# Anti-Conversion Laws, Vigilantism, and the Politics of Securitisation in India

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Abstract

Recent scholarship on "communal," or anti-Muslim violence in India, has focused on exposing the acts and performances of violence as being a "modality of Hindutva *politics*." This article highlights the need to reconceptualise anti-Muslim violence by departing from recent accounts, and focusing on violence as a "modality of Hindutva *governance*." In this context, it is entrenched via the "securitisation" of Muslim communities through the legal codification of discrimination, and formulation of the Muslim threat as an essential part of the security of the nation. This conceptualisation is important because it understands anti-Muslim violence not solely as instrumental and/or epiphenomenal to Hindutva politics, but also as part of the processes and techniques involved in the social construction of security in a modern, democratic state. Specifically, the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021 (and Amendment 2024) exemplifies how state law enforces discrimination by criminalising inter-faith marriages involving Muslim men and Hindu women. By analysing case law and ethnographic data, this article demonstrates how a legal framework of "security" sustains both state-sanctioned and vigilante violence.

***Keywords:*** Hindutva, *love jihad*, women's rights, violence, policing, religious conversion

# Leyes anticonversión, vigilantismo y la política de securitización en la India

Resumen

Estudios recientes sobre la violencia "comunitaria" o antimusulmana en la India se han centrado en exponer los actos y manifestaciones de violencia como una "modalidad de la política Hindutva". Este artículo subraya la necesidad de reconceptualizar la violencia antimusulmana, apartándose de los análisis recientes y enfocán-

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dose en ella como una "modalidad de gobernanza Hindutva". En este contexto, se arraiga mediante la "securitización" de las comunidades musulmanas a través de la codificación legal de la discriminación y la formulación de la amenaza musulmana como parte esencial de la seguridad nacional. Esta conceptualización es importante porque entiende la violencia antimusulmana no solo como instrumental o epifenómeno de la política Hindutva, sino también como parte de los procesos y técnicas involucrados en la construcción social de la seguridad en un Estado moderno y democrático. Específicamente, la Ley de Prohibición de la Conversión Ilegal de Religión de Uttar Pradesh de 2021 (y su enmienda de 2024) ejemplifica cómo la ley estatal impone la discriminación al criminalizar los matrimonios interreligiosos entre hombres musulmanes y mujeres hindúes. Mediante el análisis de jurisprudencia y datos etnográficos, este artículo demuestra cómo un marco jurídico de "seguridad" perpetúa tanto la violencia estatal como la ejercida por grupos paramilitares.

***Palabras clave:*** Hindutva, yihad del amor, derechos de las mujeres, violencia, actuación policial, conversión religiosa

# 印度的反皈依法、私刑和安全化政治

## 摘要

近期关于印度"社群暴力"或反穆斯林暴力的研究主要集中于揭露暴力行为及其表现形式是"印度教民族主义政治的一种模式"。本文强调，有必要重新概念化反穆斯林暴力，突破现有论述的局限，将暴力视为"印度教民族主义治理的一种模式"。在此背景下，暴力通过对穆斯林社群的"安全化"得以巩固，具体表现为歧视的法律化，以及将穆斯林威胁构建为国家安全的重要组成部分。这种概念化至关重要，因为它不仅将反穆斯林暴力视为印度教民族主义政治的工具性或附带现象，而且将其视为现代民主国家中构建安全社会过程和技巧的一部分。具体而言，《2021年北方邦禁止非法宗教皈依法》（及其2024年修正案）体现了邦法律如何通过将穆斯林男子与印度教女子之间的跨宗教婚姻定为犯罪来强化歧视。本文通过分析案例法和民族志数据，揭示了"安全"这一法律框架如何助长了国家认可的暴力和私刑暴力。

关键词：印度教民族主义，爱情圣战，妇女权利，暴力，警务，宗教皈依

## Introduction

Historically, inter-faith marriages—with or without religious conversion—of Hindu women to Muslim men have been a key societal issue in India. In the last decade, state-intervention by the Bharatiya Janata Party (BJP) government has also made inter-faith marriages an important site of violence, policing and law making. What would be sporadic confrontations between Hindu vigilantes and Muslim men in public spaces (Gupta 2009), has transformed into a sophisticated apparatus of state and non-state policing and violence. In the lead up to, and since, the enactment of the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021, right-wing vigilantes or "anti-Romeo squads" were reported to be regularly working with the local police in several districts to assault and apprehend Muslim men who were suspected of undertaking "love jihad" (Gurmat 2022; Rashid 2024). "Love Jihad" is a derogatory label that is used to accuse Muslim men of allegedly conspiring to lure and convert Hindu women to Islam through calculated and pre-planned marriages, romantic involvements, friendships, and, increasingly, even digital communications. This article argues that the implementation of anti-conversion laws exemplifies the state's securitised response to this alleged "love jihad crisis," and thus, should be viewed within the context of the juridical-political orderings of power formed under the Hindutva state, of which anti-Muslim violence is a central organising principle.

In the last decade, the spread of the frenzy of "love jihad" in public discourse has been followed by BJP state governments formulating and strengthening anti-conversion laws in up to twelve states in India.[1] These anti-conversion laws "securitise" marriage and other forms of inter-personal relationships between Muslim men and Hindu women, by alleging that any religious conversion, that may occur through such marriages, threatens and destabilises Indian society, and by extension, the state as a whole (Malji and Raza 2021). This legislation, colloquially called the "love jihad law" is often described by politicians and commentators as protecting public order, women's honour, culture, demographic numbers, and/or national security (Gupta 2023; Uma and Saxena 2021). Against this background, securitisation theory, drawn from international relations literature (Balzacq 2019; Buzan et al. 1998), provides a critical lens to understand the development of the anti-conversion movement from a political campaign to the realm of security and policy-making.

States' domestic security practices comprise of a complex mosaic of multiple policy agendas and select issues, where each political party that comes into power pursues its own ideological interests by constructing its own threats and creating and severing alliances, as and when required. While for the BJP, inter-faith marriages are security threats, in contrast, other governments have differed in their interpretations. The Indian National Congress government, in 1976, announced

the Inter-caste and Inter-faith Marriage Incentive Scheme that supported these unions by providing them a one-time 10,000 INR monetary incentive.[2] Intended for the promotion of national unity and inter-community integrations, the Uttar Pradesh Antarjatiya/ Antardharmik Vivah Protsahan Niyamawali, 1976, was introduced by the department of National Integration, and in 2013, the Samajwadi Party government raised the incentive to INR 50,000. Policymakers viewed inter-caste and inter-faith marriages as pre-requisites to strengthen civic-associational ties, and thus, the scheme was also adopted in Uttarakhand, in 2000, when the state was formed. However, in the last decade, the scheme has been watered down as inter-faith relationships and marriages have occupied popular discourse as being transgressions of, not only social norms, but also state law. In securitisation theory terms, this occurs when political leaders discursively elevate ordinary social issues into "existential threats," which necessitates changes in public policy often requiring extraordinary measures, legal codification, techniques of governmentality, and institutional expansion (Buzan et al. 1998, 21).

In this case, Hindu nationalist actors have framed inter-faith marriage and religious conversion, particularly of Hindu women to Muslim men, as existential threats to the alleged demography and culture of the Hindu nation. Here, securitisation operates through the articulation of a demographic anxiety, where terms like "love jihad" and "conversion terrorism" have been repeatedly used in public speeches and the media to portray Muslim men as predatory and conspiratorial (Siddiqui 2024; B. Pandey 2025; Human Rights Watch 2024). For example, in his 2022 Vijayadashami speech, Mohan Bhagwat, the chief of the Rashtriya Swayamsevak Sangh (RSS) stated that "conversion by force and allurement" was the "biggest factor" behind what he described as "population imbalance," warning that it was a serious threat to demographic shifts, which have the potential to redraw national boundaries (Tiwary 2025). Through this framing, issues of personal faith and marriage are lifted above normal politics, treated as being "forceful" and thus urgent threats that supposedly demand emergency responses, such as new criminal laws, surveillance, vigilantism and police action. Prime Minister Narendra Modi, in his 2025 Independence Day speech, announced the government's "demographic mission," which echoed these longstanding concerns within the BJP and RSS about population change, particularly in relation to migration, religious conversion, and differing birth rates across communities (Tiwary 2025). These alleged demographic changes, that remain unmeasured by the state, were framed not just as social trends but as challenges to national security that have political and socio-cultural implications, thus, shaping both rhetoric and potential policy responses.

Religious conversion, through marriages between Hindu women and Muslim men, thus, provides an important case study to understand how Hindutva governance deploys securiti-

sation of Muslims to legitimise the expressions of legality and "disciplining" violence. Historically, and now increasingly, the dominant narrative in political discourse and mass media has been to conflate the Muslim identity with national security risks (Ahmad 2023; Anand 2005). This has sanctioned intrusive state and non-state action, reflecting a broader trend of non-state actors assuming a quasi-policing role under the pretext of nationalistic protection (see Jaffrelot, 2026, in this issue). When inter-faith marriage is framed as a national emergency, it ceases to be subject to normal political debate and instead justifies extraordinary measures, arbitrary detention, and extrajudicial policing, both by the state and allied social actors. This article analyses cases of the anti-conversion law in Uttar Pradesh and reflects on field interviews, to highlight the practices, institutions and apparatuses that enable violence against Muslims through the social construction of security. It also reflects on the newer anti-conversion laws that have been recently introduced or amended in BJP states such as Uttarakhand, Madhya Pradesh, Rajasthan, Maharashtra and Chhattisgarh which follow the blueprint set out by the 2020 UP ordinance.

The following section analyses the literature on securitisation and discusses it as a framework to understand violence perpetrated through the anti-conversion law. It is then followed by a section that uses insights from police cases booked under the anti-conversion law, and delves into the interconnected sites, and implications, of the securitisation of Muslims. This essay contributes to the securitisation literature by extending the discourse of security to go beyond the analysis of current specific national security legislation (such as terror laws) to incorporate also other legislations, such as the anti-conversion law, which provide alternative routes to target minorities under Hindutva governance. The study evaluates the securitising actors and aspects of securitisation that serve as its drivers, including: (*a*) the legal codification of the anti-conversion campaign, (*b*) the widening of the ambit of the legal anti-conversion movement from Uttar Pradesh to other states, and increased penalisation; (*c*) the extension of the power to govern and administer punishment from the state to non-state actors, and (*d*) the flexibility of the use of the law and its weaponisation against Muslims. The final section summarises the role of Hindutva governance, policing and law-making in creating, defending, and reproducing the social order.

## From Social Issue to Security Crisis: Inter-faith Marriages

The securitisation paradigm is derived from the Copenhagen School of security studies, which conceptualises security not as an objective condition but as a discursive and political practice constituted through "speech acts" (Balzacq 2019). According to securitisation theory, the following elements are required: (1) a securitising actor, that has state authority and makes a "speech act" that identifies an existential threat; for example political

leaders giving public speeches about "love jihad"; (2) a referent object, that is claimed to be in danger; in this case, "Hindu society," "Hindu women," or "national unity"; (3) the audience, including the public, legislators, courts, media etc., who must at least acquiesce or give passivity to the framing (Buzan et al. 1998, 26–27). Crucially, the process is about language and social acceptance of the framing, and may not be an objective, measurable danger. The success of securitisation is contingent on whether the audience, either the public, media, judiciary, or bureaucracy, accepts the framing of the threat (Buzan et al. 1998, 27).

In this case, the discursive articulation of Muslims as being threats has been formed through the repetitions by state leaders and media narratives, which was subsequently accepted by the public and the policymakers. Beginning in 2009, the "love jihad" or "Romeo jihad" narrative infiltrated public consciousness. Initial posters in Kerala published by Hindutva organisation, Shri Ram Sena, warned Hindu women of predatory Muslim men (Gupta 2009). Right-wing activists from RSS and the Vishwa Hindu Parishad (VHP) amplified the trope and weaponised media, myth, and rumour to spread the constructed narrative of Muslim men being conspiring to seduce and convert Hindu women through the channel of marriage (M. Rao 2011). Hindutva agents operate this propaganda campaign in the public domain through pamphlets, posters, novels, myths, rumours, gossip, newspapers, flyers, and everyday conversation (M. Rao 2011). Scholars claim that it has "monopolised the field of everyday representation" and Hindu consciousness through art and cinema, and sustains this narrative as an active cultural and political discourse (Gupta 2009). Subsequently, the acquiescence from the "audience" is seen in an India Today-CVoter "Mood of the Nation" survey, which found that 53% of more than 140,000 respondents, both urban and rural, believed in the existence of the "love jihad conspiracy to convert Hindu women to Islam" (India Today 2023). The numbers were similar in 2021 (54% of respondents); in addition about 58% of the respondents were in favour of implementing laws to prohibit inter-faith marriages; among them, more than 60% were Hindus (India Today 2021).

Once accepted, securitisation enables the state to bypass ordinary norms of accountability, normalising surveillance and, often, vigilantism, detention, or discriminatory governance practices (Buzan et al. 1998). Therefore, as state or non-state agents act with a perception of a threat by the Muslim other, the question then is not whether they are right in their fear or assertion, but rather, whether they have—and what are—the apparatuses and institutions available to them to successfully make a securitising move, and what the consequences may be. The constructed panic laid the groundwork for legislation that would codify the very threat that it manufactured (Gupta 2023; Y. Sharma and Jenkins 2024). By labeling personal relationships and decisions of faith as "forced conversions" (Selvaraj

2024), several BJP governments enacted anti-conversion laws that transformed the campaign into state-level security crises, using what scholars term "dog-whistle legislation" (Nielsen et al. 2023).

Scholarship on securitisation in India has explored it in relation to the post 9/11 expansion of counterterrorism strategies that targeted minorities (Finden and Dutta 2024; Iqtidar Khan 2023), the expanding remit of anti-terror laws, including the Unlawful Activity Prevention Act (UAPA), the Prevention of Terrorism Act (repealed), etc. (Roy and Singh 2015; Ali and Khan 2025), and the impact of the state's ontological (in)security in relation to Kashmir (Constantin and Carlà 2025). Recent studies have expanded this framework to understand securitisation as an outcome of postcolonial security apparatuses and contemporary Hindutva politics in relation to Rohingya refugees (Verma 2026; N. A. Rao and Digumarthi 2025) and the "love jihad" movement (Malji and Raza 2021; Kaiser 2025). The right-wing turn in Indian polity, with the hegemony of the BJP, demands an extension of the analysis of securitisation to those policies and laws that are framed and instrumentalised against such minorities as Muslims and Christians. Drawing from the literature on security studies, and partnerships between community (non-state) and state built on ideas of "communities defeating terrorism" (McDonald 2008), the securitisation framework offers an alternative entry to the study of the violence against Muslims that takes place through institutional decisions. This analysis shifts attention from episodic violence, like riots and pogroms, to the processes by which states construct security problems that subsequently demand extraordinary measures involving both, state and nonstate actors (Balzacq 2019; Buzan and Wæver 2009).

An analysis of the anti-conversion cases and the legislation in Uttar Pradesh provides insight into the apparatuses of Hindutva governance, which have facilitated such securitisation and its grave implications on democratic society. The legislation adds multiple layers of bureaucracy and red tape to the process of inter-faith marriage and potential subsequent religious conversion. In the case of religious conversion through marriage—and most often where a Hindu woman marries a Muslim man—this securitisation has consequently co-opted families and communities into the process of governance. Applying this framework to contemporary India reveals how anti-Muslim violence has migrated from riotous outbursts into everyday policing and legal governance. Inter-faith marriage, once the locus of moral panic in pamphlets and posters, is now regulated by statutes that suspend due process, restrict fundamental freedoms, and entangle the most intimate life decisions in state security apparatuses. The securitisation of inter-faith marriages can be seen as a more extreme version of its politicisation as "love jihad."

The following are its four broad implications:

## When Propaganda Becomes Policy: Law-making of "love-jihad"

The Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance, which was promulgated by the state of UP in November 2020, became an Act approved by the Uttar Pradesh Legislature in March 2021 and was amended in August 2024 to include stricter punishments (Uttar Pradesh Legislature 2024). Along with "force[d]… coercion…," the Act prohibits the religious conversion of individuals or groups by marriage as well and deems such a marriage as null and void. The prescribed punishment extends from three years to life imprisonment and a fine of up to one lakh rupees. Any person who wishes to adopt a different religion, thus, has to provide a declaration to the district magistrate two months in advance, and will be required to undergo an enquiry conducted by the police (Uttar Pradesh Legislature 2024).

The formulation of the law regulating religious conversion in Uttar Pradesh, which appears neutral in its wording, is based on the threat of the Muslim man. The law therefore supplements the Hindutva political campaign, concretises the imagined threat and provides it with legal legitimacy. The UP government did not rely on data or investigation to indicate the existence of such a conspiracy or the scale of the alleged crisis of forced religious conversion through marriage. In fact, the creation of legislation propagates a picture of forced conversions based on hearsay, public propaganda, media narratives, political party lines, and on the word espoused by BJP state leaders. The 2024 Amendment's statement of objects and reasons includes the claim of the high "sensitivity and gravity of the crime of unlawful religious conversion" and links it with "organised and planned activities of foreign and anti-national elements and organisations in illegal religious conversion and change in demography" (Uttar Pradesh Legislature 2024, 6). Despite a low conviction rate, and absence of evidence of conspiracy (Rashid 2020), the Act uses securitised language as justification for raising the fines and imprisonment term previously included in the 2021 legislation and also notes that the "conditions of bail should be made more stringent" (Uttar Pradesh Legislature 2024, 6).

Studies on securitisation foreground that the perception of, and reaction to, a particular political threat is a key part of the security act (Szarejko 2022). Most issues ought to remain politicised such that they are seen as the legitimate subject of public debate. By contrast, I argue that we ought not to ascribe any inherent moral valence to securitisation or the reverse process of desecuritisation. A securitised issue such as religious conversion through marriage involving a Muslim man and a Hindu woman, exits the realm of the "political" where it may have been subject to legitimate democratic debate and political negotiation (Buzan et al. 1998, 23–24). The process of securitisation of Muslims, backed by the creation of legislation, extricates the matter of religious conversion from the sphere of public negotiation and debate, and des-

ignates it as a "security" issue framed discursively through the speech act as well as practices of policing. The formulation of the law thus transfers the matter from the domain of mobilisation and campaigning of non-state actors, to that of the quotidian functioning of the legal and policing system. By inscribing the politically contested matter of inter-faith relationships into the law, Hindutva politics does not "politicise" inter-faith marriages but uses the language of legality, the threat to state sovereignty and the need for criminal justice to "securitise" it.

A case in point is that of 38-year-old Muslim man Shabab Khan who eloped with his partner 32-year-old Hindu woman Ayushi Verma from their homes in Mau in November 2020. While the couple were on their way to the Allahabad High Court to register their marriage, they were apprehended by the Chiraiyakot police, who arrested and charged Shabab and 14 members of his family under sections 3 and 5 of the anti-conversion law (Gurmat 2022).[3] At the Allahabad High Court, Shabab's lawyer Pradeep Singh Sengar, who bailed out those arrested told me, "The members were all jailed for six months to over a year … The couple are adults who eloped consensually … and the police did not have any evidence that the conversion was forced."[4] Neither the facts of the case, absence of forced conversion, nor presence of Ayushi's consent were up for debate; the police used the anti-conversion law by virtue of the case being of a Muslim man marrying a Hindu woman.

A police constable told me in an interview, "Muslim men do love jihad to convert Hindu women. Now we have a law against love jihad, so we are just doing our job."[5] Thus, the Muslim man seen as a security threat, backed by the law, allows for procedures to be bypassed under the guise of "security," and the law is executed in an unchecked manner by violating normal due process. During my fieldwork in Uttar Pradesh, a district court judge in Bijnor told me in an interview, "In the issue of 'forced conversion' the presence or absence of 'force' is irrelevant for the police … the police default on every written process … they just arrest the man and his family if they are Muslim and as long as the 'conversion' part of it is present."[6] In this way, Hindutva violence constitutes a novel modality of governance that is based on the securitisation of Muslims where marginalised communities are subjected to state violence built on paranoias about national security.

Another banal, seemingly harmless way in which such a securitised imagination receives legitimisation is through the legislation being written, understood, and proliferated in media, classroom lectures, and public pamphlets as the "love jihad" law. Law students purchase annotated "Bare Act" booklets emblazoned with the pejorative label, normalising the view that Muslim conduct warrants exceptional measures. In Prayagraj, outside the Allahabad High Court, the Bare Act booklet related to the anti-conversion law, is available for purchase to students, advocates, and judicial officials

***Image 1.*** Book of the Bare Act, purchased outside the Allahabad High Court.

with the words "love jihad" printed in bold letters on its cover (Image 1).

The publication of such "legal common sense" contributes and perpetuates the notion that it is a crime that is committed only by members of the Muslim community.

## Scaling Securitisation: The Expansion of Anti-Conversion Regimes under BJP Governments

Since the passage of the UP law in 2021, when this fieldwork was conducted, other states have passed stricter anti-conversion laws. Across India, anti-conversion legislation, often framed as "Freedom of Religion" laws, has undergone a marked transformation in scope, severity, and enforcement, particularly under BJP governments. While some of these laws originate in earlier decades, such as in Odisha (then Orissa) in 1967 and Madhya Pradesh in 1968, their contemporary form reflects a clear pattern of identical wording from the UP law, as well as expansion and securitisation through recent legislative interventions.

Historically, early statutes such as those in Odisha (1967) and Madhya Pradesh (1968) were relatively narrower in scope, focusing primarily on prohib-

iting conversion through force, fraud, or inducement. The contemporary trajectory of anti-conversion laws across BJP-ruled states is best understood with reference to the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021, and more importantly, its 2024 amendment, which significantly intensifies the legal regime. The 2024 amendment transforms Uttar Pradesh into a more stringent model: it raises the maximum punishment from 10 years to life imprisonment and expands aggravated offences (including conversion through marriage, threat, trafficking, or conspiracy). Procedurally, Section 4 of the amendment further expands the law's reach by allowing "any person" to file a complaint, rather than restricting standing to the aggrieved individual or their relatives. It states: "information relating to the contravention of the provisions of the Act may be given by any person" (Uttar Pradesh Legislature 2024, 4). This shift effectively formalises what had previously been an irregular practice of reporting complaints, thereby broadening the scope for third-party intervention and embedding vigilante action within the statutory scheme governing police investigation.

The Amendment also imposes stricter bail conditions akin to terror laws, such as UAPA, thereby treating inter-faith marriages and religious conversion as identical to terrorism or money laundering. All offences related to unlawful conversion are now cognisable and non-bailable, which means that the police can make arrests without warrants and the bail application can only be adjudicated upon by a sessions court or higher judicial forums. Under the revised Section 7(2b), an accused cannot be granted bail without first providing the public prosecutor an opportunity to contest the bail application and the sessions court may grant bail only if "there are reasonable grounds for believing that [the accused] is not guilty of such offence" and that they are unlikely to commit any crime if released on bail (Uttar Pradesh Legislature 2024, 5). The reverse burden of proof on the accused, especially at the stage of bail, makes the provision draconian, virtually rendering it impossible for anyone to obtain bail until the completion of the trial. In doing so, the amendment deepens the earlier law's linkage between conversion and marriage and embeds a highly securitised logic of suspicion, surveillance, and pre-emptive control.

Beyond Uttar Pradesh, The Rajasthan Prohibition of Unlawful Religious Conversion Bill, 2025, passed in September 2025, effectively legalises the trend of arbitrary bulldozer demolitions of properties. The law mirrors the UP statute in its stringency, and additionally, also states that if a property is found to have been used for "unlawful conversions," then said property will be forfeited after an inquiry by a "gazetted officer," prior to any judicial trial or conviction, and irrespective of whether the acts of religious conversion were done with or without the owner's consent. Section 13 of the Act states: "If there is/are any illegal/unauthorized construction(s)/structure on such property or premises where the illegal exercise of conversion or mass conversion has taken place, shall be liable to

be demolished after upholding the inquiry by any gazetted officer appointed by the District Magistrate or the State Government," (Rajasthan State Legislature 2025, 39).

Recent incidents of punitive demolitions of private properties, often belonging to Muslims, in BJP-ruled states such as Madhya Pradesh (Barnagarwala 2025) and Uttar Pradesh (R. Singh and Ahmed 2022) demonstrate the increasingly coercive application of anti-conversion policies, where mere allegations or suspicions of forced conversion have triggered punitive state action. These practices point to a broader pattern in which accusation alone becomes sufficient to justify immediate punishment, effectively bypassing legal process or judicial oversight and blurring the line between law enforcement and retribution (Kaiser and Gurmat 2025b). The pairing of policies aimed at targeting "forced conversions" and those aimed at punitive demolitions of "illegal constructions" creates a hostile machinery that securitises Muslims and their homes, businesses and sources of income.

The Uttarakhand Freedom of Religion (Amendment) Bill, 2025 marks a significant escalation in both the severity and scope of anti-conversion regulation. Amending the state's 2018 law (Uttarakhand State Legislature 2019), it raises the maximum punishment to life imprisonment, bringing it in line with the enhanced punitive framework introduced in 2024 UP law (PTI 2025b). In addition to harsher penalties, the amendment introduces a new dimension of regulation by extending the offence to digital spaces, criminalising acts of "incitement" or "conspiracy" to convert through online means (ANI 2025). Notably, the law includes a clause prohibiting any person from facilitating or encouraging conversion "by any means, including digital means," thereby explicitly encompassing email, social media platforms, and instant messaging services (Raj 2025). This significantly broadens the reach of the law beyond physical interactions to include online communication and community formation, where shared beliefs or discussions could be interpreted as influencing religious choice (Kaiser and Gurmat 2025a). Despite its broad ambit, the amendment, as reported, leaves key terms, such as "digital propaganda," "incitement," and "promotion," undefined and open-ended, creating substantial ambiguity in enforcement. This vagueness expands the discretionary power of authorities and potentially enables non-state actors, including online vigilante groups, to mobilise complaints based on subjective interpretations of digital expression (see Basu [2026] in this special issue).

Similarly, Maharashtra and Chhattisgarh have passed their anti-conversion laws in March 2026, mirroring the stringent penalties and broad accusatory base as in the other laws (Dayal 2026). The passage and the expanding scope and ambit of these laws have been conceptualised as "dog-whistle legislation" which operates through "coded ethno-religious language," while avoiding explicit references that might disrupt its constitutional validity (Nielsen

et al. 2023, 23). Although such laws are often framed in universally applicable terms, their underlying logic communicates a hierarchy of security objects, signalling that, implicitly Muslims (and Christians), are constructed as potential threats.

Crucially, such legislation does not securitise in isolation and is sustained by a broader ecosystem of public speeches by political actors and mobilisation by non-state groups, which together translate these legal provisions into concrete social practice. As seen in the following two sections, the securitisation through the anti-conversion law is legitimised and reinforced by forms of vigilantism, intimidation, and coercion, creating a feedback loop between law, discourse, and on-the-ground enforcement.

## Vigilantism through securitisation

These policy reforms under anti-conversion laws, especially through its provisions linking conversion and marriage, illustrate how legal authority can be eroded through its reconfiguration in ways that normalise legal and extra-legal practices. Under the BJP's Hindutva project, a wide range of everyday social spaces, colleges, gardens, railway stations (Gupta 2021), temples, cafés (Sahu 2025), and even nullahs (Basu 2026), have been transformed into sites of surveillance and enforcement. By expanding the scope of FIRs and arrests, and by framing interfaith relationships as inherently suspect, the law effectively empowers non-state actors, family members, vigilante groups, and local activists, to initiate legal processes, without evidentiary grounding and allowing accusations alone to trigger coercive state action.

Studies in law have found how, under the garb of protecting Hindu socio-cultural norms, criminal law is being misused, false complaints of rape and abduction are lodged (Uma and Saxena 2021). Several cases of inter-faith marriages have been prevented and identified by right-wing groups for intervention by the police. For instance, in December 2020, the Lucknow Police stopped a consensual inter-religious marriage following complaints from a non-state, vigilante group (Indian Express 2020). Similarly, Bajrang Dal activists brought to the police station, a Hindu woman who consensually married a Muslim man in Moradabad and subsequently had her husband and his brother arrested (The Wire 2020). These groups often cast themselves as supplementing the state's security apparatus and function as auxiliary securitising actors, applying the same threat-framing at the grassroots. For example, so-called "cow protection" vigilantes and local Hindu activists have openly used terms like "love jihad," "population jihad," or "land jihad" in public communications to justify harassment of Muslims (Jaffrelot 2021).

This form of securitisation, legitimised by the existence of the anti-conversion law, has extended the power to govern beyond just the state, even to social institutions and non-state actors. The securitisation of inter-faith

marriages involving Muslim men has subsequently led to emboldening right-wing vigilante groups in their acts of cultural policing. These include threatening and intimidating inter-faith couples and their families with physical harm, ostracism and extending it to state-enforced fines and imprisonment (Jaffrelot 2020).

The 2020 case of Kafeel Ahmad, a Muslim man and a Hindu woman, Vaishali Saxena (alias Iram Fatema), in Shahjahanpur offers an illustration of how anti-conversion laws operate as sites of interaction between state authority and organised vigilante mobilisation. Despite the couple having been in a long-standing relationship and being married for a year, a private dispute became the entry point for intervention by members of the Hindu Yuva Vahini (HYV). In my interview with the couple, they told me that although their families had been against their inter-faith union, the actual issue began when they were in a quarrel and did not speak to each other for a few days. During this period Vaishali/Iram's disgruntled brother was approached by members of the Hindu Yuva Vahini (HYV), who saw it as an opportunity to file a case against Kafeel in order to "punish him."[7] Subsequently, a large group of people (numbered around 600, according to Kafeel) stormed the police station. By approaching the woman's family and pressuring her to file a complaint, these actors effectively transformed a domestic disagreement into a securitised legal issue framed as "love jihad." The subsequent mobilisation of a large crowd outside the police station, and the registration of charges of forced conversion, demonstrates how collective pressure can shape police action, even in cases where coercion is contested. VHP leader in Shahjahanpur, Rajesh Awasthi, told journalists that, "If one daughter from our [Hindu] community goes to their [Muslim] community, that means there will be 10 terrorists in their community. If she has 10 children, they will be terrorists" (B. Sharma and Khan 2021).

This episode highlights a recursive dynamic between the HYV and the police, in which each reinforces the other's authority. As seen in other cases as well, vigilante actors identify and escalate cases, often using familial pressure, public protest and physical violence, thereby generating the conditions under which police intervention appears necessary (B. Sharma and Khan 2021; Kumar 2023). Conversely, the willingness of police to register cases, signals institutional receptivity, which in turn encourages further mobilisation by such groups. This relationship involves informal channels of communication, where information circulates between local actors and authorities, enabling coordinated intervention in interfaith relationships (Gupta 2023).

To illustrate these channels of interaction, in another case in Kanpur, two Muslim men, Saddam and his neighbour, an e-rickshaw driver Afsar Ahmad were accused of the forced religious conversion of a Dalit girl. A group of Bajrang Dal workers beat up Afsar and dragged him through the street in the presence of the police, because

of rumours that he was involved in a "religious conversion racket." A video was circulated locally, in which Afsar's 9-year-old daughter is seen crying and holding onto him while the Bajrang Dal activists beat and paraded him on the streets, forcing him to chant "Jai Shree Ram (victory to Lord Ram)" and repeat "Pakistan Murdabad (death to Pakistan)" several times (UP Tak [@UPTak Official] 2021). In an interview with Afsar's wife, she said, "These Bajarang Dal men are on the lookout for Muslim men where they can cause some trouble … The men climbed up on a tree and forcefully pulled down our green flag, which was atop our roof, and burnt it. Is this related to conversion or just being Muslim? … the police just watched."

While anti-conversion laws do not explicitly mandate vigilante enforcement, their claim to security of the nation and women's honour, their broad definitions, low evidentiary thresholds, and openness to third-party complaints create an enabling environment in which such enforcement becomes possible, and the subsequent police action makes it effective. The law thus anticipates and accommodates its own social enforcement, blurring the line between misuse and design. Critically, securitisation theory helps understand how these vigilante and societal moves can feedback to policymaking. Public vigilante pressure creates a context in which the state is justified or even pressured to escalate security measures. For instance, under Section 4 of the original 2021 UP anti-conversion law, the right to file an FIR for unlawful conversion was narrowly confined to "any aggrieved person" or "his/her parents, brother, sister, or any other person who is related to him/her by blood, marriage or adoption" (Uttar Pradesh Legislature 2021, 9). However, in practice, all the cases that I encountered in 2020–21 involved actions by vigilante groups and the police were registering them based on complaints from individuals unrelated to the allegedly affected woman, including right-wing activists and local political actors. A similar pattern has been observed in news reports, and petitions which would subsequently challenge the legal validity of the FIR filed (Mittal 2023; Kumar 2023). To combat this, the UP government brought in the 2024 Amendment to the law which significantly alters this framework by expanding the remit of the complainants to be "any person." This essentially legitimised and legalised the vigilante interventions that were rampant in UP, while the state claimed that such amendments were responses to genuine public security demands. In this way, state and non-state actors mutually reinforce the existential framing—law enforcement support vigilante concerns, while vigilante groups support state rhetoric of threat.

In this way, the locations, sites, and practices of anti-Muslim violence have shifted and become incorporated into forms of governance, whereby the power to govern conduct and police behaviour is not limited to the state alone but extends to non-state actors, social institutions, and vigilante groups. Muslim men thus engaging in relationships with women outside of their own communities run the risk of being beaten,

arrested, and jailed in the interest of security of the state and the women. This has also be seen in other (non-marriage) cases of securitisation where, in several states, Muslim men have been accused of "love jihad" after being seen dating, befriending or talking to Hindu women (N. Pandey 2020; Sahu 2025). These cases exemplify how non-state vigilantes exploit statutory ambiguity: the mere presence of the Act encourages them to treat police stations as arenas for cultural policing, with officers complicit or powerless to resist.

## Selective Enforcement and Legal Violence

Family members filing cases of kidnapping or rape when couples, consensually, have eloped in inter-faith or inter-caste marriages is an age-old phenomenon in India. Data journalist Rukmini S. conducted research into 174 Delhi cases during 2013–2014, which had been filed as abduction and rape, and often involved inter-caste and inter-religious relationships (Shrinivasan 2021). The author found that about two thirds of them (107) were of women who later testified that they had voluntarily eloped and often got married and some of whom had children with the accused. Young women in relationships of their choice deposed to Rukmini about the violence, suffering and humiliation that they faced from their parents including "beatings, confinement, threats, … being forced to undergo abortions, even as they pleaded before the court they be allowed to stay with their husbands" (Shrinivasan 2021, 6). In the remaining 67 cases, the women had officially testified, at least once, that their actions had been voluntary, before then changing their statements when in front of the magistrate (Shrinivasan 2021, 8). Thus, the anti-conversion law is another tool in the parental kit of control, with which the legal system provides, to the disapproving family members, the capacity to use criminal law against involved men in order to control women's choices. Uniquely, evidence suggests that this privilege seems to have been extended only to Hindu families against securitised Muslim men.

In theory, the anti-conversion law—although problematically gendered—claims to be religiously neutral and is intended to bolster the patriarchal control exerted on women from either community, or "protect" equally, women of all communities. In practice however, in the cases where Hindu women marry Muslim men, the state comes down heavily on Muslim men and their families. In the case of Muslim man Shabab (38) who eloped with Ayushi (33) in Mau, the charges against him and 14 others including his family, relatives and friends include Sections 120B (Criminal Conspiracy), 366 (Kidnapping, abducting, or inducing woman to compel her marriage, etc.), 368 (Wrongfully concealing or keeping in confinement, kidnapped or abducted person), 406 (Criminal Breach of Trust), 420 (Cheating and dishonestly inducing delivery of property), 467 (Forgery of valuable security, will, etc.), 468 (Forgery for purpose of cheating), 471 (Using as genuine a forged docu-

ment), 506 (Criminal Intimidation) of the IPC 1860, as well as sections 3/5 of the Religious Conversion Act, 2020.

Simultaneously, in another case of Hindu man Arjun Kumar (21) who eloped with Zainab Ansari (18) in Kanpur, although the parents of the Muslim woman made allegations of forceful conversion, the police did not charge the man under the anti-conversion law. The charges were restricted to Sections 363 (Punishment for kidnapping) and 366 (Kidnapping, abducting, or inducing woman to compel her marriage, etc.) of the IPC 1860. The most important difference in the two cases is that sections (3) and (5) of the Prohibition of Unlawful Religious Conversion Act, 2020 was imposed only in the former case. The distinction thus lies in the approach of the state agencies and the involvement and support that the law machinery and police offer in order to punish Muslim men in inter-religious marriages.

According to women's rights activist, and ex-MP, Subhashini Ali, this law is driven by the purpose of deepening communal polarisation by weaponizing the already present patriarchal structures in society. On the one hand, when the girl is Muslim and the boy is Hindu, the threat to the union is from the girl's family that will resort to all kind of measures against her exercise of her choice. On the other hand, when the girl is Hindu and the boy is Muslim, the threat from the girl's family is bolstered by state harassment through the anti-conversion law. In an interview, Ali stated,

> While communities on both sides, driven by patriarchal norms, are violative of women's rights and impinge upon couples' freedom of belief, right to choose and right to marry, the latter is more objectionable as the state, which is meant to be impartial, criminalises people based on their religion exclusively. Putting it into perspective, we find that the [family] violence has always been present and is not occurring especially because of the law. The law has just enabled the state institutions to make things worse for Muslims and has exposed the unconstitutional nature of the state.[8]

The securitisation of the Muslim man thus allows for the anti-conversion law to be used flexibly by state and non-state actors. A pattern of prolonged detention and harsh police action can be seen in these cases. Almost all the cases observed in the field were laced with falsehoods, inconsistencies, and ulterior motives, with charges in some cases later dropped by the police. In my interview with the co-founder of a not-for-profit organisation that provides legal aid and assistance to couples in inter-religious and inter-caste marriages, he stated:

> It is impossible to solemnise an inter-religious marriage in Uttar Pradesh if the man is Muslim. If the man is Hindu, it may be possible. In one case, the girl was a Bengali Muslim, and the boy was a Hindu from Lucknow. We

> advised the couple to go to the Superintendent of the Police and inform them about their actions, in order to seek protection. The SP directed the girl to a Nari Niketan [safe house for women]. The couple could only dare to do this since the girl was Muslim. If the girl was Hindu, the police would inform the Bajrang Dal and other Hindu organisations, as seen in many districts.[9]

In this way, the anti-conversion law is another tool in the arsenal of securitisation of the Muslim man, which is being misused, not only by disgruntled parents, resentful wives, and indignant brothers, but mainly by discriminatory police action and non-state Hindu right-wing interest groups to inflict violence on Muslims.

In October, 2025, the Supreme Court (SC) quashed multiple first information reports (FIRs) filed against about 90 people under UP's anti-conversion act in Fatehpur district over alleged mass religious conversions to Christianity (PTI 2025a). While there is a separate case pending on the constitutional validity of the Act, the SC remarked that the Act's requirement of pre- and post-conversion declarations "seem to introduce a very onerous procedure" for individuals seeking to adopt a different faith (Para 55 of the Writ Petition 123 of 2023).[10] In particular, the Court drew attention to the depth of State involvement in what is ordinarily a matter of personal conscience. It stated:

> The involvement and interference of the State authorities in the conversion procedure is also conspicuous, with the District Magistrate having been legally obliged to direct a police enquiry in each case of intended religious conversion. Further, the statutory requirement of making public the personal details of each person who has converted to a different religion may require a deeper examination to ascertain if such a requirement fits well with the privacy regime pervading the constitution. (Para 55, pages 55–56 of Writ Petition 123 of 2023)

In this way, while the Supreme Court stopped short of commenting on the constitutional challenges against the law, it also highlighted the problems with the "conspicuous" involvement and interference of State authorities in the process of religious conversion, and problems with the lack of privacy. Both these elements lead to interference of non-state actors and the weaponisation of the law.

## Securitisation as Governance

In conclusion, securitisation theory is revealing of the changing nature of policy making which necessitates political collaboration between state and non-state actors in India today. The reform of the Uttar Pradesh Prohibition of Unlawful Conversion of Religion (Amendment) Act, 2024, and others that have followed in BJP states, particularly in their focus on inter-faith

marriage, undermine the classic Weberian distinction between legitimate state violence and illegitimate non-state violence by reconfiguring how coercion is authorised and justified.

At one level, the law operates through securitisation: inter-faith relationships between Muslim men and Hindu women are framed as threats to public order, demographic balance, and community integrity. This framing enables pre-emptive and punitive interventions, such as arrests, detention, and police action and sometimes demolitions, even in the absence of demonstrable coercion, thereby expanding the scope of what counts as legitimate state force. Legal mechanisms such as non-bailable provisions, stringent bail conditions, and broad definitions of "allurement," "conversion," or "digital propaganda" further entrench this exceptional logic, allowing coercive action to be exercised under the formal cover of legality while evading substantive judicial scrutiny at early stages.

At the same time, the law facilitates the active involvement of non-state actors, including family members, vigilante groups, and ideological organisations, by allowing third-party complaints and encouraging the reporting of "suspicious" relationships. In practice, this produces a situation where non-state coercion, ranging from harassment and intimidation to physical violence, often precedes or accompanies formal legal action (Ellis-Petersen and Khan 2022; Inamdar and George 2022). In the case of religious conversion through marriage—where a Hindu woman marries a Muslim man—families, communities and vigilantes have been co-opted into the process of governance. When their actions align with the state's securitised framing, they are frequently shielded from accountability or retrospectively legitimised, blurring the boundary between lawful enforcement and unlawful violence.

This dynamic creates a regime of political collaboration, where state and non-state actors operate in a mutually reinforcing manner. Non-state actors identify, police, and intervene in inter-faith relationships, while the state provides legal backing, procedural amplification, and symbolic validation through arrests, prosecutions, and administrative measures. In this process, violence is embedded within the legal framework itself, not always as explicit force, but as the threat of incarceration, social sanction, and bureaucratic control.

Because the discourse of security has extended, this securitisation goes beyond the imposition of national security legislation such as the Unlawful Activities (Prevention) Act, 1967 (UAPA) and the National Security Act, 1980 (NSA). According to reports by Human Rights Watch and Amnesty India, the state has increasingly imposed the draconian UAPA on protest organisers, poets, academics and civil rights activists to clamp down on dissent and detain people in jail without trial for years (Human Rights Watch 2020). Reports have also shown how the state authorities use the National Security Act against Muslims in cases of cow slaughter and other crimes (Dixit 2018;

Human Rights Watch 2020; Kaif 2018). While the regular use of the UAPA and NSA on Muslims is extreme and has led to extended and unjust incarcerations, laws such as the anti-conversion act provide an alternate route to target minorities.

The case and legal analyses of The Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021 provides insight into how the formulation of legislation that is based on ethno-religious logic can be understood through the lens of securitisation. Such an analysis can also be extended to laws dealing with cow slaughter to evaluate the security discourse and practice in the country. In this way, the politics of life, which includes governance, and maintenance of law and order coexist with the politics of securitisation and death. Democratic governance in the modern state can thus exist alongside violent practices against a community in the name of security and the maintenance of law and order.

## Notes

1 Anti-conversion laws are currently in force across 13 states, with most enacted, or tightened, by BJP governments: Arunachal Pradesh (1978; long dormant, with rules only recently being framed under BJP), Gujarat (2003; amended in 2021), Haryana (2022), Himachal Pradesh (2019; amended in 2022), Jharkhand (2017), Karnataka (2022), Madhya Pradesh (1968; substantially strengthened through the 2020–21 ordinance/Act), Maharashtra (March 2026), Uttarakhand (2018; amended in 2025), and Uttar Pradesh (2020 ordinance; 2021 Act, amended in 2024). Chhattisgarh, while originally governed by a pre-BJP law (1968; amended in 2006), has more recently enacted a new and significantly strengthened statute in 2026 under a BJP government. Odisha (1967) remains the only largely unchanged pre-BJP law and was upheld by the Supreme Court in *Reverend Stanislaus v. State of Madhya Pradesh* (1977). In contrast, Rajasthan has seen multiple anti-conversion bills (2006, 2008) that did not receive full assent, but has finally been enacted in 2025 by the BJP government.

2 See, *Application for Amendment of Writ Petition (Criminal), 428 of 2020–21*, 36.

3 Section 3 of the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021 states: "No person shall convert or attempt to convert, either directly or otherwise, any other person from one religion to another by use or practice of misrepresentation, force, undue influence, coercion, allurement or by any fraudulent means or by marriage nor shall any person abet, convince or conspire such conversion" (Uttar Pradesh Legislature 2021). Section 5 states: "Whoever contravenes the provisions of section 3, shall, without prejudice to any civil liability, be punished with imprisonment for a term which shall not be less than three years but which may extend to ten years and shall also be liable to fine which shall not be less than fifty thousand rupees" (Uttar Pradesh Legislature 2024).

4 Interview conducted on 7 December 2021 at the Allahabad High Court.

5 Interview conducted on 26 May 2022 at Bareilly Police Line.

6 Interview conducted on 1 June 2022 at Bijnor District Court.

7 Interview conducted on 11 December 2021 in Shahjahanpur.

8 Interview conducted on 5 December 2021 in Kanpur.

9 Interview conducted on 7 March 2022 in UP.

10 See *Writ Petition (Criminal) No 123 of 2023: Rajendra Bihari Lal and Another V State of Uttar Pradesh and Others* 2025.

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