Conservation and Contestation at South Asian Heritage Sites

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441

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Introduction

The Taj Mahal, a monument of "national importance" since 1958 and a UNESCO World Heritage site since 1983 attracts two distinct kinds of visitors. From Saturday until Thursday, it welcomes throngs of tourists coming from all over India and the world to gaze in awe at the architectural wonder built by Mughal emperor Shah Jahan in the seventeenth century. On Fridays, this "symbol of eternal love"—as advertised on tourist brochures—is closed to the public and opens only for Muslim worshippers who come for the *juma'a* or congregational prayer at the Taj's mosque. Additionally, the monumental compound is reserved for worship on specific religious holidays. In November 2018, the Archaeological Survey of India (ASI), the state organisation in charge of the management and the preservation of the Taj Mahal, citing security concerns, banned non-resident Muslims from entering the complex on Fridays. In addition, regular visitors are now prevented from offering *namaz* (prayers) at the mosque as access to the *wuzu-khana* (i.e., the structure where ritual ablutions are performed) is restricted.[1] This measure sends the signal that tourists are more legitimate and welcome as visitors to the monument than religious worshippers. The inherent tension between tourist visitors and local users of a historic site runs through many protected cultural heritage sites in South Asia.

442

Two perspectives are in opposition here, each embedded its own set of values and expectations. Casual visitors see the Taj Mahal as a cultural heritage site, a 'monument', through the 'tourist gaze' (Urry 1990): appreciating it primarily for its aesthetical, technical and architectural features, eager to learn about its history, following a certain path, etc. In this perspective, people using the place for its original purpose (here, a religious one) at best strengthen the "typical", "authentic" or symbolic character of the site, at worst are considered a nuisance as these users do not follow the untold rules about how to "properly" behave at a heritage site. Worshippers, on the other hand, often members of local communities who collectively share a particular historical and/or emotional connection to the place, consider themselves its rightful users as they perform century-old rituals according to the purpose for which the structure was originally built. They follow rules of behaviour they consider appropriate to maintain the place's sanctity. In their eyes, casual visitors may be a nuisance, too: disturbing the rituals, encroaching on invisible sacred boundaries, showing "inappropriate" behaviour,

etc., while administrative control for the sake of conservation may feel like dispossession.[2] State authorities claim to act as "rational", "neutral", and "secular" custodians in charge of preserving "national" monuments, which are symbols of an "objective" history, and need to be made accessible to the public. Yet, state interference in the affairs of religious communities does not go unchallenged: in 2005, the Muslim community of Agra, via the Uttar Pradesh Sunni Wakf Board, filed a petition arguing that protection and management of the Taj Mahal, including its religious affairs, should be in the hands of a religious trust (*waqf*).[3] The case is now pending before the Supreme Court.[4]

This essay presents several case studies from recent literature which highlight instances of contestations at and of heritage sites. The apparent contradiction between conservation and public access to heritage sites on the one hand, and community use and ownership on the other hand, is not limited to the Taj Mahal or even to historic places of worship. In fact, the tension seems to run through most heritage sites in South Asia. In Agra, Kandy, Lahore, Kathmandu, Delhi, Dhaka, Rajasthan and many other places, heritage sites are contested in many ways, and conservation initiatives often run into difficulties. Different communities and/or the state may simultaneously claim ownership of a site. Private renovation initiatives may be thwarted by conservation organisations for the sake of keeping the "authentic" character of a place. The development of cultural heritage sites as tourist destinations may lead to the commodification of historical buildings and immaterial traditions, which while bringing economic benefits may lead to local people feeling estranged from their "own" heritage. Last but not least, as embodiments of the past in the present, historic sites act as powerful identity symbols; yet when different historical narratives are at odd, heritage can become battlegrounds for political confrontation.

I argue that heritage conservation policies in South Asian countries are centred on a conception of heritage as material and "dead", a perspective that corresponds to Western canons on heritage and a legacy from colonial rule. The current legal-institutional framework imperfectly addresses the ground realities of the South Asian context where the vernacular perception more often than not considers historic sites as "living" places (particularly historic places of worship), which are given a variety of (sometimes contradictory) meanings by different communities. This discrepancy gives rise to a multiplicity of contestations and conflicts, which threaten the safeguarding of the region's rich heritage. In making this argument, I highlight a selection of recent literature that reflect a trend in scholarship towards understanding the constructed nature of heritage and its contestations on the ground. Past and present

443

heritage conservation policies in South Asia have been criticised for being a burdensome colonial heirloom ill-adapted to the ground realities of the subcontinent's historic sites and their cultural and social contexts.

In a first section I will study how the development of conservation under British rule led to the solidification of the canonical Western acceptation of heritage in the laws and institutions of South Asian countries. The second section attempts to sketch out the unique characteristics of heritage in South Asia, centred on the idea of a "living" monument. Finally, the third section illustrates the multiple ways and instances in which historic sites turn into places of contestation.

History of conservation in South Asia

This section deals with the spread of the conservation movement in the Indian subcontinent starting from the early period of colonial domination.

Conservation, archaeology, and colonial knowledge production

Heritage conservation as a concept and a practice was introduced to the Indian subcontinent by British colonial authorities in the early nineteenth century, reflecting the spread of the conservation movement in Europe. According to the *Oxford English dictionary*, heritage is 'that which has been or may be inherited'; something that is passed on from one generation to the next. 'Cultural heritage' also implies that what is passed on is also collectively owned by the people who share a same culture, and therefore must be protected in the present both as a symbol of a common past, and as gift to future generations. Building up from the Renaissance's interest for antique ruins, the concern for historic buildings started taking shape in Europe in the Enlightenment period, then spread under the influence of Romanticism and as a reaction to industrialisation and urbanisation (Babelon & Chastel 2010; Choay 2007).

The history of heritage conservation in South Asia has been the focus of a growing research interest in recent years. In the wake of Edward Said's *Orientalism* (1980), which brought to the fore the intimate relationship between Western scholarship on 'the East' and imperialism, the field of postcolonial studies led to a flourishing of studies on knowledge production as an instrument to justify and perpetuate colonial domination by authors such as Partha Mitter (1994), Thomas Metcalf (1989), Tapati Guha-Thakurta (2007) and Nayanjyot Lahiri (1998).

444

Romila Thapar, in her essay collection *The past as present* (2019), examines how history has been employed to construct collective identities before and after independence. Recalling the fundamentals of rigorous historical research, she offers a critical examination of various historiographical debates that have been at the forefront in recent years. She criticises politically motivated reinterpretations of history and attempts to replace new myths with historical facts. Of particular interest on the issue of heritage conservation are her reflections on the production of knowledge about India's ancient past. She details how colonial historians and archaeologists, often relying on upper caste sources (Thapar 2019: 11), produced categories which had a long-lasting influence in shaping collective identities in South Asia. She discusses who the 'Aryans' are (ibid.: 179-92), and how Hindu nation-alist history attempts to relate them with the Indus civilisation (ibid.: 67f.). In addition, Thapar traces back the origins of communalism to the categorisation of Indian history on religious lines by colonial scholarship (ibid.: 116-27).

In *Muslim political discourse in postcolonial India*, Hilal Ahmed publishes one of the first attempts to look at the process of monument-alisation in India from a political science perspective, with a specific focus on Indo-Islamic heritage. He makes a strong argument that con-servation policies initiated by the British Raj where rooted in a colonial historiography that categorised historic sites on religious lines and constructed the notion of a contested 'Indo-Islamic' heritage. Conserv-ation policy, led first by colonial then by postcolonial state authorities, saw the historic mosque as a secular and neutral place. This stood in tension to the Indo-Islamic understandings and modes of management through the Wakf system, which led to legal and political conflicts over the right to worship and state intervention for monument preservation. Using the examples of the Jama Masjid in Delhi and the Babri Masjid in Ayodhya, Ahmed then analyses how these two monuments became the focal points of Muslim politics after the 1970s.

In colonial India, the spread of the conservation movement can hardly be distinguished from the development of archaeology and the politics of knowledge production. Historic buildings and remains were seen by scholars and colonial authorities as reliable sources on India's history and thus worthy of preservation (Ahmed 2015: 67-9; Chakrabarti 1997). This trend itself is part of an intellectual endeavour by European scholars to understand the past through historical research. In countries subjected to colonial domination this was linked to producing a historical narrative to justify European rule (Thapar 2019: 43), evidenced by public monuments and museums (Guha-Thakurta 2007).

Ahmed divides what he calls the process of "monumentalisation"[5] into four periods. A period of interaction (1) where European travellers (such as Sir Thomas Roe, François Bernier, Jean-Baptiste Tavernier) in the fifteenth to seventeenth centuries discovered Indian architecture and interpreted it along their own architectural categories based on a familiarity with Greek and Roman antiquity and Christian religious architecture (Ahmed 2015: 60). The phase of exploration (2) begins in the late eighteenth century with an increasing interest for historical and archaeological research. This work was initially spearheaded by the Asiatic Society founded by Sir William Jones in 1784, which carried out research in linguistics, philology, and collected and studied antiquities. Initially marked by a predilection for the study of ancient Indian languages, art and texts, the intellectual focus shifted from text to archaeology looking for 'authenticity' and 'verification' in material artefacts and ruins (Thapar 2019: 10). In this period, which saw the gradual conquest of India by the East India Company, historians such as Thomas Maurice or James Mill insisted on the idea that the once glorious Hindu civilisation fell into decline after Muslim "invasions" and was to be revived through the rational rule brought by the Europeans. They popularised the reading of Indian history as divided into a "Hindu period", a "Muslim period" and a "British period" (Ahmed 2015: 64-9; Thapar 2019: 9, 116-27).

446

The phase of exploration was followed a phase of categorisation (3) around the time of the foundation of the Archaeological Survey of India in 1861: perception of historical buildings was influenced by the communal periodisation of history, and they too were classified (legally and administratively) into "Hindu", "Buddhist", or "Muslim" heritage sites, at the exclusion of other categories such as regional style or era. This is evidenced not only in the works of British scholars such as James Fergusson or Alexander Cunningham, but also in those of Indian writers such as Ameer Ali (Ahmed 2015: 69-76). Simultaneously, the first conservation works were undertaken employing British military engineers to develop colonial tourism (Pandey Sharma 2019). Finally, the phase of conservation (4) began at the turn of the twentieth century under the viceroyalty of Lord Curzon, who devised an ambitious conservation policy materialised by the *Ancient Monuments Preservation Act*, 1904, and the growth of the ASI. This gave the (secular) colonial state the authority to interfere in religious affairs under the pretext of conservation (ibid.: 80-90).

After the partition of the British Raj in 1947, the newly-independent countries of India and Pakistan were faced with the challenge to build national identity through a new historical narrative. The designation of various heritage sites a "national" monuments and state support for

archaeological research were part of this effort. However, far from a radical departure from the foundations built by the colonial state, continuity prevailed, and post-independence heritage policies and laws retained a substantial part of previous concepts and practices. In India for instance, the legal definition of monument remained unchanged in *The Ancient Monuments and Archaeological Sites and Remains (AMASR) Act* of 1958 (Chakrabarti 2003; Ahmed 2015).

Conservation policies in colonial period

The history of conservation policies in South Asia can be traced back to the Bengal Code of 1810 which recommended public intervention in case of misuse of buildings of historical character, though the criteria was not clearly defined. In 1844, the Board of Directors of the East India Company expressed interest in documenting places of worships and buildings worthy of repairs, at the behest of Alexander Cunningham (Mughal 2011: 120).[6] In 1861, Alexander Cunningham received the mission to map out and document archaeological sites in territory under British control through measurements, sketches and photographs. The aim of this first archaeological survey was mainly to identify monuments worthy of interest and led to the "rediscovery" of many Buddhist sites. However, this campaign did not lead to monument conservation schemes.

In 1866, the government of India under Lord Lawrence cut funding for the Survey, which was only revived in 1871 as a fully-fledged government department, with Cunningham assuming the charge of Director General. The now-permanent Archaeological Survey of India resumed its documenting activities in a more systematic way. Under Lord Lytton, the *Treasure Trove Act* was adopted in 1878 to ensure state ownership over antique artefacts found and prevent looting. 1880 saw the creation of the position of Curator of Ancient Monuments held by Major H. H. Cole to assist central and provincial governments on conservation issues. Cole published reports with recommendations to repair several monuments and introduced a classification of monuments in three categories to prioritise them according to their degree of preservation and their significance (ibid.: 121). However, his position was abolished in 1883 and the responsibility of conservation fell back on the shoulders of provincial governments.

The Viceroyalty of Lord Curzon (1899-1905) is generally considered a turning point in South Asian archaeology and conservation. Animated by a strong interest for India's archaeology and historic sites, Lord Curzon personally presided over the reshuffling of the ASI. Conservation of ancient monuments was again made the responsibility of the central

government, moreover, it was to be a priority of the Survey's work among its other missions (Ramachandaran 1953, cit. in Mughal 2011: 121). To oversee this transformation, he appointed John Marshall as Director General of the Survey in 1901. Under Marshall, who held the post until 1928, the ASI expanded its reach and activities. It was reorganised in five regional 'circles' covering the entire territory of British India. New departments within the ASI were created such as one for archaeological chemistry or archaeological exploration, which led to the discovery of the Indus Civilisation in 1921-22. Interestingly, the ASI created different departments for Hindu and Buddhist architecture on the one hand, and 'Muhammadan' and European architecture on the other hand. The period also saw the establishment of new museums and the restoration of major monuments (Chakrabarti 2003: 165).

John Marshall is also credited for setting out pioneering principles and guidelines for conservation and restoration practices, anticipating those set out in the Athens Charter of 1932 and the Venice Charter of 1964. His *Conservation Manual* published in 1923 has had a long-lasting influence on conservationists in South Asia. According to these principles:

1. Hypothetical restorations were unwarranted, unless they were essential to the stability of a building;
2. Every original member of a building should be preserved in tact, and demolition and reconstruction should be undertaken only if the structure could not be otherwise maintained;
3. Restoration of carved stone, carved wood or plaster-moulding should be undertaken only if artisans were able to attain the excellence of the old; and
4. In no case should mythological or other scenes be re-carved.[7]

After John Marshall's long tenure, the ASI appointed its first Indian Director General, Daya Ram Sahni (1931-35), who was later followed by K. N. Dikshit (1937-44). Sir Mortimer Wheeler (1944-48) presided over the ASI's partition (Coningham & Young 2015: 80f.).

Under Lord Curzon, the first comprehensive legal and administrative framework for heritage conservation, *The Ancient Monuments Preservation Act* of 1904, came into law. For the first time "ancient monuments" were given a legal definition: any building or remains, including active places of worship, that presents 'historical, archaeological or artistic interest'[8] fall under the definition. This definition is a consecration of the process of "monumentalisation" in South Asia. Ancient monuments can be declared 'protected monuments' by a central government's notification in the Official Gazette. The preservation of a protected monument became the responsibility of the State, which had to maintain its historic character: the State gained ownership and

management rights over the site. However, in the case of active religious buildings, the Act also states that 'a place of worship or shrine maintained by the Government under this Act shall not be used for any purpose inconsistent with its character' (Section 13). In summary, the Act lists four ways to declare an ancient monument a protected monument. Thus, the State can:

(1) acquire non-functional monuments "without an owner" (Section 4),
(2) "accept a gift or bequest of any protected monument" (Section 4)
(3) enter into an agreement with the owner, who would still own the monument but would be restricted in his "right to destroy, remove, alter or deface the monument or to build on or near the site of the monument", and have an obligation to allow access to the public (Section 5, 2-c)
(4) under the Land Acquisition Act of 1898, compulsorily purchase, for "public purpose", a monument "in danger of being destroyed, injured or allowed to fall into decay" (Section 10).

As Ahmed (2015: 87) summarises, the Act created three situations for historic religious places of worships:

(a) the non-functional historic places of worship acquired by the state as dead monuments; (b) the functional places of worship owned by the concerned religious endowment and managed by the state and (c) the state support for the conservation of those historically relevant buildings, which were owned and managed by the religious endowments.

With the 1904 act, the State effectively seized control over historical architecture with far reaching consequences. First, it became the unique authority with the power to "declare" the historical importance—or irrelevance—of any structure. Thus, by the selection and conservation of specific monuments, it gained the power to disseminate its own narrative about India's history. In particular, in agreement with the colonial understanding of the subcontinent's history, which followed a religious periodisation, it was able to label monuments under fixed religious identities, despite many sites (especially Sufi of Buddhist shrines) being shared by multiple communities. Second, the State's acquisition of what it perceived were non-functional religious sites or buildings without an owner dispossessed local communities from their traditional rights to the building. Third, in functional religious places managed by a religious trust, the worshipping activities had to be accommodated alongside the priorities of the State, which was to conserve the building, in a sense dispossessing worshipper from their relationship with the site.

Finally, even though the State was following a policy of strict neutrality and keeping away from religious affairs, the Act gave it the possibility to interfere in the conservation of functional religious monuments, even in the absence of an agreement with its managing trust, as religious authorities had to follow conservation guidelines (Ahmed 2015: 80-5).

The Ancient Monuments Preservation Act remained in force until the end of British rule. Its influence still shapes the legal framework in India and Pakistan: post-independence pieces of legislation retain a large amount of the original act's provisions. It is to be noted that neither this act nor its successors made provisions for the protection of natural sites or cultural traditions: the conception of heritage it introduced was strictly material.

Indian conservation policies after independence

If heritage conservation in colonial India received much scholarly attention, it is less the case for the postcolonial period.[9]

In the 1950s, India was concerned with redefining its national identity after the trauma of Partition. The definition of a national heritage and of national symbols was negotiated by two ideologically opposed groups within the Congress party: a secularist trend led by Prime Minister Jawaharlal Nehru, which advocated for a representation of India's multicultural and multireligious history, and a Hindu rightist trend led by Sardar Vallabhbhai Patel and K. M. Munshi (ibid.: 98).

Institutions and scholars of archaeology and conservation, too, were called on to take part in this effort of nation building. The National Museum in Delhi was opened in 1949, and the ASI's structure was reorganised following the upheavals of Partition, with a more decentralised structure around newly-created regional 'circles' implemented. In 1951, *The Ancient Monuments and Archaeological Sites and Remains [Declaration of National Importance] Act* declared all monuments protected under the 1904 act to be of 'national importance'. Under this law and later under the *States Reorganisation Act* of 1956, historic sites located in former princely states too received national recognition (Chakrabarti 2003: 165). To formalise the latest evolutions, the *Ancient Monuments and Archaeological Sites and Remains (AMASR) Act* 1958 was passed, which replaced the 1904 Act while retaining substantial parts. Indeed, the definition of "ancient monument", the process of acquisition of historic buildings by the State, and the conservation principles to be followed remained unchanged. However, the new Act codified the process by which monuments could be declared 'of national

importance', clarified responsibilities between the Centre and the States, and sought to regulate functional religious sites.

Section 4 (1) of the Act gives the central government the power to issue a declaration of national importance for any monument or site by simple notification in the Official Gazette. This declaration can however be withdrawn, again by a simple notification from the government, if it is 'of the opinion that […] [the monument] has ceased to be of national importance' (section 35). Although this provision was added to ensure proper administration of the monuments,

> it also indicates that the concept of "national importance" could easily be appropriated by the ruling political party. If the ruling party feels that it should change its heritage symbols and historic sites of "national importance", it can simply use this section. (ibid.: 104)

In addition to monuments of national importance protected by the central government, states government were encouraged to adopt laws on the lines of the AMASR Act 1958 and to issue declaration of importance for monuments that were not of national but rather of regional importance. For all other monuments, the Centre and the States would have a concurrent jurisdiction.

451

The question of religious sites deserves special attention. As with the 1904 Act, the State is bound to ensure 'a place of worship or shrine maintained by the Government under this Act shall not be used for any purpose inconsistent with its character' (Section 16 AMASR Act), as well as to protect the place's sanctity from 'pollution and desecration', even if this involves restricting access to certain public according to customs. Outside of this exception, the right to access to monuments is guaranteed to 'the public' under Section 18, however accessing the site to perform religious worship is subject to ASI permission. This gives the State the power to give a specific religious identity to a monument, even in the case of shared places of worship. This effectively creates two realms separated by a strict boundary: a secular realm that sees the monument as a dead tangible structure to be maintained in its 'authentic' state as a symbol for an "objective" national history for visitors, and a religious realm, that gives a community the right to use the monument as a place to perform worship, but dispossesses it of its agency to bring modifications to the structure. The State is given the task to maintain the historic character of the building and sees religious activity with suspicion, while a religious endowment is in charge of its religious affairs, but under strict control. In so doing, the postcolonial State continues to follow the 'secularism of strict neutrality' that con-

stituted the colonial government's approach to religious affairs (Ahmed 2015: 105).

Regarding non-functional religious sites, the State could acquire them as ownerless properties, and adopted a strictly building-centric approach, conserving them as dead monuments. Importantly, Section 16 of the AMASR Act states that the religious character of a monument must be protected by the State only if the monument was used for religious worship at the time of notification. This effectively means that the character of all monuments protected under this act became frozen in time, which has not failed to bring about tensions in later years.

From the previous discussion we see that the conservation movement was imported to South Asia by the British, who developed a legal administrative framework to give reality to the concept of heritage. The State gained a monopoly on selecting what was a "monument", how it should be conserved, and on defining its official meaning. This severed the organic link between the monument and local people who could give it a whole array of different meanings. State-led conservation continued in the post-independence period, this time supported by the rise of tourism and international travel. As seen previously, conservation policies displayed continuity rather than mark a radical departure from the colonial period; in fact, prominent figures who led the archaeology and conservation departments after independence such as N. P. Chakravarty, Amalananda Ghosh, B. B. Lal, Muhammad Rafique Mughal, B. K. Thapar, etc. had all be trained under Sir Mortimer Wheeler and his likes. By their training, these prominent figures as well as other South Asian architects, civil engineers or urban planners continued to promote an approach to conservation that was steeped in 'Western' and canonical representations about heritage. However, our overview of post-independence conservation in South Asia would not be complete without examining the role of UNESCO.

World Heritage sites

India ratified the World Heritage Convention in 1977. In *Decolonising heritage in South Asia* (2018), Himanshu Prabha Ray brings together essays focusing on UNESCO World Heritage (WH) sites in India: the book critically studies Indian sites inscribed on the World Heritage List, such as the caves of Ajanta, Ellora, and Elephanta (Brancaccio 2018) or Nalanda (Kulshreshtha 2018), and argues that the selection of sites for UNESCO recognition reflects colonial representations of heritage. For example, the Agra Fort, the Taj Mahal, Ajanta and Ellora (inscribed in 1983), the monuments at Mahabalipuram and the Konark sun temple

(1984), were already valued by Cunningham and Curzon (Ray 2018: 18), and their inscription follows the traditional predilection for aesthetically-pleasing monuments. Yet, Rajaraman (2018) advocates for the recognition of other forms of heritage such as traditional water systems, or trade networks in the Indian Ocean (Ray 2018b). Moreover, and in line with the colonial categorisation of architectural styles according to religion, interpretation at Indian WH sites favours a monolithic reading, at odds with UNESCO's stated goal to promote cultural diversity (Ray 2018: 19). As case studies, Kulshreshtha (2018) challenges the reading of Nalanda as an exclusively Buddhist site; similarly, Liddle (2018) brings to the fore Qutub Minar's multilayered history.

Meskell (2018) delves into the arcane of the inscription process and examines the role played by Indian diplomats in the World Heritage Committee (WHC). She points out a contradiction between India's position as a global actor at UNESCO and its own conservation practices on the ground. Coming from a tradition of non-aligned diplomacy, Indian representatives at the WHC, often career diplomats, openly challenge technical expertise standards promoted by global institutions such as UNESCO and ICOMOS, deemed too "colonial", "Eurocentric", and biased toward Western experts, favouring instead local knowledge systems, vernacular conservation practices, and intangible heritage (Meskell 2018: 38). A question of prestige for governments, site nomination is increasingly becoming subject to "overt political lobbying", particularly since the rise of the BRICS, which reflects in the quality of site nominations (ibid.). Beyond these stated principles, Meskell quotes a 2013 government audit report on heritage conservation,[10] to criticise the recourse by the Ministry of Culture to external consultant for the preparation of nomination dossiers, as well as the management of WH sites by the ASI, which she deems is problematically 'monument-centrered' and alienating local populations. Contrary to India's official position, 'while there are noteworthy Indian initiatives supporting living heritage, multiculturalism and humanitarian efforts, these have almost entirely developed through networks of NGOs, heritage consultancies and civil society' (ibid.: 43f.).

Finally, Rajaraman (2018) points out the contradiction between the 'business model' of World Heritage sites (i.e.: the large investment required for UNESCO recognition is recovered by increased tourist footfall) and the fiscal structure of tourism revenue collection, whereby monument entrance fees directly contribute to the Central government budget, which then allocates an annual budget expenditure to the ASI. Income from WH sites does not contribute to the revenue of local government in charge of providing the public goods for populations who

453

live near the site and could thus benefit from increased footfall. She concludes:

> clearly, the present business model disincentivises any restoration costs extraneous to the bid to make the site a source of tourist revenue – and that is exactly what happens, alienating the surrounding population by destroying the place the site has in their scheme of things, and violating the sustainability concern expressed by the World Heritage Committee. (Rajaraman 2018: 67).

The "living monument": South Asian characteristics of heritage

Conservation experts from the subcontinent are unanimous in pointing out the many inadequacies and shortcomings of 'outdated' policies and laws, which they attribute to a fundamental incompatibility between a "Western" conception of heritage and inherent South Asian character-istics. Though vastly diverse in terms of ethnicity, language, religion, economic and social development, Amita Sinha argues that 'the region possesses attributes that are at their core South Asian – in their capacity to self-organize, enact and reinvent cultural traditions, and in their ability to retain an intimate connection with nature and landscape' against which policies and practices inherited from colonial institutions are 'a burden' (Sinha 2015: 1). Ray (2018: 13) argues that the main characteristic of South Asian monuments is their 'diversity' and their 'interconnectedness'. A *leitmotiv* in the literature is the opposition between "living" South Asian historic buildings to be contrasted against the canonical Western acceptation of heritage that sees buildings as "dead" monuments. However, as shown by Weiler and Gutschow (2017) and Avrami et al. (2019), such reflections find an echo in other regions of the world as well, such as East Asia, and take place in a wider global trend to redefine heritage standards against experiences from non-Western contexts.

Rethinking 'authenticity' in a South Asian context

Authenticity in architectural heritage conservation edited by Weiler and Gutschow (2016) is an engaging attempt to redefine the elusive and disputed concept of "authenticity" in heritage conservation. As elabor-ated above, connecting the idea of truthfulness to the original essence of a building, is itself quite specific to a European-American context embedded in cultural representations that value materiality and are marked by the sense of loss consecutive to the Industrial Revolution as well as the two world wars. However, authenticity does not always find equivalents in other languages and cultures (Gutschow 2017: 1-4).

454

Examining different facets of authenticity (material integrity, intangible aspects such as renovation rituals and inherited craftsmanship, questions of "patina" and "scars and wounds"), Weiler and Gutschow contrast them with case studies from Germany, South-, and East Asia, and highlights how the canonical definition of authenticity gives rise to tensions with renovation traditions in different cultural context.

Historically, the development of heritage conservation gave rise to a class of specialised experts: curators, architects, art historians who laid out conservation principles and techniques according to the standards of the time, collected in the Athens Charter of 1931. ASI Director General ASI John Marshall published in 1923 a *Conservation manual* which still exerts a strong influence on conservation practices in the subcontinent. The creation of UNESCO in 1945 and the organisation of international networks of conservation experts led to the globalisation of the concept of heritage conservation, further strengthened by the adoption of the 1964 Venice Charter. The Charter sanctioned inter-nationally-accepted guidelines for conservation practices, the foundation of the International Council on Monuments and Sites (ICOMOS) and later the adoption of the UNESCO World Heritage Convention in 1972.

According to the Venice Charter (1964), restoration works should aim to *preserve* the building in its state, using "original" materials and tech-niques. Most importantly they should be clearly distinguishable from the original structure, and no conjectural restoration (for instance the recon-struction of aesthetical features) should be undertaken: the building should be preserved as a historical source and for its aesthetical value (ICOMOS 1965). Fitch (1990: 46) defines three key terms which consti-tute the basis of conservation work: "conservation" is a 'physical inter-vention in the actual fabric of the building to ensure its continued structural integrity', while "preservation" is the 'maintenance of the arti-fact in the same physical condition as when it was received by the cura-torial agency.' "Restoration" however, that is 'the process of returning the artifact to the physical condition in which it would have been at some previous stage of its morphological development' is more controversial.

Returning to 'some previous stage' of a building require conservation architects to decide which period is the most valuable in the building's history. Usually it is decided to restore the building's "original character" so that it looks "authentic". The 1960s and 1970s saw major changes in the field of conservation, with a paradigm shift from the 'heritage value' to the 'societal perspective'.[11] This "values turn" was complemented with a relativist push from non-Western countries (Avrami et al. 2019: 17f.). Consequently, the need to protect cultural traditions, rituals, forms of

expressions was consecrated by the adoption in 2003 of the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage.

Europe places a strong emphasis on "patina": traces showing the passage of time on the original material give a building its 'age value' and authenticity (Riegl 1903). Yet, not all cultural traditions place such emphasis on material integrity. In the face of recurring fires hazards or natural disasters, East Asian countries such as Japan (where historic structures were often built in wood) value careful renovation more than preservation. Removal and replacement of damaged material—sometimes along with structural improvement—is common practice: 'the intent of the original builder may be more important than the originality of materials' (Menon 2017: 11). The famous case of the Kinkaku-ji (Kyoto's golden temple) illustrates the tension: destroyed by fire and rebuilt in 1955, the temple was deemed "inauthentic" according to UNESCO World Heritage Conservation Guidelines and could initially not be included as part of the city's World Heritage Sites. The debate that ensued led to the adoption of the Nara Document on Authenticity in 1994, which opened heritage conservation to traditions of rebuilding and enlarged the internationally accepted definition of authenticity (Weiler 2017: xx).

Similarly, in South Asia, renewal is more valued than preservation, with an additional focus on beautification. Temples are a god's home, therefore, building a brand-new building, or significantly altering a structure's appearance to make it look more beautiful is an act of devotion. Case studies of Hindu temples at Bhaktapur, Nepal, and Jain temples in Gujarat, India, show that conservation guidelines are often overruled by the wishes of devotees who fund beautification projects (Menon 2017: 41f.). What matters is the place on which the temple stands, not the structure. Analysing ancient Sanskrit treaties of architecture such as the *Vastu Shastra*, Menon argues that the place 'constitutes what is authentic in a building. Retaining its centre is important; the fabric of a building is a secondary issue' (Menon 2017: 91).

Replacement and partial renovation practices are part of the intangible cultural heritage. Be it in Japan, in India or in Nepal, cyclical renewal of temples is embedded in a set of rituals involving craftspeople and their tools. Ancestral skills are thus perpetuated, passed on from generation to generation, techniques are perfected to the highest level. Gutschow (2017: 44) writes: 'indigenous knowledge systems and building rituals constitute a valid criterion of authenticity, often overlooked by professionals who have no roots in living cultural traditions.' In India and Nepal, caste structures play a role by drawing a biological link between the past and the present, with a carpenter working to

replicate (or re-create) a strut their ancestors had carved (ibid.: 45). One such example of master crafters is the Sompura community in western India (Vasavada 2017). Against this background, Menon (1989: 25) argues that international principles seeking the preservation of material authenticity pose a threat to the survival of what he calls 'the genius of the country.' Non-governmental organisations such as the Indian National Trust for Art and Cultural Heritage (INTACH), created in 1984, have developed a hybrid conservation expertise integrating indigenous skills and claim to have chosen a better strategy than the ASI (Menon 2017: 90). INTACH cares for more than nine thousand sites unprotected by the ASI, underscoring the limitation of the Indian state and the growing privatisation of heritage conservation. Another example of this approach is the Humayun's Tomb redevelopment project in Delhi carried by the Aga Khan Development Network (Nanda 2017), or the community development project led by CURE in Agra (Meskell 2018: 49).

South Asian authors such as Menon (1994) have attempted to explain the difference between the Western practice of conservation and vernacular practices of restoring old buildings by a different philosophical understanding of time. Western conservation supposes a linear[12] view of time, where a valuable object from the past needs to be preserved in its 'original' state by the present for future generations. Menon writes:

457

> Unlike the West, where the *linear perception of time* determines their cultural responses, the concept of *cyclical time* is the deep cultural mode in India. This fundamental difference in the concept of time is highlighted by the differences in the concept of *authenticity*: in the West, it is determined by the awareness of time's irreversibility which emphasises the temporal qualities of objects and events—"the golden stain of time"—but in India, the cyclical perception of time places no critical temporal value on man-made objects but transfers the quality of authenticity *to the site on which the object exists*. Thus, cultures where the concept of cyclical time prevails, venerate the *place* rather than the *building* built on it, while cultures viewing time as a linear phenomenon, venerate the building. (Menon 1994: 39, italics in the original)

In a cultural context that values ritual performance and re-enactment more than linear continuity,[13] the material structure, as a tangible 'proof' of the past to be cherished and passed down becomes less important than the traditions that are associated with it.

The prevalence of ritual and idea over materiality is especially noticeable in Hindu places of worship. Deborah Stein (2018), with the temple of Ambika at Jagat, Niels Gutschow, with a Ganesh shrine in Patan (Gulschow 2019: 19), Neel Kamal Chapagain (2016), with the

temples and shrines of the Kathmandu valley, bring other examples to our attention. They show that in these cases, the consecrated place where the temple or shrine stands matters more than the building itself, and that the deity to which it is dedicated matters more than the physical presence of an idol of this deity. This has concrete consequences for conservation projects, which focus on preserving the authenticity of the structure. As Neel Kamal Chapagain (2016: 30) explains in the case of the Handigaun Krishna temple in Kathmandu:

> as long as such sites and structures are valued and worshipped, we realize that the worshipping is not necessarily related to the material existence but to the beliefs and intangible perceptions that give meaning to the place. If needed, the physical fabric may be changed, modified, beautified, replaced, reconstructed or relocated; these acts are always subservient to the conceptual existence of the place. (ibid.: 31)

Consequently, the value of a shrine or a temple does not primarily reside in its antiquity or its architectural features: its structure can be drastically altered or even demolished and built anew. Moreover, the performance of daily rituals of devotion by priests and worshippers supersedes the physical preservation of religious idols: applying vermillion powder on the statue of a deity, pouring milk over it, periodically dressing and undressing it, repeatedly touching it to obtain blessings, etc.: the daily repetition of these rituals may slowly harm the idol, which progressively loses its features due to wear and tear, yet the idol remains accessible to the public. However, in a conception where materiality is not paramount, an idol can easily be replaced when it is too damaged. Should the idol be stolen, rituals would continue in its absence without diminishing the place's sanctity (ibid.: 31f.). A *pratishtha* ceremony is then held to celebrate the idol's reinstallation. In *The hegemony of heritage* (2018) Deborah Stein thus describes how the historic idol of goddess Ambika was stolen in 2000 from the temple of Jagat in Rajasthan, only to be replaced later by a new one in 2003:

> The missing figures did not impede the devotion of the women who worshipped at the temple. They may have been enraged when the sculptures were stolen, but the absence of the sculptures neither changed the women's practice nor reduced the power of the site. […] Rather than wondering where the sculpture had gone, [the villagers] decided the best solution was to replace the ancient sculptures with modern ones. (Stein 2018: 242)

Such a situation presents a dilemma to conservationists: fencing in the idol would make them unavailable for religious rituals; leaving it available but highlighting its archaeological interest for visitors would put it

458

at risk of looting (Chapagain 2016: 32). The value given to intangible tradition supports the idea of a living site: historic places of worship of all religions are kept *alive* by a myriad of rituals performed by staff and visitors: collective prayers, sacred music performance (*qawwali*s, *bhajan*s, or *kirtan*s), offering free meals to the poor (*langar*), performing *puja*, offering namaz, taking one's shoes off, covering one's head, touching the place's threshold with one's head, ringing a bell, bringing offerings of food items, pieces of scented cloth, flowers, or money, taking *darshan* from the enshrined deity, gestures of devotion such as kneeling or lying on the floor, etc.

As a corollary to this conception of sacredness and materiality, indigenous concepts for renovation conflict with the archaeological model of structural preservation and material authenticity. The Sanskrit word *jirnoddharana* (i.e. 'an action to elevate or save what has become *jirna*, that is old and tainted' (Etter 2018: 57-76) refers to a set of ancient technique and know-how for the maintenance of (mostly religious) buildings. This 'Hindu philosophy of conservation' (Silva & Chapagain 2013), inspired from the Sanskrit treaty of architecture *Mayamata*[14], does not clearly distinguish between renovating, significantly altering a structure, and complete rebuilding. Therefore, an idol or structure in the jirna condition should be replaced with a new one.

459

Through a careful architectural and epigraphical study, Deborah Stein (2018) in *The hegemony of heritage* brings further details to the practice of jirnoddharana at the sites of Sri Eklingji temple at Kailashpuri and the Ambika temple at Jagat. Temple inscriptions provide a record of donations and alteration undertaken at the temple at the behest of kings or rich individuals. Importantly, they state that the person who undertakes a temple's renovation deserves as much religious merit as the original builder (Stein 2018: 58). Throughout history, kings and patrons attempted not to preserve the original building, but on the contrary to highlight the changes they were bringing to the site and record them in stone for their own prestige and posterity, which explains why the same temple site can reflect styles from different centuries and lack aesthetical harmony and integrity (ibid.: 55f.). Thus, in the vernacular tradition, renovation is creation, and historical ruptures are visible. This too is a testimony to the living character of the monument, which continues to live and evolve with its time. On the contrary, the ASI or, in the case of Stein's study, the Rajasthan Department of Archaeology tries to make its own repairs as invisible as possible, using stones similar in colour and texture as the ancient material, trying to recreate stylistic continuity. It freezes the building in time to make the temple look as authentic as possible—authenticity being the state in which the building was

"discovered" by the institution—and to preserve it as archaeological evidence.

Heritage as part of a cultural landscape: beyond the natural/cultural, tangible/intangible dichotomy

Protected structures in South Asia often stand alone in the middle of a touristic zone, cut off from their surroundings and from the populations that animate them. Indeed, colonial, and postcolonial policies and institutions focused on protecting single monuments to the exclusion of their urban, natural, and social environment. This results in 'an overwhelming focus on "tangible" or material heritage without any vocabulary or tools to address the issue of safeguarding "intangible heritage", that is values, skills and modes of human expression that gave meaning to monuments' (Silva & Sinha 2016: 1). In Silva and Sinha's essay collection *Cultural landscapes of South Asia* (2016), heritage practitioners (architects, urban planners, conservationists,) bring to the fore their on-the-ground experience in Bhutan, India, Nepal, Pakistan, and Sri Lanka. Their perspective is valuable as voices from the "heritage experts" category, speaking from their experience navigating between internationally-accepted conservation principles and vernacular practices. The contributors unanimously point out the limitations of the existing legal-institutional framework with respect to specifically South Asian characteristics of heritage ('living', 'complex', 'multi-layered'), and call for an overhaul of conservation legislation and procedures towards a better involvement of local communities. [15]

The portrayal of the monument as a "living" entity would not be complete without understanding it holistically as part of its local context. Historic sites—even non-functional monuments—are often used by one or several communities—be it for their intended purpose, or as shelter or economic assets, etc. They are therefore entangled in a complex web of social and cultural interrelations. Given the diverse and fragmented structure of South Asian societies—where many communities constituted around caste, class, religion or language identity, coexist side by side, the cultural signification of a particular building—the stories and memories associated with it—may differ according to who is asked. The significance of a site for a community can sometime vastly differ from the official narrative of state heritage organisations (Silva 2016: 261).

Historic buildings are integrated into a wider urban and/or natural environment. Yet, steeped in a romantic appreciation for ruins and the picturesque, the heritage conservation and management policies by the colonial ASI sought to aestheticise monuments by showcasing them as

a ruin standing alone in the middle of a lawn and surrounded by a fence, following the model of English landscape gardens (Choay 1996). The monument's purpose was to be gazed at, both as an aesthetic object and as a historic document. From perspectives as represented in Silva and Sinha's volume, these principles of conservation make monuments 'frozen in time', an 'empty shell losing its life', and is 'fundamentally antithetical to indigenous ways of celebrating heritage.' (Sinha 2015: 3) The 'dead monument in a garden' approach, which prevailed before and after independence preserves the monument for visitors, but severs its link between with its social, cultural and environmental surroundings. As an alternative, the essays in *Cultural landscapes of South Asia* (Sinha & Silva 2016) advocate for understanding historic sites in the context of their 'cultural landscape' for a holistic approach to conservation that is socially and environmentally sustainable.

To consider cultural landscapes therefore involves understanding monuments in relation with each other, as well as with natural features in the surrounding, which give it its originally intended meaning. The placing of temples and shrines is carefully planned to recreate the heavenly abodes according to a complex *mandala* pattern, while incorporating natural landscape features: local hills represent sacred mountains such as mount Kailash, rivers are equated with the water of the holy Ganges. This is the case for instance in the old city of Kandy in Sri Lanka (Silva 2016: 144-58), or in the Kathmandu Valley (Chapagain 2016: 24-38). For Chapagain, '[t]hese places and their symbolism come alive only when one understands their religious value and associated beliefs' (ibid.: 35). Therefore, he argues, heritage management authorities should devise a holistic signage to help visitors understand the links between different sites that are part of the same complex. Most importantly, the "artificial" boundary between "natural" and "cultural" heritage should be blurred, to include the preservation and depollution of natural features as part of conservation projects (ibid.: 38).

Beyond sacred architecture, replacing the monument in its urban context 'could help create more comprehensive representations of specific cultural or historic contexts' (Naeem 2016: 53). Administratively clustering the stewardship of a group of monuments under one authority instead of having them as single entries increases visibility as well as political bargaining power for funds, protection against urban development projects, and international recognition. For instance, Anila Naeem proposes to nominate the 'Lahore Walled Cities and Environs' as a UNESCO World Heritage City to include not just the current World Heritage Sites of the Lahore Fort and Shalamar Gardens,[16] but also sites that have been on the Tentative List since 1993 (Badshahi Mosque,

461

Wazir Khan Mosque, and the Tombs of Jahangir, Asif Khan and Akbari Serai) as well as other historic buildings (ibid.). Similarly, an application for the UNESCO Tentative List was filed in 2015 for 93 sites (including many caravansaries) along the Grand Trunk Road in India, although Chalana (2016) points out that the selected sites are individually presented in isolation from their surroundings.

Moving on to historic city centres, Sharma, Ferdous, and Nayak's contributions to Sinha and Silva (2016) propose to redefine urban development approaches by considering urban cultural dynamics. The "*shahar*", is the precolonial core of the city, often walled, such as in Delhi, Agra, Lahore, Dhaka, Lucknow, etc. It is characterised by 'composite, cosmopolitan urbanity', and the 'coexistence of a diverse citizenry.' This, over time, produced a specific tangible and intangible urban cultural heritage or '*shahariyat*': 'the code of urban living that all residents subscribed to with pride' (Sharma 2016: 62). Sharma sketches a history of urban development policies and how the shahar 'was alienated by the colonial regime as an urban blight and continues to be neglected in the post-colonial era' (ibid.: 61). Hygienist and disciplinary imperatives produced a tripartite division of the urban space, with the shahar being marginalised by colonial authorities as an unruly "native city" while sanitised "civil lines" and "cantonment areas" were developed for the needs of the colonial state (ibid.: 63).

462

In the shahar, before and after independence, rapid and uncontrolled urban growth along with poverty and lack of basic amenities led to a loss of sense of shahariyat. Though it may contain individually protected monuments, other buildings of historical interest, especially *haveli*s (old mansions) suffer from neglect by urban authorities and owners alike. Conservation regulations are seen as obstacles in the face of urban development and the provision of sanitation or drainage infrastructures (Tipnis 2018). Against this backdrop, Sharma argues that the shahar's design, as 'chaotic' as it may at first appear, is not a 'problem' to be solved, but rather is the result of complex socio-spatial dynamics which have developed over time reflecting use-patterns set in local cultural conditions (J. P. Sharma 2016: 61). For instance, Ferdous (2016), using a historical and ethnographical approach, analyses in details the spatial schema of Old Dhaka. She produces a typology of spatial units of different sizes and demonstrates how *uthan* (courtyard), *gali* (lane), *mohalla* (neighbourhood), *mohr* (node), *chowk* (square) and bazaar respond to different economical activities and sociocultural practices. Far from being haphazardly positioned, these units are connected and arranged according to an organic logic (Ferdous 2016: 86). Nayak (2016) does a similar study for Old Ahmedabad, which gained recog-

nition as World Heritage City in 2017. Sharma builds on the work of Patrick Geddes,[17] an early twentieth century British sociologist and town planner who worked on improvement plans for several Indian cities. Geddes theorised 'diagnosis before treatment', extensively studying the shahar and its inhabitants' needs, and 'conservative surgery' which respects the global principle of 'minimal intervention' and calls for improving and renovating, in line with the jirnoddharana ethos (J. P. Sharma 2016: 65f.). Sharma concludes that only an approach to urban heritage based on these principles can be efficient in making 'the community' (which in South Asian cities is not homogenous) participate in these efforts. Otherwise she warns:

> Overfamiliarity with heritage as a passive backdrop for everyday life and the prevalent notion that the marginalized inhabiting the Shahar are a threat to its well-being can be problematic. The deliberate insulation of people will accelerate loss of heritage, as the community will regard it as a stumbling block in the road to development, and more often than not will be a willing participator in abetting its destruction. (J. P. Sharma 2016: 72)

In recent years, there has been a growing research interest for community participation in heritage conservation. In *Archaeology, cultural heritage protection and community engagement in South Asia*, Robin Coningham and Nick Lewer (2019) present a selection of essays by practitioners in Bangladesh, Nepal, Sri Lanka, Myanmar, India, and Pakistan and argue that "experts" must take communities seriously. While conservationists are today more aware of the need to balance site protection with community aspirations, they often, even unconsciously adopt a top-down approach which prevents acceptance by local populations. 'In some cases, participation has been manipulative and may have reinforced Western concepts and approaches to inclusion' (Coningham & Lewer 2019: 5). Engaging with local populations comes with challenges such as community cohesion including ownership or identity conflicts, corruption and the strength of civil institutions, sharing the benefits of tourism, transparency, monitoring, evaluation and impact assessment of the project, etc. (ibid.: 8-10). The different case studies document instances of community contestation at heritage projects and examples of solutions, although due to their highly technical nature and a lack of analytical depth, their discussion falls outside the scope of this essay. Proposed solutions include 'involving people in excavations and field projects, supporting festivals and cultural events,' 'promoting handicraft and local culture […], suggesting and participating in education and vocational skill capacity building, forming archaeology clubs, knowledge exchange between outside experts and local people, tourism development and impact research' (ibid.: 8).

Contestation at heritage sites in South Asia

In the first section of this essay I examined how heritage conservation as a concept spread to South Asia and was legally and administratively implemented by the colonial state. Representations about what constitutes "heritage", "authenticity", and the "monument" introduced then have since continued to influence conservation regulations and practices in the postcolonial period. In the second section, I highlighted certain characteristics of South Asian historic sites that come at odds with the canonical heritage regulations and practices. Let us now turn our attention to how these discrepancies lead to instances of contestation at and of heritage sites.

Commodification of heritage

In *The hegemony of heritage: ritual and the record in stone*, Deborah Stein (2018) presents an engaging study on two tenth-century Hindu temples located in southern Rajasthan in the kingdom of Mewar: the Ambika temple at Jagat and the Sri Eklingji temple at Kailashpuri near Udaipur. She offers a thorough examination of these two temples from the perspectives of art history, epigraphy, history, law, and ethnography and examines how these historic sites are a focal point for different competing actors. This multifaceted study allows a nuanced understanding of the sites' different meanings, social entanglements and micro-politics. The maharana of Udaipur and his foundation, the Rajasthan Archaeological Department, politicians, *pujari*s, local temple-goers, Adivasi groups, ancient kings, all vie for the control of heritage and its power to define visual culture, rituals, and eventually, identities. In this multiform competition, heritage becomes a commodity, of which Arjun Appadurai writes that 'the commodity situation in the social life of any "thing" be defined as the situation in which its exchangeability (past, present, or future) for some other thing is its socially relevant feature' (Appadurai 1986: 33).

Reflecting European representations about heritage as historical documents to be protected, R. C. Agrawala, superintendent of the Udaipur Archaeological Museum, claimed to have 'discovered' the Jagat temple in 1956. Though the temple was and still is in activity, he subsequently removed sculptures he deemed were of historical or artistic interest to 'safeguard' them in the museum. Protected from theft and weathering, the statues lost their religious value to become works of art to be admired behind a glass window; for local temple-goers, this action could have amounted to dispossession (Stein 2018: 58). Still at Jagat, in 2003, the village's *thakur* had the inner sanctum painted with 'cheap' metallic gold, to the dismay of conservation experts. As the temple falls

464

under the jurisdiction of the Department of Archaeology, the painting was not legal, as state heritage legislation have strict criteria for renovation. Moreover, the Department must protect places of worship from 'pollution and desecration.'[18] Yet as the painting was intended to honour the deity in the spirit of jirnoddharana renovation, it fell into a legal loophole. In the unresolved tension arising from conservation imperative and religious use, the question becomes a matter of taste, with its own socio-political undertones (ibid.: 62-4).

The painting of the sanctum was done in preparation for the reinstallation of the goddess Ambika's statute in the temple. After the previous icon had been stolen and sold on the art market, it was decided to replace it with a new one.[19] Made of white marble, the new statue's only purpose is ritual use. Stein points out that the *pratishtha* ceremony attracted dignitaries from all over Rajasthan, including Hindutva politicians—in a context still marked by the 2002 violence in Gujarat—who used the stage to deliver speeches. Guests used the ceremony as a 'claim to power', an occasion to restore the wounded honour of the goddess, but afterwards showed little interest for the temple. For villagers, the performance of daily and seasonal rituals remained unchanged as it was already after the theft of the old icon. Stein concludes that the installation ceremony and the metallic paint was a 'political act of reclaiming ritual space', from villagers and from the Archaeology Department (ibid.: 64-7). 'In many ways,' she adds, 'to steal the buildings from history seems like a valiant act against an outdated colonial mode of viewing' (ibid.: 233).

This 'mode of viewing' can be equated with John Urry's 'tourist gaze' (Urry 1990); it informs visitors' practices and expectations, and tourism economics naturally play an important role in the commodification of heritage. 'The best tourist monuments are ruins devoid of people and available for tourists to photograph, project onto, and make their own, at least in their experience and in their minds'. Simultaneously 'its current use should be *perceived* as authentic' by visitors (Stein 2018: 192, emphasis added). The maharana of Mewar, C.E.O. of a chain of heritage hotels, and owner of the Shri Eklingji temple, is able to efficiently 'sell' the temple as a tourism destination; the financial power of his private trust—through careful maintenance and priests on payroll—enables a narrative of historical continuity and "authentic" royal use. In contrast, "vulgar" renovations at the Ambika temple in Jagat, though meant for "authentic" ritual use, deters the average tourist (ibid.).

In these examples, Stein shows the myriads of ways in which heritage sites become both theatres for contestations between rival claims and

the prize of this competition. This is where, Stein concludes, lies the 'hegemony of heritage', that is 'its political power to harness visual culture and performance, to define identities, and to control visual rhetoric. In the postcolonial context especially, the control of heritage is the construction of the future.' (ibid.: 20)

Secular state intervention in religious places of worship

As we saw previously, the tension between the active, "living" temple and the "dead" monument remains unresolved in the legal administrative realm. Discussing different theories on Indian secularism—'pessimistic, critical ones' by T. N. Madan (1998), Ashis Nandy (1998), Partha Chatterjee (1997) that see secular modernity as incompatible with Indian traditions; and an 'affirmative, reassuring' one by Rajeev Bhargava (1998), Hilal Ahmed (2015: 49) points to a clash between two conceptions of secularism at play in heritage conservation. The 'secularism of strict neutrality' of the ASI which separates historic structures from religious activities; and the secularism of 'participatory neutrality' that gives autonomy to religious communities to manage their own affairs (ibid.: 42f.).

Under India's AMASR Act 1958, active or functional historic places of worship can fall into two categories. They are either managed by the government's heritage department (usually the ASI), or by a religious trust which has entered into an agreement with the government to preserve the structure's historic character. In the second situation, religious authorities have a greater say in the site's management and take decisions on worship activities or renovations. Religious endowments are given a large amount of autonomy under Indian law. The constitution of India enshrines the freedom for minority communities to manage their own religious affairs, which translates into the legal recognition of waqfs (charitable or pious endowments under Islamic law; mosques are waqf properties). In each state, a government department, the State Waqf Board regroups waqfs (Ahmed 2015: 115-7). For Hindu temples, Deborah Stein shows, legal dispositions governing religious trusts have enshrined the practice of jirnoddharana. For instance, in the *Bombay Public Trusts Act*:

the essence of the building is its structural coherence and the building must be said to have attained the condition of "jirna" when time has seriously impaired such coherence and consistency. Where it is found that a temple is in a state of disrepair and decrepitude in many respects, it is a fit one for *complete renovation*.[20]

In most states, a Devasthan department manages public religious endowments including historic temples. There exist private religious endowments, too, such as the Shri Eklingji Religious Trust owned by the Maharana of Mewar to manage the temple hosting his kingdom's protecting deity (Stein 2018: 229). Waqf boards, Devasthan departments and private religious trusts must comply with the conservation imperatives laid out in the AMASR Act, yet their priorities differ: 'the aesthetics of renovation with the archaeological departments lean toward the preservation of historical ruin, whereas the Devasthan Department leans toward active use of historical sites or, with private religious trusts, toward modern improvements to befit a deity's home.' (ibid.: 230)

Hilal Ahmed draws attention to non-functional religious sites and their taking over by the state. Under section 16 of the AMASR act, if a monument was in religious activity at the date of notification (in 1958), the state must protect both the monument and its religious character. If not, then only the structure must be protected, effectively becoming a 'dead monument', in which it is not possible to restart worship. Oftentimes, old, ruined mosques located in the outskirts of historic cities such as Delhi were non-functional in 1958. The ASI thus assumed custody, opened them for tourists, and banned worship. However, despite being treated by the state as ownerless properties, waqf law states that once dedicate to worship, a mosque always remains a mosque, a contradiction which has led to a number of legal cases (Ahmed 2015: 124f.). With demographic and urban expansion, these previously abandoned mosques are now located in the middle of populated areas and are now used as recreational parks. At times, local Muslim communities in search of new places to pray, or distraught at what some see as an inappropriate use, have mobilised around such mosques to challenge their status (ibid.: 279f.). In this manner, the State's secular control over both functional and non-functional historic religious sites accentuated the disconnection between heritage sites and local communities. This issue, Ahmed argues, became central to Muslim politics in postcolonial India (ibid.: 79).

Heritage sites as political battleground for constructed collective memories: contestation at Indo-Islamic heritage sites

Built heritage plays an important role in the definition of collective identities. As visible symbol for the collective past of an 'imagined community' (Anderson 1991, chapter 2), it becomes the stake of a political competition over the control for a narrative about the past, for which Deborah Stein proposed some examples that we earlier examined.

467

Construction of a contested Indo-Islamic heritage in India

In *Muslim political discourse* (2015), Hilal Ahmed's core argument is that the spread of conservation in colonial India and its gradual institutionalisation went through a phase of 'categorisation' of monuments on religious lines which contributed to the creation of a separate category of Indo-Islamic heritage (Ahmed 2015: 69-80). As the colonial state took custody monuments and developed them as public sites to be visited, it popularised British colonial representations about Indian history. Consequently, the "communal" identity of monuments became fixed:

> questions like "who built what" and "who destroyed what" were resolved and the archaeological efforts were directed to protect and conserve "what is remaining" and "what has been destroyed". In this sense, this categorisation legitimised the colonial discovery of "Muslim invasion" and "Hindu resistance". (ibid.: 79)

For instance, ASI signage or early twentieth century tourist guidebooks on the Qutub Minar complex in Delhi emphasised heavily on the desecration of Hindu temples to elevate it as a symbol of Muslim conquest (ibid.: 87f.). In her essay in *Decolonising heritage in South Asia*, Liddle (2018) offers an historical study of the Qutub Minar complex through its architectural features, in which she highlights the political character of the selective dismantling of Hindu temples, and their careful reuse in the mosques built by the newly-established sultans. She further argues that the presence of traditionally Indian motifs fused with Islamic architectural features attest to the high degree of creative independence enjoyed by Indian builders, as well as assent of their patrons. Yet, the colonial ASI chose to highlight iconoclasm over syncretism at the site, and set the tone for its subsequent scholarly and popular interpretation (ibid.: 169).

468

After independence, the secular Indian state, though having made many Indo-Islamic monuments part of the national heritage, continued to use a similar narrative.[21] Gaining in visibility with the growth of international and domestic tourism, such sites became increasingly contested in the popular discourse (Ahmed 2015: 108).

On the archaeological front, Indo-Islamic heritage is contested for not being authentically Indian. Though those monuments attained protected status, British historiography emphasised Islam's foreignness and temple desecration, undermining their legitimacy. Meanwhile, colonial archaeology focused on excavating the 'real authentic Hindu past' (ibid.: 90). This trend continued after independence, with the new Indian nation trying to trace back civilisational roots on a quest for its origins. The state encouraged scientific excavations, looking for unknown traces

of the ancient past at the expense of already documented medieval sites. The ASI thus started focusing on "tradition-based archaeology", a quest to unearth tangible traces of the Hindu Epics. Though significant discoveries were made, Dilip K. Chakrabarty in his history of Indian archaeology since 1947 criticises the lack of professionalism of some prominent ASI archaeologists and their propensity to dedicate time resources to unsolvable yet highly ideologically-charged questions such as the theory of the Aryan invasion, or trying to link the Indus Civilisation with the Vedic past (Chakrabarti 2003).

Romila Thapar regrets that archaeological research focuses on a limited set of textual sources overwhelmingly representing a North-Indian, Brahminical leaning at the expense of subaltern sources (Thapar 2019: 67, 197). Although tradition-based archaeology was originally not motivated by a will to further the Hindutva narrative, it became increasingly controversial after certain prominent archaeologists including B. B. Lal made sensational claims in the fifties linking the discovery of the Painted Grey Ware to the *Mahabharata*. In the early seventies, H. D. Sankalia inconclusively looked for traces of the *Ramayana* in Ayodhya, and in 1975 B. B. Lal launched a large-scale excavation campaign to find sites of the Ramayana, before taking position in favour of the Ram temple in Ayodhya (Ahmed 2015: 139). From the eighties onwards, medieval desecrations became the focus of popular debates on archaeology, with author P. N. Oak gaining recognition claiming that most Indo-Islamic monuments were in fact former Hindu temples (Oak 1966).

469

Heritage and the rewriting of national history

In *The past as present* (2019), Romila Thapar attempts to put into historical perspective several controversies linked to political uses of the past. In one chapter, she revisits the Somnath temple controversy from a historiographical point of view. The raid conducted in 1026 by sultan Mahmud of Ghazni, which led to the looting of the temple and the destruction of its idol, was from the nineteenth century onwards considered a "trauma" in the collective Hindu memory and was used to support a narrative of unsurpassable hostility between the Hindu and the Muslim communities. Drawing from historical Turkic, Persian, Sanskrit and Jain sources, Thapar argues that there is no historical evidence that the looting was ever felt as a collective trauma in a caste-fragmented society, nor that it was even recalled in local history (Thapar 2019: 251). Although Persian sources did extol the raid as a victory of Islam over the infidels, Thapar draws attention to the personal motivations of courts historians, writing sometimes centuries after the facts,

and reminds of the economic factors that may have led to looting extremely rich temples (ibid.: 251).

Only in 1843 did the episode became widely known, on the occasion of a debate in the House of Commons in London.[22] According to Thapar, the issue was used by colonial authorities to sow distrust between communities, but it also stemmed from the British understanding of history, which emphasised antagonism (ibid.: 254).[23] It was later made a focal point of Hindu-Muslim relations. Picked up by Hindu nationalists, the controversy culminated in 1951 with the construction of a new temple in a movement led by minister K. M. Munshi. An existing historical temple stood on site, protected by the ASI. Yet, disregarding its own government's conservation regulations, Munshi had it pulled down and replaced by a new one (privately funded) to correct what was perceived as a blot on the national Hindu consciousness (ibid.: 256).

In December 1992, the tearing down of the Babri Masjid in Ayodhya by a mob of militant Hindus led by the Vishwa Hindu Parishad (VHP) was presented as a revenge for the destruction of the Somnath temple a thousand years ago. The mosque had been built in the sixteenth century by the first Mughal emperor Babur on the purported birthplace of the Hindu god Ram. Its destruction was the climax of a movement to build a Ram temple initiated in the early eighties by right-wing politicians. The Ayodhya issue offers an exemplary case of political use of heritage and its consequences. The massive mobilisation around the Ram temple greatly polarised society and succeeded in imposing Hindu nationalist theses in the public sphere, eventually increasing support for the Bharatiya Janata Party (Jaffrelot & Tarabout 1996). It also triggered a wave of deadly communal violence in the entire subcontinent, with Hindu temples torn down in Pakistan and Bangladesh as retaliation. As Romila Thapar puts it: 'the fallacious idea that the past can be changed through destroying the surviving heritage from earlier time [is] an attack on the idea of history' (Thapar 2019: 61).

Ahmed (2015) compares and discusses the different arguments in the Ayodhya dispute. The dominant Hindutva narrative relies on faith in the belief that Ram was born there and that a temple previously stood. The local Hindutva narrative relies on folk tales about scheming Sufi saints. The secular narrative, summed up in the *Historians' report to the Indian nation* (R. S. Sharma et al. 1991) used a scientific historical method and a variety of textual and architectural sources to refute the VHP's claims. Moreover, in 2003 an independent archaeological excavation concluded to the presence of an earlier mosque under the Babri Masjid (Varma & Menon 2010). The dominant Muslim narrative insists on the status of the mosque as a protected monument part of India's heritage, and fully

accepts the secular historians' conclusions to focus on the legal aspects of the case. Finally, the local Muslim narrative emphasises the role of local Sufis and kings in promoting interfaith harmony (Ahmed 2015: 194-205).

Through a detailed reading of legal proceedings since the first riot in 1853, Ahmed depicts the steps of the process in which what had started as a localised issue eventually transformed into a flashpoint for communal tension on a national scale. First, British judges interpreted the case as civilisational conflict between Hinduism and Islam and linked it to the question of temple desecration. Then, after idols were placed in the mosque in 1949, the courts chose to always uphold the *status quo* in the different affairs, gradually recognising the Hindu claim based on faith, until a ruling in 1986 opened the mosque to 'unrestricted puja'. Muslim political reaction involved invoking heritage legislation to argue of the protected religious and Muslim character of the site under the AMASR Act, while pushing for the opening of all non-functional protected mosques to worship.

471

While the latter demand was unsuccessful, *The Protection of Places of Worship Act* was passed in 1991 declaring that 'the religious character of a place of worship existing on the 15th day of August, 1947 shall continue to be the same as it existed on that day' (section 4). However, section 5 specifically states that the Act does not apply to Ram Janma Bhumi-Babri Masjid in Ayodhya.[24] After years pending before the Supreme Court, the case was finally resolved in a November 2019 judgement ordering the site to be handed over to a trust to build the Ram temple, while the UP Sunni Waqf Board was to be awarded five acres of land to build another mosque. In August 2020, Prime Minister Modi presided over the ground-breaking ceremony for the construction of the temple.[25] And although the Supreme Court found that the 1992 demolition a violation of the law, all accused including BJP leader L. K. Advani and other VHP leaders were acquitted of conspiracy charges in a Court verdict in September 2020.[26]

Conclusion

This essay attempted to decode the process of heritage formation in South Asia by examining recent literature. The emergence of the conservation movement in Europe in the early nineteenth century and its importation by colonial scholars and state agents to the subcontinent is by now well established, as is the pioneering role of the Archaeological Survey of India. The trend to conserve, preserve, and display cultural artefacts and buildings as historical archives cannot be separated from colonial politics of knowledge production. Concepts imported from

Europe such as material authenticity, age value, restoration, etc. have inspired past and present heritage conservation laws and institutions, and have given rise to a class of heritage experts. A lasting imprint on South Asia's historic sites is their presentation as impressive, monumental structures frozen in time and cut off from their surrounding social environment.

Heritage has later been reappropriated by heritage practitioners from the Global South. Faced with a diversity of cultural traditions around the world, in which material authenticity was sometimes irrelevant, these standards have been redefined to acknowledge a wider diversity of forms of cultural practices in conservation. This is particularly relevant in South Asia where the conservation of historic buildings as "dead" monuments is seen as ill-adapted by conservationists, as it alienates local communities from their own heritage, or is regarded as an obstacle on the way of urban development. Moreover, such an approach disrupts traditions of use and maintenance rituals, which hold a particular cultural and spiritual significance in preserving the link between historic sites and communities. In addition, the practice of periodically repairing or even beautifying buildings contributes to the preservation of indigenous knowledge systems and craftsmen skills. Finally, holistically conserving a monument within its own cultural landscape holds interesting promises in preserving the historical, social, cultural and environmental coherence of such landscapes. Despite affirmations by authors such as Silva & Sinha (2015: 1), such criticisms and recommendations are not based on inherently South Asian characteristics of heritage (marked by the primacy of place and ritual over materiality), rather on reflections initiated in the last four decades by conservationists around the world and endorsed by international institutions such as UNESCO.

These analyses focus on conservation in itself, its implementation and impacts. There is, to date, little research available on a "bottom-up" understanding of heritage in South Asian societies. From the colonial era, the practice of visiting heritage sites has gained widespread popularity in South Asian societies. Domestic tourism for leisure and/or for religious reasons has grown with the rise of the middle-class, while urban historic sites are used as public parks. Yet, little is known about the meaning(s) domestic visitors give to heritage. How do South Asians in all their diversity perceive heritage sites as visitors? Reflections on tourism and visitors at heritage sites presented in this essay are based on the premises of Western theories. There is thus a need for a comprehensive ethnography of domestic visitors to heritage sites in South Asia (studied alongside criteria such as level of education, socioeconomic background, gender, age, local/non-local, religious affiliation), in order

472

to better understand the meanings that different categories of visitors ascribe to different categories of historic sites (places of worship, historic buildings, national monuments…).

In this essay I highlighted literature that presented heritage as places of contestation. The inadequacy of conservation laws vis-à-vis realities on the ground leads to commodification as well as contestation around issues of ownership, particularly between secular State agencies and religious trusts at historic places of worship. Historic monuments help promote narratives and counternarratives about the past, and their role as symbolic anchors for a collective identity has been well researched. Thus, we can, like Deborah Stein, write that the control over heritage is a control for the definition of the past and therefore of the future. Yet in South Asia, the contribution of heritage policies to State efforts to build a national identity remain understudied, compared to educational policies for instance. I argue that there is a pressing need for an exhaustive history of conservation policies in South Asian countries which go beyond the study of pieces of legislation, and takes into account the internal dynamics of decision-making within heritage organisations. In a context of rising nationalism, where post-Independence narratives are increasingly challenged, better understanding heritage policies becomes therefore even more vital to grasp the deep changes at play in South Asian societies.

473

Endnotes

[1] Anuja Jaiswal. 2018. Taj Mahal: except Fridays, ASI Bans Daily Namaz in Taj Mosque. *The Times of India*, 5 Nov.,
https://timesofindia.indiatimes.com/india/except-fridays-asi-bans-daily-namaz-in-taj-mosque/articleshow/66504125.cms [all internet sources were retrieved on 27.12.20].

[2] See Ahmed, Hilal. N.d. Afterlife of a "Monument": Taj Mahal | Sahapedia. *Sahapedia*,
https://www.sahapedia.org/afterlife-of-%E2%80%98monument%E2%80%99-taj-mahal.

[3] Ibid.

[4] Supreme Court seeks Shah Jahan's "signature" in Taj Mahal Case. *The Hindu*, 11 Apr. 2018, sec. National,
https://www.thehindu.com/news/national/supreme-court-seeks-shah-jahans-signature-in-taj-mahal-case/article23505329.ece.

[5] Though Ahmed uses Françoise Choay's (2007) concept of "monumentalisation", I would rather use the term of "patrimonialisation". Monumentalisation refers to the transformation of a building or an ensemble of buildings into a *monument* (that is, according to the *Oxford English Dictionary*, 'an object commemorating a person or event [and/or] a structure of historical importance'); while patrimonialisation is the historical process by which the concept of heritage gradually finds concretisation in society and solidifies into protected sites being recognised a 'heritage' value, supported by a legal and administrative framework.

[6] For this section see also the official website of the ASI: History « Archaeological Survey of India, https://asi.nic.in/about-us/history/.

[7] Cited in "History « Archaeological Survey of India",
https://asi.nic.in/about-us/history/.

[8] *The Ancient Monuments Preservation Act* (1904),
https://asi.nic.in/wp-content/uploads/2015/07/5.pdf.

[9] As an example, the official webpage on the ASI's history currently dedicates more than 3,500 words to the period from 1784 to 1947, tracing back the early stages of archaeology and conservation to a detailed overview of the ASI's activities under all its Director Generals. However, only 536 words are dedicated to the period after 1947, summarily covering the evolutions of the legal framework and internal administrative reorganisations.

[10] Comptroller and Auditor General (CAG), "Performance Audit of Preservation and Conservation of Monuments and Antiquities of Union Government", Report No. 18 of 2013, Ministry of Culture.

[11] 'The heritage-value perspective centres on the categorical importance of historic, artistic, aesthetic, and scientific values associated with heritage places as interpreted by experts and scholars', while 'the societal perspective places more emphasis on the dynamic, complex interplay of heritage and societal values as activated by a wide variety of actors, interest groups, and institutions, including but extending well beyond the heritage conservation field,' it demonstrates a concern for what is often called 'community engagement' (Avrami et al. 2019: 15).

[12] Though often attributed to the birth of Christianity, which explains the world having a beginning and an end, a linear view of time is however a rather recent development: Benedict Anderson demonstrates how before the Enlightenment, European thought marked by religiosity considered multiple epochs as happening *simultaneously*. A linear understanding of time only came about in the 18th century, concomitantly with the idea of the Nation. See Anderson, Benedict R. O'G. 2006. *Imagined communities: reflections on the origin and spread of nationalism*. Rev. edn. London: Verso, chapter 2.

474

[13] One needs to be cautious of sweeping culturalist explanations. The perception of India as timeless has been reinforced by the writings of the first modern European scholars who were confronted to a lack of reliable indigenous sources in the absence of archival records. Indeed, most administrative records were historically recorded on palm leaves, but were lost over the centuries due to local climatic conditions. In their absence, they focused on sacred texts and ancient Sanskrit treaties, in which, even in political or economic theory treaties, there was no mention actual events identifiable by date, place, name, etc., make dating difficult. Resorting to using Muslim chronicles and European travel accounts as sources, they argued that Indians had no sense of history until the arrival of Islam in the subcontinent (Angot 2017). This perception also fitted with an Orientalist narrative of 'the East' as timeless and unchanging, against a dynamic and conquering West, whose scholars' mission was to write the natives' history for them.

[14] *Mayamata: Traité sanskrit d'architecture*, critical edition, French translation and notes by Bruno Dagens. Pondicherry, Institut français d'indologie, 1976.

[15] Adopting a holistic approach to conservation is not specific to South Asia, rather it is the outcome of a global reflection on heritage that started in the 1960s (Weiler & Gutschow 2017). The concept of cultural landscape itself was officially recognised in several international texts: the Burra Charter of 1981, the Nara Document on Authenticity of 1994, the UNESCO Convention on Intangible Cultural Heritage of 2003, and the 2004 ICOMOS Emame Charter.

[16] The Shalamar Garden's status as a World Heritage Site is threatened due to the construction of the Orange Metro Line in the vicinity which threatens its structural integrity. See Centre, UNESCO World Heritage. Reactive monitoring mission to the fort and Shalamar Gardens in Lahore, Pakistan. *UNESCO World Heritage Centre,*
https://whc.unesco.org/en/news/1616/.

[17] See P. Geddes. 1915. *Cities in evolution: an introduction to the town planning movement and to the study of civics*. London: Williams and Norgate.

[18] *The Jaipur Ancient Monuments Preservation Act*, 1941.

[19] See *supra*, p. 21.

[20] *Bombay Public Trusts Act* (1950), section 2(17), 20, emphasis added.

[21] See the Qutub Minar entry in the Delhi Tourism website: 'Qutab Minar', http://delhitourism.gov.in/delhitourism/tourist_place/qutab_minar.jsp.

[22] Lord Ellenborough, Governor-General of India, had vowed the previous year to bring back to Somnath the gates of Mahmud's tomb in Ghazni on the occasion of a military campaign to Afghanistan, only to find out later that the sandalwood gates actually came from Egypt (Thapar 2019: 253).

[23] Incidentally, this periodisation led British historians to rely on Sanskrit texts for the Hindu period and on Persian texts for the Muslim period. This may explain why Hindu and Jain accounts of the Somnath raid were overlooked at the benefit of Persian sources praising it as an act of *jihad* (Thapar 2019: 254).

[24] *The Places of Worship (Special Provisions) Act*, 1991.

[25] See: Abhishyant Kidangoor. 2020. India's Narendra Modi broke ground for a controversial temple of Ram: here's why it matters. *Time,* 4 Aug., https://time.com/5875380/modi-ram-temple-ayodhya-groundbreaking/.

[26] See: Prabhjote Gill. 2020. Babri Masjid demolition case: CBI Special Court acquits all accused, judge says "Demolition was not pre-planned". *Business Insider*, 30 Sept., https://www.businessinsider.in/india/news/babri-masjid-demolition-case-cbi-special-court-acquits-all-accused-judge-says-demolition-was-not-pre-planned/articleshow/78401534.cms.

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476

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