

Impact of Honour Killings in the Society of India

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Abstract

The words "honour killings" and 'honour crimes' are being used loosely as a convenient expressions to describe the incidents of violence and harassment caused to the young couple intending to marry or having married against the wishes of the community or family members. They are used more as catch phrases and not as apt and accurate expressions. It is unjustified to call cold bloodied murders of young people as honour killing. Human rights watch define "honour killing" as follows – Honour killings are acts of vengeance, usually death, committed by male family members against female family members, in response to a belief that the women have offended a family's honour and have brought shame to family unit. A woman can be targeted by (individuals within) her family for a variety of reasons, including: refusing to enter into an http://en.wikipedia.org/wiki/Arranged_marriage arranged marriage, being the victim of a http://en.wikipedia.org/wiki/Sexual_assault sexual assault, seeking a divorce even from an abusive husband or (allegedly) committing adultery. This uncovers the core of subjugation of women by a specifically male violence on which the social order is dependent, an order that is shot through with hypocrisy and cowardice. The mere perception that a woman has behaved in a way that "dishonours" her family is sufficient to trigger an attack on her life. Men can also be targeted by honour killings, but more rarely (for example in the case of homosexuality). The spate of honour killings in the country in the past decade has led the government to think of new laws that should be put in place to stop this heinous crime. Thousands of young people in India have been done to death every year owing to 'Honour Killings' linked to forced marriages and the country needs to introduce stringent legislation to deal firmly with the heinous crime. In Haryana, Rajasthan and Delhi region, an estimated hundred young men and women are killed on the orders of so called "khap panchayat".

In other words "Honour killing" is somewhat misleading term for a ritualistic form of murder precipitated by the aggressor's perceived loss of Honour the perpetrators are generally male and their victims females. Honour Killing have been defined as patterns of conduct cutting across Communities, cultures, religions and nations and manifested in a range of forms of violence directed in the majority of cases, against women including murder (Honour Killing) and forced marriages, Honour Killing is considered to be a crime that threatens the unity and harmony of the community and it acts as a brief preventing women from progressing in their lives. Honour Killing and punishment have been documented over centuries among a wide varsity of ethnic and religious groups throughout the world. The loose term "Honour killing" applies to killing of both males and females in cultures that practice it. Women of family also help in Honour killings. Matriarchs may be motivated not by personal belief in the misogynistic ideology of women as property, but by pragmatic calculations. Sometimes a mother may support an Honour killing of an "offending" female family member in order to preserve the Honour of other female family members, since many men in these societies will refuse to marry the sister of a "shamed" female whom the family has not chosen to punish, thereby failing to

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"purify" the family name. Men can also be the victims of Honour killings by members of the family of a woman with whom they are perceived to have an inappropriate relationship. Though cases of Honour killings have been reported from all over India, but it is mainly prevalent in the Indian states of Punjab, Rajasthan, Haryana, [http://en.wikipedia.org/wiki/Uttar Pradesh](http://en.wikipedia.org/wiki/Uttar_Pradesh) Uttar Pradesh and Bihar, as a result of people marrying without their family's acceptance, and sometimes for marrying outside their caste or religion. In contrast, Honour killings are rare to non-existent in [http://en.wikipedia.org/wiki/South India](http://en.wikipedia.org/wiki/South_India) South India and the western Indian states of Maharashtra and Gujarat. In some other parts of India, notably West Bengal, Honour killings ceased about a century ago, largely due to the activism and influence of reformists such as Vivekananda, Ramakrishna, Vidyasagar and Raja Ram Mohan Roy. Among Rajputs, marriages with members of other castes can provoke the killing of the married couple and immediate family members. This form of Honour killing is attributed to Rajput culture and traditional views on the perceived "purity" of a lineage.

The Indian State of Punjab is notorious for Honour killings. According to data compiled by the Punjab Police, 34 Honour killings were reported in the state between 2008 and 2010: 10 in 2008, 20 in 2009, and four in 2010. Haryana also is known for incidents of Honour killing. In June 2010 some incidents were reported even from Delhi. In Haryana recently there has been many incidents of Honour killings mainly due to blind verdicts of so called '*Khap Panchayats*'. The Supreme court has declared such '*Khap Panchayats*' which often decree or encourage "Honour killings" illegal and a Supreme court bench of Justice Markandey Katju and Justice Gyan Sudha Mishra has further said that there is nothing Honourable about Honour killings or other atrocities and, in fact, it is nothing but barbaric and shameful murder. Supreme Court of India in 2018 held that "When two adults marry out of their volition, they choose their path; they consummate their relationship; they feel that it is their goal and they have the right to do so Any kind of torture or torment or ill-treatment in the name of honour that tantamount to atrophy of choice of an individual relating to love and marriage by any assembly, whatsoever nomenclature it assumes, is illegal and cannot be allowed a moment of existence The consent of the family or the community or the clan is not necessary once the two adult individuals agree to enter into a wedlock, said the three judge bench comprising Chief Justice Dipak Misra and Justices AM Khanwilkar and DY Chandrachud while holding that any attempt by Khap Panchayats or any other assembly to scuttle or prevent two consenting adults from marrying is absolutely "illegal" "When two adults consensually choose each other as life partners, it is a manifestation of their choice which is recognized under Articles 19 and 21 of the Constitution".

In the case of Shakti Vahini the Suprem Court of India had given various guidelines to prevent honour killing. These guidelines of the Court are as under:

- There will be fast-track courts for fighting against honour killing cases.
- The disposal of the cases can be expected within 6 months.
- Immediate FIR against Khap Panchayat if they order any diktat against any couple.
- There will be a provision of safe houses for the couples by the government, along with security, if needed.
- DM/SP will supervise the safe houses.
- The safe houses will cater young bachelor-bachelorette couples along with married couples whose relationship is being opposed by Khap.

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Guidelines to Prevent Khap Incidents:

- All the governments should find out districts, villages where incidents of honour killing have been reported in the past.
- The governments should also identify villages with the presence of Khap Panchayats in the last five years.
- Advisories must be issued to the superintendents of police and the police departments by the home department of the concerned states in order to be extra vigilant when an inter-caste marriage under their jurisdiction occurs.
- If any harm is caused to the couple or their family members, the khap will be criminally liable.
- The police must inform Panchayats that holding Khap meetings is illegal.
- To prevent meetings of Khap, police will invoke provisions of law, invoking prohibitory orders under section 144 of the Code Of Criminal Procedure.
- Police can also arrest participants of Khap assembly under Section 151 CRPC, if needed.

II Main Causes

The practice is mostly associated with Muslim cultures (sometimes in minority Muslim groups in the West), although there is no support for the act in Islam. And it does occur in other cultures as well. In India, more than 5,000 brides are killed annually because their marriage dowries are considered insufficient. (However, one can argue that Honour is not the main motivation in such cases).

It also occurred in some Latin cultures (“crime of passion” is often still a “mitigating circumstance”). In Muslim countries, the practice is seen by some as a justified enforcement of religious rules, and therefore not strictly a matter of Honour. This is corroborated by the fact that sometimes the killings are perpetrated against women by individuals who are not close relatives, but who claim enforcement of religious rules as their motive. In Iraq, for example, Honour killings are conducted by armed insurgent groups on politically active women and those who did not follow a strict dress code, and women who are perceived as human rights defenders.

1. There is a strong correlation between Honour killings and illiteracy rates.
2. Men often use Honour killings to assert their dominant patriarchal status. Women in the family may support the practice in order to preserve the Honour of other female family members and to preserve their chances of getting married in the community. It’s a kind of purge or purification.
3. Some claim that the practice goes back to ancient motivations based on anxieties about reproductive power. Women, who were considered by the tribe to be a factory for making men, were forced through “Honour” killings to obey the man’s family planning and not to reproduce outside of the tribe or the extended family.
4. In a society where marriages are arranged by fathers and money is exchanged, a woman’s desire to choose her own husband is a financial problem, one which can be “translated” in terms of Honour.

In a landmark judgment in March 2010, Karnal district court ordered the execution of the five perpetrators of an Honour killing, and imprisoning for life the *khap* (local caste based council) head

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who ordered the killings of Manoj Banwala (23) and Babli (19), a man and woman of the same clan who eloped and married in June 2007. Despite having been given police protection on court orders, they were kidnapped; their mutilated bodies were found a week later in an irrigation canal. Even after this, the incidents of Honour killings continue unabated and a very recent example is evident in the form of barbaric murder of a young couple in a village near district Rohtak of Haryana.

III Need for prevention of heinous crime of honour killing

To prevent such crimes from being committed firstly the mentality and social outlook of the people has to be changed. There is no Honour involved in killing of innocent young people and actually who's Honour is being talked about. When we say that mentality has to be changed, we mean to say that parents should accept their children's wishes regarding marriage as it is they who have to lead a life with their life partners and if they don't have a good understanding then their life will be horrible that might even end up in suicide. Moreover no human being has any right to write death sentence for a fellow human being on such frivolous issues. The Court in Lata Singh case held that the caste system is a curse on the nation and the sooner it is destroyed the better. In fact, it is dividing the nation at a time when we have to be united to face the challenges before the nation untidily. Hence, inter-caste marriages are in fact in the national interest as they will result in destroying the caste system. However, disturbing news is coming from several parts of the country that young men and women who undergo inter-caste marriage, are threatened with violence, or violence is actually committed on them. In our opinion, such acts of violence or threats or harassment are wholly illegal and those who commit them must be severely punished. This is a free and democratic country, and once a person becomes a major he or she can marry whosoever he/she likes. 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, but they cannot give threats or commit or instigate acts of violence and cannot harass the person who undergoes such inter-castes or inter-religious marriage. We, therefore, direct that the administration/police authorities throughout the country will see to it that if any boy or girl who is a major undergoes inter-caste or inter religious marriage with a woman or man who is a major, the couple is not harassed by anyone nor subjected to threats or acts of violence, and anyone who gives such threats or harasses or commits acts of violence either himself or at his instigation, is taken to task by instituting criminal proceedings by the police against such persons and further stem action is taken against such persons as provided by law. We sometimes hear of "honour" killings of such persons who undergo inter-caste or inter-religious marriage of their own free will. There is nothing honorable in such killings, and in fact they are nothing but barbaric and shameful acts of murder committed by brutal, feudal-minded persons who deserve harsh punishment. Only in this way can we stamp out such acts of barbarism.

In 1990 the [http://en.wikipedia.org/wiki/National Commission for Women](http://en.wikipedia.org/wiki/National_Commission_for_Women) National Commission for Women set up a statutory body in order to address the issues of Honour killings among some ethnic groups in North India. This body reviewed constitutional, legal and other provisions as well as challenges women face. The NCW's activism has contributed significantly towards the reduction of Honour killings in rural areas of North India. In June 2010, scrutinizing the increasing number of Honour killings, the Supreme Court of India issued notices to the Central Government and six states including Uttar Pradesh, Punjab, Haryana and Rajasthan to take preventive measures against Honour killings.

IV Step to prevent honor killing

- First of all, we have to change the mentality of the people on this superstitious belief and have to let them understand the definite sense of 'honor'.

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- Article 21 of the Indian constitution considers honor killing an infringement to law and hence there must be some major amendments in IPC, Evidence Act and HMA so that strict laws can be enforced on the offenders indulging in the offense.
- There is a need of functional unity of the government, international community, the NGO's and local community on the issue.
- As a major step, women must be given a higher position of legal authority and must get authorized to speak out on these issues.

By executing these said protective measures, we can create a huge sensation to bring this social evil to come to an end.

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