

Honour Killing: Whether A Matter Of Honour?

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Abstract: Killing in any form is always punishable. In Homicide, a new clarification has been emerging very fatly in the shape of Honour killing. To kill someone in the name of Honour is not justified in the present civilized society. If two persons want to enter into the institution of marriage belonging to different castes, religion etc., killing of either one or both is not the solution of the problem. This problem is highlighted not only in India but also different countries of the world through this paper. Although legal framework is there but it proves unless to check out the cause of this evil. People do not hesitate to commit the offence of Honour killing due to the liberal attitude of the judiciary. So, the balanced approach should be adopted and proper counseling to be provided to the concerned parties. Beside this the mind set up of the society should be changed and instead of killing anyone, they should be promoted to keep patience and maintain healthy relationship with each other.

I. INTRODUCTION

An killing as shame killing is the homicide of a member of a family by other members due to the per spectators beliefs that the victim has brought shame as dishonor upon the family as has related the principles by community or a religion, usually for reasons such as refusing to enters an arranged marriage being is a relationship that is disappeared by their family having sex outside marriage, becoming the victim of rape, dressing in ways which are deemed inappropriate, engaging in non-heterosexual relation or renouncing a faith.

II. DEFINITIONS

Human Rights watch defines 'honor killings' as follows:

Honor killings are acts of vengeance, usually death, committed by meld family member against female family members, who are held to have brought dishonor upon the family. A women can be targeted by (Individuals within) her family for a variety of reasons, including refusing to enter into an arranged marriage, being the victim of a sexual assault, seeking a divorce – even from an abusive husband – or (allegedly) committing adultery. The mere perception that a women has behaved in a way that “dishonors” her family is sufficient to trigger an attack on her life.

Although rarely men can above the victims of honor killings by members of the family of women with whom they are perceived to have an inappropriate relationship. The loose term “honor killing” applies to killing of both men and women in culture that practice it. Some women who bridge social divides publicly engage other communities or adopt some of the customs as the religion of an outside group may be attacked. In centuries that receive immigrants, some otherwise low-status immigrant men and boys have asserted their dominant patriarchal status by inflicting honor killings on female family members who have participated in public life for example in feminist and integration politics.

III. GENERAL CHARACTERISTICS

The distinctive nature of honor killing is the collective nature of the crime-many members of an extended family plan the act together, sometimes through a formal “family council”. Another significant feature is the connection of honor killings to the control of women’s behavior in particular in regard to sexuality / male interaction / marriage by the family as a collective. Another key aspect is the importance of the reputation of the family in the community and the stigma associated units losing social status particularly in tight-knit communities. Another characteristic of honor killing is that the

perpetrators often don't face negative stigma within their communities because their behaviors is seen as justified.

IV. METHODS

Methods of killings include stoning, stabbing, beating, burning, beheading, hanging throat slashing, lethal acid attack, shouting and strangulation. The murders are sometimes performed in public to warn the other women within the community of possible consequence of engaging in what is seen as illicit behavior.

USE OF MINOR AS PERPETRATORS

Often minor boys are selected by the family to act as the killers so that the killer may benefit of the most favorable legal outcome. Boys in the family are often asked to closely control and maintain the behavior of their sister or other females in the family to ensure that it females do not do anything to tarnish the "honor" and "reputation" of the family. The boys are often asked to carry out the murder and if they refuse they may face serious repercussions from the family and community for failing to perform their duty.

CULTURE

The culture feature which leads to honour killings is complex. Honor killings in value violence and fear as a total of maintaining central. Honor killings are argued to have their origin among the nomadic peoples and herdsmen such population carry all their valuables with them and risk having them stolen and do not have proper recourse the law. As a result, inspiring fear, using aggression, and cultivating a reputation for violent revenge in order to protect property are preferred to other behavior. In societies where there is a weak rule of law people must build fierce reputations.

In many cultures where honor is of central value, men are sources or active generators / agents of that honor while the only affect that women can have on honor is to destroy it. Once the honor is destroyed by the women there is a need for immediate revenge to restore it in order for the family to avoid losing face in the community. As Amnesty international statement notes:

The regime of honour is unforgiving:

Women on when suspicion has fallen are not given an opportunity to defend themselves and family members have no socially acceptable alternative but to remove the stain on their honours by attacking the women.

Specific Triggers of Honor Killings:

REFUSAL OF AN ARRANGED MARRIAGE: Refusing refusal of an arranged marriage:- Refusing and arranged marriage is often a cause of an honor killing. The family which has prearranged the marriage risks disgrace if the marriage does not proceed.

SEEKING A DIVORCE: A women attempting to obtain a divorce or separation without the consent of the husband / extended family can also be a trigger for honor killing.

ALLEGATIONS AND RUMORS ABOUT FAMILY MEMBERS: In certain cultures an allegation against a woman

can be enable to tarnish her family's reputation and to toggle an honor killing the family's fear of being ostracized by the community is enormous.

V. CAUSES

There are multiple causes for which honor killings occur and numerous factories interact with each other.

VIEWS ON WOMEN

Honor killings are often a result of strongly patriarchal views on women and the position of women in society. In these traditional male-dominated societies women are dependent first on their father and then on their husband whom they are expected to obey. Women are views as property to obey. Women are viewed as property and not as individuals with their own agency. As such they must submit to male authority figures in the family-failure to do so can result in extreme violence as punishment. Violence is seen as a way of ensuring compliance and presenting rebellion. Accordingly to Shahid Khan a professor at Aga Khan University in Pakistan: Women are considered the property of the males in their family irrespective of their class, ethics, or religious group. The owner of the property has the right to decide its fate. The concept of ownership has turned women into a commodity which can be exchanged, bought and sold. In such cultures, women are not allowed to take central over, their bodies and sexuality these are the property of the males of the family, the fathers (and other male relatives) while must ensures virginity until marriage and then the husband to whom his wife's sexuality is subordinate a women must not undermine the ownership right of her guardian by engaging in premarital sex or adultery.

CULTURES OF HONOR AND SHAME

The concept of family honor is extremely important in many communities. The family is viewed as the main source of honor and the community highly values the relationship between honor and the family. Acts by family members which may be considered inappropriate are seen as bringing shame to the family in the eyes of the community such acts often induce female behaviors that are related to sex outside marriage or way of dressing, but may also include male homosexuality (like the honor killings in Iraq). The family loses face in the community, and may, be shamed by relatives. The only way the shame and be erased is through a killing. The cultures in which honor killings take place are usually considered "high-context" where the family is more important than the individual and individualistic autonomy is seen as a threat to the collective family and its honor.

LAWS

Legal frameworks can encourage honor killings. Such laws include on one side leniency towards such killings and on the other side criminalization of various behavior such as extramarital sex, 'indecent' dressing in public places or harm

asexual sexual acts with these laws acting as way of reassure perpetrators of honor killing that people engaging in these behaviors deserve punishment. In the Roman Empire the Roman Law Lex Julia de adulteries candies implemented by Augustus Ceasar permitted the murder of daughter and their lovers who committed adultery at the hands of their fathers and also permitted the murder of the adulterous wife's loves at the loved of her husband.

The Napateonic code did not allow women to murder unfaithful husbands while it permitted the murder of unfaithful women by their husbands. The Napateonic Code Article- 324, which was passed in 1810 permitted the murder of unfaithful wife and her lover at the hand of her husband. It was abolished only in 1975. On November 7, 1975 Law no. 617 / 75. Article 17 repealed the 1810 French Penal Code Article-324. The 1810 penal code Article-324 passed by Napoleon was copied by Middle Eastern Arab countries. It inspired Jordan's Article 340 which permits murder of a wife and her lover if caught in the act at the hands of the husband. France's 1810 Penal Code Article 324 also inspired the 1858 Ottoman Penal Codes Article 188 both the French Article 324 also inspired the 1858 Ottoman Article 188 were drawn on to create Jordan's Article 340 which was retained even after a 1944 recursion of Jordan's laws which did not touch public conduct and family law so Article 324 still applies to this day.

France's Mandate over Lebanon resulted in its penal code being imposed there in 1943-44 with the French inspired husband law for adultery allowing the mere accusation of adultery against women resulting in a maximum punishment of two years in prison while men law to be caught in the act and not merely accused and are punished with only one year in prison.

Jordan's Article 98 say he who commits a crime is a fit of jury caused by an unrightfully and dangerous act on the part of the victim benefit from a reduction in penalty. In Jordan six months is the usual penalty for murderers in honor killings the murderers in honor killings are allowed to get off by Article-97 while the fit of jury in Article-98 is used to justify the defense for committing an honor killing while the murderers can also justify to honor killing with Article 340.

- ✓ France's Article 324 inspired laws in other Arab countries such:
- ✓ Algerias 1991 Penal Code Article – 279
- ✓ Egypts' 1937 Penal Code No. 58 Article 237
- ✓ Isaqs' 1966 Penal Code Article 409
- ✓ Jordans' 1960 Penal Code No. 16 Articles 340
- ✓ Kuwaits' Penal Code Article 153
- ✓ Lebanon's Penal Code Article 193, 252, 253 and 562.
- ✓ These were amended in 1983, 1994, 1995, 1996 and 1999 and were eventually repealed by the henbanes Parliament an August 4 2011.
- ✓ Libyan's Penal Code Article 375.
- ✓ Morocco 1963 amended Penal Code Article 518

VI. FORCED SUICIDE AS A SUBSTITUTE

A forced suicide may be a substitute for and honor killing. In this case the family members do not directly kill the victim themselves but forces him or her to commit suicide in order to

avoid punishment. Such suicides are separated to be common in Turkey.

VII. RESTORING HONOR THROUGH A FORCED MARRIAGE

In the case of an unmarried girl associating herself with a man, losing virginity, or being raped, the family may attempt to restore its "honor" with a "shot gun wedding". The groom will usually be the man who has 'dishonored' the girl but if this is not possible the family may try to arrange a marriage with another man after a man who is part of the extended family of the one who is part of the extended family of to once while has committed the acts with the girl. This being an alternative to an honor killing, the girl has no choice but to accept the marriage. The family of the man is expected to cooperates and provide a groom for the girl.

VIII. COMPARATIVE STUDY

UNITED KINGDOM

Every year in the United Kingdom (UK) officials estimate that at least a dozen women are victims of honor killings almost exclusively within Asian and Middle Eastern Families. Often cases cannot be resolve due to the unwillingness of family relative and communities to testify. A 2006 BBC pall for the Asian network in the UK found that one in ten of the 500 young Asian palled said that they could condone the killing of someone who dishonored their family. In the UK is December 2005 Nazir, Afzal, Director, west London of Britain's Crown Prosecution service, stated that the united kingdom has seen at least a dozen honour killings between 2004 and 2005.

In 2010 Britain saw a 47% rise of honor related crimes. Data from police agencies in the UK reported 2283 cases in 2010 and an estimated 500 more from jurisdiction that did not provide reported. These honor-related crimes also include house arrests and other parental punishments. Most of the attacks were conducted in cities that had high imminent population.

CASE

A highly publicized case was that of shadflies Iftikhar Ahmed a, 17 year old British Pakistani girl from Great Sankey Warrington, Cheshire who was murdered in 2003 by her parents. Another well-known case was Heshu Yones stabbed to death by her Kurdish father in London in 2002 when her family heard a love song dedicated to her and respected she had a boyfriend. Other examples include the killing of Turkey Goren, a Kurdish Shia Muslim girl who immigrated with her family from Trukey and Samaira Nazir.

Banaz Mahmud a 20 year old Isaqi Kurd women from Mitchem South London was killed in 2006 in a murder by her father, uncle and cousins. Her life and murder were presented in a documentary called Banaz a home stay directed and produced by Weeyah Khan. A However a lesser- known case

is that of Gurmeet Singh Ubhi a Sikh man who in February 2011 was faced guilty of the murder of his 24-year old daughter Amrit Kaur in 2010. Ubhi was faced to have murdered his daughters because he disapproved of her being “too westernized”.

In 2012 the UK had the first white victim of an honor killing- 17 year old honor Wilson was killed by her Asian boyfriend, Ashtiaq Ashgar because she revealed details of their relationship to his family challenging traditional cultural values of the Asian family. Laura Wilson mother told daily main, I honestly think it was an honors killing for putting shame on the family. They heeded to shut honor up and they did” Wilson was repeatedly Knifed to death as she walked along a canal in Rather ham city.

In 2013 Mohammed Inayat was failed for killing his wife and injuring three daughters by setting his house on fire in Birmingham. Inayat wanted to stop his daughters from flying to Dubai to marry her boyfriend, because he believed the marriage would dishonor his family. In 2014 the husband of Syrian-born 25 year old Rania Alyed as well as three brothers of the husband, were failed for killing her. According to the prosecution the motive for the murder was that she had become “to westernized” and was establishing an independent life.

ITALY

In 2009 in Pordenone, Italy Sanaa Wafani an 18 years old girl of Moroccan origin was murdered by her father because she had a relationship with an Italian man. In 2011 in Cerignala Italy a man stabbed his brother 19 times because his homosexuality was a dishonor to the family.

INDIA

Honor Killings have been reported in northern regions of India mainly in the Indian states of Punjab, Rajasthan, Haryana and Uttar Pradesh, as a result of people marrying without their family's acceptance and sometimes for marrying outside their caste or religion. In contrast honor killing are prevalent to a lesser extent but are not completely non-existent in South India and the Western Indian states of Maharashtra and Gujarat. In some other part of India notably West Bengal, honor killings completely caused about a century ago largely due to the activism and influence of reformists such as Vivekandanda, Ramkrishna, Vidyasagar and Raja Ram Mohan Roy.

Haryana is notorious for incidents of honour killings mainly in the upper caste of society among Rajputs and Jats. Honour killing have been described as “Chillingly common in Villager of Haryana dominated by the lawless khap panchayats (caste councils of village elders).

In a landmark judgment in March 2010 Karnal district court ordered the execution of five perpetrators of an honour killing in Kaithal and impresario for life the khap chief who ordered the killings of Majoj Banwala (23) and Babli (19) a man and women 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. In 2013 a young

couple who were planning to marry were murdered in Garnauthi village Haryana due to having a love affair. The women Nidhi was beaten to death and the man Dharmender was dismembered alive. People in the village and neighbouring villages approved of the killings.

The Indian state of Punjab also has a large number of honour killings. According to data compiled by the Punjab Police, 34 honour killings were reported 2008 and 2010 in 2008 in 10 and in 2009 in 20 and few in 2010. Bhagaplur in the eastern Indian state of Bihar has also been notorious for honour killings. Recent cases include a 16 year old girl Imrana from Bhojpur who was sit on fire inside her house in a case of what the police called ‘moral vigilantism’. The victim has screamed for help for about 20 minutes before neighbor arrived only to find her smoldering body. She was admitted to a local hospital where she later died from her injuries. In May 2008 Jay mirriagh Bhadodiya that his daughter Vandana Bhadodiya and struck her on the head with an axe. Honour killing occur even in Delhi.

Honour killings takes place in Rajasthan too. In June 2012 a man chapped off his 20 year old daughters' head with a sword in Rajasthan after learning that she was dating men. According to police offices Omkar Singh, told the police that his daughter Manju had relation with several men. He had asked her to mend her ways several times in the past. However she did not pay need. Out of pure rage he capped off her head with the sword.

In 1990 the National Commission for women set up a statutory body in order to address the issues of honour killings among some ethic group in North India. This body reviewed constitutional, legal and other provisory as well as challenges women face. The new act activism has contributed significantly towards the reduction of honour killings in rural area of North India. According to Pakistani activities, Hina Lllani and Eman M Ahmed, India, women are considerably better protected against honour killing by Indian law and government than Pakistani women and they have suggested that governments of countries affected by honour killing is a Indian law as a model in order to present honour killings in their respective societies. In June 2010 scrutinizing the increasing number of honour killing the supreme court of India demanded respondent about honour killing prevention from the federal government and the state government of Punjab, Haryana, Bihar, Uttar Pradesh, Rajasthan, Jharkhand, Himachal Pradesh and Madhya Pradesh.

Alarmed by the rise of honour killing the government planned to bring a bill in the Munson session of Parliament July 2010 to provide for deterrent punishment for honour killings. According to the survey done by AIDWA 30% of the total honour killing in the country takes place in western Uttar Pradesh.

IX. CASES LAWS

A. MANOJ- BABLI- HONOUR KILLING CASE

The Manoj-Babli honour killing of Indian newlywed Manoj Banwala and Babli in June 2007 and the successive court are which historically convicted defendants for an

honour killing. The individuals involved in the murder included relatives of Babli (Grandfather Gangaraj who is said to have been a Khap leader, Brother, Maternal and Paternal uncle and two cousins). Relative of Manoj specially his mother defended the relationship.

The killing was ordered by a khap panchayat a religious caste-based council among Jatts, in their Karan a village in Kaithal district, Haryana.

The Khap passed a decree prohibiting marriage against societal norms. Such caste-based council is common in the inner regions of several Indian states. The khap panchayats ruling was based on the assumption that Manoj and Babli belonged to the Bawala gotra, a Jat community and were therefore considered to be siblings despite not being directly related and any union between them would be invalid and incestuous. Nevertheless the couple went ahead with their marriage following which they were abducted and killed by Babli's relatives.

In March 2010 a Karnal district court sentenced the five perpetrators to be executed the first time an Indian court had done so in an honour killing case. The khap head who ordered but did not take part in the Killing received a life sentence and the driver involved in the abduction a seven year prison term. According to Home Ministers P. Chidambaram the UPS central government was to propose an amendment to the Indian Penal Code (IPC) in response to the deaths of Manoj and Babli making honour killings a "district offense".

B. BHAVNA YADAV'S HONOUR KILLING

New honour killing murder shocks India after brides father allegedly strangles her and burns the body day after marrying a man from the "wrong" caste. An Indian woman parents have strangled her to death after deeming she destroyed their family's 'prestige' by marrying a man from a different caste police say.

The tragic death of Bhawna Yadav a 21 year old student from a leading New Delhi University appears to be latest of a series of honor killing that law shocked India.

Police allege Bhawna was strangled by her parent and under because she had secretly married 24 year old Abhishek Seth in a union that undermined their family's 'prestige'.

- ✓ 1 June 2015 Bulandshar- Mother arrested for killing her daughters: Afroz 20 from Abder Nileage in Bulandshar was killed by her own mother Ranbir after she refused to give up her relationship with a boy. Afroz had been working for the police arrive when the incident took place. On the fatal day Rabina, alias Bano got into an argument with Afroz regarding her romantic alliance with a boy. The argument led to Rabina slitting Afroz's throat with a knife. After receiving information on a police central room about a murder police raised a search party where they found Afroz's body.
- ✓ 7 April 2016- Chandigarh- Bodies of couple dumped in suitcase Bahalgarh police received a call regarding two unclaimed suitcases lying in a park located on the GT road in Sonapat district. When the suitcases were opened police secured its naked bodies of a man and woman dumped separately in the two suitcases. While the woman's body was intact and she wore glass bangles similar to those of a

newlywed bride the man's limbs have been chopped and disposed of in the suitcase. The police which is probing the crime is suspecting it to be a case of honour killing.

- ✓ 15 February 2016- Mathura – Girl burnt to death by mother and brother: - Neeraj Kumar in family was against her relationship with a youth from the same village Ajay and fixed her marriage with another person. As complications cropped up for its marriages the mother and the brother first strangled. Kumari and either set her body on fire. The accused first tried to dissuade the police by saying that the girl had committed suicide. However the girl's boyfriend told the police that he suspected the victim was first brutally beaten up and then set ablaze.

X. CONCLUSION

The honour killing can be stopped in India by educating people both men and women. The education which gives them its concept of individual right of each and every Indian. Although India is the biggest democracy in the world. Democracy in India is confined to state national election and corporation election. The basic unit of a nation is a home unfortunately there is no democracy in most of the Indian homes. For the Indian society the concept of equality among people is the most often concept. People have very little concept of democracy and they openly lash out routinely on personal rights of Indian people.

People have very little regard for personal freedom of other adult Indians. Adults' children have very little freedom to make a decision for their own lives. Most of young adults are coerced into decision made by their parents. We need to learn about individual freedom of Indian citizen and we need to learn to be less observed with the nation that we are the best century the best people the best religion the best culture and off census the best caste. That is the reason that people disparage other caste other religions and custom and when their young adults choose to marry in our unconventional way they get extremely furious and sometimes go to the extent of killing their over girl or boy or both. Our parents have to be taught it is their own choice to bring children to this world but once they do they have the duty to raise them. Raising a kid is a humongous job but still just because they raised them they don't own them like a property, once kids reach the adulthood they are individuals and they have the right to marry who they want, choose the profession they want, live in the city they want. Honour killing or constant criticism or even emotional blackmail in criminal behavior although it is considered very normal in India.

India's best kept secret is honour killing in India. Most of us think this barbaric act happens only in Africa and Middle East not in India. No personal law should be above personal freedom of Indian citizens. Government should send out a message to public that in the name religion or tradition they cannot take the law in their own hands and beat up torture or kill two adults who decide to marry. No religion caste or tradition is more sacred than a human life.

The other biggest problem is mistrust between people and police especially women think many times before resorting to seeking help from police. This is generally seen that

perpetrators of honor killing already take care of the police by bribing them. To stop any crime not only honor killing we need to cover have our law enforcement department our police. To stop any crime not only honor killing we have to have a very victim friendly police force with whom people feel at ease to go to and discuss their problem but most police also has the same prejudices. Where the girl goes to seek herf if she is marrying out of caste the police offices she meets with also believes in the same prejudice and not very keen to help her.

Our police should be more honest and almost prejudice free to act fast to stop honor killing in India. Police should be aware that any religion tradition or custom which infringes the personal freedom of Indian citizen had to be challenged. Victim of honor killing are bath boys and girls but mostly girl are killed by their parents brother and relatives. Gender inequality index of limited Nation puts India at. Next to last jury above Saudi Arabia.

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