

***Working Paper 239***

**Conflict Over Worship:  
A Study of the Sri Guru  
Dattatreya Swami Bababudhan  
Dargah in South India**

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ISBN 81-7791-195-3

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The Institute for Social and Economic Change,  
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# CONFLICT OVER WORSHIP: A STUDY OF THE SRI GURU DATTATREYA SWAMI BABABUDHAN DARGAH IN SOUTH INDIA\*

Sudha Sitharaman<sup>♥</sup>

## Abstract

*The dargah at Bababudhan hills has today become a site of self-identification, exclusion and tensions among groups in the State of Karnataka (South India). This paper seeks to explore the complex interactions between individuals and communities in terms of the changing dynamics of religion, ritual practices and religious identities in the context of the post-colonial secular, liberal nation state. An attempt is made here to make sense of the ways in which worship works its way through contemporary demands at the shrine.*

## An Initial Foray

There has been, in recent years, a deluge of research on Sufi shrines and saints in India. These studies are centred around two themes: first, on the description and analysis of ritual practices in these shrines and second, on the miracles performed by the saints and subsequent religious conversions. Most of these studies tend to look at the symbolic meanings (and experiences) and/or their psychological or social functions (harmony and integration).<sup>1</sup> However, studies investigating the ways in which shrines are entrenched in modern day politics remain neglected. This enquiry, broadly speaking, deals with 'religion' and 'politics' and the ways in which they implicate each other. This concerns not just the way in which cultural organisations and political interests have used religion to justify a given or imagined social order (e.g. by the Hindu Right) or to challenge and change it (e.g. Sufism); but more importantly, how the nation state constructs clearly demarcated spaces and regulates them in accordance with a religious ideology, and further authorises religious personalities and ritual practices. I attempt to elaborate on these themes through a reading of debates surrounding the ritual practices in the shrine, Sri Guru Dattatreya Bababudhan Swamy Dargah<sup>2</sup>, located on the hills of Dada Pahad (the hill of the Sufi), also known as Chandradrona hill, the highest peak in Chikmagalur district of Karnataka (South India).

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\* Acknowledgements: The first note of thanks goes to Firoz M Khan, for offering to share the numerous court orders concerning the shrine. I am deeply indebted to G K Karanth, Manu Chakravarthy, Shiva Sundar, G S R Krishnan, Ramesh Bairy, M R Rakshith, and, P Sudarshan, for their comments on this article. Fieldwork was conducted in Bababudhan dargah, Chickamagalur, Karnataka, South India between March and May 2005. Occasional visits were made in December 2003, December 2005, February 2008 and March 2009. I would like to thank Sayyed Ghouse Mohiuddin Shakhadri, Yoginder Sikand and S L Peeran for their inputs. A version of this paper was presented at the Panel on 'Ritual Transfer' at the conference on "Ritual Dynamics and the Science of Ritual" (September 29 – October 2, 2008), in Heidelberg. Suggestions made by Gita Dharampal-Frick, Robert Langer, who chaired the Panel, were used for writing this paper. Thanks, are due too, to the numerous participants of the Panel, Torsten Tschacher, Subhadra Channa, Tulsi Patel, and in particular my discussant Soumen Mukherjee, for their useful feedback. I am grateful to John Stratton Hawley for his comments and support. Suggestions from anonymous reviewers were also helpful and I thank them. This article is part of a larger project financially supported by the Indian Council for Social Science Research, New Delhi. The usual disclaimers apply.

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Scholarship on Islam in South Asia has often identified *dargahs*<sup>3</sup> (shrines) and *mazars* (tombs) as centres of spiritual healing and has highlighted their association with the personality, and the power of certain 'dead' individuals. The *dargah* in Bababudhan houses the *chillah* (alt ar or seat of the deity) of Dada Hayath Qalandar<sup>4</sup>, while many see it as a temple of Swamy Dattatreya<sup>5</sup>. Further, others believe that Dada Hayath Qalandar and Swamy Dattatreya are two forms of the same divinity. Dattatreya, of the Hindu *Puranas*, is the three-headed reincarnation of Brahma, Vishnu and Maheshwara and is accompanied by four dogs.<sup>6</sup> Dada, as the legend has it, was a close associate of Prophet Mohammed, who traveled to India to preach Islam. Sayyed Shah Jamaluddin Maghribi, popularly called Bababudhan,<sup>7</sup> a native of Baghdad came to Chikmagalur in the 16<sup>th</sup> century via Yemen, continued this lineage and played a major role in reviving the *dargah*. For centuries, both Muslims and non-Muslims have worshipped at this shrine.

The practice of worshipping saints at the tombs, and praying for their intercession, has remained an issue for a number of theological debates among Muslims for centuries. Among others, one of the main points of disagreement has centred around questions of syncretism<sup>8</sup>, or 'Hindu influence' and 'Hindu participation'. A long-standing argument against the worship of saints is that the imputation of divine powers to the saint and his tomb threatens the monotheistic nature of Islam, that it goes against the very fundamental concept of *touhid*, which considers worship of anything other than Allah as amounting to *shirk* (polytheism) and a *bid'a*, an innovation contrary to *sunna*, the normative example of the prophet. The fundamental issue here is whether 'mediation' of the saints amounts to *shirk*.<sup>9</sup> However, the Sufi orders maintain that while all prayer is directed to Allah, the saint being seen merely as a messenger, the practice is therefore not un-Islamic. Noting the limitations of an exclusively textual understanding of such phenomena, studies on Islam point to the importance of 'folk' religion of the Muslims (Ahmad 1973; 1976; 1981). Ahmad, for instance, points out that saint worship is essentially a Hindu institution absorbed by Indian Islam. He argues that Islam in India is "heavily underlined by elements which are accretions from the local environment and contradict the fundamentalist views of the belief and practices to which Muslims must adhere" (Ahmad 1981: 81). Among other things, Ahmad emphasizes the uniqueness of syncretic aspects of Indian Islam.<sup>10</sup> Robinson, on the other hand, attempts to show the gradual marginalisation of syncretic practices and how Muslim societies have moved towards a greater realisation and victory of what he calls a "pattern of perfection" (2000: 52), which is readily discernible in the *Qur'an* and the life of the Prophet. For Robinson, the course of Islamic history is clear. As knowledge of this perfect Islamic pattern spreads in countries like India, the process of Islamisation will sweep away the various 'dubious' practices that have crept into local Islamic cultures (Das 1984: 294). Behind the apparent divergences between views of scholars, there is a remarkable similarity wherein Ahmad and Robinson come to identify 'tradition' as an unchanging set of cultural prescriptions that stand in contrast to what is changing, contemporary or modern.

Departing from the dichotomies<sup>11</sup> of 'elite'/'folk', 'orthodoxy'/'heterodoxy', 'tradition'/'modern', 'purist'/'syncretic' Islam and in taking exception to the claim "of collapsing Hindu participation with the influence of Hinduism into a single phenomenon" (1992: 548), van der Veer offers an ethnographic solution through an analysis of rituals in his study of a Sufi shrine of the Rfa'i in Surat (Gujarat).<sup>12</sup> Van der Veer shows that Ahmad's notions of "syncretism" and the "Hindu" character of saint worship do not figure in the debate on shrine-worship here. He writes that neither the "participation" of Hindus nor the "influence" on

Muslim practices or even “syncretism” is an issue of contention among the Muslims in Surat . Further, he asserts that the debate on Muslim ritual practice is largely an “internal” one (within the Muslim community) and concludes that they avoid discussions on “religious nationalism or communalism” (1992: 545-564). The debate on ‘true’ practices remaining internal is debatable. When and why a particular religious custom is deemed as syncretic and, therefore, is to be replaced by something authentic and true would reveal the work of socio-cultural contexts (Stewart and Shaw 1994).

If Islam is not to be considered a single unified tradition,<sup>13</sup> what then needs attention is how, the historicity of religious experience contributes vitally to our understanding of it. Writing on how Islamic interaction with other religio-intellectual traditions in India have paved the way for syncretism and synthesis in religion and culture since at least the thirteenth century, Aquil states that many a time the Islamic orthodoxy was unsure of its own yardstick to judge the standard norms of behaviour and occasionally refrained from passing judgments on certain objectionable acts of saintly persons (2007: 223). He further argues that in different periods of medieval history in India, Sufi saints popularised Hindu mystical practices through translations, drawing attention to the similarities in the mystical terminology of Muslims and Hindus. The influence of yogic elements in the religious teachings and practices of Sufi saints, and the evolution of new forms of devotion in *sufiana* music and poetry propagated a unique way of approaching God (ibid. 220-230).<sup>14</sup> Perhaps, instead of viewing ‘Sufi saints’ as constituting a single undifferentiated category, we could do well to historicise the interactions, disputes and tensions that have arisen between non-Muslims and the Sufi saints, *ulama* (Islamic religious scholars) and Sufi saints, kings and Sufi orders to bring out the variations in emphasis in the arrangement of ideas as also in the social roles played. Instead of dismissing the engagement of medieval Muslim scholars with Hindu symbols as mere guises by which they attracted Hindus to the Islamic faith, we need to treat them as issues requiring a more serious engagement with questions of faith/religion<sup>15</sup> itself. At different periods in history, the attitude of Muslim communities to orthodoxy has varied, as have the boundaries of the communities of believers. Instead of positing oppositions between fundamentalism and secularism, (false) cults and (true) religion, syncretic and purist, this paper would instead attempt to argue that such debates and controversies are over-determined by the political assertion of Hindu and Muslim communities in contemporary India.

I argue that the discussions and debates over syncretism within Islam in Karnataka today have not remained internal to the Muslim community and can no longer be confined within the reformist/orthodoxy paradigm. With the contemporary salience of politico-religious movements, such as Hindu nationalism, religio-political Islam and other assertively public religions in the modern world, the debates now take on a new and urgent intensity. Subsequently, albeit paradoxically, the modern state, too, does not remain separate from religion.<sup>16</sup> It is the secular state’s law that has time and again defined what constitutes genuine religion in the Bababudhan shrine and what its boundaries ought to be.<sup>17</sup> As pointed out by Asad, if the secularisation thesis no longer carries the conviction it once did, this is because the categories of “politics” and “religion” turn out to implicate each other more profoundly than we thought, a discovery that has accompanied outgrowing the understanding of the powers of the modern-state (Asad 2003: 200). By its interventions in the imbroglio, the state has demonstrated that it functions to define the acceptable face of ‘religion’. The ‘definition’ of the shrine under the modern classificatory representational scheme by the nation-state – initially, as property of the *Waqf*<sup>18</sup>, i.e. Islamic, in 1965 and later of the *Muzrai*<sup>19</sup>, i.e. as Hindu

in 1975, and then again as a temple in May 2003 - is an instance in point. With the emergence of the modern nation-state, which seeks to regulate all aspects of individual life, a variety of social relations stand refracted—such as those between the custodian of the shrine, his deputies and his followers; between those who accept *dargah* ritual practices and those who oppose it; between the custodian and the state and its legal system, and among the 'Hindu' and 'Muslim' devotees and pilgrims. Further, the emergence of various Hindu organisations, with a mission to liberate the shrine, makes it necessary to locate the debates within the entrenched identity politics and altered equations of Hindu and Muslim relations in Karnataka.

The shrine in question can be analytically divided into the following mutually related actors – the shrine itself (embodied in the religious persona, rituals and practices) the 'believers'/public; the state, and its organs; the *Waqf* board; the organizations making competing claims on the shrine – like the *Samiti* and the *Vedike*. In an attempt to enquire into how rituals get refracted by the changing context, the paper endeavours, first, to map the ritual practices in the shrine and, second, focuses on these rituals as an arena in which multiple interpretations are offered and debated by different participants and observers. The emphasis here is on how the ritual practices were transformed in recent times where the acts of worship have increasingly acquired the status of custom and convention denoting a religious identity. However, ritual practices and forms of bodily comportment considered germane to the realization of a pious life, remains outside the purview of discussion here.<sup>20</sup>

## Ritual Cycle at the Dargah

In a wildly beautiful location set midway up the Dada Pahad stands the *khanqah* (hospice) of Dada Hayat h Qalandar. There is a waterfall called Manikyadhara, about 4 kilometres to the East and Galikere<sup>21</sup> (a lake) about 3 kilometres to the North of the *dargah*. Dada Hayat h Qalandar, the founder of the Qalandar order<sup>22</sup>, believed to be one of the three-and-half Qalandar masters who visited South Asia the other two being Lal Shahbaz Qalandar of Sehwan (Sind) and Bu Ali Shah Qalandar of Panipat (Harayana). Rabi'a of Basra is a half Qalandar being denied full membership in the Qalandar order because of her gender (Sikand 2003: 60). Muslims as well as many non-Muslims participate in some form of saint worship, a model that is centred on the belief that the divine blessing of the saint does not disappear after death<sup>23</sup> but is transferred to the *chillah/dargah* and the living descendants of the *silsila* (spiritual pedigree). For Muslims saint worship is an integral part of their orthodoxy, which holds that the *barakat* (spiritual blessing) of the saint was transferred to his living descendants is concentrated in certain individuals, the custodians of the shrines, who are also the representatives of the saint on earth, the *sajjadah nashins*. Many of the Sufis were reported to have attained higher states (*maqamat*) in the mystic path (*tariqat*). Accordingly, the practice of placing amulets and the cure of diseases remain at the centre of ritual and religious mediations. The power of spirituality (*barakat*) and devotion to God bestowed Sufi saints with powers to perform miracles. "Karamat constituted an important aspect of the beliefs and practices of the Sufis and was a significant source of their authority. The word karamat denotes the marvels displayed by the 'friends of Gods' or *auliya* (sing. *wali*)" (Aquil 2007: 200). Miracle stories usually relate to the curing of diseases, levitation, and prayer for rain, bountiful crops, controlling of demons, and the presence of the saint in more than one place simultaneously.<sup>24</sup>

Although there are some tombs of *faqirs* (mendicants) and holy men at the *khanqah*, the place is not a mortuary shrine (*dargah*) but a hermitage, a place of saintly visitation and mystical meditation.<sup>25</sup> At the entrance of the *khanqah*, one finds the *gaddi* or throne of the *sajjadah nashin* (custodians of the shrine, whose succession to the office is regulated by the rules governing the succession of Gurus to Mutts<sup>26</sup>). The place of the *sajjadah nashin* is called *Chillahkhana*. Beside his room is the building to house *faqirs* visiting from other lands. There is *dhunni* or eternal fire that is kept ablaze at all times. Beside this is *Bhandarkhana* where food is prepared for the pilgrims and devotees at *Langarkhana*. On both sides of the steps between the *khanqah* and the cave there are many tombs of the chiefs of the *dargah* and their families and of Sufi saints who came and stayed here. There is a cave located 300 steps below the *khanqah*. The large cave which faces south has a porch and verandah in the front. It is divided into two compartments by a stone wall which has a doorframe. One has to descend a few steps into the cave to turn to the right to reach a small doorway. Within the doorway is a circular, wide area with another doorway. The cave has two portions to the left and right of the entrance. On the right of the cave, (this is spacious), stand four tombs on a mud pedestal. These are said to be the tombs of Dada Hayath's closest disciples—Jan Pak Shahid, Malik Tijar Faruqi, Malik Wazir Isfahani and Abu Turab Shirazi. A few feet away from the four tombs is a grilled door behind which is another raised platform on which Dada is believed to have meditated. To the right of this side of the cave is a pair of holy footwear (*paaduke*) and a sacred lamp (*nandadeepa*). At the end of the cave is a tunnel. It is believed that Dada Hayath left for Mecca through this tunnel. On the other hand Hindus believe that Dattatreya will emerge from this cave in *Kaliyuga* (according to the Hindu calendar it is a mythological era corresponding to the present). At the other end of the *chillah* is a spring which will never go dry according to popular belief. Water from the spring is given to devotees as holy water (*tabarruk / thirtha*). On the western side of the cave, a small mud plinth marks the place where Mama Jigani<sup>27</sup> (whom Hindus venerate as Anasuya) meditated for many years while training on the Sufi path under the Dada. There is a dark well, known as *gandada-bavi* (sandal well or well of sandal fragrance), because the earth taken out of it has the colour and smell of sandal paste. Outside the cave is a flag-post along side which is a platform on with a broken stone slab used for the offering of coconuts. A pillar in front of the flag post has an inscription in Persian.<sup>28</sup> The writing in the inscription reads as follows: "In the name of God, the Merciful, the Compassionate, Allah; Muhammad; Ali; Fatimah; Hasan; Husain. Hazrat Mir Qalandar, May God hallow his grave. Whosoever recognizes his own self, recognizes god", (a saying of the Prophet Mohammed). "Thou and I will live together in heaven", (are the words of our Lord). "That which is the essence of revelation, miracle, the opening of Heart, is on the hillock of Hayath Mir Qalander. The abode of God-seeking persons"... "Privileged to enjoy Divine Grace" (Rice 1998: 419). On the western side of the cave stands a mosque where the Muslim devotees offer prayers.

Early chronicles and hagiographical writings are wanting in details pertaining to the origin and evolution of numerous rituals and ceremonies performed at the shrine. However, what they do tell us is that the shrine attracted a large number of devotees, including prominent saints from different areas, and that it was guided by a priestly attendant known as *mujawar* in the performance of *ziyarat* (visiting the graves of the pious dead). It appears that *Sayyed Shakhadri* holding the title *sajjadah nashins* laid down rules and regulations based on Sufi tradition<sup>29</sup> and local custom. Thus, unwritten codes of behavior for the devotee or a casual visitor prescribed the manner and the style of performing rites, praying and reciting the *fatiha*

within the shrine of Dada Hayath. The custom and practices observed at the shrine may broadly be divided into two main categories – rituals that are regularly performed on ordinary days and those that are performed annually, such as the *urs* ceremony.

The core of ritual worship in the shrine—*Surat al-Fatiha*<sup>30</sup>—consists of various rites of adoration directed at the saint and through him to Allah. Performance of *fatiha* called *khidmat*, literally meaning service, is an exclusive privilege of the *sajjadah nashin*. Many times the *khidmat* is performed by his representative, the *mujawar*. *Fatiha* is performed three times a day—morning, afternoon and evening. The *mujawar* unlocks the portal to the cave offering salutations and seeking permission of the saint to enter the shrine. He carries *loban* (frankincense) from the *khanqah* after duly ascertaining that the *dhunna* or the eternal fire is burning. On unlocking the *chillah*, he offers salutations or *salaam*. He later removes the floral garland called *sej*<sup>31</sup> from the *chillah* of Dada and the four *mazars* of the disciples of Dada Hayath, which are then kept in a large basket covered with a cloth (*jhab*). He then removes the *chador*<sup>32</sup> (tomb-cloth sheets). After the *chador* is removed, the *chillah* and the tombs are cleaned from all sides. The *mujawar* now recites the *fatiha* and invokes the blessing of the great saint in the name of Allah. After reciting the *fatiha*, he recites *shajarah*<sup>33</sup> or the *silsila*. He then covers the *chillah* and later the tombs with the *chador* and decorates it with a fresh floral *sej* and sprinkles rose water. The *paaduke* (holy footwear) are then cleaned and the *nandadeepa* (sacred lamp) is lit. Once the cleaning of the shrine is complete, the doors of the cave are kept open for pilgrims and devotees. It may be noted that during the course of the *khidmat*, only the *sajjadah nashin* is allowed inside the cave. A similar ritual is repeated to the *chillah* of Mama Jigni three times a day and this performance is interspersed with *namaz* that is offered five times in the mosque. The *pakati* (cook) of the hospice prepares a free meal for the community in two large cauldrons. The meal for morning consists of porridge and rice, while lentils are prepared for the afternoons, and in the evenings sweet pudding is served along with rice and lentils as victuals (*tabarruk / prasada*). The food is first offered to the deity and the offering is trans-valued by being offered to the deity and later redistributed among pilgrims, devotees and the staff of the hospice.

Ordinary pilgrims and devotees visiting the *dargah* walk to the natural spring at Manikyadhara. After bathing there, each person discards one item of clothing (generally undergarments) signifying the purification of the self. Then, the devotees return to the shrine for supplication by either offering *dua* (Muslim prayer form) or *puja* (Hindu prayer form). At the shrine devotees also offer coins, incense sticks, *chador*, and food to the deity. Often these are given at the fulfillment of a vow. The food offering is returned to the devotees who identify the changed and charged substances as a blessing. All devotees and pilgrims are served holy water which is considered sacred, having been consecrated by Dada Hayath's *chillah* which Dada himself is said to have miraculously produced. Apart from these daily rituals, a number of death anniversaries of great saints (*j'ras*) are also observed as holy days. The celebration of *Id-i Milad an-Nabi*, *Shab-i Barat* (14<sup>th</sup> day of *Shaban*), *Shab-i Qadar* or *Ramzan* (lasting 29 days) and the mourning of *Ashura* (in the month of *Moharram*, lasting 10 days) are noteworthy.<sup>34</sup>

The *urs*<sup>35</sup> is an annual festival at the shrine commemorating the death and expanded empowerment of the healer, Dada Hayath. The *urs* is a three-day celebration attracting several thousand people from various parts of Karnataka, Andhra Pradesh, Tamil Nadu and Maharashtra. This festival is held three days after the Hindu festival of *holi*, generally in March. A significant feature of the *urs* is the large

participation of disciples belonging to the Qalandari<sup>36</sup> and the *fuqara* of four orders<sup>37</sup> for whom Dada Hayath is of special importance. Many *dargahs* across South India send their representatives to participate in the *urs*.

On the morning of the first day of the *urs*, *fuqara* visit the *sajjadah nashin* in Chikmagalur carrying the *nishan* (flag) after walking 32 kilometres, and assemble at the *faqirchowk* at the hospice. When the *fuqara* have assembled, the *sajjadah nashin* flags off the congregation. *Sajjadah nashin* heads the procession to the entrance of the shrine. The green flag atop the flagpole, hoisted the previous year, is brought down and a new one installed in its place. The flags are hoisted at three different places – one at the entrance of the hospice, the second at the *mazar* of Sayyed Shah Jamaluddin Maghribi and the third at the entrance of the cave; after this *du'a* is offered. After the prayers, the *fuqara* begin a procession with bare-feet to the village of Attigunde, some eight kilometers away, carrying staffs, spears, and maces with spikes (*gurj*). When the procession reaches Attigunde, the *fuqara* enter a house where a pot of sandalwood paste is kept wrapped in a green cloth. Incense is burnt and *du'a* is offered. A mendicant then places the pot on his head, while another accompanies him, holding a richly embroidered protective umbrella to shade him. The procession steps out of the house, with the mendicants singing and playing their tambourines, and then returns to the cave of Dada Hayath. As the procession reaches the hospice, the gathered devotees and pilgrims, reach out to touch the pot of sandalwood paste. Some throw coins over it seeking blessings.

The *sajjadah nashin* then leads the procession into the cave. Inside the cave, the sacred seats and graves are washed after the silk sheets covering them are removed. The *sajjadah nashin* recites the *fatiha* and invokes blessings of Dada Hayath and his disciples. He and the *fuqara* mendicants put sandalwood paste on the new sheets to be used as covering. After the 'sandal ceremony' concludes, pilgrims enter the cave. They first approach the *chillah* of Dada Hayath, get a glimpse of the portal and the lamps that he used as well as of a silver replica of his slippers, and are then given holy water to drink by the *sajjadah nashin* or his representative. Thereafter they place flowers and sprinkle rose water on the tombs of Dada Hayath's disciples (Jan Pak Shahid, Malik Tijar Faruqi, Malik Wazir Isfahani and Abu Turab Shirazi<sup>38</sup>) and the seat of Mama Jigni, while the *mujawar* recites the *fatiha*. Pilgrims collect mud in little packets from a recess near Mama Jigni's *chillah*. This is believed to possess special medicinal properties. When they emerge from the cave, they break one or more coconuts on a black stone at the entrance to the shrine.<sup>39</sup> This concludes the ritual ceremonies of the first day of *urs*. For the rest of the day, the mendicants gather at the *faqirchowk* offering advice and counseling to the pilgrims converging on them.

On the second day of the festival, after the morning prayers, the mendicants emerge from the *faqirchowk* in a procession, singing and playing on their tambourines. They go to a room in the *khan qah* for a ceremony known as *arbab-e majlis* (ruler's court).<sup>40</sup> When the *sajjadah nashin* enters the room, he is offered the central position, while the rest sit on the ground in a circle. Apart from the *fuqara* and the *khalifah* (deputy), only those who have attained higher states in the mystic path can be part of this congregation. A *faqir*, a deputy of the *sajjadah nashin*, stands up and asks the assembly if they have any disputes among themselves. Generally, such cases involve allegations of misdemeanor by one or more *fuqara* against other *fuqara*. The *sajjadah nashin* allows both parties to speak out. The congregation has voting rights and the *sajjadah nashin* makes his judgment in consultation with everyone present. Justice is delivered swiftly since the word of the *sajjadah nashin* is law. As the *majlis* is concluded, the *fuqara* touch

the feet of the *sajjadah nashin* and then go back to the *faqirchowk* where they assemble for a collective meal that they themselves cook.

The afternoon is usually reserved for the initiation of new disciples into the *faqir* order or the appointment of a deputy (*khalifah*) to any one particular *faqir*, with prior permission taken from the *sajjadah nashin*. The initiate has to undergo an elaborate ceremony. He is required to have spent considerable time in the company of the person whom he wishes to take as his preceptor (*murshid*). At the gathering of the *fuqara* at the *faqirchowk*, the *murshid* announces his wish to initiate a new disciple. Then, a *faqir* gets up and asks the *fuqara* if he has their permission to go ahead with the initiation ceremony. This request is repeated three times, and each time, if the *fuqara* collectively agree, they answer, "*alhamdulillah*" ('praise be to Allah'). The initiation ceremony then begins. A pair of scissors placed on a clean white cloth is passed around the assembly. Each *faqir* picks up the scissors and, after turning them over, places them back on the cloth. Then a junior *faqir* clips some hair from the neophyte's beard, moustache and eyebrows and leads him by the ear to the village barber. The barber completely shaves off all his bodily hair, which is interpreted as a new birth. The neophyte is then brought back to the *faqirchowk* and where he kneels down in front of the chosen *faqir*. A leather belt (*tasma*) is tied around his waist and he is given a new dress to wear. This consists of a white shroud (*qilaf*), which must be used to wrap his body after his death, signifying his death to the world and worldly desires. The *murshid* then recites the confession of faith (*kalima*) which the neophyte repeats; after which the *murshid* gives him a new name. The neophyte prostrates in submission before the *murshid*. The *murshid* takes an earthen cup containing sweet lemon juice and, taking a sip from it, gives it to the neophyte to drink, symbolising the transferring of blessings and the cementing of a close bond between the two. The neophyte is now a full-fledged member of the *faqir* fraternity. The new *faqir* is now given his own tambourine and a *gurj*. A junior *faqir* places the sharp edge of the *gurj* on the eyes, throat and chest of the new *faqir* as a symbolic *zarb*<sup>41</sup>. The new *faqir* then goes around the assembly, touching the feet of the *fuqara* present, seeking their blessings. Each of them puts a hand on his head, place coins or tobacco in the folds of his cloak as a present (*hadiyah*). For the next three days, the new *faqir* must observe strict austerities.<sup>42</sup> He is allowed to eat only one meal a day consisting of *chapattis* (a kind of wheat bread). He must also observe a strict silence during this period. After this, all the various ceremonies associated with the death, such as observances on the eleventh and fortieth day, must be followed, for he is considered to have died with regard to the world. A similar, though less elaborate, ritual ceremony is followed in the case of the appointment of a *khalifah* of a particular *faqir*. A new red silk cloak (*khirqah*) is passed in a black coconut shell (*kashkul / kishtar*) to the *murshid* who is to appoint his deputy. He wears the cloak, while the would-be *khalifah* kneels before him. The *murshid* then recites the *kalima* with the would-be *khalifah* reciting after him. Then the *murshid* gives him a new name, symbolising his new and transformed identity, and places the *khirqah* on him. The event concludes with a *faqir* playing a drum and another blowing a horn.

On the third day, after the morning prayers are over, the *fuqara* begin a long march to the village of Jannat Nagar, about 7 kilometres from the shrine. This village, now in ruins, contains the graves of some 70 *faqir* companions of Bababudhan who were killed in an attack by some *palegars* (chieftains). Most of these graves have disappeared in the thick jungle, with only five being tended to. The route to Jannat Nagar passes through high mountains and dense forests. The *faqir* procession starts with collective *du'a* being

made, and some *fuqara* pierce themselves with swords or flagellate themselves with whips.<sup>43</sup> One *faqir* carries a pot of sandalwood paste on his head. The *fuqara* carry green flags strung on long bamboo poles. On reaching the tombs, the sandal ceremony is performed on two martyrs, as it is done with the Dada Hayath's *chillah*. The *sajjadah nashin* officiates at this ceremony and prayers (*namaz*) are offered at a decrepit mosque in the jungle dating back to the times of Bababudhan, after which the *fuqara* walk back in a procession to the hospice. Sandalwood ash from the incense burnt in the shrine of Dada Hayath is distributed in little packets, along with a sweet dish, as a holy offering to the *fuqara*. Coconuts, wrapped in green cloth, are also distributed to the pilgrims. In the evening the *fuqara* are thanked for solemnising the *urs* by a ceremony known as *bandaga*. Each group of *fuqara* is presented with a goat, money and a *gilaf* (fabric that covers saints *mazars*). After the prayer, the *fuqara* are served a meal consisting of rice, lentils, meat and salad. This is known as *faqiron ka langar*. With this the *urs* formally concludes.<sup>44</sup>

Apart from shrine visitation, there are also other more esoteric practices and meditational techniques, as well as the prayers for summoning of visions or practices that are more clearly magical in character. One of the many Sufi meditative practices (*zikr*) is a graveside meditation (*zikr-e kashf-e qubur*) that is capable of revealing to its practitioner the spiritual states of the 'dead' beside whose tomb it is performed.<sup>45</sup>

## **The Nation State and the Reconfiguration of Religious Traditions**

The *dargah* has emerged over time as a popular pilgrimage centre where the rituals and practices in the shrine defy any exclusive identification of either Islamic or Hindu, challenging our understanding of 'Hindus' and Muslims' as two monolithic and mutually opposed communities.<sup>46</sup> Recorded evidence also suggests that there was no communal conflict in the area until recently. Clearly there exists a lack of adequate language in modern scholarship to describe religious behavior of the kind practices in the Bababudhan *dargah*. Interconnected to this is the role of the modern secular state. Religion in the modern world assumes certain established criteria for determining membership in the national community as either minority or majority. The marking of religious identity into a category of a particular social composition is facilitated by administrative classifications such as the census reports, which assign groups and identities to pre-determined categories, often overruling the indeterminate religiosity/beliefs, and practices by which people may choose to live their lives. The 'religious' practices falling outside such given categories are rendered 'dangerous' and 'threatening' by the contesting claimants of legitimation.<sup>47</sup> The nation state recognises only social components of religion—its hierarchical structures and organisational features. As a consequence, the institutions enabling the cultivation of religious virtue become subsumed within and transformed by legal and administrative structures linked to the state (Hirschkind 1997: 13). Thus, attempts by the state to formalise definitions and determine practices in the *dargah* have prevented not only a deeper understanding of the poly-semanticity of the shrine's ritual practices, but also prevent the acquiring of insights into the imaginations of worshippers.<sup>48</sup> The endeavour is to examine the challenges that certain religious identities pose to the practice of secularism in the context of the nation state, not simply as a sign of the failure in implementing the secular agenda of the state, but to examine how they have been enabled in important ways by the modern secular project and the contradictions this project entails. "The effort here is depart

from an understanding of the state as an autonomous entity which personifies the agendas of the political elites and is often used by various interest groups to yield particular results. From this perspective, the emergence of illiberal minorities and religious movements is understood in terms of the failure of elites to successfully implement a secular, liberal agenda. This failure, if rectified, would create the conditions for greater pluralism and toleration. What seems to be missing in such a view is an understanding, quite common now among political theorists, that these movements are not simply a sign of the failure of the post-colonial, secular, liberal state, but have been enabled in important ways by the modern secular project and the contradictions this project entails. For example, while the secular liberal state seeks to create a homogenous citizenry (shorn of extra-national affiliations and loyalties), this process ends up politicizing historical and cultural differences which then become the basis for the mobilization of both progressive and illiberal minorities" (Mahamood 1999: 503).

Let me begin right away with a schematic account. Consequent upon the Indian Government's Central *Waqf* Act in 1954, the *Waqf Board*, in charge of Muslim endowed properties, came into existence for maintaining the *Waqfs*. The enlisting of all the *Waqfs* in Karnataka began in 1964. The Government of Karnataka issued an order in 1973 stating that all the classified *Waqfs* come under the administration of a single entity - the *Waqf Board*. In 1975, the District Commissioner of Chikmagalur consulted the government for guidance with regard to classifying the Bababudhan shrine. The *dargah*, which had so far been under the administration of *sajjadah nashin*, was transferred to the *Waqf Board* in 1975 (vide G O no. 10 MLD.75 dated 23.04.1975). In effect, the shrine was unilaterally declared an Islamic institution.<sup>49</sup> When the *dargah* was transferred to the *Waqf Board* in 1975, non-Muslims who used to visit the shrine, became apprehensive, and on December 14, 1976, filed a case in the civil court of Chikmagalur questioning the transfer of the *dargah* to the *Waqf Board*.<sup>50</sup> The stated reason was that such a transfer would hinder the Hindus from expressing their devotion and pursuing their ritual practices. An examination of the appeal<sup>51</sup> shows that the petitioners did not have any problem with the forms of worship or the administrative arrangements existing then.<sup>52</sup> In response the Chikmagalur civil district court (OS 25/78) ruled that the syncretic character of the shrine be maintained,<sup>53</sup> and, that religious rituals and practices prevailing before 1975 maintained, with the *sajjadah nashin* continuing as the custodian of administrative and religious rights, and also that the shrine be not included under the jurisdiction of the *Waqf Board*. "The institution is a religious institution being a place of worship belonging to the Hindus and Mohammedans alike where they worship", it is not Wakf property and therefore the inclusion of said property in the list of wakf is improper and illegal and such inclusion will not only affect the rights of the plaintiff (Hindu) and that the second defendant (Board of Wakf) has no right to control or manage the scheduled institution, The administration management and control of the said scheduled property be re-transferred from the control of the Board of Wakf to the Commissioner for Religious and Charitable Endowments, i.e., Muzrai Commissioner) as it was being managed prior to June 1975" (OS 25/1978). Accordingly, the management, administration and control of the shrine and its scheduled property, should have been taken over by Muzrai department.

*Datta Peetha Samvardhana Samiti* (Committee for the Development of Datta Peetha Temple, hereafter *Samiti*), an outfit floated by the *Vishwa Hindu Parishad* (World Hindu Council or VHP), threatened to launch an agitation demanding an end to the *sajjadah nashin's* administration, and instead ensure the

appointment of a *Dharmadarshi Mandali* (Council of Hindu Religious heads) and a Hindu priest.<sup>54</sup> It also forcibly took a Hindu swamy into the sanctum sanctorum of the shrine. In the backdrop of the VHP's propaganda that the *mujawar* taking care of the worship did not allow the Hindu *archaka* (priest) enter the sanctum, the Endowment Commissioner asked the District Commissioner to submit a report on the status existing before 1975 concerning issues such as: Who was allowed to worship in the sanctum sanctorum, the ways of distributing the holy victuals etc. It was then decided that only those rituals that had been in practice prior to 1975 be allowed to continue. A petition was then filed against the *sajjadah nashin* by the *Samiti* alleging that he had failed in providing facilities to the devotees and pilgrims and that he was involved in the embezzlement of funds. It asked the district administration not to allow the *sajjadah nashin* to collect fees from shops during *urs*. As there were complaints against *sajjadah nashin* for mismanaging the affairs of the shrine, on the directions of the Deputy Commissioner, the Assistant Commissioner passed an order dated 22.03.1983 for collection of rent by Tahsildar from the shops put up during *urs* that year. The *Muzrai* Commissioner affirmed the order of Assistant Commissioner. The *sajjadah* filed a case in the High Court of Karnataka in 1984 (WP no. 2294/1984) pleading for these orders to be quashed as they went against the Chikmagalur district court order, which had proclaimed that the status existing before 1975 be maintained. The High Court, in its Order dated 1.03.1985, keeping in mind the district court order, ruled that the administration of the institution be handed over to the *sajjadah nashin* and further directed the Endowments Commissioner to make a list of administrative and religious rights that prevailed before 1975, after duly conducting a public hearing and scrutinising all the documents. In 1987, the process of conducting public hearings began. According to this, the petitioner, *sajjadah nashin*, and other devotees of the shrine were to be provided an opportunity, in the course of the enquiry, to share their concerns based on which the Commissioner could then take a decision. As per the direction of the Endowments Commissioner and accordance with the order of the High Court in WP No 2294/1984, Deputy Commissioner submitted a report to Endowment Commissioner on 25.2.1989 vide no Ms. DVS 80/88-89 dated 6/7.07.1988. Accordingly the Endowment Commissioner in its order dated 25.02.1989 restored the position as it existed prior to 1975 in respect of management of the institution. It included the rituals and practices as given below:

"The following are the several customs and practices prevailing before 1975. 1) There is a Mujawar appointed by the Shakhadri to perform daily rites (pooja) inside the caves and he is the one permitted to enter the sanctum sanctorum of the institution and distributes tabarrukh / theertha to the devotees of both communities; 2) He also puts flowers to the Paduka / Khadave/ lights the Nanda Deepa; 3) The reorganised Hindu gurus of different Mutts are also taken inside the cave gate to offer their respects to the Paduka / Khadave; 4) Persons who do not take food prepared in the Langarkhana are given 'padi' i.e., the provisions like rice, dhal etc., for preparing food; 5) The Mujawar takes Lobana (Sambrani) and performs religious rituals in the main shrine between 7 am and 8 pm daily; 6) The above practices include certain practices which are found in Hindu temples also, such as i) Offering flowers to Padukas; ii) Lighting the Nanda Deepa; iii) Giving Theertha to the pilgrims; iv) Breaking of coconuts; v) Taking Hindu gurus to religious Mutts with respect; vi) Giving 'padi' to the pilgrims."<sup>55</sup>

The order further observed that "In view of the above enquiry report of the Deputy Commissioner and District Muzrai Officer, the order of the Assistant Commissioner, Chikmagalur in No. DVS CR 153/82-83 dated 22.03.1983 is set aside and it is ordered to restore the position that existed prior to 1975." That also meant restoring the position of *sajjadah nashin* right to administer the shrine.

The Board of *Waqf*, ever since, has been questioning the order of the Chikmagalur court. The High Court of Karnataka in order dated 07.01.1991 dismissed the appeal of Karnataka *Waqf* Board in RFA 119/1980 for inclusion of the shrine in *Waqf* property and upheld the decision of the District Judge in OS 25/78. Further, even the Supreme Court of India order dated 01.11.1991 also dismissed the appeal of *Waqf* Board in SLA No 1, 17040/1991 and upheld the orders of the High Court (RFA 119/1980, dated 07.01.1991) and the District Judge (OS 25/1978).

Despite this attempt at a resolution, the shrine has today become a site for self-identification, exclusion and tensions among different groups in the state of Karnataka (South India). For the first time in 1987, the *Datta Peetha Samvardhana Samiti* asked for permission to celebrate *Datta Jayanti*. In December 1989, the Samiti requested the district administration to make suitable arrangements in this respect. Surprisingly, the district administration complied with the request, thereby violating its own order, which had barred any new rituals. Then, in 1991, the Samiti submitted a memorandum to the District Commissioner seeking permission to conduct *Datta Jayanti* and hoist a religious flag, *Bhagavadhwaja*, at the 'Dattatreya temple' i.e. the shrine, accompanied by the singing of devotional hymns etc. A peace meeting was held by the district administration, and in reply to the memorandum, the District Commissioner, citing the earlier order, requested that no new rituals be introduced. Despite this request, *Datta Jayanti* was allowed in a manner that "does not violate the law" and other requests such as hoisting the *Bhagavadhwaja* by the side of the green flag on the flag-posts in the shrine were also conceded. In short, although the district administration maintained that new practices would not be allowed, *Datta Jayanti* was allowed to be celebrated for three consecutive years. In the years following, this was to become a 'tradition' in itself. Every year in December, when an appeal was made to the district administration to permit *Datta Jayanti*, the 1989 Endowment Commissioner's order was invoked, but *Datta Jayanti* nonetheless, was allowed. New rituals, (non-existent before 1975) continued added and observed. Instead of the green flag, the symbol of a Sufi *dargah*, a demand was now made for the permanent hoisting of *Bhagavadhwaja*, which was initially hoisted only for a day. The *Datta Jayanti* previously celebrated for a day, transformed into a three-day programme. In 1990, when the Samiti cadres tore down the green flag, the district administration did not take any action. It merely requested in Samiti (in a meeting in 1991) not to repeat such a thing in the future. In 1995, during the *Datta Jayanti*, there were inflammatory anti-Muslim speeches and much slogan-shouting, yet the District administration took no action.

The winter of 1997 saw five *Rath Yatras* (pilgrimages) organised by the *Datta Peetha Samvardhana Samiti*, claiming that below the seat (*chillah*) of Dada Hayath Qalandar was buried the idol of Lord Dattatreya. Subsequently, it demanded that the *chillah* be demolished, with the slogan "Bababudhan after Babri Masjid"<sup>56</sup>. Further, it was demanded that *agamis* (Hindu) forms of worship be introduced in the place of those in practice, and that a Hindu archaka (priest) be appointed in the place of *mujawar*. On December 16, 1998, the *Guru Dattatreya Peetha Trust* and the VHP wrote a letter to the then District-in-charge Minister indirectly declaring their forthcoming agenda. The letter stated that

"...in the case OS 25/78, Hindus have been given open sanction to perform worship according to their tradition. The High Court too has upheld this right. However, the Government has not been implementing these orders. Therefore, at least now, the Government must appoint a Hindu priest to facilitate worship of the nandadeepa (holy lamp) and the paaduke (holy foot-wear) according to Hindu agamas (code of worship) and arrange for special worship on Thursdays and full-moon days. Besides, on Datta Jayanti day and other auspicious days permission must be given to perform rituals according to Hindu convention. Hindu devotees must be allowed to conduct Bhajans (singing devotional songs) in the premises of the cave without any hindrance. Permanent installation of Hindu religious symbols must be allowed and an investigation and restoration of the donations made by kings to this Peetha need to be carried out. The tombs present here must be trans-located in order to maintain the sanctity of the surroundings. Animal sacrifice must be prohibited. The present *sajjadah nashin* has been running this institution as if it is his private property and has misappropriated lakhs of rupees. There must be an investigation into it. A council of *Dharmadarshis* (religious supervisors) should be formed by the Government to execute all the above arrangements."

While the dispute was that Hindus should be allowed to worship freely according to the ritualistic practices that existed before 1975, the Samiti interpreted the judgment given in the case as permission for Hindus to perform worship according to their tradition. In a publication entitled "Let the Peetha's Protection Become Your Resolve" by the Sri Guru Dattatreya Peetha Development Committee, the following interpretation about the case and the court's order pertaining to it was put forward:

"In 1976, when the Government transferred the ownership of the Peetha to the Waqf Board and seized Datta's footwear and the sacred lamp and denied the Hindus their right to worship, the devotees of Datta from Chickamagalur, on behalf of all the Hindu devotees, filed a representative case OS 25/78 at the Civil Court. The court upheld the rights of worship of Hindus and returned Dattatreya's footwear and the sacred lamp to its original place and ordered that Hindus must be allowed to carry on their forms of worship without any hindrance. The appeal filed by the Waqf Board against this judgment in the Karnataka High Court has been set aside and a judgment has been passed that Hindus can conduct their forms of worship without any obstruction. It is also said in the judgment that the assets of the Peetha belong to both Hindu and Muslim devotees and the ownership of the Peetha and its administration rests with the Hindu Religious Endowment Commissioner".

The *sajjadah nashin* had been managing the accounts of the shrine after the Endowments Commissioner restored the position to him in its order dated 25.02.1989. Being the District Muzrai Officer, the Deputy Commissioner issued several notices to *sajjadah nashin* to provide details of income and expenditure of the institution which were necessary for forwarding to the Government. As there was no response from *sajjadah nashin* the Deputy Commissioner, recommended for the constitution of an Enquiry Committee u/s 26 r/w 31 of Karnataka Muzrai Act 1927. Accordingly, the Government vide its GO no. RD 138. MSV.98 dated 05.01.1999 constituted the Enquiry Committee under the chairmanship of the Assistant Commissioner, Chikmagalur to enquire into the accounts of the institution. The committee submitted its report dated 15.06.1999 to the Deputy Commissioner according to which Sri Sayed Peer Mohammad Shakhadri did not cooperate in producing any account statement despite several notices to hi. Thus, the Deputy Commissioner sent a report dated 12.07.1999 to the Muzrai Commissioner recommending the handing over of the day-to-day administration of the shrine from *sajjadah nashin* to an Administrative Committee comprising of the devotees from both the communities. The *sajjadah nashin* has now been

stripped of his authority for collecting ground rent and managing the affairs at the shrine and his role limited to taking care of religious rituals. In the year 2000, (25.11.200) a 19 member committee (including eight members each from the Hindu and the Muslim communities) under the chairmanship of the Deputy Commissioner, and the Assistant Commissioner as member secretary, was set up to manage the shrine. The arrangements for the celebration of *urs* and Datta Jayanthi vested with the Administrative Committee under the overall control of the Muzrai Department. Further, the Government also constituted a 11 member Development Committee consisting of 7 elected representatives, Superintendent of Police and Chief Executive Officer as members, District Commissioner as the convenor and the District in charge Minister as the President of the Committee to look into the all-round development of Bababudhangiri and Kennangundi area. The Government also created the posts of one Executive Officer and other staff for the daily administration of the institution vide G O No. RD.65.MSV 2001 dated 22/12/2001.

Having made inroads into the administration, the *Samiti* has been able to bring about changes in the prevailing practices by way of introducing new ones in the shrine, with the full support of the district administration. Initially, it was the demand for hoisting a saffron flag beside the green one, to be followed by objections to cook/eat and serve non-vegetarian food<sup>57</sup> in the hill and a refusal to allow the *mazars* to be covered by *chador*; it also objected to an increase in the number of *mazars*, and refused to permit the burial of the thirteenth *sajjadah nashin* in the shrine who died in 1999. Following these developments, all the eight Muslim members of the committee submitted their resignations. Subsequently, the Government constituted a committee of officials headed by the Deputy Commissioner vide, G O RD 138.MSV 98 dated 26.08.2003.

Notwithstanding the order of the Endowment Commissioner of 1989, the subsequent court orders preventing the inclusion of new rituals and ways of worship, and the Parliamentary Act of 1991<sup>58</sup>, the district administration has been permitting the *Samiti* to introduce new practices in the shrine. Claiming that the shrine was originally a temple, the *Samiti* has not only demanded the introduction of two new annual festivals—*Datta Mala Abhiyana*<sup>59</sup> (for a day in the month of October) *Shobha Yatre* (procession) and *Anasuya Yatre* (a day commemorating Dattatreya's mother) as part of Datta Jayanthi celebrations. The *Samiti* now demands that the district administration set aside for its use half of the total proceeds collected as ground rent and other revenues in the shrine at the time of *urs*, as the shrine belongs to the Hindu, too. Meanwhile, the district administration has also played a proactive role in converting the mosque into an office and proposes to remodel the tombs on either side of the pathway to the cave into a garden. The *khanqah's langarkhana*, *faqirchowk*, *chillahkhana* and *dhunna* have all been razed to the ground by the district administration. The role these spaces played in the daily and annual rituals has, therefore, been completely altered. As the *khanqah* has been razed to the ground, the *loban* that was being traditionally carried to the shrine is now being carried from the makeshift room adjacent to the courtyard; as the administrative powers now rest with the Committee, the victuals that were distributed as part of the daily ritual have now been abandoned; the *chador* on the *chillah* of Dada Hayath has been permanently removed; the flag-post that kept the flag (*nishani*) stands empty.

While the daily rituals at the shrine now take on an altered form, the weekly and monthly rituals are not being performed. However, *Datta Jayanti* and *Datta Mala Abhiyana* continue to be celebrated. The shrine now stands barricaded on all sides. The *Datta Mala Abhiyana* devotees enter the shrine through the railings in a queue. The *Samiti* is now interpreting *urs*, which once brought in devotees and pilgrims

belonging to various communities, as an exclusively Islamic practice. As the state has withdrawn the administrative powers and custodianship of the shrine from the *sajjadah nashin*, he has refused to exercise his religious rights at the time of *urs* and the annual festival remains stalled since 2005. The initiation ceremonies into *khalifah* and the resolutions of disputes that used to be brought before the *arbab-e majlis* are now being attended to in Chikmagalur in the *sajjadah nashin's* residence. The initiation of *faqirs* into the order is taking place at another *dargah* of Hazrat Sayyed Mazhar Shakhadri in Chikmagalur.

Countering the claims of *Datta Peetha Samvardhana Samiti*, the *Waqf Board*, and the State, nearly 132 organisations came together to form the *Komu Souharda Vedike* (Forum for Communal Harmony, hereafter *Souharda Vedike*) in 1998. They maintain that the 'syncretic' character of the shrine must be retained and that the practice of celebrating *urs* be continued and *Datta Jayantibe* stalled. Arguing against the proposed agamic mode of worship by the *Datta Peetha Samvardhana Samiti*, the *Souharda Vedike* contests that Dattatreya of Bababudhan represents a synthesis of *Shaivism* and Sufi cult and, therefore, no exclusive mode of worship can claim the place of the existing practice. Upholding the plurality of traditions that have existed and proliferated at the shrine, *Souharda Vedike* has been challenging the introduction of agamic forms of worship, which, they claim, would be an attempt to introduce Brahmanical practices in place of early Dattatreya traditions that were purportedly anti-Brahmanical. Yielding to the pressure created by the *Vedike* and other secular voices, the state banned *Shobha Yatre*, which the *Vedike* claims was "essentially an anti-Muslim confluence". To unravel "the misleading political, ideological and religious strategies of the *Samiti*", the *Vedike* constituted a research committee to study the developments at the shrine. On the 18.10.2005, the *Vedike* held a press conference where they shared the findings of the study. This sharing, members of the *Vedike* assert, acted as a major setback to the misleading political campaigns on Bababudhan by the *Samiti*. They say that the report catalyzed the process as well as created a pressure on the state to maintain the pre-1975 status in the shrine and bring the order of the Endowment Commissioner issued in 1989 into effect. On 8.12.2005, the *Vedike* was invited to an 'all-party' meet by the Chief Minister of Karnataka where it was able to bring the members' attention to the report of the study. Along with the *Vedike*, the Communist Party of India (Marxist) {CPI-(M)} organised many protests at various parts of the state to save the shrine from communalisation.

However, the reactions of *Souharda Vedike* against Hindu revivalism have not been particularly successful in enabling a higher level of discourse to develop. For the counter-response makes an equally positivist claim that the shrine was built on an empty piece of land, and that Islamic settlements predate Hindu presence in Bababudhan hills and so forth. Like all given histories, this too is subject to doubts and can never be authenticated. In either case, religiosity or religious practices – Hindu or Islamic – remain unplaced and unaccounted for.<sup>60</sup> This is evident in the converging positions of the *Samiti* and the *Vedike*, which harp back to the origins of the shrine or to what it once was with the result that in their narratives 'religion' becomes essentialised hindering explanations of change. Further, this type of analysis impoverishes the agency of the believers and/or focuses only on their resistance without appreciating their efforts to manage the perceptual and dynamic processes that negotiate tradition and change.

The formation of the Management Committee has been challenged by Shakhadri (alias *sajjadah nashin*) by filing a writ petition in the High Court of Karnataka vide WP No 38148/2000. Similarly, *Samithi* also has filed a writ petition for complete handing over of Datta Peetha to the Hindus/Muzrai without an role

for Shakhadri/other Muslims. On 14.02. 2007, hearing a petition<sup>61</sup> from the *sajjadah nashin* concerning the custodianship of the shrine and also a petition from *Guru Dattatreya Peetha Samvardhana Samiti* (hereafter GDPSS), the single-judge Bench of the Karnataka High Court quashed the 1989 order of the Commissioner for Religious and Charitable Endowments and directed the government to hold a fresh public inquiry and codify rituals, and directed the commissioner to consider the grievances of the petitioner GDPSS for offering *pooja* to the *padukas* of Swamy Dattatreya as per the religious custom of the Hindus. The Judge also directed the Divisional Commissioner to take steps to appoint an *archaka*, if need be, and to consider allowing religious customs, i.e., the Hindu way of worship which was practiced prior to 1975. The Court also directed that enquiry should be held regarding the religious practices that prevailed in the *dargah* before Hyder Ali's period (1722 - 1782) to look into the 'facts' and ascertain whether a "Hindu temple" was made into a *dargah* during the rule of Muslim kings in Mysore.<sup>62</sup> Banking on the High Court's order, the GDPSS announced that the annual *Datta Mala Abhiyan* shall be conducted from 13 to 19 October, 2007 and urged that the government make use of the opportunity provided by the High Court order to find a solution to the 'Datta Peetha-Bababudhangiri' controversy. In July 2007, the High Court order was challenged by the government stating that the learned Judge has erred in appreciating the facts of the case and the 1989 order by the Endowment Commissioner had been arrived at after a thorough public enquiry as desired by the judge and it would be *res judicata* to redo the same. However, a Divisional Bench of the High Court on 4.08.2008 directed the Commissioner of Religious and Charitable Endowments to codify ritual practices at the Bababudhan/Datta Peetha. While dismissing the state government's appeal, acting Chief Justice Deepak Varma and Justice A.S. Bopanna observed that the earlier judgment of a single judge had rightly ordered codification of the rituals, so there was no necessity to interfere in the single judge order. Thus, the Court order of 14.02. 2007 was vindicated. The court said: "(W)e are of the opinion that no case for interference is made out, after all nothing has been decided by the single judge on merits, except that the matter has been readmitted to decide the controversial issue after giving an opportunity to both sides. The commissioner shall now proceed to carry out the directions at the earliest in accordance with the law".<sup>63</sup> *Shakhadri* as well as the *Vedike* appealed against this order in the Supreme Court and on 1.12.2008, the Supreme Court put aside the Divisional Bench order of the Karnataka High Court and said that status quo should to be maintained at the place "in terms of the order of 25.02. 1989, passed by the Commissioner of Religious and Charitable Endowments in Karnataka."<sup>64</sup> The 1989 order of the Endowment Commissioner, significantly, had codified the rituals upholding the Sufi religious practices in contrast to the demands made by the *Samiti* and the VHP. The Supreme Court, in its December 1, 2008 stay order, said that "status quo as per the order of Endowment Commissioner on February 25, 1989 be maintained till the final order is pronounced by this Court. But the public enquiry being held by the Commissioner shall continue. The commissioner shall submit the details of submissions to this court".<sup>65</sup> As matters stand now, the Commissioner has now begun receiving petitions from devotees/pilgrims and all those interested in the issue to facilitate the process of establishing the historicity and consequently legitimacy ('religious facts' are now to be distinguished from 'religious interpretations') of the ritual practices and religious authority concerning custodianship of the shrine. In India, where the people are largely religious, the Courts are required to decide whether particular forms of public behaviour deserve to be protected under the principle of freedom of religion. Thus, in its response to religion and religious institutions, the legal apparatus of the

state must continually define what true religion is. Straying away from grand generalities (where secularism often appears as a matter of social integration within body politic), my concern here is an attempt to contextualise what is legitimate and secular to examine how certain practices, concepts and sensibilities have helped organise political arrangements in such a way that it secures the power of a particular kind of state that pronounce the illegitimacy of certain kinds of citizen subjects who may be neither completely Hindu or Muslim.

## Conclusion

Above is a mapping of contestations in regard to ritual practices in the *dargah* into four distinct actors to highlight the dynamics ensuing among them. The *Datta Peetha Samvardhana Samiti*, claiming that the shrine was originally a temple, asserts the need for agamic (Hindu) forms of worship in place of those that are in practice. The *Waqf Board*, for its part, is attempting to obtain exclusive Muslim control over the shrine. The secular state and its laws, embodied in the numerous court orders along with those of the Endowment Commission, have attempted to define what true religion is and where its boundaries should properly be drawn. The *Souharda Vedike* maintains that the 'syncretic' character of the shrine must be retained and that the practice of celebrating *urs* must continue. Finally, the legal dispute over the proprietary status of the shrine and what constitutes appropriate worship, ('unresolved'<sup>66</sup> now for more than 40 years), has assumed momentous significance. While a lot of space is devoted to the interventions of the state, this should not imply however that the other actors have been reduced to the role of passive recipients of state policy with no power to intervene or negotiate. Yet, despite the volatile presence of the four actors discussed above, the fact that the state wields a disproportionate power in relation to the rest is to state the obvious. Furthermore, the conflict over worship in the *dargah* is located at the intersection of debates on religiosity concerning the definition of the customary and conventional, whose *raison d'être* is to ascribe a distinct identity, and thereby radically transform the fluid role ritual practices have played historically in the realisation of pious life. Within these contexts, secularism has entailed the legal and administrative intervention into religious life so as to construct "religion" as a passive repository of beliefs and identities as elucidated above.

## Note on Translation

As my paper has a research core located in South Asia, I have not used transliteration and diacritical marks for a number of words that appear in this text in their most common and recognizable English forms. However, wherever necessary I provide translations of the same. For simplicity, plurals are indicated by adding "s" to words that have become familiar (e.g. *mazars*). Further, Kannada, Sanskrit, Urdu language words that are used frequently are italicized when they appear the first time in the text such as *dargah* (is a shrine or tomb built over the grave of a revered religious figure, often a Sufi saint); or to refer to specific idea such as "marvels" displayed by the Sufi saints as *karamat*.

## Notes

- <sup>1</sup> To name a few, the recent ones include Currie 2006; Dale 1978; Eaton 1978; Goborieau 1983; McGilvray 2004; Pfeleiderer & Beatrix 1972; Roy 1982; Saheb 1998 and others.
- <sup>2</sup> While 'Sri Guru Dattatreya Swami Bababudhan Dargah' is how the shrine is referred to in all government documents as well as in most court judgments, a fundamental ground of contention in recent years, as we will see, concerns whether the said shrine is a *dargah* or a temple?
- <sup>3</sup> A *dargah* is a shrine or tomb built over the grave of a revered religious figure, often of a Sufi saint. Many Muslims believe that *dargahs* are portals with which they can invoke the deceased saint's intercession and blessing.
- <sup>4</sup> Legends linking Dada Hayath to Prophet Muhammad are many. In his account of the history of Sufism in India, Rizvi claims that "Shaikh Abdul-'Aziz Makki (Dada Hayath) was a companion of the Prophet Muhammad. Shaikh Abdul-'Aziz Makki was so profoundly absorbed in asceticism and solitude that, according to tradition, he had shaved his head, beard and moustache. When the Prophet Muhammad saw him he greatly approved and remarked that the people in Paradise looked just like him. At his request, the Prophet allowed him to lead a retired life in a mountain cave and the Prophet Muhammad himself prayed for his welfare and longevity" (Rizvi 1986: 304). Focusing on the hagiographical accounts of the life of Dada, we also learn that he traveled to the Dada Pahad in propagation of Islam and apparently was instrumental in saving the poor from the local landlords, who had made life miserable for them. The palegars, write, Abdul Wasi Asri and Abdul Jabbar in their *Tazkira-e-Hazrat Dada Hayath Mir Qalandar*, 'had turned this natural haven into a veritable hell with their oppression and cruelty, playing *holi* with the blood of innocents every day', sacrificing them to appease blood-thirsty goddesses. Moved to pity by the plight of the people, Muhammad has dispatched the Dada to rescue them (Sikand 2003: 60).
- <sup>5</sup> Dattatreya emerges primarily in the epic literature as a powerful sage and is elevated in the Puranas to the status of a yogi, guru and avatar; the first datable evidence of the deity comes from the thirteenth century Mahanubhava sect, where Dattatreya is regarded as one of the five manifestations of the supreme God, Parameshwara. While the Puranic tradition claims that he was the reincarnation of Vishnu, the believers of Nath tradition consider him to be the incarnation of Shiva. In the Markandeya Purana, Dattatreya appears as an antinomian yogi. In the Siva Purana, Dattatreya is said to have developed the *sanyasa* mode of a world-renouncing mystic. Further, according to the Mahabharata, Dattatreya belonged to the lineage of the sage Atri. However, the most popular version has it that Dattatreya is the son of sage Atri and Anasuya. (Rigopoulos 1998: 109) The two key figures in the Dattatreya tradition of Maharashtra were Sripada Srivallabha (1323-53) and Narsimha Sarasvati (1378-1458) considered to be the two first historical avatars of Dattatreya. Within the broader Dattatreya movement, there were Muslim ascetics and holy men who are considered avatars of Dattatreya pointing to a climate of religious exchange in Maharashtra (*ibid.*: 116). It is believed that Anasuya, the mother of Dattatreya, also meditated in the hills of Bababudhan. There are also stories about Anasuya possessing the power to make *chapattis* (a kind of wheat bread) out of the soil from the cave. One of the narratives also states that a *faqir* once tried to molest Anasuya but was rescued by Dattatreya.
- <sup>6</sup> A triadic iconography of Dattatreya combining aspects of the deities Brahma, Vishnu and Shiva emerges during the fourteenth century (Rigopoulos 1998: 116).
- <sup>7</sup> The patterns of interaction that developed between the religious and wider cultural institutions, which these individuals brought with them, and the pre-existing religious and cultural forms in different regions in which they moved form one of the central processes at work in south Asian history. The local legend has it that Bababudhan (also called Sayyed Shah Jamaluddin Maghribi), a native of Yemen, was supposedly appointed to manage the affairs of the shrine after Dada Hayath. Bababudhan is best remembered for having introduced coffee into the area. "According to Herklots, this saint, 'intoxicated' by the love for God, brought with him seeds from Moka (al-Mukha) in Yemen and introduced coffee in Mysore way back in the fourteenth century. But the editor of the Mysore Gazetteer (1930:1137) claims that it was introduced by one Hazrat Shah Jama Allah Maghribi Whatever the truth, the fact remains that India's first coffee plantations came up on the Baba Budhan Hills around 1840.."(cited in Assayag 2004: 137). While not much is known of Bababudhan, according to Eaton, a successor of Saiyid Muhammad Husaini Bandanawaz Gisudaraz of Bijapur was ceratin Jamal al-Din Maghribi (d. 1423-24), whose biography is not known and who has left no known writings (1978: 78). Before his death, Bababudhan appointed his nephew, Sayyed Musa Husain Shakhadri, as his successor. The custodianship

of the shrine is still retained by the family, the present *sajjadah nashin* – custodian of the shrine – Sayyed Ghouse Mohiuddin Shakhadri, the fourteenth in line from Sayyed Musa, is said to be continuing the powers of Bababudhan.

- <sup>8</sup> Conceptualizing Islam's interaction with traditions in India through terms like syncretism, hybridism of mystical sects, Indo-Muslim tradition, or even as a process of interrelatedness of syncretism and anti-syncretism remain largely inadequate. In the recent works on the issue, there are attempts to challenge such essentialist portrayals. Stewart and Shaw (1994), for instance, concede to the inadequacy of syncretism as an analytical category. Thus, they argue that 'syncretism' as a technical term is always arbitrary. In theology and comparative religion, it has often been used as a classificatory term for a variety of phenomena. It is used with negative, neutral or sometimes positive connotations for phenomena otherwise called mixing, assimilation, acculturation, integration, inclusivism, or synthesis. While raising a number of critical aspects in this regard, Stewart and Shaw, however, argue that syncretism and anti-syncretism are interrelated in terms of complementing each other and that they are not mutually exclusive as has often been claimed. Any meeting of cultures or religions different from each other triggers a dynamic process of assimilation and reassertion of identity (1-27). Perhaps the reluctance to see religion other than as a category of identification and placing religious identity at a stage of historical development prior to the emergence of the nation may require reflection. As van der Veer rightly points out to the background of syncretism in the context of the dynamics of religious change, in which it forms one aspect within a wider range of patterns in the interaction of their 'own' and the 'other'. In other words, syncretism has to be 'seen as part of the religious discourse' (1994: 208). Thus, the use of the term 'syncretism' as an analytical category in the modern Indian religious context throws open the question whether the meeting of 'Hindu' and 'Islamic' features is to be understood in terms of a 'mix' of religions, patchwork model, or even some form of religious synthesis. For, in much of the extant scholarship, the categories of 'Hindu' and 'Muslim' remain internally independent and exclusive of each other.
- <sup>9</sup> Sufism has generally been perceived as a system of thought that goes beyond the domain of Islamic *Shariah*, a view that has always been contested by the votaries of Sufism since early times. For the orthodoxy, the system has always failed to measure up to the orthodox yardstick of rational thinking, and a preponderance of mystic thought in society has been taken as an index to this decline.
- <sup>10</sup> Ahmad's observations, writes Roy, were very largely grounded on the empirical studies of a number of other sociologists and social anthropologists, covering Islamic beliefs and practices in various parts of South Asia. For instance, Mattison Mines on Tamil Muslims, Ismail Lambat on the Sunni Surati Vohras (Bohras), Pratap Aggarwal on the Meos of Rajasthan and Harayana, Lina Fruzzetti on the Rites of Passage and Rituals among Muslims of Bishnupur in West Bengal, and others. The realities of living and practising Islam emerging from these studies constitute a significant challenge indeed to some long-standing assumptions concerning Islamization on the ground level (2005: 41). Van der Veer, on the other, criticizes Ahmad for "collapsing Hindu participation with the influence of Hinduism into a single phenomenon." (1992: 548).
- <sup>11</sup> Madan has recently argued that the lived Islam anywhere may be, in significant respects, not only different from scriptural Islam but also even opposed to it. It could yet be argued that lived Islam is included in, or (to use Dumontian phraseology) encompassed by, scriptural Islam, not as an alien *entity* by itself, but *in a dialectical relation to* it as a contrary. Viewed from such a perspective, lived Islams emerge as varieties of integral religious experience, not as so many cases of incomplete Islamization or degeneration and, therefore, of imperfection (2007: 1-25). On 'Lived Islam' in India, see Ahmad and Reifeld (2004). Also see Roy (2005: 29-61) for a discussion on "incomplete conversion and degeneration" concerning Islamization.
- <sup>12</sup> For an interesting discussion on how the engagement with the founding texts of Islam should not be limited to scholarly commentaries alone, but entail the practical context through which foundational texts gain their specific meaning see Das (1984) and Asad (1986). By emphasizing the practical context through which foundational texts gain their specific meaning, Asad shifts from an understanding of scripture as a corpus of authoritatively inscribed scholarly opinions that stand for religious truth, to one in which divine texts are one of the central elements in a discursive field of relations of power through which truth is established.
- <sup>13</sup> Sufi Islam is often perceived and understood in juxtaposition with what is commonly constructed as 'Orthodox Islam'. This understanding emanates from the notion that the Sufi way of life went beyond the tenets of *Shariah*. However, recent studies connect Sufi literature to the greater vehicle of Muslim piety,

reminding us of the danger that often lies in talking about Sufism in a different breath from Islamic law or the study of the *Hadith*. Green, recounting Sufi writing in Persian, cites a work by al-Hujwiri titled *Kashf al-mahjub* composed in the mid-11<sup>th</sup> century and its emphasis on morality and etiquette (*akhlaq* and *adab*) to argue that Sufism was a path to perfecting one's adherence to normative Islam rather than an alternative to it (2004: 125).

- <sup>14</sup> Sufi literature from the Delhi Sultanate records a large number of miraculous encounters between the Sufi *shaykhs* and the non-Muslim miracle-workers or mystic power-holders such as *yogin*, *sanyasin*, *gurus* or Brahmans. The arrival of a Sufi *shaykh* in a non-Muslim environment and his decision to settle there was considered in certain cases to be an encroachment on the authority of the incumbent priest, or the ruler of that territory. The *shaykh's* authority in such cases was established only after his victory in a combat. While due recognition was given to the supernatural powers of the non-Muslim religious leader, the *shaykh's* victory in the duel against his opponent proved his superior spiritual stature and thus convinced the local challengers, the yogi, or the ruler of the finality of his faith. The *yogi* became a *waliullah* (friend of God), and the ruler a pious badshah. The conversion of the yogi and the ruler was also sometimes followed by mass conversion in the territory (Aquil 2007: 215-216).
- <sup>15</sup> Scholars such as Asad, and Balagangadhara, among others, have from differing perspectives, questioned the applicability of the concept of 'religion' while discussing non-western cultures. They show how the concept of religion is the product of the culturally specific discursive processes of Christian history in the West and how it has been forged in the crucible of inter-religious conflict and interaction. Balagangadhara makes this point by suggesting that 'religion' is a pre-theoretical category. The *a priori* (and therefore largely uncontested) status of the category 'religion' is reflected in the fact that in the west, it is thought to be simply common sense and that all cultures have religions and also that religion is a constitutive factor in the development of culture. He seeks to answer the question, "Why have the western intellectuals believed that religion is a cultural universal?" (2005: 340). Similarly, although from a different entry point, Asad questions the possibility of a universal definition of religion, "not only because its constituent elements and relationships are historically specific, but because that definition is itself the historical product of discursive processes" (1993: 29). Religion as a category is constantly being defined within social and historical contexts, and that people have specific reasons for defining it in one way rather than another. For an interesting discussion on the theme also see Asad (1992).
- <sup>16</sup> The contemporaneous expansion of state power and concern into the vast domains of social life, previously outside its purview, need to be further explored. See Asad (2003) for a discussion on this. Also, see Hirschkind, who points out how this ongoing process (expansion of state power) is central to modern nation building, and, how institutions such as education, worship, social welfare and family have been incorporated, in varying degrees, into the regulatory apparatus of the modernizing state. He further states, whether in entering into business contracts, selling wares on the street, disciplining children, adding a room to a house, at all births, marriages, deaths – at each juncture, the state is present as overseer or guarantor, defining limits, procedures and necessary preconditions. As a consequence, modern politics and the forms of power it deploys, have become a condition for the practice of many personal activities (1997: 13).
- <sup>17</sup> For various and contrasting imbrications of religion and politics within secular liberal polities, see Asad 2003; Comaroff & Comaroff 1997; van der Veer 2001.
- <sup>18</sup> *Waqf* constitutes the endowments or charities given by people or institutions of Islamic faith for the propagation of Islam.
- <sup>19</sup> Muzrai is the general overseer of Hindu religious and charitable endowments in the state that came into being through the Muzrai Act of 1927. However, it was only in 1930 that a Muzrai manual was drafted.
- <sup>20</sup> For a critical understanding of the genealogy of anthropological category of ritual, see Asad (1993: 55-82) and Bell (1992). Asad, here, examines how ritual as action came to be marginalized in anthropological theories. Later, with the decline of structural functionalism, he argues, anthropologists increasingly interpreted ritual as an expressive and communicative act, the meaning of which was to be deciphered by the analyst. 'To this conception of ritual as symbolic action, Asad opposes an understanding of "rites as apt performance" and "disciplinary practices", a view, he argues, can be seen in medieval Christian conceptions of the monastic life. Through an analysis of aspects of medieval monasticism, Asad argues that injunctions for the monastic life prescribe actions and rites "directed at forming and reforming Christian dispositions'". (Hollywood 2002: 110-111).
- <sup>21</sup> Muslims call it *Pallang Talab*.

- <sup>22</sup> Of the diverse spiritual traditions within the Sufi order, *Qalandars* constitute one of the branches and the other three being *Chistia*, *Suhrawardia*, and *Naqshabandia*.
- <sup>23</sup> Many believe that these dead individuals act as animated agents who can affect, for good or ill, the health of the living. Alluding to the arguments of Blackburn, Gottschalk writes that death plays a central role in much of Indian religious thought and behavior, partly as a milestone in an individual's life. This milestone marks the appropriation, for some, of remarkable powers that can influence the lives of others in the community in which they formerly resided (Gottschalk 2001: 138).
- <sup>24</sup> Scholarly arguments during the past few decades call into question the often-presented freestanding and socially two dimensional figure of the Sufi promising visions or elevated mystical states if certain techniques were performed. Sufis had all kinds of other social roles and were also part of myriad social functions, ties and allegiances which are often difficult to reconcile. (See Nizami 1979; Aquil 2007).
- <sup>25</sup> The custodians of at least two other Sufi shrines in South India—the *dargah* of *Mardan-e Gha'ib* at Shivanasamudra, not far from Bangalore, and the *dargah* of *Hazrat Tabal-e 'Alam* at Tiruchchirapalli, in Tamil Nadu—claim that Dada Hayath lay buried in their respective shrine complexes. Thus, about the location of Dada Hayath's grave, different stories circulate. Perhaps, the more interesting allusion that may require further enquiry would be that the shrines did not exist in isolation but were part of a wider network of shrines, which may be local or regional spreading through towns and villages of a given area, or part of larger networks, into which all of the lesser networks ultimately fed. Through the names of individuals and orders and their respective family trees, genealogy also invoked geography.
- <sup>26</sup> Mysore Religious Institutions and Charitable endowments act of 1927 section 31.
- <sup>27</sup> Mama Jigni, said to be of the royal family of Persia, meditated for many years while training under the Sufi path under the Dada. Many believe that she was the adopted daughter of Dada Hayath. She was handed to the care of Sultan Muthaharudeen earlier to 927 A. D. popularly known as Tabre Aalam Baadsha Nathar Vali whose 1000<sup>th</sup> *urs* was held in 1997 at Trichirapally. Here lie the mortal remains of both the saints. It is also believed that a wandering *faqir* once tried to molest Mama Jigni but was saved by Dada. People also believe that Mama Jigni had mystical powers to convert soil into bread and cure a number of skin disorders.
- <sup>28</sup> This present inscription slab is fixed outside the cave of Dada Hayan Qalandar. The inscription is in Persian verse and is seen to be a copy of old or previous one. It contains the date A. H. corresponding to 1005-1006AD., recording the construction of the Kohcha of Mir Hayath Qalandar. (Quddusi Jagirdar 2001:139)
- <sup>29</sup> The origin of certain rituals and practices at the Sufi shrines is difficult to decipher. Some of the rituals at the Sufi centers, which were sanctified and made part of their celebrations, can be shown to have an innocuous origin. An act or saying of the Sufi sheikh was given such importance by his followers that it acquired a religious 'halo'. Continuous observance of the same in a prescribed manner created an aura around it (Jafri 2005: 219).
- <sup>30</sup> *Al fatiha* is the first chapter of the Muslim holy book, the Qur'an. Its seven verses are a prayer for God's guidance and stress the lordship and mercy of God. This chapter has a special role in daily prayers (*salat*), being recited at the start of each unit of prayer, or *rak'ah*.
- <sup>31</sup> The *sej* (garland of flowers) are carried to the courtyard and later distributed among the pilgrims and devotees.
- <sup>32</sup> *chador* is removed only once a week on Thursdays.
- <sup>33</sup> Sufi saints carried with them a genealogy that was central to their identity, of their and others' sense of who they were. The *shajarah* begins with the Prophet, and then comes down to the four *Khalifahs*, Prophet's daughter Fatima, Prophet's son-in-law Ali, grandsons Hasan and Husain and to Shaikh Abdulqadir Jailani.
- <sup>34</sup> As the present *sajjadah nashin* stated, "all through the year, one ceremony or the other is taking place at the shrine".
- <sup>35</sup> We learn that the *urs* celebrations were performed at royal no less than Sufi tombs. Accounts survive of annual *urs* celebrations of the Bahamani sultan Ahmad Shah Wali (see Sherwani 1985), and Aurangzeb (see Digby 2001), for example. Through an account given by Ernst and Lawrence, we learn that the etiquette of pilgrims to the shrines of the Sufi saints often closely reflected the etiquette (*adab*) expected

of a visitor to the royal court. Further, the funerary architecture of the royal and Sufi dynasties had overlapped in South Asia. Indeed borrowing earlier Iranian usages, the shrines of the Sufi saints were termed as royal courts (*dargahs*) while the saint himself was titled as a king (*shah*) and was surrounded by a retinue of servants (*khudam*) who served him at a tomb that was decked out with all of the insignia of kingship, including the crown (*taj*), the throne (*gaddi*) and the peacock feathers fan (*morchhal*) (cited in Green 2004: 135-136). The devotees in the shrine in Bababudhan often refer to the *dargah* as *darbar* (royal court).

- <sup>36</sup> Because of the significance of Dada Hayath in the founding of the order, Qalandars from various parts of the country gather at his annual urs.
- <sup>37</sup> Mendicants belonging to the Rifa'i order, who trace their spiritual origins to Sayyed Ahmad Kabir Rifa'i, nephew of the famous Sufi Shaikh Abdulqadir Jailani, and who, in many ways similar to the Qalandars, also come here in large numbers on the occasion of the *urs*.
- <sup>38</sup> Mysore Archaeological Department (1931: 21)
- <sup>39</sup> In a conversation with Yogi Sikand, I was given to understand that this custom was introduced by a Hindu Wodeyar ruler of Mysore in gratitude of a wish that Dada Hayath had fulfilled.
- <sup>40</sup> Behind it on the wall are draped red and green sheets made of silk with the names of Allah and the five holy ones (*panjatan pak*)—the Prophet Muhammad, His daughter Fatima, His son-in-law and His grandsons on it embossed in gold. The description of the ritual in *arbab-e majlis* is based on the video footage that was recorded by Vijay and the Pedestian Pictures.
- <sup>41</sup> A mace topped with spikes is an eternal symbol of the *faqir* order. Some among the *fuqara* fall into a trance, and taking the name of Dada Hayath, pierce their tongues, necks, throats and heads with sharp iron spears. This is regarded as a miracle as no blood falls nor is any pain felt. This practice is known as *zarb*. *Fuqara* trace the origin of *zarb* to Imam Ali and the early Qalandars.
- <sup>42</sup> Every *faqir* has a code of conduct to follow including abstinence, life of total remembrance of the Lord, contentment and total surrender.
- <sup>43</sup> An interesting parallel is the analysis of a Sufi saint cult in Surat by van der Veer. He recounts how Hindus participate in some form as tomb worshippers (praying) in the Rifa'i cult, but do not take part in the "playing" with swords (a self-immolation practice). However, for Muslim saint worshippers, apart from "praying", "playing" is also significant besides being an integral part of orthodoxy (1992).
- <sup>44</sup> *Qawwali* (literally meaning to speak or give an opinion) is a form of Sufi devotional music practised and performed in the shrines of the Indian subcontinent for enabling self-annihilation of the listeners, and therefore, forms a prime focus in the *urs*. However, for reasons not made clear by the *sajjadah nashin*, *Qawwali* singing does not find a place in the Bababudhan *dargah*.
- <sup>45</sup> *Zikr* are spiritual exercises intended to bring a Sufi closer to God. "For the practicing mystics, writes Eaton, the *zikrs* had a specialized use, certain ones being associated with certain stages on the traveler's path towards God" (1974: 124).
- <sup>46</sup> Historical records tell us that the shrine of Bababudhan was patronized by both Hindu as well as Muslim kings, endowing it with large grants. In the edicts issued by the Hindu rulers of Mysore, the shrine was referred to as the *Sri Dattatreya Swami Baba Budhan Peetha* (The Monastery of the Revered Lord Dattatreya Baba Budhan), while the Muslim custodians of the shrine were granted the honorific title of *jagadguru* or "Teacher of the World" (Gazetteer of Mysore, cited in Sikand 2004: 171). The Supplement to the Mysore Muzrai Manual of 1940 issued by the Maharaja of Mysore, states that the *sajjadah nashin* of Bababudhan was the only Muslim religious head to be exempted from personal appearance in the civil courts of the state, (500–501) and this enfolds contrasting conceptions that have radically different implications for the organization of political life within the public and private domains.
- <sup>47</sup> The attempt here is to stray away from a conceptualization of the state as an autonomous entity which personifies the agendas of the political elites and of how it is often used by various interest groups to yield particular results. From this perspective, the emergence of illiberal minorities and religious movements is understood in terms of the failure of elites to successfully implement a secular, liberal agenda. This failure, if rectified, would create the conditions for greater pluralism and toleration. What seems to be missing in such a view is an understanding that these movements are not simply a sign of the failure of the post-colonial, secular, liberal state, but have been enabled in important ways by the modern secular project and the contradictions this project entails. For example, while the secular liberal

state seeks to create a homogenous citizenry (shorn of extra-national affiliations and loyalties), this process ends up politicizing historical and cultural differences which then become the basis for the mobilization of both progressive and illiberal minorities (Mahmood 1999: 502-503).

- <sup>48</sup> Balagangadhara and Hoover argue how the Indian state, modelled after the liberal democracies in the West, is itself a harbinger of religious conflict because of its conception of toleration and state neutrality. The framers of the Indian constitution took over the theory of liberal state as it emerged in the West and tried to transplant it into the Indian soil. In the process, they also endorsed the theological claim that religion is an issue of truth. While such a stance makes sense in a culture where the problem of religious tolerance arises because of the competing truth claims of the Semitic religions, it does not do the same in another cultural milieu where the pagan traditions are a living force. Consequently, the Indian state is subject to contradictory demands. It must look at the Hindu traditions the way the Semitic religions do,...while simultaneously playing agnostic with respect to the issue whether religion itself is a matter of truth. When the Indian state assumes the truth of a Semitic theological claim, and further accepts this claim as its own epistemological position, then it actively creates and promotes the religious rivalry between the majority and minority. As a matter of state policy, it creates and sustains opposition between religions and traditions. Consequently, it transforms conflict between different groups into religious conflict. By forcing the framework of the Semitic religions on the Hindu traditions, the 'liberal' state in India is also coercing the communities to solve their internal conflict in a religious manner. That is to say, it is forcing the pagan traditions in India to mould themselves along the lines of the Semitic religions (2007: 67-92).
- <sup>49</sup> And ever since, the *sajjadah nashins* have been fighting legal battles in the courts of law contesting others' (*Waqf Board* as well as *Muzrai Department*) staking claims to custodianship of the shrine on the ground that the *dargah* was not exclusively either Muslim or Hindu. The legal dispute over the proprietary status of the shrine remains unresolved for more than forty years now and has acquired momentous significance at this particular time in Indian politics.
- <sup>50</sup> On December 14, 1976, B C Nagaraj Rao and C Chandrashekar filed a case in the civil court of Chickamagalur questioning the transfer of Sri Guru Dattatreya Bababudhan Swami Dargah from Muzrai Department to the *Waqf Board*. The Government of Karnataka, the *Waqf Board*, the Endowment Commissioner and the *sajjadah nashin* were made respondents. The nature of the case warranted its transfer to a bench of Judges at the Chickamagalur district court with the number OS 25/78. The Government of Karnataka order of transferring the Sri Guru Dattatreya Swamy Bababudhan Dargah was cancelled by the District judge, Chikmagalur vide letter no 2578. D 1980. This case and the judgment now play an important role in the Bababudhan Dargah-Datta Peetha controversy today.
- <sup>51</sup> The appeal was that Hindus would not be able to express their devotion if the shrine was handed over to the *Waqf board* and that gradually there would be the unilateral rule by the Muslims. Hence, in the petition, the following appeals were made: 1) The institution in question should be declared as one where both Hindus and Muslims converge or as one which is a sacred centre of worship for both Hindus and Muslims. 2) To declare that this institution is not a *Waqf* property and that the second respondent (the *Waqf Board*) should not have included it in the list of *Waqf* properties and hence, declare it as an illegal act; also declare that there would be no restrictions on the rights of Hindus over this institution. 3) Since the second respondent (*Waqf Board*) does not have any right over the maintenance and administration of the institution, the maintenance, regulation and administration of the institution should be transferred from the second respondent to the third respondent (Religious and Charitable Endowments of Karnataka) as it existed before June 1975. 4) To impose a permanent stay order on the second respondent (*Waqf Board*) ordering it not to come in the way of Hindus exercising their rights over this institution as stated above. 5) Extraction of costs of (litigation) from the respondents. 6) And any other relief that the respected court may deem suitable.
- <sup>52</sup> The plaintiffs nowhere question the fact that both Hindus and Muslims offer worship at the shrine and/or the custodianship of *sajjadah nashin*.
- <sup>53</sup> The court ordered, on February 29, 1980, that the status existing prior to 1975 be brought back.
- <sup>54</sup> In a letter written by the Commissioner for Religious and Charitable Endowments in Karnataka dated 17 July 1989, to the Revenue department requesting that the letter be brought to the notice of the Governor of Karnataka, there is a reference to the petition of objections filed by the Vishwa Hindu Parishad. The VHP, he states, requests the State government to implement the following: 1) To constitute an advisory committee of prominent citizens of the area to safeguard the interests of the

Hindu community under the presidentship of the Tahsildar. 2) To restore the rights of worship as per Hindu Agama Shastras by appointment of Hindu Archaka and accessibility of Sri Paduka and Sri Peeta and to permit all Matadipathis, Swamijis and Sanyasis to enter the inner cave where the Peeta and the Paduka exist, and to pray and conduct poojas; 3) To collect all kanikas offered by the devotees and to remit the same to the funds of the Shrine with Government; 4) To provide proper shelter, construction of resting houses, pooja houses for the devotees with the facilities for food drinking water and sanitation...to run regularly Karnataka State Road Transport Corporation buses from Chikmagalur town for the facility of devotees; 5) To stop all malpractice now being done by vahivatdar and also to stop mis-use of the shrine as the present vahivatdar is permitting burial of dead bodies of their community around the cave; 6) To prevent vahivatdar from interfering in the Hindu customs and to respect the Hindu devotees who visit the shrine.

- <sup>55</sup> Deputy Commissioner, Chickamagalur District order no. MS: DVS 80: 88-89 dated 25/2/1989: 35-36.
- <sup>56</sup> Babri Masjid is a mosque located in the Ayodhya (the state of Uttar Pradesh) that was demolished on December 6, 1992.
- <sup>57</sup> Notice Board at the entrance of the Dargah says cooking of non-vegetarian food in the vicinity of 200mts from the premises is banned.
- <sup>58</sup> Soon after the demolition of the Babri Masjid, an Act of the Parliament was passed in 1991 (to uphold the secular character of religious institutions) that forbids altering the prevailing practices at all shrines in the country.
- <sup>59</sup> It is a relatively new programme started in the year 2000 by the Hindu organisations. In this week-long programme Hindus wear saffron clothes and *Rudrakshi* (the *Rudrakasha* tree is botanically known as *Elaeocarpus Ganitrus* Roxb. Its English Name is *Utrasum Bead tree*) *Malas* on the lines of *Ayappa Male*. On the 7<sup>th</sup> day all devotees go to the Datta Peetha and have darshan and pooja.
- <sup>60</sup> No matter what evidence might exist for or against the existence of the Swamy Dattatreya temple before the Dada Hayath Qalandar's *chillah*, the weight of the evidence (or lack of it) has not seemed to affect the authoritative with which Hindu devotees accept belief in Swamy Dattatreya and Muslims in Dada Hayath.
- <sup>61</sup> W P 38148/2000 by Shakhadri; W P 4262/2002 Bandagi Husain; and W P 43621/2003 by GDPSS at the High Court of Karnataka.
- <sup>62</sup> W A 886/2007 High court of Karnataka.
- <sup>63</sup> W A 886/2007 to the High court of Karnataka.
- <sup>64</sup> S L P 27944 of 2008 by the Shakhadri and SLP 15542 and 29429 of 2008 from Citizens of Peace at the Supreme Court.
- <sup>65</sup> Ibid.
- <sup>66</sup> As far as the secularists are concerned, it is a resolved issue requiring political will for its implementation, but for *Datta Peetha Samvardhana Samiti* it remains unresolved.

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