

Kerala Conversion Case

Why in news?

\n\n

Supreme Court has ordered an investigation by the National Investigation Agency (NIA) into a possible “conspiracy” of “love jihad”.

\n\n

What is the case?

\n\n

\n

- The case involves the marriage of a 24 year old Hindu girl who converted to Islam before wedding a Muslim man.

\n

- She has told the court that she converted to Islam of her own will.

\n

- The girl’s father had argued that his daughter had come under the influence of radical Islamists.

\n

- This is made at the backdrop of allegations of widespread radicalisation in Kerala.

\n

- Kerala High Court had annulled their marriage earlier, condemning it as “love jihad”.

\n

- The case subsequently taken to Supreme Court which has ordered an NIA probe into the case.

\n

\n\n

Is the issue handled properly?

\n\n

\n

- The whole issue seems to have got muddled communal narrative over an individual’s rights and freedom.

\n

- **HC order** - The girl is an adult.
\n
- Yet the HC made an odd observation that the woman’s marriage required the involvement of her parents, as she is still at a “vulnerable age”.
\n
- It enforces the widespread patriarchal understanding of women being the forever wards and property of their parents or any other male.
\n
- Allegations were made over her husband having links with the Islamic State extremists on the basis of his WhatsApp groups.
\n
- However, police investigation had not found any criminal element in this regard.
\n
- **SC order** - The question before the court is the correctness of the Kerala HCt’s decision to annul her marriage and to adjudicate if her conversion and marriage are voluntary.
\n
- But, the Supreme Court has ordered NIA to inquire into whether Hindu women in parts of Kerala are being radicalised.
\n
- This seems to be arbitrary and invites suspicions of **judicial overreach**.
\n
- It is also erroneous to task an anti-terrorism investigative agency to ascertain the truthfulness of religious conversions.
\n
- Supreme Court seems to have placed a judicial curtailment on her free choice and has failed to fulfil its commitment to protect her freedom of religion and movement.
\n

\n\n

\n\n

Source: The Indian Express

\n

