

## In defence of love

In May this year, the Kerala High Court had sent ripples of disquiet across the country by annulling the marriage of a 24-year-old woman, Hadiya, against her wishes. It had endorsed the contention of her parents, who had forcibly separated her from her husband, that she had converted to Islam and married, as part of a so-called "love jihad" conspiracy. By invoking a sexist notion of parental rights over individual will, and by legitimising a campaign of hate against inter-faith marriages, it had perched us on a dangerous precipice. Last week on Thursday, a judgment by the same court brings us back to firmer and saner ground.

Responding to a habeas corpus petition filed by Anees Hamid, asking for the release of his wife, Sruthi Meledath, from the custody of her parents, the division bench warned against being carried away by the paranoia being fanned by bigoted elements in society. "We are appalled to notice the recent trend in the state to sensationalise every case of inter-religious marriage as either love jihad or ghar wapsi," it said. It reaffirmed the constitutional right of an Indian citizen to choose her life partner and determine the course of her life - even if her community and clan are ranged against her. "If the parents of the boy or girl do not approve of such inter-caste or inter-religious marriage, the maximum they can do is that they can cut off social relations with the son or the daughter," it said. It reminded the state that its duty was to stand with the individual. "This court should be overzealous to protect the individual liberty of even the lowliest citizen... and unlock the door to [her] freedom," it said. The Supreme Court, meanwhile, is still hearing arguments in the Hadiya case, having first asked for a NIA probe into allegations of a wider conspiracy.

The honourable SC should take note of the wisdom in the Kerala HC's order, especially its unambiguous endorsement of the subversiveness and humanity of love. The bench begins the judgment by quoting the great American poet, Maya Angelou: "Love recognises no barriers, it jumps hurdles, leaps fences, penetrates walls to arrive at its destination full of hope." In recent years, concerted hate campaigns and the increasing power of community vetoes have given love - especially between people of different castes and religions - a bad name. The court leads us away from the narrow imagination that besmirches young men and women in love as jihadis against a particular religion. By invoking Angelou, it reminds us that love is intertwined with freedom, and that lovers who challenge ideas of clan honour and identity are the free radicals that every democracy necessarily must give birth to if it believes in liberty.

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