

Honour Crimes and Violence against Women in India: A Critical Study

Paper Submission: 04/04/2021, Date of Acceptance: 03/04/2021, Date of Publication: 25/04/2021

Every human life is precious and also very special, so it must be protected and preserved with dignity. In our constitution also it has been said that whatever the caste, creed, religion and sex may be rights to life is equal for every citizen. State has to protect the rights of every citizen along with their dignity. But mere word of our constitution is not enough to protect every citizen of our country. There are some cases also where these rights to life are being violated. Honour killing is such a burning issue where rights of an individual are destroyed. From the ancient times in our country India it has been observed that, honour is regarded to be the most important aspect in every culture. Generally, women are considered to be the sole bearer of honour. So it is the responsibility of women to keep intact the family reputation and honour without indulging in any sort of negative activities. These typical thought of our society sometimes leads to death of a woman who fails to contain this so-called honour customs. This is honour killing which I am going to discuss in this paper. Why honour killing is a curse to our society and what is the perspectives of ethics regarding this heinous crime should also be discussed in this paper. Following some books like Nicole Pope's 'Honour Killings in the twenty-first century' and 'Honour Killing & Violence: Theory, Policy and Practice' I am going to through some light on the present situation of India in this matter and also at last I must discuss about the remedies for healing the society from this wound.

Keywords: Honour crimes, Women, Patriarchal Society, Bearer of Family Honour.

Introduction

Methodology

In establishing this paper I use the method of literature survey. Before entering into the discussion of honour crimes on women in India we have to define the term 'Honour' first. The word 'honour' has different meanings. Honour is high respect, great esteem. It is the quality of knowing and doing what is morally right. Generally, honour means virtue or good moral character which is associated with development or integrity of concern groups of individuals. The English word 'honour' is termed as 'izzat' in Urdu. The word 'izzat' means everything that is associated with development or integrity of concern group of individuals. The word 'izzat' means everything that is associated with family reputation and this reputation binds family with greater community. The term 'honour' has always been a word used to describe some special characteristics of human beings like bravery, graciousness, sympathy or kindness and chastity or purity.

Now one question must arise in our mind that, what is honour based violence or honour killing? Is it another form of gender based violence, or a new species of domestic violence? These are those various questions which need to be answered. Such killings are result of hegemonic masculinity. For this obvious reason we have to make a difference between honour based violence from common domestic violence. Women are generally the targets of honour killing and most offenders are male family members though sometimes the perpetrators are women also. In India violence against women are increasing day by day. The main reason for the vulnerability of women is their lower status in the male dominated society. It is no doubt a heinous, brutal, barbaric and evil act which is deep rooted in our society. Now we have to give an established definition of honour killing. According to Human Rights Watch the definition of honour killing is as following:-



Suparna Nandi

Research Scholar,
Dept. of Philosophy,
Vidyasagar University,
Midnapore, West Bengal, India

"Honor crimes are acts of violence, usually murder, committed by male family members who are perceived to have brought dishonor upon the family. A woman can be targeted by her family for variety of reasons including refusing to enter into an arranged marriage, being the victim of sexual assault, seeking a divorce- even from an abusive husband or committing adultery. The mere perception that a woman has acted in a manner to bring "dishonor" to the family is sufficient to trigger an attack".¹

According to Wikipedia honour killing can be defined as following:-

"An honor killing (American English), Honour killing (commonwealth English), or a shame killing is the murder of a member of a family, due to the perpetrators' belief that the victim has brought shame or dishonor upon the family, or has violated the principles of a community or religion with an honour culture. Typical reasons include divorcing or separating from their spouse, refusing to enter an arranged, child or forced marriage, being in a relationship or having associations with social groups outside the family that is strongly disapproved by one's family, having premarital or extramarital sex, becoming the victim of rape or sexual assault, dressing in clothing, jewelry and accessories which are deemed inappropriate and engaging in non-heterosexual relations".²

In every society there is a code or certain rules by which social intercourse is regulated among social group and which are considered to be the most necessary element for a good society and maintaining personal reputation. Why honour code is so important in societies and what is the value of this code? The answer of this question is very difficult and because of this honour codes many lives end tragically and brutally. Preserving honour code is related to opposite element of avoiding shame. As a result of this human beings of our society not only value honour and try to preserve it properly but also they want to avoid shame very carefully. Avoiding shame is more important to them.

In doing so our society also bound their field of actions, desires and wishes in a socially acceptable way. Sometimes the effort of avoiding shame and gaining honour reaches to such an extreme point that our family and society did not step back from giving an extreme punishment even death to the concern person who seems to bring dishonor or shame to his or her family. This extreme punishment which is the murder for the sake of honour or shame is called honour killing. In our societies which followed and nurtured these honour codes a woman is restricted sexually and their obligation to follow these social norms and honour codes are equated with preserving honour. On the other side honour codes for men are completely different from that of a woman. Men are expected to be careful and protective so that they could protect and restrict their own women's life or particularly their sexual life is considered to be the property of their male relatives. Thus we can quote:-

"The cultures predicted on the notion of honour concern with obtaining/maintaining honour and avoiding shame provides a central organizing and

guiding principle for individuals actions and identities (Ahmed, 2003), binding social groups together through an honour 'code' (Anthias, 2001, Nisbett and Cohen, 1996, Wikan, 2008). Honour codes apply to both men and women, but place different obligation upon sexes. Men are encouraged to be generous, hospitable and responsive to threats to their honour, displaying strength power and toughness in the face of potential shame. Perhaps not surprisingly, violence in the face of dishonor is encouraged and even expected; as such, relative to other cultures, high levels of male violence are found in honour based communities. (Ewing 2008; Wikan, 2008).³

As I have discussed earlier that honour killing is a product of patriarchal ego. Our patriarchal society is a cause of honour crimes against women. Now we have to clear what is meant by patriarchy. Patriarchy means male domination both in public and private spheres. In our Indian society also the head of a family is always a male. The head of a village or a society is always a male. Women are considered to be inferior to male counterpart because there are various ways to suppress women in our society like inequality in wages and unequal distribution of household task which defines gender based works. Females in our society do not have equal opportunity to prove themselves equal as a man in every sphere of life. All these are results of false patriarchal ego of our society. Thus, we can say that patriarchy is a social system in which the father or an elder male person holds the absolute authority over the family or more precisely over women. Our community or society also works as same where one or more men holds the complete power of decision making and dominating over society and most importantly on women. In such society women are nothing but an object.

In this patriarchal society honour is treated as property which must be protected and preserved with dignity. This property is generally located at the body of women and the purity of the body of women must be maintained for family honour according to the male family members. This property specifically virginity is completely guided by her father and other male relatives of her family till her marriage. And this property means virginity of a girl is handed over to her husband at the time of her marriage. By ensuring the virginity of a girl at the time of marriage her husband became sure that the future children belong to him. And the property of the man is passed down to his children. For the purpose of keeping control over property a man's wife and children is being dehumanized. And a woman's sexuality is being controlled by men for gaining right and ownership over the life of women and children. Thus we can call this patriarchal ego false or void because it is totally anti-women and often responsible for criminal act against women. Patriarchy has come to be a universal and perpetual way of victimization women all over world. It is also a cause of extreme sexual violence in private or public spheres. Here we can quote the words of Leila Ahmed, a research scholar:-

"Women's sexuality was designated the property of men, first of the woman's father, then of

her husband, and sexual purity (virginity in particular) became negotiable, economically valuable property".⁴

Now the question is why honour killing is called a crime? The answer is obvious that honour related crimes and their dangerous outcome make it quite clear that this practice is a curse to human society. We are all human beings with reasoning ability and self choices. As a person we contain certain characteristics like ability to think and plan our own life, free desires, to communicate with others, intelligence etc. which makes us different from lifeless objects. But in the act of honour killing a girl or women is thought to be an object which has no personal interest and desires and not as a person. Honour killing is the way of dehumanizing a living human being. The act which dehumanizes human beings is surely an act of shame and there was no doubt about it. Honour killing violates fundamental constitutional rights to life of a woman. It violates Article 14 and Article 19 of the constitution of India which is equality before law. This barbaric act of honour killing also violates Article 21 which is protection of life and personal liberty. Honour killing is also opposed to Article 15(1) which is not to discriminate on the grounds of religion, race, caste, sex or place of birth. Article 15(3) of our constitution has a special provision for children and women to live freely and safely, honour killing also violates this. And most importantly it violates Article 21 of our constitution in which protection of life and personal liberty was in centre. Thus, we can say that honour killing is nothing but an unpardonable crime on human being and most importantly on women of our country.⁵

Honour killing is opposite to the notion of ethics. It is thought that women are the means to keep family prestige intact. But ethics has an objection in treating human being as a means to achieve a goal. Let us discuss about Ethics in this regard. In his renowned book 'Groundwork of the Metaphysics of Morals' Immanuel Kant proposed that we should act in a way which can be a universal law that should be followed by every human being. Here a perpetrator acts in a way which must not be followed by anybody else in the society. So, it is not a good act. And the only good thing is good will. Good will is also absent behind killing a human being and it is quite obvious. The only will which act behind honour killing is a false ego to restore the so-called honour. Actual meaning of the term 'honour' which is kindness and bravery is changed to show off masculine power and oppression on the weaker. According to the words of Kant:-

"so act that you use humanity, whether in your own person or in the person of other, always at the same time as an end, never merely as a means".⁶

But honour killing surely clash with the notion of Kantian Ethics because here a woman's life is used as a means to regain or preserve honour. Human beings should not used as a weapon to achieve a goal, this process surely dehumanize human beings and ethics must not permit it. It also destroys the bond and faith between members. Our family and society is built with relations between its members. And these relations are basis of human life, trust and a feeling of security. Honour killing not only kills the girl but also

kills the relationship, faith and trust which are the bond between a father and a daughter or with other male family members. In the act of honour killing the safe and secure hand of a father which gives security to his daughter became a hand of the killer. Brothers who are committed to keep safe his sisters from all dangers himself became symbol of death for the sister. It proves that honour killing is a curse which destroys bond between family and society.

Honour killing arises from the attitude of absolute domination on women. It is also an act in which domination of public spheres on women are responsible for domination of women on private spheres by the male counterpart. The sense of keeping one's head high in public places like society and community a man always dominate on women in her private life. And according to the notion of ethics it is very much unethical to interfere in one's personal life and liberty. Thus honour killing is unethical from the notion of ethics.

Though it is obvious that morality did not permit killing of human beings but morality is completely different from reality. Due to this shocking and sad reality honour killing in India is increasing gradually day by day. The Northern part of India especially Haryana, Punjab, Uttar Pradesh and Rajasthan are more vulnerable to honour killing. In Northern India there was a system of governance-the Khap Panchayet.⁷

Rural section of Northern India is ruled by this Khap Panchayets. It imposed different rules and regulations upon its members to establish its power and position. If a member of this Khap Panchayets fails to obey these rules then the Khap imposed social boycotts, fines and physical violence and force suicide to that person. The Khap government system is so influential that its members often support Khap panchayet sanctioned honour killing. Such killings are way to express masculine power and position. In this system of governance when a woman make own choice of living it generate a feeling among the members of khap that they are losing power and control over their women. Khap panchayet makes a regulation that men and women who belong to the same village are brother and sister by relation. They could not marry each other. If they do so they are committing an unpardonable offence and the only way to get rid of this shame is to kill the origin of shame. Khap Panchayet not only controls women's sexual freedom and choices but also they dictate the actions of individual and the whole family. As a support of this statement I am going to quote a statement from the book 'Honour' Killing & Violence: Theory, Policy & Practice:-

"The reasons for honour-related violence in Northern India must be analyzed in relation to informal modes of social and cultural regulation. First, the principle of village exogamy means that all men and women of the same clan, the same localized clan and the same village are bound by the morality of brother-sister, and therefore that both sex and marriage are prohibited between members of these units (Chowdhry, 2007; Hershman, 1981). Thus marrying within the same village is viewed as incest and

consequently is declared null and void by the local khap panchayat.⁸

Now I am going to discuss some cases of honour killing in India:-

Case Study 1

In one instance, Maya (17) and Inderpal (22) were battered and their bodies thrown in the cotton field of Sirsa's Phulkan village. Maya was a class XI student and Inderpal worked as a laborer in the fields. They 'planned to marry against the wishes of Maya's parents', as they were in love with each other (Mukharjee, 2010). Police investigations could not ascertain who was behind the brutal killing, in which both Maya and Inderpal were battered with iron rods, their skulls cracked and Maya beheaded. 'Love marriages' clearly present a threat to the 'intricate web of social, material and cultural factors requiring specific marriage structures [.....] and often elopement [.....] provides an avenue' to choose one's partner. Chakravarti (2005) argues that 'elopements have also provided the space for development of the "criminality of marriage" in India' (2005, p.311).⁹

Case Study 2

Published: June 26, 2020, 8.02 pm IST:-Last week Kausalya, 23, learnt with shock and bewilderment about the judgment of the Madras High court on June 22, which so gravely undermined her courageous struggle for justice for her murdered husband Shankar. They were victims of what is incorrectly termed as "honour killing".

She, belonging to an OBC community, and Shankar to a scheduled caste community, were both students in an engineering college when they eloped on July 12, 2015, the day after her parents abused her and treatment that unless she ended the relationship, she would have to face consequences. On July 23, she was abducted by her family, put through black magic rituals, and again threatened and beaten. She was rescued three days after Shankar filed a police complaint; she returned to her marital home.

A year later while they were waiting for a bus on a busy road in Udumalpet in Tirupur district, they were attacked. Shankar was hacked to death.

Kausalya who left as dead, barely survived and was under treatment for six months.

In December 2017, the trial court ruled that the murderous assault was a conspiracy led by her father Chinnasamy, who hired killers to commit the ghastly crime. Evidence included electronic records of phone calls between him and hired killers, him withdrawing cash to pay the killers, details of the motorbike used in the crime and so on. The killers including Chinnasamy, made confessions. On the basis of the statements of the hired killers, the machete and the knives used in the murder, the bloodied cloths were all recovered by the police. It was an open-and-shut case. At the centre of the case was Kausalya, just 19 years old, who fearlessly fought for justice for her murdered husband and who, in her two statements before the sessions judge and in the grueling multiple cross-examinations, stood firm in her detailed account of her family's violent accusation that it was her parents and maternal uncle who conspired

and arrange for the killing of her husband and the grievous injuries suffered by her. She said she survived only by chance. The plan was to kill them both because of the crime of her marrying a Dalit and the "dishonor" it brought to her family.¹⁰

Aims and Objectives of the Study

Honour killing crime and most of its victims are women who became target of it due to display false masculine power and position. Aim of this paper is to focus on the nature of honour crimes in India and its harmful effect on human being rather on women. This paper also aims to challenge the aspect of honour killing. In our society a difference is being made between male and female members of it which acts like fuel behind the honour crime and my objective behind this paper is to expose those false patriarchal ego and concept of difference between sexes which is created and used for restoring so-called honour. In this paper I am aimed at highlighting the problems that arise from an extreme or inappropriate patriarchal ego. Through all these study of honour killing my paper aimed to bring a positive change in the legislation and also in the principle and thought of human beings which is very essential for a good society and peaceful living without any sort of discrimination.

Conclusion

Honour killing is a product of false patriarchal ego. In patriarchal society it is thought that women are the custody and symbol of family prestige. So, she must be kept in the inner side of the house and not be allowed to choose the path of freedom at the time of selecting life partner. It is thought to be the only way of preserving false family honour. But to overcome this situation the concept of honour should be define in a different way. 'Honour' means honour to a life, honour to the decision taken by person. We have to bridge up the gap between traditional and conservative concepts and the radical changes of life. The present era demands a person to come forward to be a citizen of global village instead of being a member of narrow groups or own family by keeping all the orthodoxy, prejudices in bracket. We have to build up our power of tolerance and education to structure a free mind which is free from any rigidness. We have to give importance to the promotion of universal humanity, universal brotherhood and universal kinship; instead of only nurturing personal and family relationship in a rigid way. In doing this our constitution and legislation has a great role to play. Constitution should not be taken as only a scripture but also we have to exercise all its rules and laws appropriately in our life. Law should be built in a way that every citizen of India can enjoy the same value of life and rights should be equal for all so that no discrimination can take place. And these changes are only required for a good society which is the most necessary element for advancement of our country.

References

1. C/F-"Violence against Women and "Honor" Crimes". *Human Rights Watch Retrieved 6 April, 2001.*
2. C/F- [https://en.m.wikipedia.org/wiki/](https://en.m.wikipedia.org/wiki/https://en.m.wikipedia.org/wiki/https://en.m.wikipedia.org/wiki/) Dated: 24.04.2021.

3. Gill Aisha. K, *Strange Carolyn, Robert Karl, 'Honour' Killing & Violence: Theory, Policy & Practice*, Palgrave Macmillan, 2014, p.5.
4. Pope Nicole, *Honour Killings in the Twenty First Century*, Palgrave Macmillan, 2012, p.18.
5. C/F- <https://www.mea.gov.in> >Part3. Dated: 24.04.2021.
6. Gregor M (Translator and Editor) (1998). *Kant Immanuel, Groundwork of the Metaphysics of*
7. Gill Aisha K, *Strange Carolyn, Roberts Karl, 'Honour' Killing & Violence, Theory, Policy & Practice*, Palgrave Macmillan, 2014, p.156.
8. *Ibid.* p.159.
9. *Ibid.* p.161.
10. C/F- www.ndtv.com , Dated: 24/04/2021