

Honour Killing – Crime against Mankind

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Abstract: *Honour killing means the issue of killings of couples who marry within the same sub-caste or against the wishes of their parents. Immediate attention needs to be paid in this area which is one of the neglected areas. Law needs to be used as a weapon in bringing about a social change. What is needed is a firm decision by the government for a separate law. There is paucity of research studies in this area. The networking of the police, judiciary, government, non-governmental organizations, human rights activists, sociologists, social workers, and psychologists is to be done in order to mitigate this social evil. Honour killing cannot be accepted in the name of culture or tradition. Honour killing is unjust and inhumane action. It is crime against mankind. The murderer of that type deserves severe punishment. Hence it is needless to say that lot of efforts need to be made in order to mitigate this problem lest the problem goes out of control. Keeping this in background this paper is presented.*

Key words: *Honour killing, Law, Family honour, Human rights, Perpetuator.*

I. Introduction

Honour killing means the issue of killings of couples who married within the same sub-caste or against the wishes of their parents. Hundreds, if not thousands, of women are murdered by their families each year in the name of family "honour." It's difficult to get precise numbers on the phenomenon of honour killing; the murders frequently go unreported, the perpetrators unpunished, and the concept of family honor justifies the act in the eyes of some societies. Most honor killings occur in countries where the concept of women as a vessel of the family reputation predominates, said Marsha Freeman, director of International Women's Rights Action Watch at the Hubert Humphrey Institute of Public Affairs at the University of Minnesota.

Reports submitted to the United Nations Commission on Human Rights show that honor killings have occurred in Bangladesh, Great Britain, Brazil, Ecuador, Egypt, India, Israel, Italy, Jordan, Pakistan, Morocco, Sweden, Turkey, and Uganda. In countries not submitting reports to the UN, the practice was condoned under the rule of the fundamentalist Taliban government in Afghanistan, and has been reported in Iraq and Iran. But while honour killings have elicited considerable attention and outrage, human rights activists argue that they should be regarded as part of a much larger problem of violence against women. In India, for example, more than 5,000 brides die annually because their dowries are considered insufficient, according to the United Nations Children's Fund (UNICEF). Crimes of passion, which are treated extremely leniently in Latin America, are the same thing with a different name, some rights advocates say.

"In countries where Islam is practiced, they're called honor killings, but dowry deaths and so-called crimes of passion have a similar dynamic in that the women are killed by male family members and the crimes are perceived as excusable or understandable," said Widney Brown, advocacy director for Human Rights Watch. The practice, she said, "goes across cultures and across religions."

Complicity by other women in the family and the community strengthens the concept of women as property and the perception that violence against family members is a family and not a judicial issue. "Females in the family—mothers, mothers-in-law, sisters, and cousins—frequently support the attacks. It's a community mentality," said Zaynab Nawaz, a program assistant for women's human rights at Amnesty International. Hundreds, if not thousands, of women are murdered by their families each year in the name of family "honor." It's difficult to get precise numbers on the phenomenon of honor killing; the murders frequently go unreported, the perpetrators unpunished, and the concept of family honor justifies the act in the eyes of some societies.

Honour Killing in India

There has been no tradition or custom of honour killings in India. It is a foreign term and needs to be described as barbaric killing. Murderers have become bold. They are killing their own family members and loved ones in broad daylight, without any remorse and knowing fully well that no law or law-maker will dare touch them. The Khap Panchayats are in news yet again. And they are not the only ones we have to blame. Honour Killing is spreading fast. Killing is becoming so common in our civilized society, which is more often represented by a so called "urban India", a "shining India" and such other fantastic and well-coined phrases

And mind you we are said to be fortunate to be living in a democracy, which is being hailed far and wide. That is not all. The all-powerful USA is out to usher in democracy in every little nook-and-corner of the world through violent and bloody wars. And in our country, the largest democracy in the world, we hear of "honour killings" in addition to rape, murder, terrorist activity and so much violence under every possible pretext. Is this the kind of world we have in mind when we talk of the future, when we plan to have children, when we talk of human rights? Is this the kind of development and progress we think would take us forward? Is it not time the youth get their freedom as a right, not as a favour...

What is still worse is when the community that they belong to seems to disown them, does not support them...treats them like outcast...and does not think twice before killing them??? Anyone in their right mind would feel very sorry for those young people who get a little ahead of society and find their own spouses...and then get badly beaten or lynched in the name of family 'honour'...

Such cold-blooded killing is one of those unfortunate things that utterly crazy people undertake driven by fantastic ideas of honour and pride... but the problem is not just the Khap Panchayats...how many of us are ready for inter-cast/religion marriages?

Parents still take their duties of "finding-the-perfect-spouse-for-my-perfect-child", very seriously. And many children still expect that to happen. To their minds, it's just the way things happen, natural course of life. At the tender age of eighteen we expect our children to be mature enough to choose their representative in the government, and also to choose their career, but at the age of twenty-five or more they cannot be trusted to choose their life partner... how much more idiotic can we possibly get...

There may be some young boys and girls who would prefer to go by what their parents decide. So be it. Let the parents do the "looking around" and take the decisions. But even then it should not be a blind-date kind of thing. Ample interaction and space must be allowed for the two people expected to enter the wedlock, to understand each other.

Marriages should be more out of love and understanding, rather than be associated with family honour and "national pride"...or some such stuff. More and more people are trying to come out of the shackles and chains of dogmas and as someone said "change cometh, albeit slowly."

Let us hope it will come sooner than we expect...

Parents always say that the happiness of their children is supreme for them and they can do anything for their children. Hence it should only be a matter of time when the Ram Senes, Khap Panchayats or more such other outfits in the name of religion (all included) or family will become irrelevant.

Is this what makes the extremists and the dogmatic orthodox desperate as they see the winds of change unlocking their closed doors and disinfecting the termite-inflicted humanism? Do they see (and hence fear) the inevitable end to their tight hold over peoples' conscience?

Reports on Honour Killing

Relatives of a young woman killed her lover and beat her up in Tamil Nadu, southern India, after she ran away from an arranged marriage, news reports said.

Honour killings are feared to be on the rise in India, as increased urbanization and mobility clash with traditional values.

Menaka, 18, eloped with her lover, Sivakumar, after she was married to another man against her will by her parents in June, said the report, giving only their first names. Her relatives persuaded them to return to the village in Tamil Nadu's Sivaganga district, where Sivakumar was murdered and she was assaulted, police were quoted as saying by PTI news agency. Doctors in the hospital of nearby Madurai, where she was admitted, said her condition was serious. Police are looking for the girl's parents and other relatives.

Indian media have reported a spate of murders over recent years by kinsmen to protect the so-called honour of families and villages. The victims are couples who ignore the traditional restrictions of caste, religion or backgrounds in their choice of partner.

In several villages in northern India, khap panchayats, or caste councils, forbid marriage between men and women from the same village. Honour killing are reported from Haryana, Uttar Pradesh and Rajasthan states every year. In northern India alone, 19 such murders were reported between April 19 and June 30, according to police figures quoted by the Times of India. The number of unreported cases could be greater, experts say. Sociologists say that the rising number of such murders could be partly due to rapid urbanization where young men and women are thrown together in neutral environments at work away from the conservative environment of their homes.

In June, two couples were killed in Delhi for having relationships against families' wishes. India's Supreme Court has taken the trend seriously, issuing notices to the federal government and six state governments to protect young couples who faced the diktats of khap panchayats. The court was responding to a petition by a non-governmental organization, Shakti Vahini, asking for greater protection for couples in inter-caste, inter-religious or otherwise "contentious" marriages.

More than 1,000 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, two legal experts have claimed.

Participating in International Child Abduction, Relocation and Forced Marriages Conference organized by the London Metropolitan University here, Chandigarh-based legal experts Anil Malhotra and his brother Ranjit Malhotra have said that in traditional societies, honour killings are basically 'justified' as a sanction for 'dishonourable' behaviour.

In a joint paper, they said: "Forced marriages and honour killings are often intertwined. Marriage can be forced to save honour, and women can be murdered for rejecting a forced marriage and marrying a partner of their own choice who is not acceptable for the family of the girl.

They said in India, honour killings happen with regularity in Punjab, Haryana and western Uttar Pradesh. "They happen not only within the Muslim community but also among Sikhs and Hindus." Though there was no nationwide data on the prevalent of honour killings in India, they quoted figures compiled by the India Democratic Women's Association, according to which Haryana, Punjab and U P account for about 900 honour killings and another 100 to 300 in the rest of the country.

"The total figure for India would be about the same as estimated for Pakistan, which researchers suggest has the highest per capita incidence of honour killings in the world." They said the ministries of home affairs and the law and justice are preparing to amend the Indian Penal Code (IPC) to define the act of "honour killing". The demand for such a law was made repeatedly with the objective of stamping out this social evil.

"This aim is to provide for deterrent punishment for caste and community panchayats which should be booked for aiding and abetting such killings and as accomplices to the murder," they said and pointed out that the Supreme Court of India, concerned over the spate.

Who is Responsible?

"Honour" killings of women (and occasionally their male "partners in crime") reflect longstanding patriarchal-tribal traditions. In a "bizarre duality," women are viewed "on the one hand as fragile creatures who need protection and on the other as evil Jezebels from whom society needs protection." Patriarchal tradition "casts the male as the sole protector of the female so he must have total control of her. If his protection is violated, he loses honour because either he failed to protect her or he failed to bring her up correctly." (Armstrong, "Honour's Victims.") clearly, the vulnerability of women around the world to this type of violence will only be reduced when these patriarchal mindsets are challenged and effectively confronted.

As many of the examples cited in this case study indicate, state authorities frequently ignore their obligation to prosecute "honour" killings. They should be viewed as "co-conspirators" in such crimes, and held accountable by organizations such as the United Nations. The typical "honour" killer is a man, usually the father, husband, or brother of the victim. Frequently teenage brothers are selected by their family or community to be the executioners, because their sentences will generally be lighter than those handed down to adults (as was the case with the killing of Rania Arafat in Jordan, cited above). "Talking and writing about this atrocity is a good start," wrote Marina Sanchez-Rashid in a letter to The Jordan Times, "but I believe that action to start treating and judging the men who commit these crimes as the first degree murderers that they are, as well as to protect the victims as they deserve to be protected, is needed as soon as possible." (Quoted in Patrick Goodenough, "Middle East Women Campaign Against 'Family Honor' Killings," Conservative News Service, March 8, 1999.) As with witch-hunts, however, "honour" killings also need to be viewed from a broader societal perspective; they derive from expectations of female behaviour that are held and perpetuated by men and women alike. Women's role has often been underappreciated. Occasionally, they participate directly in the killings. More frequently, they play a leading role in preparing the ground. In Palestine, for example, the anthropologist Ilsa Glaser has noted that "women acted as instigators and collaborators in these murders, unleashing a torrent of gossip that spurred the accusations." (Quoted in The Calgary Herald, April 20, 2000.) Jordanian women running for parliament have also been "reluctant to break the taboo" on condemning and prosecuting "honour" killings; one told the Manchester Guardian Weekly that "This is our tradition. We do not want to encourage women who break up the family." (Borger, "In Cold Blood.") In the Ramle district of Israel, police commander Yifrach Duchovey lamented his inability to secure the cooperation of community members in investigating "honour" killings: "Even other women-- the mothers -- won't cooperate with us. Sometimes the women co-operate with the men who commit the murders. ... A woman may think it is OK -- maybe she thinks the victim deserves it." (Quoted in Zima, "When Brothers Kill Sisters.")

Suggestions

1. There is a need to constitute a committee of women experts to go into the recent spurt in 'honour killings' in several parts of the country and suggest remedial measures.

2. The issue is why honour killings take place. It is a social evil and investigations have to be carried out and ways of tackling this menace have to be evolved at the earliest.
3. The media has to refrain from “glorifying” such heinous deeds and avoid using the term ‘honour’ for them.
4. Proposed legislation to prevent such killings should be enacted as quickly as possible.
5. There is a need to prevent such killings in the name of honour and the victims need to be protected and rehabilitated and awareness against this social evil built up.
6. There should be punishment for those who provoke, encourage and support such negative trends.
7. It is equally important that the cases should be investigated properly and the judiciary should try the cases speedily.
8. The legislation should also include steps to sensitize policemen and protect the affected families.
9. The role of civil society in creating awareness on the issue is invaluable.

II. Conclusion

Perturbed at “honour killings” in parts of the country it is needless to say that there is an urgent need to deal with the pernicious practice of “honour killings” by setting up a Committee to investigate the issue and come up with remedial measures. The issue of a separate law to deal with the “retrograde assaults and violent action against young adults” has been pending for long, and it is a great disappointment to all democratic minded citizens in this country who are appalled at the retrograde assaults and violent action against young adults who assert their constitutionally and legally protected rights for self-choice marriage/ relationships. They had expected the central government not to procrastinate any further and to take steps to ensure an adequate legal framework to address this increasing crime and to bring some relief to affected couples. The country was not aware that in some states where this crime was taking place, there were political considerations at work to downplay its magnitude, an attempt by those in office to defend the action of self-styled caste panchayats in the name of tradition. Law needs to be used as a tool in bringing about a social change. What is needed is a firm decision by the government for a separate law. Lot of research investigations need to be taken up. The networking of the police, judiciary, government, non-governmental organizations, human rights activists, sociologists, social workers, and psychologists is to be done in order to mitigate this social evil. Honour killing could be a wrong cultural tradition. It is unjust and inhumane action. The murderer of that type deserves severe punishment.

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