
KILLING IN THE NAME OF HONOUR AND CULTURE: UNVEILING THE SHADOWS

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ABSTRACT

The caste system in India has a deeply embedded connection with the institution of marriage. Traditional customs have long endorsed marriages within the same caste, viewing them as a crucial for maintain caste purity, social hierarchy and communal identity. However, this adherence to the customs has led to significant societal issues, notably in the form of honour killing. Honour killing arises from the entrenched cultural norms, customs, and patriarchal attitudes that prioritize family honour above individual freedoms. Sometimes, these acts are triggered by the situations such as inter-caste or inter-religious relationships, disobedience to parental wishes regarding marriage, elopement of couples, or engaging in the behaviour considered immoral by the societal norms. These violent acts represent the grave violation of human rights and depriving individuals of their fundamental rights to life, liberty, and equality. Through a thorough examination of the occurrence, patterns, and underlying causes of honour killing, the aim of this study is to inform the development of the effective strategies, interventions, and policies to combat this issue. By safeguarding individual rights and promoting gender equality, the research seeks to contribute to the creation of an inclusive and just society in India.

Keywords: Honour Killing, India, caste system, cultural norms, patriarchal attitudes, human rights violations, occurrence, trends, underlying causes.

INTRODUCTION

In a recent heartbreaking incident in Gurugram and other parts of India, deeply ingrained societal norms and practices have once more resulted in brutal acts of violence and injustice. In one case, an 18-year old was murdered by her own family for being in a relationship against their approval¹, while in the other instance, a man was killed by his wife's family due to the caste indifferences². These events reveal the dark shadows that exist in Indian society, throughout history, India has been a rich tapestry woven with threads of culture, religion, and tradition. Over centuries, diverse civilizations have flourished, shaping the social fabric of the nation. Many civilizations, ideas and traditions have developed in India and over the centuries, its societal structure has developed based on the history, culture and religion. but in many of these societies, dark Shadows emerge in the form of traditions and practices that lead to many inhuman and barbaric acts that have perpetrated violence, discrimination and injustice in the various sections of the society. Practices such as black magic and witch hunting have also persisted, exploiting the individuals, often women who are accused of being witches and subjected to heinous acts of violence. These practices perpetuate fear among the people and hinder the progress of the society as a whole. These problems were deeply rooted in some of the regions across the country, and to tackle these problems government 's efforts have been helpful in putting an end to these problems by implementation of stringent legal framework.

Honour killing is a violent practice in which people, usually family members, seek to preserve their perceived social and cultural honour by killing someone of their own kin to defend or restore the family's reputation or honour. This is frequently the result of actions or behaviours that are perceived as going against the cultural, traditional, or societal norms. These behaviours may include choosing a partner contrary to family preferences, engaging in sexual or premarital sex, or simply seeking freedom or independence. Murders committed in the name of 'honour' are not isolated incidents, but represent the deeply rooted social and cultural ideologies in some societies. The basis of these crimes committed in the name of honour is complex and multifaceted. Honour based crimes are witnessed worldwide, from Europe to Asia. It is not

¹ Mahesh Buddi, how love story that began with a bus ride ended in an 'honour killing' 4 months later, Times of India, Mar. 19, 2024, <https://timesofindia.indiatimes.com/city/gurgaon/tragic-tale-of-love-rahul-and-mansis-bus-ride-love-story-ends-in-honour-killing/articleshow/108570320.cms>

² Sindhu Kannan, Honour killing : Man hacked to death by wife's family in Chennai Honour killing: Man hacked to death by wife's family in Chennai, Times of India, Feb. 25, 2024, <https://timesofindia.indiatimes.com/city/chennai/honour-killing-man-hacked-to-death-by-wifes-family-in-chennai/articleshow/107983733.cms>

possible to know from the statistic that how many men and women have died for the sake of 'honour'. However, the majority of victims are women. According to the United Nations Population Fund, approximately 5,000 women and girls are killed each year worldwide due to so called 'Honour killings'. Now this issue has become an international issue and is a hot topic that deserves attention.³ According to the 2022 statistic published by National Crime Record Bureau (NCRB), 14,620 people were eloped for "love affairs". This shows that there are many people who are at risk of dying or exposed to various danger due to their relationships that are inter-caste or inter-religious.

This paper seeks to shed light on this pressing concern by pursuing three distinct objectives. Firstly, we aim to understand the complex web of social attitudes and beliefs that support honour murders in India. Our first objective is to unravel the cultural and regional variations that underlie these attitudes. By examining these perspectives, we seek to comprehend the diversity in beliefs that drive honour killings and how these variations manifest across different groups and regions. Secondly, this research aims to dissect the motives and causes behind honour killings in India. The authors will undertake an extensive analysis by examining case studies, official reports, judicial pronouncements, and state interventions. By doing so, the author aims to provide an understanding of the conditions that lead to the perpetuation of this heinous crime. Lastly, the third objective of this research paper relates to the frequency and physical pattern of honour killing in different parts of India in the last decade. To achieve this goal, the authors will collect and analyze national crime data other government data. This data driven approach will provide important information about patterns and geographical variations associated with homicide and will lead to an informed discussion of this issue.

HISTORICAL BACKGROUND OF HONOUR KILLING

'Honour', is a very culturally charged idea that shapes social norms and behaviours of the individual. It is often associated with many terms, including 'retribution', 'avenging', 'saving face', etc. There is no culture or any religion that is specific to the ideas of honour and shame and uses the same for the justifying the violence and killing. Honour killings are common over the world and are frequently connected to caste, religion, and other types of social segregation that are hierarchical. Many nation's historical events illustrate honour killing and honour-based

³ Santhi. V, Jeya & S. Mayileswari, & R. Abirami, (2013). Honour Killing: A National Outcry. https://www.researchgate.net/publication/301350397_Honour_Killing_A_National_Outcry [accessed Feb 18 2024]

violence. for example, in medieval times dueling was one of the key practice for establishing, upholding and comprehending claims of honour. Honour killing has been known since ancient Roman times, where the father or an older male of the family reserved the right to punish or even to kill an unmarried but sexually active but girl or an adulterous wife⁴. Honour based crime was well known in medieval Europe, where early Jewish law prescribed the stoning of adulterous women and their partners.⁵ The practice of killing in the name of honour, in many Arab countries, dates back to the pre-Islamic period when Arab people lived in the region called Baluchistan near Sindh (located in today's Pakistan)⁶. These Arabs had patriarchal traditions such as burying newborn girls alive, these traditions have ancient roots, stretching back to the earliest historical periods like Ancient Babylon, where the prevailing belief was that a woman's virginity was a matter of family's honour.⁷ Honour-based crimes can occur exclusively between men and occasionally enlists the assistance of women. Nonetheless, it seems that men are the one who do it primarily against women and children who they believe to bring dishonour to them or the family because of their acts. It typically occurs in the following circumstances:

- Adultery or illicit relationship
- Pre-marital sex or having a child out of wedlock or indulging in homosexual activities.
- Disobeying parents, or wanting to terminate the marriage or refusal to arrange marriage or marrying by own choice.
- Inter-religion marriage.

It is not required that the victim genuinely broke any social norms, according to a statement released by Amnesty International:

⁴ Preliminary Examination of so called "Honour Killings" in Canada. <https://www.justice.gc.ca/eng/rp-pr/cj-jp/fvfvf/hk-ch/p3.html> [accessed Feb. 28, 2023].

⁵ Ibid

⁶ Women Living Under Muslim Laws, "Karo-Kari, TorTora, Siyahkari, Kala Kali: There is no honour in killing," National Seminar Report, November 2001. (Lahore, Pakistan: Arqam, 2003). Available from http://www.boell-pakistan.org/downloads/Karo_Kari_Tor_Tora.pdf/ Findings from the Shirkat Gah 'Women, Law and Status Programme' involving broad based and systematic research into honour crimes in Punjab, North Western Frontier Province and Sind. [Accessed 20 Nov. 2023].

⁷ Matthew A. Goldstein. "The Biological Roots of Heat-of-Passion Crimes and honour Killings." *Politics and the Life Sciences*, vol.21, no.2, 2002, pp.28-37. JSTOR, <http://www.jstor.org/stable/4236668>. [Accessed Feb. 28 2023].

“The mere perception that a woman has contravened the code of sexual behavior damages 3 6 honour. The regime of honour is unforgiving: women on whom suspicion has fallen are not given 3 an opportunity to defend themselves, and family members have no socially acceptable alternative but to remove the stain on their honour by attacking the woman.”⁸

In the end, honour killing is related to the patriarchal structure of the family rather than any particular religion or culture. There is clear evidence that despite of the efforts to curb this practice, cases of the honour killing are still witnessed. In conclusion, cases of honour killing has a long history in many cultures and civilizations and has been documented from ancient times to the present day. It is important to understand the history of this issue to solve this multifaceted and deep problem.

CAUSES OF HONOUR KILLING

Honour killings are motivated by a perceived threat to family honour and result from a complex interplay of societal, familial, and cultural influences. Religious or cultural beliefs are frequently invoked as justifications, especially in cases when they don't really support violence. Strict gender norms, low levels of education, and economic hardships worsen the problem. Families have social influence and are under the pressure to conform to social norms in order to be accepted in the society or community.

Some of the factors that are responsible for instigating offence such a honour killing are as follows:

1. Honour killings can be significantly triggered by relationships that defy cultural or religious norms or by accusations of adultery. Suspicion or charges of adultery, having a relationship before marriage, or any romantic contact that goes against the norms can have serious repercussions in countries where family honour is strongly linked to the moral behaviour of its members. The idea that many steps need to be taken to restore perceived honour is frequently motivated by the desire to uphold traditional values and safeguard family reputation.

⁸ Amnesty International. Pakistan: Violence against women in the name of honour, AI Index: ASA 33/17/99 (1999).

2. Refusing arranged marriages, especially for women, can trigger honour killing as it challenges traditional values. In societies valuing arranged unions, such rejection is seen as a direct affront to cultural norms. Families may resort to violence to protect their perceived honour, emphasizing the clash between individual autonomy and entrenched traditions.
3. Behaving or dressing “inappropriately”, such as going against custom or modesty, may trigger violence, especially if it is perceived to be inappropriate. likewise, in few cultures, non-heteronormative identities like homosexuality or transgender identity may be viewed as dishonourable, leading to honour killing.
4. Since divorce is considered as a direct threat to traditional family structures and an insult to honour, women seeking divorce face the danger of experiencing violence based on honour. Since family reputation is linked to marital status, such actions might have serious repercussions, including the threat of honour killings. This demonstrates the very ingrained relationship that exists between societal expectations and the terrible problem of honour-based violence.
5. Inter-caste or inter-religion marriages can be significant triggers for honour killings in some civilizations. When such marriages challenge established social hierarchies or religious limits, they might be regarded as a threat to cultural and religious standards. Families that feel their honour is being violated or that their cultural or religious identity is being diluted may turn to violence to protect it.
6. Conversion to another religion can be a trigger for violence based on honour. This behavior challenges cultural or religious standards and is frequently seen as a betrayal of family or community values. Families may use violence to preserve their alleged honour and stop their cultural or religious identity from becoming diluted.

RECENT TRENDS OF HONOUR KILLING

In India, Honour Killing are a tragic reality that have their roots in the Inflexible and

uncompromising caste system. This entrenched societal framework serves as the primary cause, creating an environment where relationships challenging caste boundaries become a source of extreme conflict. The incidence of honour killings are increasing despite other contributing factors by underreporting of incidents, which are frequently misrepresented as suicides, with families burning evidence to protect themselves from social criticism. In the year 2018, the report published by the National Crime Record Bureau (NCRB) reported an overall of 30 incidents of honour killing in India, revealing a disturbing pattern with the majority, 12 instances, concentrated in the northern states, followed by the 10 in the eastern states, 5 in the western states and Southern states accounted for 3 reported cases.⁹

The 2019 NCRB report reveals a troubling trend in honour killings, with 13 cases were identified in the states in northern region, seven within the western states, and two in the southern states. Strikingly, only one case was witnessed in the in the eastern part of India, emphasizing regional disparities. Furthermore, there was only one instance in the central region of the country.¹⁰ The 2020 report highlights the disturbing occurrence of honour killings in India, citing 25 reported cases where honour was identified as the motive. The data reveals a concerning distribution, with 9 cases concentrated in the states of northern region, state in the west witnessed 1 case, 4 in the central region, 6 in the eastern region, and 5 in the southern region.¹¹ The 2021 report depicts a troubling rise in honour killings, with 33 registered cases highlighting the severity of the issue. The northern states account for the highest number with 13 cases, followed by 8 each in the central and eastern regions. The southern states reported 2 cases, while the north-eastern and western regions each recorded 1 case.¹² The NCRB's recent 2022 report unveils a decrease in honour killings, registering only 18 cases nationwide. Notably, the central regional states reported the highest count with 6 cases, followed by 5 in the eastern states, 4 in the northern states, and only 3 in the southern states.¹³

⁹ National Crime Bureau Report 2018, India https://ncrb.gov.in/uploads/2022/July/11/custom/crime-inindia/table-2A.2_0-2018.pdf [accessed on FEB.29, 2023]

¹⁰ National Crime Bureau Report 2019, India <https://ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1681276598Table2A22.pdf> [accessed on Feb 29, 2024]

¹¹ National Crime Bureau Report 2020, India a <https://ncrb.gov.in/uploads/2022/July/11/custom/crime-inindia/table-2A.2-2020.pdf> [accessed on Feb. 29 2024]

¹² National Crime Bureau Report 2021, India <https://ncrb.gov.in/uploads/nationalcrimerecordsbureau/post/1679650900TABLE2A2.pdf> [accessed on Feb. 29, 2024]

¹³ National Crime Bureau Report 2022, India <https://ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1701607577CrimeinIndia2022Book1.pdf> [accessed on Feb. 29, 2024]

Analysis of the data

The data spanning from 2018 to 2022, as reported by the NCRB, underscores the persistent regional disparities in honour killings across India, revealing a complex and nuanced pattern. Analyzing the percentages and shifts in rates provides valuable insights into the changing dynamics of this societal issue.

2018:

- Northern States exhibited a substantial dominance with 40% of reported cases, indicating a concentrated prevalence.
- Eastern and Western States reported 33.3% and 16.7%, respectively, while Southern States accounted for 10%.

2019:

- The prevalence in the Northern States increased significantly to 61.9%, maintaining dominance.
- Western States showed an increase to 28.6%, while the Southern States reported a decrease to 9.5%. Eastern States remained relatively stable at 4.8%.

2020:

- Northern States retained a significant share at 36%, but with a decrease from the previous year.
- Eastern States witnessed an increase to 24%, and Southern States surged to 20%.
- Central States emerged with 16%, signifying a noteworthy shift, and Western States reported 4%.

2021:

- Northern States maintained a high share at 39.4%, indicating a persistent prevalence.

- Central and Eastern States reported 24.2%, while Southern States decreased to 6.1%.
- The North-Eastern and Western Regions reported minimal percentages of 3% each.

2022:

- Northern States sustained a considerable share at 22.2%, with a slight decrease.
- Central States exhibited a remarkable increase to 33.3%, indicating a significant shift in the regional trend.
- Eastern States reported 27.8%, showing a consistent but lower prevalence.
- Southern States increased to 16.7%, suggesting a variable trend.

Analysis:

- **Northern States Dominance:** The Northern States consistently reported the highest percentages throughout the years, revealing a deeply rooted issue in this region.
- **Shift in Central States:** The most notable shift occurred in the Central States, with the percentage increasing from 16% in 2020 to 33.3% in 2022. This demands a closer examination of the factors contributing to this significant change.
- **Fluctuating Southern States:** The Southern States exhibited fluctuating rates, indicating a variable trend. The increase in 2020 followed by a decrease in 2021 and a slight increase again in 2022 suggest dynamic regional dynamics.
- **Stable Eastern States:** Eastern States consistently reported lower percentages, suggesting comparatively constant but lower incidence of honour killings comparison to other regions.
- **Western States and Others:** Western States consistently reported lower percentages, and the North-Eastern region reported minimal cases, highlighting their relative insulation from the prevalent problem of honour killing.

Since “honour” isn’t expressly included in the law, the deaths are frequently reported as

suicides and are nonetheless recorded under many legislations; underreporting of honour killing persists as a significant obstacle to precisely determining the full scope of the problem. families destroying evidences make data collection even more difficult, therefore addressing this aspect of honour killings requires awareness campaigns and legal measures.

JUDICIAL PRONOUNCEMENT AND STATE INTERVENTION

Though the act itself might be regarded as murder or homicide under section 299 and 300, which deals with the culpable homicide and murder, respectively, “honour killing” is not specifically mentioned as a crime in India. Honour Killings are homicide and murder because the killers want to kill the victim in the name of "honour," which they believe to be appropriately justifiable in their culture. Members of the *Khap Panchayat* and family members who take part in or encourage the commission of such crimes are also considered to be among the offenders under Section 302 of the Indian Penal Code, 1860. In the absence of a specific law addressing honour killings as a criminal offense, the significance of judicial precedence becomes paramount. Hon’ble courts, in numerous cases, reiterated that actions committed to protecting honour constitute a blatant infringement of the Constitution of India, warranting severe legal consequences. In the *Bhagwan Dass v. State* case¹⁴, the court examined the brutal phenomenon of honour killing within the context of the perpetrators' motives. It held that “honour killing falls within the sphere of rarest of the rare case, hence they deserve death punishment”.

Subsequently, in another case of *Sujit Kumar v. State of Uttar Pradesh*,¹⁵ the hon’ble apex court stated that “India being a free, secular and democratic country, the court would not permit the practices like honour killing or harassment to such couples to prevail in the country.”

The division bench of Hon’be Supreme Court in the case of *Lata Singh v. State of Uttar Pradesh and Ors.*¹⁶, stated that “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 honourable in such killings, and 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”. Moreover, the court went a step ahead and observed that inter-

¹⁴ *Bhagwan Dass v. State* case,(2011) 6 SCC 396

¹⁵ *Sujit Kumar v. State of Uttar Pradesh*, (1999) LLC RJ.

¹⁶ *Lata Singh v. State of Uttar Pradesh and Ors.*(2006) 5 SCC 475

caste or interreligion marriages must be encouraged within our society as they strengthen the social and secular fabric of our country.

Later, in the case of *Arumugam Servai v State of Tamil Nadu*,¹⁷ while addressing a caste conflict matter, the Supreme Court strongly condemned the unlawful practice of the Khap panchayat, which frequently interferes in the private lives of young people, exercises control over their decision to marry, and encourages the honour killing of those who disobey decisions and laws and observed that 'the Khap Panchayat frequently takes the law into their own hands and murders or physically abuses others, which puts them in the category of "rarest case" among rare crimes and subjects them to the death penalty.'

The Supreme Court, in response to the incident of a 20-year-old woman being gang-raped in West Bengal on the directives of a community panchayat, took suo moto cognizance of the matter *Re: India Woman says Gang-raped on Orders of Village Court as reported in Business & Financial News on January 23, 2014*.¹⁸ The court emphasized that it is the responsibility of the State to safeguard the freedom of individuals to choose their life partners, considering it a fundamental aspect of Article 21 of the Constitution of India. In doing so, the Court reiterated the significance of protecting the right to choose one's spouse as a fundamental right. In the case of *Vikas Yadav v. State of Uttar Pradesh & Ors.*¹⁹, the court, when determining the severity of punishment in an honour killing case involving the murder of a sister due to her choice of partner, emphatically asserted that the 'self-assumed' honour by individuals cannot infringe upon the freedom and independence of a woman. The court made it clear that self-imposed notions of honour should not be used to justify actions that violate a woman's rights and autonomy.

Finally, in the case of *Shakti Vahini v. Union of India*,²⁰ the Supreme Court ruled that honour killings constitute a subset of honour crimes. The court acknowledged that any form of torture or mistreatment leading to the erosion of an individual's freedom in matters of love and marriage, orchestrated by any assembly regardless of its name, is unlawful and cannot be tolerated. Expanding the definition of honour crimes, the court drew on the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence,

¹⁷ *Arumugam Servai v State of Tamil Nadu* (2011) 6 SCC 405

¹⁸ *Re: India Woman says Gang-raped on Orders of Village Court as reported in Business & Financial News on January 23, 2014*. (2014) 4 SCC 786

¹⁹ *Vikas Yadav v. State of Uttar Pradesh & Ors.*, (2016) 9 SCC 541

²⁰ *Shakti Vahini v. Union of India* (2018) 7 SCC 192

asserting that any crime stemming from the violation of cultural, religious, social, or traditional norms is subject to prosecution. In the above case, the apex court also issued the following measures:

Preventive Measures: To curb instances of honour killings and Khap Panchayat assemblies, the government outlines specific preventive measures. First, it instructs State Governments to identify areas with a recent history of such incidents, focusing on districts, sub-divisions, or villages in the last five years. The Home Department is directed to issue advisories to the police in these areas to be extra vigilant about inter-caste or inter-religious marriages. Any information about impending Khap Panchayat gatherings should be promptly communicated to higher authorities, and senior police officers are required to engage with the Panchayats, emphasizing the illegality of such meetings. If the gatherings persist, the Deputy Superintendent of Police is empowered to attend personally, warn against harm to couples, and record the proceedings for potential legal action.

Remedial Measures: In case preventive measures fail and a Khap Panchayat issues directives against couples, the local police are mandated to immediately file a First Information Report (F.I.R.) under the relevant sections of the Indian Penal Code. Simultaneously, higher police authorities are to be informed to ensure a thorough investigation into the matter. To safeguard the couples facing threats, security measures are to be implemented, including the provision of safe houses within the district. These safe houses, under the supervision of the District Magistrate and Superintendent of Police, aim to accommodate couples facing opposition to their inter-caste or inter-religious marriages. Additionally, a detailed inquiry is to be conducted into complaints of harassment, offering logistical support for marriage registration if needed.

Punitive Measures: To enforce accountability, the government outlines punitive measures for non-compliance with these directives. Any failure by police or district officials to adhere to these instructions is deemed deliberate negligence, subject to departmental action under service rules. Disciplinary action must be initiated and concluded within six months for officials who either fail to prevent incidents or do not promptly apprehend and institute criminal proceedings against the culprits, as per a precedent set by the judiciary. Furthermore, special cells are proposed in each district, equipped with a 24-hour helpline, to address harassment complaints in inter-caste marriages. Lastly, criminal cases related to honour killings or violence against couples are to be fast-tracked, with trials proceeding daily, ideally concluding within six

months from the date of taking cognizance of the offense. The directive emphasizes expeditious disposal of even pending cases, assigning them to a designated court for efficient adjudication.

The court underscored that an individual's choice is an inseparable component of dignity under Articles 19 and 21 of the Constitution, granting the right to consensually choose life partners. In response to honour crimes, the court issued a comprehensive set of preventive, remedial, and punitive directives. These measures included identifying districts with a high incidence of honour killings, providing shelter for couples for a month, prohibiting unlawful assemblies, initiating disciplinary proceedings against officials, sensitizing law enforcement agencies, and establishing 24-hour helpline numbers, among other actions.

State's Intervention

The Law Commission of India has recently released a consultation paper introducing a draft bill known as The Prohibition of Unlawful Assembly (Interference with the Freedom of Matrimonial Alliances) Bill. This proposed legislation specifically targets khap panchayats, suggesting their declaration as unlawful entities and recommending punitive measures against intimidation of couples. Notably, the draft focuses on the concept of "unlawful assemblies" by these khap panchayats, steering clear of suggesting amendments to the Indian Penal Code (IPC) to define honour killings and prescribe appropriate penalties. The commission's approach aims to sidestep challenges associated with defining and interpreting such crimes, signaling a significant decision by invoking criminal law to label entire assemblies as unlawful, placing communal guilt that assumes the assembly's wrongdoing until proven innocent, known as the "reverse onus" clause. Additionally, there is growing momentum for a stand-alone law against honour crimes in India, as highlighted by a panel led by the secretary for women and child development and a draft proposed by the National Commission for Women (NCW) chairperson Girija Vyas. The NCW draft, circulated about a year ago, features more robust definitions of "honour killings" and suggests amendments to the Indian Penal Code (IPC). Both the Law Commission's bill and the new draft share the concept of placing the burden of proof on the accused to prove their innocence, although the new draft extends this provision to cover murders as well. This reflects a concerted effort to address the issue of honour crimes and unlawful interference in matrimonial alliances, with varying emphases on defining crimes and determining guilt within the legal frameworks proposed by different entities.

In India, no national or domestic law addresses curbing the problem of 'honour killing',

therefore the cases of such incidents are reported under the various offences mentioned under the Indian Penal Code 1860. However, it fails to cover the entire gamut of illegal actions perpetrated in the name of honour and fails to prescribe adequate punishment for these barbaric acts, as these acts are also violative of certain fundamental rights guaranteed by the Indian Constitution.²¹In order to bring attention and to fight against these crimes, the National Commission for Women had proposed the draft “The Prevention of Crimes in the Name of ‘Honour And Tradition’ Bill, 2010”. The Law Commission of India in its Report no. 242, titled, “Prevention of Interference with the Freedom of Matrimonial Alliances (in the name of Honour and Tradition): A Suggested Legal Framework” in the year 2012. The same report was introduced as a Private Members' Bill by the MP Shri. V. Vijayasai Reddy of Andhra Pradesh in the Rajya Sabha assembly titled ‘The Prohibition of Interferences with the Freedom of Matrimonial Alliances’ in the year 2017. The bill intended to curb the social evil of the caste councils/*Panchayats* interfering and endangering the life and liberty of the young people for marrying someone from a different caste or religion or within the same *gotra*.²²However, the bill didn't make it through because it wasn't talked about at all – no one debated on it. So, it just faded away without becoming a law. Maybe not enough people cared about it, or there were other more important things on the table. Either way, the bill didn't get the attention it needed to become official.²³

CONCLUSION

Cleansing in the name of ‘honour’ is one of the vilest crimes against individuals in India and abroad. For its complete eradication, it is required that equal gender relations are achieved and that society undertakes the responsibility to safeguard human rights and abolish such abominable customs. It must be the State’s responsibility to create possibilities and opportunities for the people concerned to break free and find protection, support, and aid.²⁴ Eradicating honour crimes necessitates more than just the enforcement of laws, although legal

²¹ The Prevention of Crimes in the Name of ‘Honour’ & Tradition Bill, 2010, Bill No. 17 of 2010 (India).

²² Prevention of Interference with the Freedom of Matrimonial Alliances (in the name of Honour and Tradition): A Suggested Legal Framework, <https://cdnbbsr.s3waas.gov.in/s3ca0daacc69b5adc880fb464895726dbdf/uploads/2022/08/2022081053-3.pdf> [accessed on Mar. 3, 2024].

²³ The Prevention of Crimes in the Name of Honour and Tradition and Prohibition of Interference with the Freedom of Matrimonial Alliances Bill, 2017, Rajya Sabha Debate, https://rsdebate.nic.in/bitstream/123456789/680289/2/PD_243_21072017_p351_p351_18.pdf [accessed on Mar. 3, 2024]

²⁴ Hosseini, S., 2015. Study on Honour Killing as a Crime in India-Cause and Solutions. International Journal of Preventive Medicine, 2(1).

measures are essential tools in addressing this issue. It demands active participation from all facets of society, encompassing social, economic, political, and cultural dimensions, to collectively combat this societal tragedy. In the current era, we are observing a significant rise in the occurrence of honour killings, despite the existence of various domestic and international legal measures aimed at punishing and eradicating such practices. These legal provisions prove insufficient in stemming the escalating threat of this social injustice in today's world. Victims are often publicly murdered in the name of honour as a means of discouraging others in the community from violating established social norms. The codes of honour and values rooted in the sense of community of the social groups bind the perpetrators together and at the same blind them to the arbitrariness of the honour codes and values, leading them to ignore the rights of the individuals in the groups.²⁵ Honour codes regarding women's sexuality and social behaviours function as a form of informal social control that maintains group cohesion, upholds an oppressive normative structure to control women's bodies, sustains the reproduction and microeconomics of local communities, and secure group survival by protecting group members against the insecurity of the surrounding environment.²⁶

Honour killings, being a sociological problem, cannot be deterred unless the fundamental prejudice ingrained in people's mindsets is eradicated. This necessitates reforms in both economic and social conditions, the enforcement of rigorous laws, and the promotion of the independent status of women, who are often perceived as inferior to men in society. Implementing these measures can serve as a crucial step in mitigating the prevalence of traditional and patriarchal practices in India.

²⁵ Heydari, A., Teymoori, A. and Trappes, R., 2021. Honour killing as a dark side of modernity: Prevalence, common discourses, and a critical view. *Sage Journal*, [online] 60(1), pp.86-106. Available at: <https://journals.sagepub.com/doi/10.1177/0539018421994777> [accessed on Mar.3, 2024].

²⁶ Ibid