

Honor Killings in India: Conceptualizing Honor in a Multidimensional Approach

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Abstract

The number of honor killing cases in India has been increasing over time. Honor killing is one of the consequences of the caste hegemonic spirit in India, and thus it victimized the backward castes the most. The concept of superiority and honor based on caste is projected by religious texts. The norms which are created by these texts are very deliberately constructed as 'ultimate truth' and 'knowledge', and it got sheltered through customs and traditions. And the incidents like honor killing are an outcome of such constructions established by these religious texts. Such formation of truths has equally and strongly favored caste superiority along with patriarchy and articulated the ideas of honor. The natural right theory and theory of positive law categorically advocated marriage with one's own choice as a natural right. Various notable social reformers also favored inter-caste marriages. The right to marry is a part of the right to life, as ensured by the Indian Constitution. But there are many legal loopholes in the system, which are also indirectly responsible for increasing cases of honor killings. Inter-caste marriages are adjudicated by the formal and informal authorities in the public justice system; both are contradictory to each other. But the increasing cases of honor killing showed the influence of informal authorities than formal on society. To explore the depth of these phenomena of honor killing, this paper used the multidimensional approach to comprehend honor killing.

Keywords: *honour killing, inter-caste marriage, theology, natural rights.*

Introduction

The continuous growth in the Honor killing cases in India demonstrates the ugly reality of Indian society. In the past few years, Pranay and Amrutha case from Nalgonda, Shankar and Kausalya case; Manoj and Babli case from Haryana, NitinAage case from Ahmednagar, Sonaihonor killing of Nasik, NandishSwathi case from Tamil Nadu, very recent VirajJagtap honor killing from Pune has hit the national media and uncovered the harshness of Indian society. Cases of honor killings in India are an eventual outcome of the caste-based social structure, which hammers the esteem of the country. In the 21st century, the prevalence of caste-based violence and systematic cum indirect discrimination is the biggest concern. The so-called lower castes historically said as the untouchables and now as the Dalits, have been victimized in the name of honor. Currently, there is the rule of law, but the power structure is restricted to specific sections of the society which possess the supreme ranks on the caste ladder.

Indian society is influenced by certain forms of the truth, constructed by religious theologies. And it is strongly demanded and expected from the society to behave according to it. Failure of the individual in following certain norms results in ruthless treatment against them. The caste-based society in India categorized the castes in terms of superiority and inferiority. The social interactions with the so-called inferior, backward castes are shown in a bad light; this has been the norm for the ages. If anyone breaks those norms, it is considered an assault on their so-called honor. The KhapPanchayats are the example that solidifies the spirit of caste hegemony. Contrarily there is a law that ensures the highest priority to protect human rights, dignity, self-choice, and self-esteem. But the increasing cases of honor killing from the past few years exposed the loopholes of the laws. It is also evident enough to prove that the cultural norms have nullified the rule of law. To explore the depth of these phenomena of honor killing, this paper used the multidimensional approach to comprehend honor killing by throwing limelight on the conceptualization of 'honor,' its historical

perspective, theoretical perspective, and the interrelations within.

Conceptualizing 'Honor'

The word 'honor', itself means esteem, pride, and respect, but no one could have imagined that the word would be clung with the most pitiless acts. The couples who get married by their own choice going against their family and community, most of them have to face severe consequences. The prime cause of the rejection from the family is generally the caste identity. Families do not hold back to kill their own family members by considering it an honorable act to break caste barriers and challenge their superiority. It has become a so-called 'honorable' and repeatable social practice in the last few decades.

There are different forms of the way in which the males and the females make out the concept of honor. Performing dominance over women and vulnerable people is the source of honor for the males. Men see their failure and incapability as the blow to their honor. The source of honor for the women is virginity, obedience, and endurance, etc. and they see the breaking of their self-esteem and virginity as the loss of honor (Pal, 2012). The mindsets are getting changed over the periods, especially among women; various feminist movements played a crucial role in that. The orthodox perceptions of honor and purity are getting altered over the years, but the idea of honor remains the same for men.

"Couples usually elope and marry because they are not allowed for the inter-caste marriages due to rigidity of caste system. And when they step into the public space, the public sphere is governed by two contradictory authorities, i.e., formal and informal. The state is the formal authority that has its own framework of rules and regulations, it defends natural rights. In the case of inter-caste marriages, the formal authority provides widespread legal protection. On the other hand, the Panchayats is the informal authority, usually known as 'KhapPanchayats'. They are orthodox and patriarchal in nature which strongly defends the marriages within the same caste groups. The judgments of these Panchayats discriminate and exploit in the name of honor." (Chowdhry, 2004). The right to marry is a part of the right to life, as ensured by the Indian Constitution. In one of the judgments, Delhi High Court

categorically stated that 'choosing the spouse is the fundamental right.'

The formal and informal authorities are leading actors which nourish their notion of honor. Both are contradicting to each other in the conceptualization of honor. The ideas of honor are rooted in the orthodox, religious philosophies for informal authority. For the formal authority, the idea of honor revolves around fundamental natural rights. In all such spectrum of events, the backward castes, the Dalit, are always on the receiving end regarding inhumanity in both rural and urban areas. Dalit partners/spouses are not accepted in the families. Having them within the family relations is regarded as an act of dishonor for the community, which affects their social position.

Historical Context

The root cause of ideas like honor and superiority based on caste hegemony is embedded in the religious scriptures. The PurushaSukta hymn of the Rig Veda introduced the idea of the Chatur Varna System. In Hindu social organizations, Varna is the fundamental basis of social stratification in India. The caste institution has been in existence from earlier phases, races which migrated to India at different times, gradually merged with the existing castes. They were assigned varied occupational tasks based on the concept of impurity and purity. Even the marriage alliances with another caste group were strictly prohibited; only the 'Anuloma' marriage type was permitted.

Nambissan (2009) pointed out more precisely, "In the Hindu marriage system, marriage between any two castes is termed an inter-caste marriage. People were encouraged only for endogamous marriages within the Varna system. 'Anuloma' (Hypergamous) and 'Pratiloma' (Hypogamy) are the two types of inter-caste marriages. If the men of higher caste marry a lower caste woman, this form is said as Anuloma. However, if the lower caste men marry women of superior castes, this type is called Pratiloma. Manu and many other law framers strongly opposed the Pratiloma marriage type and prescribed Anuloma marriage form." Thus, the incidents like honor killing indicate the significant impact of religious scriptures in the 21st century.

There was a wave of social transformers in the 19th century who revolted against all the orthodox social practices. Jotiba Phule, Dr. B.R. Ambedkar, E.V.Ramasamy Periyar, and many more were instrumental in bringing meaningful social changes. The viewpoints of Dr.B.R. Ambedkar and E.V. RamasamyPeriyar regarding inter-caste marriages are vital and need special attention.

In 'Annihilation of Caste', Dr.B.R. Ambedkar narrated about bringing radical reformation into the Hindu social order. He was convinced that, apart from inter-caste dinners, inter-caste marriage is the real remedy to abolish caste. He believed that the fusion of blood can create the feeling of kith and kin. And unless the feeling of kinship becomes supreme, the separatist feeling created by caste will not come to an end. Where society is well-knit by other ties, marriage is a common event of life. But where society is divided into various parts, as a binding force, marriage becomes an issue of urgent necessity. Dr.B.R.Ambedkar firmly termed inter-caste marriages as the real remedy for breaking caste.

"E.V.Ramasamy Periyar encouraged inter-caste marriage and defined it as a means to fight against the various elements of the caste system. He categorically favored that, "Marriage is a contract between women and a man, and it is not the function of the parents to get involved in it with any reason. The Self-Respect Movement started by him had the prime objective of making young people realize about marriage as their concern, interference from the parents is simply unreasonable. He further claimed that the dowry system has been strengthened due to the involvement of elders in such arranged marriages." (Gopalakrishnan, 1991)

Theoretical Perspective

On the idea of marriage, Rex Martin introduced the 'Natural Right Theory.' This theory elucidates that, "Every individual has some natural rights such as the right to life, liberty, health, work, dignity, where even the administration and state can't interfere. Each individual is directed by his or her own will. Similarly, the right to marry with your own choice is also one of the basic rights. In the self-choice marriage process, there are respectability and acceptance for the mutual interests among the couple; ultimately, they perform their natural rights. Prohibition of outer threats and

liberty of behavior are two dimensions of natural rights and also fundamental interests of human beings. The violation of these fundamental interests is equal to the violation of natural rights". The matured couples have all the rights to marry with their own choice and perform their liberty. But the nature of honor killings is contradictory to the ethics and central idea of 'Natural Right Theory', which assures the right to liberty and dignity in the name of natural rights.

John Austin's 'Theory of positive Law' put forward the concept of the right to marry due to legal recognition by law. It stated that "The couple who elope and gets married by performing their natural rights, they are legally recognized and their rights are protected by the constitutional laws. The orthodox society does not accept such acts and it results in the incidents like honor killings." (Duran, 2005). Constitutional laws protect human rights and advocate social justice and liberty. On the contrary, the right to choice of consenting couples is refused by the orthodox social regulations.

In every society, there are some acquired truths that are strongly advocated. Such truths are derived from the traditional elements. There are various regulations and actors which maintain the significance of that truth by all the means possible. For the protection of that truth, actors frequently use power and brute force. Society expects individuals to adhere to such truths, they have to face the coercive nature of society as the consequences if they fail to do so. Thus, inter-caste marriages are termed anti-social. Because it is against the accepted truths, therefore, such marriages are restricted by coercive modes, which result in an honor killing.

Conclusion

There are broad constitutional provisions, still, the cases of honor killing on caste grounds are increasing over time. According to the field investigations analysis of Evidence NGO, "The honor killings cases are systematically and deliberately underreported by the state authorities. The data provided by NCRB is also questionable because in the years 2017 and 2018 there has not been even a single honor killing case registered in Tamil Nadu despite 195 known cases. The state authorities provide criminal data to the center in the case of honor killings that helps to prepare the NCRB report. These data have to go through the

validation process a couple of times, first at the local police station level and, secondly, during the consolidation of data at the district level. Thus it points out two possibilities, either local authorities do not have credible methods to track down honor killing cases or they avoid reporting the cases". With the above legal loopholes, there has been a continuous demand for a separate honor killing law. It is also important to grapple with the prime factors which have been nourishing the acts like honor killings. The religious theologies gave birth to the caste system in India. And cruel acts like honor killing is one of the outcomes of this unequal social structure. On similar lines, Dr.B.R.Ambedkar pointed out that "Caste may be bad, but Hindus do not observe caste because they are wrong-headed, but they observe caste due to their deep religiousness. Therefore, the enemy which should be targeted is not the individuals who observe Caste, but the Shastras which instruct them the religion of caste". With this outlook, there are few contexts from the Shastras which provide a clearer picture to comprehend.

"If the Shudra intended to marry with the upper caste Brahmin girl, he should be penalized with death". (Chapter 8, Shlok 366, Manu Smriti).

"The name of a Brahmin should indicate happiness. The name of Kshatriya and Vaishya should indicate valour and wealth respectively. The name of Shudra should indicate humiliation and indignity" (Sutra 6-9, Chapter 27, Vishnu Smriti)

Thus, these are selected references from the theologies that have provided a solid foundation for flourishing the caste system in India. Gradually, the codes and regulations of these Shastras, systematically articulated as 'knowledge' and 'ultimate truth'. And it got sheltered through various customs and traditions. Such construction of knowledge and truth has equally promoted the caste and patriarchy and shaped the ideas of honor. No society has the intent to sabotage their acquired

cultural principles and truths. Therefore, an honor based on caste, status, gender is still strengthening its place in the country. The moment demands to take a dig at such Shastras which are the root cause of such ferocious acts. It is also the time to uproot the traditional constructions of knowledge and demolish its supremacy. Because it not only cements the incidents like honor killing, but it also remains a stigma on the fundamental ethos of the Indian Constitution.

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