

# A conspiracy against inter-faith love

Laws to curb intermarriages are part of a communal agenda



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In India, intermarriages between people of different regions, castes or religions have to a large extent been prevented by casteism, religious conservatism, and fear of parental authority. In a country as large and diverse as this, intermarriages are still a rarity. There are few inter caste marriages and even fewer interreligious ones. Surveys large and small confirm that the vast majority of Indians (between 95% and 99% depending on the State) have arranged marriages, which are, by nature, intra caste and intra religious. Between 70% and 80% of Indians across all age groups and religions disapprove of inter caste or interreligious marriage. Those of us and our forebears who married across caste groups or across religious communities are a very small minority of around 5% and about 2%, respectively.



"The Supreme Court affirmed in the case of Hadiya (formerly Akhila) and Shaheen Jahan that no one had a right to interfere in the marriage of consenting adults." Hadiya and Shaheen Jahan in Kozhikode in 2018. © K. SAKSHI

Yet, for decades, the Rashtriya Swayamsevak Sangh (RSS), through its affiliates, has kept up an attack on the 2%, trying to prevent or break up marriages between Hindus and people of other faiths, primarily Muslims. Despite all its very recent protestations to the contrary, the Sangh Parivar is known to hold that Muslims (and Christians), whose holy sites are outside India, are not truly "Bharatiya". Groups owing allegiance to the Parivar scour court notices for marriages under the Special Marriage Act and use persuasion, threats, intimidation and even violence to try and stop marriages from taking place. When Muslim women marry Hindu men (even abroad), they try to have them "convert" to Hinduism.

## NO EVIDENCE OF 'LOVE JIHAD'

But it is only quite recently that they conjured up a conspiracy theory in support of their campaign. Starting in coastal Karnataka and northern Kerala in the mid 2000s, Sangh vigilantes claimed that Hindu Muslim romances were a well thought out conspiracy to seduce Hindu women in order to convert them to Islam and produce Muslim children. It was among these vigilantes that the term 'love jihad' was bandied about. A Karnataka Criminal Investigation Department (CID) investigation into complaints of 'love jihad' in 2009 concluded that there was no 'love jihad', only love and marriage between consenting adults. But the conspiracy theory, and the term 'love jihad', were exported to north India in the run up to the 2014 general election. Over the next few years, as the Bharatiya Janata Party gained political ground, the term gained currency, adding another dimension to the Sangh Parivar's programme of communal polarisation.

A National Investigation Agency (NIA) probe was ordered following continuing claims in Kerala in 2018. In Uttar Pradesh, whose current Chief Minister issued a public death threat to men he claimed were involved in 'love jihad', the police investigated 14 complaints. The NIA reached the same conclusion as the Karnataka CID did in 2009: there was no conspiracy to convert Hindu women, nothing called 'love jihad', all the women concerned had married and/or changed religions as independent thinking adults. The U.P. police have found that the majority of the cases probed were consensual. And in the cases identified as

suspicious' by the police, neither is there evidence of forcible conversion nor of the fact that the women did not make their own choices.

But keeping the conspiracy theory alive seems to be an important part of the RSSBJP's communal political programme. And so, under the guise of anti conversion laws, a few BJP State governments have now announced their intention to make 'love jihad', a conspiracy theory, a crime punishable by imprisonment. The conspiracy theory has evolved along the way. Its central premise is that no Hindu woman will fall in love with a man she knows to be a Muslim; Muslims disguise themselves as Hindus to get their way with obedient Hindu women and having ravished them, force them to convert.

### **EXERCISING CHOICE**

Characterising Hindu women as dimwitted and easily led is socially more acceptable than the idea that a woman can love outside artificial social boundaries and exercise choice. This is borne out by the many examples from across the country of parents using provisions of criminal law on rape and kidnapping to try and break up their daughter's relationship or marriage, entered into by choice. There are also examples from across the country of families that have conspired to murder their daughter or her husband or both, because their falling in love is an affront to family authority and to the social order determined by caste and religion.

The insidious linking of interfaith relationships with 'forcible conversion', however, gives this campaign a powerful toxicity. The Supreme Court affirmed in the case of Hadiya (formerly Akhila) and Shafin Jahan that no one had a right to interfere in the marriage of consenting adults. What the BJP State governments are proposing is a law that overturns this premise, by making the validity of a marriage subject to investigation on the basis of third party complaints. It makes every Muslim marrying a Hindu suspect. It characterises Muslims as conspirators in a project of proselytisation and colonisation of Hindu wombs. And it provides legal cover for Sangh organisations to carry on their decade sold campaign of harassment, and worse, against Hindu Muslim marriages.

To be sure, the RSS and its affiliates have been able to pursue their flagrantlynti constitutional and unlawful methods in trying to prevent interreligious marriages because their agenda feeds the casteism and religious anxiety of the majority of Indians. This is why, all these years, they have had the easy support of court officials, the police, and in too many cases also the families of young people who have dared to love.

The changes in law proposed by a few BJP State governments, if they go through, will create a decidedly hostile legal environment for Hindus and Muslims to marry. What is already difficult, because of family, community and Sangh Parivar pressures, will become impossibly hard.

Nazi Germany's Nuremburg laws prohibited sexual relations and marriages between Jews and non Jews. Violation of the law led to imprisonment and later, incarceration in a concentration camp. Segregationist U.S. and apartheid South Africa had laws prohibiting interracial marriages and sexual relations. In South Africa, the law was enforced through surveillance and police raids. In both countries, violations were punishable by imprisonment. In India, the Sangh Parivar can achieve the same ends without a law explicitly banning such marriages, so long as those who are unable to see beyond caste and religion conspire in its plan.

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