Kerala Conversion Case

Why in news?

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

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What is the case?

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- The case involves the marriage of a 24 year old Hindu girl who converted to Islam before wedding a Muslim man.
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- She has told the court that she converted to Islam of her own will.
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- The girl’s father had argued that his daughter had come under the influence of radical Islamists.
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- This is made at the backdrop of allegations of widespread radicalisation in Kerala.
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- Kerala High Court had annulled their marriage earlier, condemning it as "love jihad".
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- The case subsequently taken to Supreme Court which has ordered an NIA probe into the case.
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Is the issue handled properly?

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- The whole issue seems to have got muddled communal narrative over an individual’s rights and freedom.
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- **HC order** - The girl is an adult.
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- 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".
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- It enforces the widespread patriarchal understanding of women being the forever wards and property of their parents or any other male.
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- Allegations were made over her husband having links with the Islamic State extremists on the basis of his WhatsApp groups.
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- However, police investigation had not found any criminal element in this regard.
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- **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.
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- But, the Supreme Court has ordered NIA to inquire into whether Hindu women in parts of Kerala are being radicalised.
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- This seems to be arbitrary and invites suspicions of **judicial overreach.**
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- It is also erroneous to task an anti-terrorism investigative agency to ascertain the truthfulness of religious conversions.
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- 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.
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Source: The Indian Express

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