commission for UNESCO has sent letters of almost 199 people to the national commissions for UNESCO, asking for support for the preservation of Hagia Sophia as a world heritage site and museum. According to her, 24 July was a difficult day for the Christian community in which Hagia Sophia officially started operating as Masjid.⁵¹ In 1985, UNESCO had declared Hagia Sophia a World Heritage Site, thus, with the current decision of converting it into a mosque after being a museum for about eight decades has provoked the reaction of UNESCO. The UNESCO Director-General Audrey Azoulay has said that “Hagia Sophia is an architectural masterpiece and a unique testimony to interactions between Europe and Asia over the centuries. Its status as a museum reflects the universal nature of its heritage and makes it a powerful symbol for dialogue.”

Changing its current position is regrettable and Ernesto Ottone, UNESCO’s Assistant Director-General for Culture mentioned that such measures could constitute breaches of the rules derived from the 1972 World Heritage Convention. Turkey had to discuss it earlier before making any decision towards it.⁵² UNESCO stated that “a state must make sure that no modification undermines the outstanding universal value of a site listed on its territory.

Any modification must be notified beforehand by the state to UNESCO and be reviewed, if need be, by the World Heritage Committee.”⁵³ Ecumenical Patriarch Bartholomew, the spiritual head of some 300 million Orthodox Christians worldwide and based in Istanbul, said the conversion would disappoint Christians and “fracture” East and West. The head of Russia’s Orthodox Church said it would threaten Christianity.⁵⁴

However, may the case of Babri Masjid will be different because since it was a disputed matter from the independence of India, almost, thus, did not serve as a tourist attraction for anyone but after the construction of Ram Temple on the site of the Babri Masjid and after building a new mosque separately on land which will be awarded to the Muslim community, may both will attract tourists in large number because they are the result of a huge controversy between two communities. However, this judgment has reinforced the trust deficit in the hearts of the Muslim community towards the BJP government.⁵⁵

The Supreme Court’s ruling on the Babri Masjid case was also profoundly politicized occurrence.⁵⁶ The Bharatiya Janata Party (BJP), presently holding political authority in India, had persistently advocated for a favorable judgement over an extended period of time.⁵⁷ The contention put forth by the individuals was that the construction of the mosque took place atop the remnants of a Hindu temple,⁵⁸ thereby signifying the dominance of Muslim governance in India⁵⁹ indicate that the outcome was also perceived as a triumph for Hindu nationalism, a political ideology that has experienced a surge in popularity within India in recent times. The pronouncement has further exacerbated the schisms between the Hindu and Muslim communities in India, while also eliciting apprehensions regarding the trajectory of religious liberties within the nation.⁶⁰

There exists a subset of individuals who hold the belief that the verdict was influenced by political factors. It is contended that the Supreme Court's decision-making process was influenced by the political agenda of the Bharatiya Janata Party (BJP), thereby resulting in an alleged lack of impartiality towards the Muslim perspective during the hearing.⁶¹ Alternative perspectives posit that the verdict was devoid of political motivations and instead was a direct manifestation of the factual circumstances surrounding the case. The proponents assert that the available evidence indicates that the mosque was constructed upon the remnants of a Hindu temple, thereby justifying the Supreme Court's decision to allocate the land to the Hindu community.⁶²

The ongoing discourse revolves around the political motivations underlying the Babri Masjid judgement. Nevertheless, it is indisputable that the verdict has exerted a significant influence on Indian society, and it is anticipated that discussions surrounding it will persist for an extended period.⁶³ The following are several arguments that have been posited regarding the political motivations underlying the verdict.

1. The Bharatiya Janata Party (BJP) had engaged in a sustained campaign over a significant period of time, with the aim of securing a favorable verdict.
2. The outcome of the trial was perceived as a triumph for the ideology of Hindu nationalism.
3. The pronouncement of the judgement has exacerbated the existing schisms between the Hindu and Muslim communities in India.
4. The judgement has elicited apprehensions regarding the prospective state of religious liberty in India.

It is imperative to acknowledge that the aforementioned arguments represent a subset of the discourse surrounding the

political motivations underlying the verdict.⁶⁴ Various arguments have been posited, and the matter remains a subject of ongoing debate. Both countries' governments have to mitigate what they lost due to this and need to win the hearts of disappointed individuals. It is good that Turkey's officials continuously mentioning that the door of Hagia Sophia will be open to tourists as it was before.

Conclusion

During the course of this investigation, we encountered viewpoints that support the restoration of numerous globally recognised places of worship from diverse religious traditions to their original historical configurations, which can be accessed through Google's browsing features. The aforementioned idea possesses the capacity to inflict harm upon individuals, ultimately resulting in a state of disarray. Therefore, it is imperative to proactively mitigate its manifestation to safeguard the overall serenity of all relevant stakeholders. Contemporary individuals ought not to experience feelings of guilt, arrogance, or pride in relation to historical occurrences. It is imperative for individuals to adopt and recognise objective realities and factual information. The contemporary importance resides in individuals' behaviour towards themselves, their local community, and even those they perceive as opponents. Individuals who engage in praiseworthy actions will be commemorated as virtuous by subsequent generations. Conversely, if their actions are perceived unfavourably, they will be remembered in a negative light. The act of expressing dissent against instances of injustice, which are pervasive and have detrimental effects on individuals universally, is both anticipated and promoted. However, it is imperative to acknowledge that individuals possess inherent limitations in their capacity to comprehend their surroundings, personal belongings, orientations,

and even their aptitude to articulate themselves. Therefore, it is imperative to refrain from misconstruing the lack of condemnation towards any instance of injustice as indicative of a negative inclination. It is imperative to consistently critique individuals who engage in acts of injustice towards others.

Comparative Qualitative Analysis of Hagia Sophia and Babri Masjid reveals fascinating parallels and divergences in their historical, cultural, and religious trajectories. Both structures have undergone significant transformations over the years, shaped by political and religious changes. Hagia Sophia, originally a Christian Basilica, later became a mosque and eventually a museum, before reverting to a mosque in recent years. Similarly, Babri Masjid, initially a mosque, became a contested religious site that was eventually demolished, with a Hindu temple currently under construction on the site. While Hagia Sophia's transitions were generally carried out by ruling powers and have been comparatively less contentious in modern times, the changes to Babri Masjid have often been fraught with tension and have resulted in significant communal conflict. Both sites thus serve as microcosms for broader narratives about religious pluralism, national identity, and the influence of political forces on religious spaces.

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