

OVERVIEW ON HONOR KILLING IN INDIA

Article Particulars

Received: 10.9.2017

Accepted: 10.10.2017

Published: 30.10.2017

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Abstract

India is a democratic state so we can always proud of it. Though, the marriage culture remains stable. Families made their Marriages tend to be a holy sacrament. Sometimes women choose their life partner according to their wish. In that situation so many interruptions are their as caste, religious group and old protectors of the society. so women become helpless. These type of people, killing the women in the name of honor. Furthermore, we can see how the feudalism and patriarchy is rooted in our society. In this background, So many cases of honor killings are not yet registered still now. This type of killings is justified by the societies, so that the perpetrators are not punished. Here in the honor killing mostly the victims are women only. Most of the girls are killed by their family members. This implies that strict laws should be amended for this type of shameful practices. "We need freedom to take action against this type of social evil like honor killing"

Keywords: Honor Killing, Reasons, Laws, Judicial Interventions, Equality

Introduction

Honor killing is not happening recently. In all over the world it was happened for centuries. We can see this type of cases, in the history books of 1200 BC in Hamarabi and Assyrian tribes. Women chastity was treated as property of those tribe families. In ancient times, men of the family gave complete control over their children and their wives. It is so sad to read these types of killings were justified. At the same time, if the girl was raped, the elders of the tribe considered that it was dishonorable. In that situation killing the women was treated a 'merciful act. According to the recent report of National Crime Record Bureau, 356 cases of Honor Killing were reported along with 65 cases of responsible murder in India. Under the constitution of India there are many laws are there especially Indian Penal Code for the Honor Killings.

Honor killing are committed by their own family members, if any male or female do any dishonor upon the family they will murder their own children. A family will target a woman for so many reasons such as refusing for an arranged marriage, victim of a sexual assault, seeking for a divorce, abusive husband these are the sufficient reasons to attack on her life. Some of the women engage in other communities or adopt new

custom or convert into other religion these are the other reasons against women. Even a mother in the family will support the honor killing of their own female family member to preserve the honor. They believe that by murdering the shamed female their family will become purified. For that reason many men will refuse to marry such type of women in that particular family.

Honor Killing in India

In the western society, they view that the word 'honor' is regarded as significant one. The term honor is derived from the Latin word 'hones'. To prevent their family's honor people in the family members kill their own daughter. In India particularly in rural areas this type of practice are to be continued for some of the main reasons. Still now they will not come out from that attitude towards marriage. According to them, if a daughter disobeys against her parents in case of marriage and choose their own wish it will result to family dishonor. Hence they decide to give her punishment like death. People's thinking has not change about caste system and it leads to honor killing. It is considered to be an big issue. It is a crime and it spoil the unity and harmony of the community. Honor killing restricted the women's progress in the society. Over centuries honor killing and punishments have been documented throughout the world.

Causes of Honor Killing

There are so many reasons behind this type of crimes. This will dominate the society still now through their thoughts and believes. Few reasons are given below about honor killing such as.

1. The people will continuously doing the honor killing in the views of socialists. So it was rigid the caste system. This will trigger the families to do such crimes.
2. In case of marriage the people expecting the men should belongs to their caste or religion. Their mentality is always stable there should not be any change till today.
3. Due to lack of governance there has been increase in honor killing. For better development we need strict laws.
4. 14th century in India it was highly male dominated period. Khappanchayats are basically and mostly followed by upper caste people. That type of panchayats will leads to unconstitutional. Since that period there is no recognition for individuals but now there is a rights and recognition for individuals so no need for such panchayat system.
5. Another reason behind on honor killing is illiteracy. The people don't have awareness of the law.
6. Difference in sex ratio leads to honor killing. Female ratio is low when compare to men so that in Haryana more men's are still unmarried due to imbalance of sex ratio. This leads to brought the brides from other states.

7. Inter caste marriage is another reason for honor killing. Most of the love marriages are not the same caste. It leads to honor killing.
8. A status may classify into two i) by birth itself a person is rich or well settled. ii) Well educated. if the person is well qualified but the men or women is not qualified that much and if a person is rich but the men or women is not that much rich means there is complex between two family and it leads to honor killing.

Acts to Prevent Honor Killing in India

Honor killings are mostly done by the family members. If a girl brought shame on her family means the male in the family member will decide to kill that girl. There is a law for this type of crime such as

- 1) To prevent from this type of killing, many acts are there in the Constitution India. But this will violates the Articles 14, 15 (1) & (3), 17, 18,19 and 21 of the Constitution of India. Article 14 implies that every person has the right to equality before law.
- 2) Particular person especially women killed by a family member is called honor killing. This comes under the Section 299 and Section 300 of the Indian Penal Code. This also violates the Article 19 and Article 21 of the Constitution.
- 3) Special Marriage Act, 1954. This Act is to protect the people of India those who residing in foreign countries may eligible to get married with the other country people.
- 4) Act, 1989 was implemented for the Atrocities against the Scheduled Castes and Scheduled Tribes.
- 5) The Protection of Human Rights Act, 2006 protect the human rights of individuals.
- 6) Domestic Violence Act, 2005 provides the protection of the rights of women. This act will protect from the problems occurring within the family.
- 7) Article 13 of The Indian Evidence Act, 1872 is to punish those who hide the facts before or after crime.
- 8) United Nations Convention on the Elimination of all forms of Discrimination against Women (CEDAW 1979) this act will protect from all the discrimination against the women.
- 9) Under Article 12 of the International Convention on Economic, Social and Cultural Rights (ICESCR 1976). This act is for the crimes of sexual violence and mental violence or physical or mental torture.
- 10) Two major UN documents call for the elimination of honor killing. The concept of elimination appears in the Declaration on the Elimination of Violence against Women(1993) and in Working towards the Elimination of Crimes against Women Committed in the Name of Honour (2003).

Judicial Intervention in the Field of Honour Killings

In *Lata Singh v. State of U.P.* in our view, those who involve in the violence of threats or harassment are must be strictly punished. If the boy or girl get the inter caste marriage means the parents of them can cut off social relations with the son or daughter. They should not do such crimes.

In *ArumugamServai vs. State of Tamil Nadu* (2011) 6 SCC 405, the opinion of Supreme Court was Khap/Kattapanchayats could not take the law into their hands. It is danger for the married couples.

Supreme Court in *Bhagwan Das vs State (NCT of Delhi)*,(2011) 6 SCC 405 had estimate that honor killing for any reason would come under the death penalty.

Conclusion

The caste system is the basis for the Honor Killing, the society will secretly supporting and frankly discouraging this killing. This is very disappointing for many people that caste system in India converted into the social evil. Due to the honor killing many of the young people lost their lives. If a women fight against honor killing there must be changes in the society. Currently there are many laws to protect the gender equality but this law cannot a solution. People have to realize about equality.

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