FALSIFIED NOTIONS OF JIHAD:
THE MEANING OF INDIA’S ‘LOVE JIHAD’ LAW

Shruti Avinash

ABSTRACT
This paper presents an overview of the false propaganda against the minority Muslim community in the garb of media trials, accusations, boycotts, and social media whirlwinds using the term ‘Jihad’ to demonise any conduct of the Muslim community even remotely inconvenient for the right-wing Hindutva groups. It holds these versions of ‘Jihad’ as distinct from the legitimate threat posed by the radicalised idea of the Lesser Jihad which culminates in stabbings, killings, suicide bombings, and remote bombings of innocents and civilians. In order to do so, it first examines the meaning and the nature of the term Jihad in its entirety, and then puts forth the various venomous narratives on Jihad being witnessed in India, including that of Love Jihad. It goes on to explain why this ‘Love Jihad’ is more than just discrimination, and is the visible tip of the iceberg of a much more deep-rooted sociological problem. The idea of a moral panic is brought to the fore through a sociological examination, relying on seasoned approaches to understanding the reasons for such phenomena in the first place. It is not the argument that forced conversion is not a constitutional or legal wrong, but that such conversion is not the reason for all interfaith marriages across the country, that marriage accompanied by conversion is not necessarily criminal, and the State is wrong to interfere in the personal choices of individuals.

1 Student at NALSAR University of Law, Hyderabad; Email id: shrutiavinash@nalsar.ac.in.
INTRODUCTION

Following the 2019 Landslide victory of the NDA Government, a series of administrative, legislative, and Judicial decisions were made, which by themselves offered no cause for consolation to members of the Muslim community. This includes the Ayodhya Judgement, the Triple Talaq Law, and the Citizenship Amendment Act. In fact, these decisions antagonized Indian Muslims. The Muslim community today in secular India, is a minority community bearing the brunt of excessive criminalization of those laws affecting its rights.

The word ‘Jihad’ when used in everyday discourse, by default, is understood in the context of violence and terrorism. A large part of the Indian populace, is in fact, unaware, that the term ‘Jihad’ could assume an alternate meaning. This ignorance, when coupled with the fairly distorted and negative media portrayal of the Muslim community as ‘Jihadists’ creates an environment prone to communal disharmony. Considering the uninhibited usage of the word ‘Jihad’ in public discourse is not nearly as informed as the usage of the word by a student of Both Sociology and Law, it becomes imperative to study what Jihad is and what it is not. The word ‘Jihad’ could mean something as menacing as extremism and terrorism, and also mean something as innocuous as fighting inner temptations. Hence, one must examine the subject carefully as to do justice to its meanings, significations and contexts.

With every legal problem, there is a corresponding social event that may explain or demystify the reason for the occurrence of such a phenomenon. Similarly, in the case at hand, the reason for the allegations of Love Jihad, Corona Jihad, and UPSC Jihad stem from more than just islamophobia or communal disfavour. In order to examine the source, inhibitors and enablers for such anti-Islam and anti-Jihad narratives one must examine the patterns of sociological behaviours noted here. This includes mob mentality, criminalization, honour violence, paranoia and so on.

---


3 Mohammad Siddiq (D) Thr. LRs v Mahant Suresh Das, (2019) 4 S.C.C. 641.


7 *Id.*

The study proceeds in three parts, the first of which is dedicated to understanding the term ‘Jihad’ in two contexts, one being that of the regular practicing Muslim, and the other being that of practitioners of radical Islam, both of which are nearly independent of each other. For this purpose, the researcher has extensively read upon Jihad in etymological, historical, and theological contexts.

The second part of the study seeks to summarise the various narratives on ‘Love Jihad’ being deployed by vested interests, and explain the either inadequate or unjust reactions of courts, law enforcement, and print media. This part of the study is essential to understanding where and why a moral panic emerges. The researcher has referred to various reports in the print media, Supreme Court Cases, and editorials.

The third part of the study is dedicated to understanding what constitutes a moral panic, and why these distinct ‘Jihads’ are a by-product of the same phenomenon, with possibly the same stakeholders. The researcher has read upon theses and books authored by learned sociologists specialised in the exposition of moral panics.

WHAT IS JIHAD?

Among the fallacies of those that criticise Islam as a radical faith, is the failure to understand or define ‘Jihad.’ Jihad at the outset, is an Arabic word that literally translates to ‘striving’ or ‘struggle’ which when combined with the absent but assumed phrase ‘Fi sabil allah’ (meaning “for the sake of God”), can come to mean striving for Allah. An alternate (and distressing) interpretation of the term ‘Jihad’ could define it as a holy war fought in the name of Allah. Allah is the god of Monotheist Islam, and Jihad is understood to be carried out in his name.\(^9\)

The radical interpretation of Jihad as warfare against the non-believers of Allah has been treated as a form of martyrdom, primarily by radical Islamic fundamentalist groups such as the ISIS, the Taliban, and the Al-Qaeda. There are countless Muslims who read the Quran and the Hadith with hardly any of them deriving as harrowing an interpretation of Jihad as that derived by Islamic terror groups. The interpretations and justifications offered by Jihadists belonging to terror outfits and the interpretations advanced by other Muslims cannot be reconciled to a straitjacket definition of Jihad. The term itself appears multivalent, and need not necessarily have a negative connotation.\(^10\)

---


\(^10\) Khaled Abou El Fadl, supra note 7, at 12-13.
Although the origins and the inception of the practice of Jihad are questionable, Jihad is very much a reality today, and poses a threat to peaceful coexistence among the believers of different religions. The tragedy of the 9/11 twin tower attacks remains etched in the hearts of survivors and family members of deceased victims of the shocking jihadist attack. When Osama Bin Laden came forward to claim responsibility for the attack, (which he justified in the name of Islam) an extensive debate began brewing in western media on whether Islam as a religion condones or encourages violence especially against non-believers of Islam.

India has remained on high alert in terms of its counter-terrorist measures due to insurgence from its neighbour Pakistan. Among the factors that have favoured India in warding off the menace of ISIS is the fundamentally distinct character of the Islamic faith in India, separate from the Salafi-Jihadist nature of Islam proclaimed by radical Jihadist groups. It is true that innocent lives lost, when unaccounted for, breed great sorrow and regret. The millions of lives lost to Jihad continue to increase even today, with spiteful attacks by Islamic Jihadists having gripped Europe recently, stemming from tensions in France.\(^{11}\)

It is a largely undisputed fact in history that the Caliphate spread through the numerous conquests carried out by the Ottoman Empire in the guise of a ‘Holy War’ justified as offensive Jihad. The Muslim invaders took Syria, Persia, Jerusalem, Egypt and parts of India as they relentlessly subsumed civilizations and naturally imposed Islam upon the non-believers over centuries of Jihad.\(^{12}\) Yet today, despite the absence of a Caliphate, Jihad is carried out in the offensive by organizations which are not explicitly, but implicitly harbourred by several Islamic nations to further the cause of Radical Islam.\(^{13}\) Understandably, such a fomentation constitutes a grave threat to the security, peace and demography of all nations worldwide.

‘LOVE JIHAD’

Among the several figments of ‘Jihad’ discussed in this paper, ‘Love Jihad’ or ‘Romeo Jihad’ features prominently for its extreme repercussions. The very approach of those proposing Love Jihad appears to be contrary to any form of religious pluralism, rights to self-determination and secular freedom. It is an allegation premised on the idea that there is a conscious effort on the part of Muslim men to marry Hindu (and Christian) women, demanding

---

12 Id. 49-59 (2018).
their religious conversion to Islam in order to change the demographic make-up of India. Organizations such as the Rastriya Swayamsevak Sangh, the Akhil Bhartiya Vidyarthi Parishad, the Bajrang Dal, and the Vishwa Hindu Parishad have campaigned diligently against ‘Love Jihad’, holding conclaves, distributing pamphlets, and filing petitions for the cause.\textsuperscript{14}

The narrative on ‘Love Jihad’ however has several issues that permeate much beyond just religious animosity. The vigilantism that inter-faith couples face and the abject disapproval of a marriage between a Hindu and a Muslim also lays the foundation for honour-killing and lynching. These practices are surely not in favour of the ideas of Secularism and the Right to Life and Liberty\textsuperscript{15} enshrined as a part of the basic structure of the Indian constitution.\textsuperscript{16}

The term ‘Love Jihad’ was at first conceptualised around the year 2009 when the State of Kerala saw several devastating drives against consenting inter-faith couples, and habeas corpus writ petitions filed for the ‘custody’ of adult women.\textsuperscript{17}

The past decisions of the Karnataka and the Kerala State apparatus averse to consensual inter-faith marriage unions set poor precedents, and created a hostile environment for couples.\textsuperscript{18} At that time, the Kerala and Karnataka High Courts relayed some significant court verdicts, but did not condemn the theory of ‘Love Jihad’, and instead continued to entertain such cases. A bench of the Kerala High court in 2017 also went ahead to annul a marriage on allegations of Love Jihad in Shafin Jahan v. Ashokan.K.M.\textsuperscript{19} (the Hadiya case). This decision was reversed by the Apex court in the year 2018, as the interference of the Judiciary in a marriage between two consenting individuals was Ultra Vires, and did not address the issue (of Habeas Corpus) at hand. This case received national attention and was even investigated by the National Investigation Agency (NIA).

\textsuperscript{14} Charu Gupta, Hindu Women, Muslim Men: Love Jihad and Conversions, 44 ECON POLITICAL WEEKLY 13, 13 (2009).
\textsuperscript{15} INDIA CONST. art. 21.
Since then, several articulations of hate speech and communal animosity have made the Love Jihad hypothesis look like a political agenda. Accordingly, Courts appear to have had a change of heart, leaning in to progressive ideals. In 2017, the Kerala High Court held in the case of Anees Hameed v State of Kerala:

“We are appalled to notice the recent trend in this State to sensationalize every case of inter-religious marriage as either ‘Love Jihad’ or ‘GharWapsi’ even if there was platonic love between the spouses before.”

In an improvement on its past decisions, the Karnataka High Court in November 2020 also upheld the fundamental right to marry a person of one’s choice.

In September 2020, the Allahabad High Court made the decision to refuse police protection to a married couple (where a Muslim woman converted to Hinduism a month prior to marrying a Hindu man). The couple apprehending threat to their life and liberty, approached the Court for relief but were denied the same. Appropriately, this decision of the single bench of the Allahabad High Court was overturned by a division bench of the same Court in a critical decision that came much later.

Unfortunately, the initial precedent of the Allahabad High Court laid the foundation and served as the basis for hostile statements from several significant political leaders. For instance, the Chief Minister of Uttar Pradesh, Haryana and the Home Minister of Karnataka have announced they would pass a dedicated law in the future specifically for the purpose of pre-

---

24 Priyanshi @ Km Shamreen v State of UP, WRIT - C No. - 14288 of 2020, Allahabad High Court.
empting Love Jihad and punishing ‘Jihadi Lovers’, which was unfortunately followed up by several states including the State of Uttar Pradesh\(^{29}\) Madhya Pradesh\(^{30}\) and Gujarat.\(^{31}\) This myth of ‘Love Jihad’ refuses to acknowledge that a non-Muslim woman may voluntarily elope or enter the institution of marriage with a Muslim man, and may convert to the Islamic faith voluntarily in order to do so. While the abovementioned scenario may or may not raise questions of morality, it is not in the purview of the State to place restrictions on an Individual’s right to choose a partner of his or her choice, or the right of an Individual to convert to a religion of his or her choice.

There also exist several unsubstantiated theories of Love Jihad, often expounding it as a conspiracy, in which Jihadist groups fund young Muslim men, and equip them with money, designer clothes, and expensive cars in order to seduce and mislead chaste Hindu women, and forcibly convert them.\(^{32}\) This idea is extremely unsettling on two counts. First, that young Hindu women have been reduced to naïve, materialistic and dependant entities of the Hindu familial hierarchy, and second that young Muslim men are painted as scheming hypersexualized jihadists seeking to assert their virility and manhood.

**THE CRIMINALIZATION OF ‘LOVE JIHAD’**

It is concerning that despite having being no legal provision for the ‘offence of Love Jihad’, the statements made by multiple leaders holding Public Office across India reeks of disharmony and possibly more suppression of the Muslim community, a trajectory headed toward the invalidation of interfaith marriages. *The Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance 2020*\(^{33}\) approved by the Uttar Pradesh Cabinet, and promulgated by the Governor of Uttar Pradesh Anandiben Patel on 24\(^{th}\) November 2020 is one such major move toward the criminalization of interfaith marriages which acted as a catalyst for such laws.

---


\(^{32}\) Charu Gupta, *supra* note 13, at 14.

Very recently, the Gujarat Assembly passed the Gujarat Freedom of Religion (Amendment) Act 2021 in order to curb the ‘emerging trend in which women are lured to marriage for the purpose of religious conversion’. This law allows marriages ‘solemnized for the purpose of conversion’ to be declared void while placing the burden of proof on the accused. Here, there is a prima facie interference of the State in the private affairs of individuals, directly affecting the right of persons to choose their partners. Alarmingly, the legislation allows any party related to the victim by blood, marriage or adoption to register a complaint, making room for the abuse of this law by family members who disapprove of the interfaith marriage.

The criminalization of consensual relationships between couples belonging to different religions, and the scope for the annulment of such consensual marriages is terrifying in a democracy such as India, the Constitution of which explicitly protects civil liberties, and the Right to Life under Article 21, which necessarily encompasses the right to consensually wed a partner of one’s choice. The fact that a criminal complaint can be filed under these laws by the ‘aggrieved person’, his/her brother/sister/or ANY other person related to him/her by blood, marriage, or adoption makes this provision ripe for abuse by the relatives of those couples who defy societal norms and enter into the institution of marriage against the wishes of their family members.

It may be argued that idea of Hindu masculinity feels extremely threatened at the thought of a Hindu woman marrying outside her faith, and can even be situated comfortably in context of the upper caste Hindu man’s hegemony in India. This feeling of outrage stems not out of respect for the Hindu woman, but from the fact that she would exercise her own judgment and the perception that she would prefer a Muslim as more suitable to be her partner, than a Hindu.

Much of the dialogue around ‘Love Jihad’ also speaks of ‘protecting’ the Hindu woman, while essentially commoditizing her and reducing her to a symbol of Hindu honour. The Muslim man approaching her romantically is construed as an attack not on her, but on the Hindu man. The notion speaks of bringing the Hindu woman back to her religion, she who has ‘strayed’ from

36 Supra note 24.
37 Sparsh Upadhyay, supra note 28.
her faith, and has been victimised by her predatory Muslim lover. This design suggests that the very honour of the upper caste Hindu community rests on the shoulders of the docile Hindu wife/mother/daughter. This is similar to the discriminatory practice of forbidding exogamy in upper-caste Hindu communities to prevent the ‘defilement of their blood’ by bringing in (seemingly) inferior members of society into the family tree.39

**THE RIGHT TO MARRY A PERSON OF ONE’S CHOICE**

The ‘Right to Marry’ has not been enumerated in the Indian Constitution, rather it has been drawn from the Right to Life and Liberty (Article 21,19) by means of Judicial interpretation. This right is not exclusively the right to marry, but the right to marry and remain married to a consenting party, irrespective of religion, caste or social status without the interference of the State.

The Supreme Court upheld the ‘Right to Marry’ in two successive decisions in 2018, the first being the case of *Shakti Vahini v. Union of India*40 and the second being the Hadiya Case. In the latter case, the Court made a reference to Article 16 of the UDHR,41 which is situated today in Article 23(2) of the ICCPR.

Article 23(2) of the ICCPR reads as follows:

> ‘The right of men and women of marriageable age to marry and to found a family shall be recognized.’42

The Right to Marry, as upheld by the Supreme Court, therefore, is founded in International Human Rights Law, and any deviation from such individual freedom will be a Human Rights Violation. In cognizance of this, the Supreme Court held in *Shafin Jahan v. K.M. Asokan* 43 that:

> ‘The right to marry a person of one’s choice is integral to Article 21 of the Constitution. The Constitution guarantees the right to life. This right cannot be taken away except through a law which is substantively and procedurally fair, just and reasonable. Intrinsic to the liberty which the Constitution guarantees as a fundamental right is the ability of each individual to take decisions on matters central to the pursuit of happiness. Matters of belief and faith, including whether

---

39 *Id.* at 81.
40 *Shakthi Vahini v. Union of India*, 2018 SCC 7 192.
41 UDHR, art. 16.
42 ICCPR, art. 23(2).
43 *Supra* note 18, Para 21
Unfortunately, the present State of affairs in which several State Assemblies have enacted ‘freedom of religion’ and ‘Love Jihad’ laws in order to annul marriages on flimsy grounds is disproportionate, illegitimate and arbitrary. The State has sought vague grounds such as ‘allurement’ and ‘forced conversion’ to annul marriages that parties have willingly entered into, leaving an inordinately large burden of proof upon the accused. Here, it is impossible for the accused to conclusively prove or even isolate the subjective characteristics of a marriage founded on love, good-faith, trust and kindness to prove that the conversion was out of religious belief and conviction. Hence, the right of consenting parties to remain matrimonially/legally bound to each other is being violated by the State in these laws.

Furthermore, the legislature undermines the rights of parties to enter into such marriages when it makes the act a cognizable offence, allowing parties other than the ‘victim’ of forced conversion to register a complaint, making it difficult to premise that these laws were enacted with a bona fide intention.

THE SETTING IN OF A MORAL PANIC

If one were to provide a good sociological explanation as to why Hindutva activists have resorted to tactics of alleging Jihad, then the theory that would occupy the front row is that of a ‘moral panic’. These fictitious ideas of Jihad engender not only a poor portrayal of Muslim citizens of India, but also make Hindu Citizens appear as unduly virtuous victims of Muslim Jihad.

The term ‘moral panic’ was coined by the sociologist Stanley Cohen in his comprehensive thesis44 (1972) on the occurrence, wherein he emphasized the roles played by print media, digital media and social media in aggravating the seemingly irrational behaviour of groups. A moral panic is best defined as a fictitious, imaginary crisis or a threat to moral order constructed by vested interests in order to justify the persecution of a particular group or subgroup in society and are typically characterized by disproportionality and irrationality.45 The saturation of media has a huge role to play in the burgeoning and diverse moral panics being witnessed in modern society. Western history has witnessed moral panics encompassing ‘threats’ from

certain sexual orientations, racial groups, food products, and even a particular class of video games.

Interestingly, several Sociologists have held that often, large groups in society are prone to intense feelings of paranoia, distress and concern about a purported threat, that when closely and empirically examined would reveal no threat, or an extremely diminished scope for damage to society. This is because, as with any social phenomenon, these threats are culturally and politically constructed ideals, a figment of social imagination. Periods in history fraught with moral panics have hence witnessed suspicion, accusations, trials and executions of thousands of innocents.

To the constructionist mind, those problems that do not prod public conscience do not qualify as social problems (even if they cause considerable damage). Conversely, constructionists believe that even those imaginary threats that should not be a cause for concern, if embedded deeply enough in the minds of people to cause them grave concern would qualify as social problems.

Stanley Cohen has said on moral panics:

'It's nature is presented in a stylized and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians and other right-thinking people; socially accredited experts pronounce their diagnoses and solutions; ways of coping are evolved or (more often) resorted to; the condition then disappears, submerges or deteriorates and becomes more visible. Sometimes the object of the panic is quite novel and at other times it is something which has been in existence long enough, but suddenly appears in the limelight. Sometimes the panic passes over and is forgotten, except in folklore and collective memory; at other times it has more serious and long-lasting repercussions and might produce such changes ... in legal and social policy or even in the way the society conceives itself'  

Cohen’s intensive study on the phenomenon of a creation of a moral panic also envisions the creation of a ‘Folk Devil’ who is the persecuted enemy, the supposed source of the threat, the

---


47 STANLEY COHEN, supra note 43, at 46.
deviant, the socially undesirable manifestation of evil who is accused of being in pursuit of respectable members of society to rob them of something important.

**LOVE JIHAD AS A MORAL PANIC**

Erich Goode and Nachman Ben Yehuda in their phenomenal work on moral panics (1994) recognised five key features of a moral panic: Concern, Hostility, Consensus, Disproportionality and Volatility.\(^{48}\) If one chooses to apply these criteria, then the phenomena of ‘Love Jihad’ displays the above characteristics: It creates a cause for concern, fosters hostility, breeds consensus among the other religions, spearheads disproportionate legislative response and is extremely volatile in nature.

One characteristic of a moral panic is the ease with which a consensus is formed among the members of the majority groups in society.\(^{49}\) The moral panic need not affect a large chunk of the population. It is sufficient that it affects only those groups constituting the elites, which in present day India are the upper-caste Hindu groups.

The marked hostility toward Muslim men, identifying them as an enemy of respectable law-abiding members of society, and superimposing all sorts of Jihad upon their conduct is a tell-tale sign of exaggerated mass paranoia.

Cohen also theorized ‘Folk Heroes’ alongside ‘Folk Devils’; creating the dichotomy of good versus evil, which plays a major role in mobilization of uninvested masses.\(^{50}\) The unfortunate news features blow numbers out of proportion in order to create imaginary social crises, spearheaded by right wing news anchors, only strengthen our proposition that Love Jihad is a sad moral panic, scattered in a discrete timeline.

Extremely valid questions to be posed when examining the nature of a moral panic are best reduced to the **two W’s**- Who and for What?

*Who* brings the moral panic to the fore? Does it spread from the grassroots to rest of society, or does it stem from the higher echelons of society? What is the nature of Identity of the

---


\(^{49}\) Id. at 156.

\(^{50}\) STANLEY COHEN, *supra* note 43, at 102.
members who are supposedly put at peril with the rise of the panic? Are these members sufficiently privileged in society, or do they suffer from neglect and marginalization?

The second \( W \) brings to the fore a set of questions of \textit{What} the victimised class of people stand to gain by capitalising on a fictitious crisis? Does the pursuit of said moral panic underscore their privilege? Does it free up jobs? Does it foment sympathy for the community? Does it grant the exclusive rights over a domain of knowledge? Does it cause political aggrandization? The answers to these questions put us in an academic quagmire and create an evocative image of the answers we seek on the issues discussed.

Intriguingly, the theory of a moral panic meets with approval not just from constructionists but also from those sociologists that subscribe to the Marxist theory. Elite members of society, accessing abundant wealth can manufacture a moral panic to their convenience as a tool to avail additional influence, capital, resources, and even status advantages. Cohen has referred to these ‘activists’ that orchestrate and sustain moral panics as ‘Moral Entrepreneurs’.\textsuperscript{51}

On a close examination, one can derive that the moral entrepreneur in the context of these fabricated notions of Jihad would be the right-wing Hindu nationalist, who finds sufficient incentive in alienating the Indian Muslim and labelling him as a disloyal, undeserving outsider; a man who seeks to seduce the Hindu woman and coerce her to convert and join the Muslim fraternity and help increase Muslim numbers, who spreads a communicable disease to cause deaths of innocents,\textsuperscript{52} and who ‘infiltrates’ the civil services to encroach upon the rightful jobs of Hindus.\textsuperscript{53}

The summative effect of orchestrating these ‘Jihads’ is visible in the approval that the ‘Love Jihad’ ordinance was met with, and the change in general sociological perception of who a Muslim is. The idea of Muslims being predatory is an image that has been forcefully, yet subconsciously branded upon the sociological imaginations of the members of society that are a part of the majority. A Hindu who does not meet this standard of bigotry and propagates secularism is ostracised from his own community and called a traitor. When all of these panics

\footnotesize{\textsuperscript{51} \textsc{Stanley} Cohen, supra note 43, at 185.}
\footnotesize{\textsuperscript{52} Jayashree Bajoria, \textit{Corona Jihad is Only the Latest Manifestation: Islamophobia in India has Been Years in the Making}, HUMAN RIGHTS WATCH (May. 01, 2020, 01:26 PM), https://www.hrw.org/news/2020/05/01/coronajihad-only-latest-manifestation-islamophobia-india-has-been-years-making.}
\footnotesize{\textsuperscript{53} Pooja Chaudhuri, \textit{A List of All the False Claims Made in Sudarshan TV’s ‘UPSC Jihad’ Show}, THE WIRE (Sep. 24, 2020, 09:20 AM), https://thewire.in/communalism/sudarshan-news-tv-show-upsc-jihad-suresh-chavhanke-fact-check.}
are combined, they string together a change in overall community perception, which may be voluntary, or even involuntary.

It is to be understood that the moral panic engineered by the ‘moral entrepreneur’ reflects a concern that bothers him genuinely, but need not be a genuine contention by itself. He sees interreligious marriage, even if consensual, as a threat to the Hindu Woman, and may seek to salvage his right to her by ‘rescuing’ her from a ‘Jihadist’, then forcing her to return to her parents, alleging coercion on the part of the Muslim man. It is usually an irrational, covert concern that when sold as a moral panic becomes capable of causing episodes of strife, lynching, vigilante justice, and mistrust.

CONCLUSION

While Radical ‘Jihad’ in the sense of terrorism would by itself constitute a distinct sociological problem, the imaginary constructs of ‘Love Jihad’, ‘Corona Jihad’ and ‘UPSC Jihad’ are figments or Moral Panics engineered by Moral Entrepreneurs, who are collaterally damaging the fabric of Indian secularism in their quest of social and political dominance. While it would be indecorous to immediately attribute Moral Entrepreneurship to one particular political party, politics is by far one of the uglier sides of religious hegemony in India. The phenomena discussed throughout this paper seemingly arise out of the desire to extinguish, discredit, and weaken an entire community’s social standing in Indian society.

Since Muslims are the largest minority group in India, this likely poses a threat to the religious dominance of the majority religion (Hinduism). It is possible that if this title of ‘largest minority group’ belonged to any other religion, then that particular religion would be at the receiving end of these contemptuous, deliberate and dehumanizing sets of allegations. The political climate in India does not allow us to interpret these allegations as communally innocent.

One is bound to acknowledge that although the theory of Hindutva being endangered has been blown out of proportion, there have been incidents of forced conversions among persons of variable religions. Any such conversion effected under duress could be classified as ‘unlawful’, yet the solution to this would not be in the form of demonizing a particular religious group. The solution to a (forced) conversion would be to take cognizance of, and to facilitate the registration (and expedition thereof) of complaints of affected parties, rather than the complaints of relatives or family members.
On examining the origins of a false Jihad, one comes across a striking commonality among all sources—their affiliation to Hindutva, Hindu Nationalism and the National Democratic Alliance (NDA). The sources of (mis)information include private media houses, twitter handles belonging to politicians, political personalities, and ‘news websites’ with poor credibility. Not surprisingly, a majority of these sources are right wing allies, bringing in the angle of not just religious domination, but also that of power exchanges. The Hindu national revivalist movement has relied greatly not on spiritual or traditional strongholds, but on the agenda of political and institutional dominance. The equations of power in India today, as wielded by different sections of society are greatly different from those in the 2000s. Hindutva has become more than a socio-religious ideology and has morphed into a political phenomenon that has both sociological and legal repercussions. It is a matter that cannot be ignored or undermined, as it affects society as a whole.

It is contentious that the ‘Corona Jihad’ debacle occurred when the tragic exodus of thousands of migrant labourers took place in the midst of the lockdown. It is also questionable that the panic and administrative concerns around ‘Love Jihad’ were timed in a manner as to mute the atrocity of the Hathras Gangrape. The suspiciously convenient timing of these moral panics gives us a preliminary clue as to their purposes.

The primary reasons for the relentless oppression of the Muslim man to discredit the Muslim community appear to (i) distract from administrative shortcomings, (ii) maintain a form of Upper Caste (Hindu) masculine hegemony and (iii) mobilise crowds to gain political traction. The fear and mistrust created by fake news, propaganda, TV features or ‘News hour’, twitter storms, arrests and detentions are used to make members of society believe that there does exist a social problem of ‘Love Jihad’. This belief created is sufficient to give the vested interests their rewards and glory, while deviating from the real problems faced by society.

In finality, one can infer that these domestic constructs of ‘Jihad’ are all but repercussions of a coordinated course of action initiated by a socio-politically motivated Moral Entrepreneur and made a true matter of concern, not in terms of the issue it represents, but with the unprecedented

---

effect it will have on the Secular fabric of the Indian Constitution, violating all understanding of what it means to be a Citizen of the World’s largest Democracy.