

HONOUR KILLINGS - CAUSES

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“Mine honor is my life; both grow in one; Take honor from me and my life is done.”

– William Shakespeare

‘Honor’ crime is a pattern of conduct cutting across communities, cultures, religions and nations and manifested in a range of forms of violence directed mainly against women and committed by those who aim to protect the reputation of their family or community. These acts can include acid throwing, battering, rape, forced marriages, genital mutilation, domestic imprisonment, prescriptive dress codes, and barred access to education and the workplace.

MEANING AND DEFINITION OF HONOUR KILLING

There is neither any statutory definition for Honour killing nor stands any precise definition otherwise for honour killing which can be said to be universally recognized. However most prevalent meaning is, "the murder and forced suicide in the name of imposing certain moral values, the transgression of which are professed as intolerable are honour killings".

“An honour killing (also called a customary killing) is the murder of a family or clan member by one or more fellow family members, where the murderers believe the victim to have brought dishonour upon the family, clan or community.”

“An honour killing, or honour killing is the homicide of a member of a family or social group by other members, due to the belief of the perpetrators that the victim has brought dishonour upon the family or community.”

The perceived dishonour is normally the result of one of the following behaviours, or the suspicion of such behaviours: dressing in a manner unacceptable to the family or community, wanting to terminate or prevent an arranged marriage or desiring to marry by own choice, especially if to a member of a social group deemed inappropriate, engaging in heterosexual acts outside marriage and engaging in homosexual acts.

Honour killing can be defined as “the homicide of the member of a family or social group by other members due to the belief of the perpetrators that the victim has brought dishonour upon the family or community”.

Sharif Kanaana, professor of anthropology at Birzeit University, says that “Honour killing is a complicated issue that cuts deep into the history of Arab society. What the men of the family, clan, or tribe seek control of in a patrilineal society is reproductive power. Women for the tribe were considered a factory for making men. The honour killing is not a means to control sexual power or behaviour. What's behind it is the issue of fertility, or reproductive power”.

Human Rights Watch defines "Honour Killings" as, “Honour killings are acts of vengeance, usually death, committed by male family members against female family members, who are held to have brought dishonour upon the family. A woman 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 woman has behaved in a way that "dishonours" her family is sufficient to trigger an attack on her life.”

It is defined as a murder, particularly of a woman, who is involved in immoral act, and dishonour the status of a family through unaccepted acts and deeds (Roberts, Campbell and Lloyd, 2013).

Honour killing is defined "as a death that is awarded to a woman of the family for marrying against the parent's wishes, having extramarital and premarital relationships, marrying within the same gotra or outside one's caste or marrying a cousin from a different caste."

Historical Perspective of Honour Killing

As noted by Christian Arab writer, Norma Khouri, honour killings originate from the belief that a woman's chastity is the property of her families, a cultural norm that comes "from our ancient tribal days, from the Hammurabi and Assyrian tribes of 1200 B.C.

Matthew A. Goldstein, J.D. (Arizona), has also noted that honour killings were encouraged in ancient Rome, where male family members who did not take actions against the female adulterers in their family were "actively persecuted".⁹

The origin of honour killings and the control of women is evidenced throughout history in the culture and tradition of many regions. The Roman law of Pater families gave complete control to the men of the family for both their children and wives. Under these laws, the lives of children and wives were at the sole discretion of the men in their family. Ancient Roman Law also established historical roots of honour killings through the law stating that women found guilty of adultery could be killed by their husband in whatever manner the husband desired. In ancient Rome, being raped was seen as dishonourable to the point of destroying a woman's life and reputation, and honour killing was supposed to be a "merciful" act. In Greece also, the lives of women were dictated by their husbands as women were considered socially below males.¹⁰

Honour Killing in India

Honour killings have been reported in northern regions of India, mainly in the Indian states of Punjab, Rajasthan, Haryana, Uttar Pradesh, as a result of people marrying without their family's acceptance, and sometimes for marrying outside their caste or religion. In contrast, honour killings are rare to non-existent in South India and the western Indian states of Maharashtra and Gujarat. In some other parts of India, notably West Bengal, honour killings ceased about a century ago, largely due to the activism and influence of reformists such as Vivekananda, Ramakrishna, Vidyasagar and Raja Ram Mohan Roy.¹¹ Among Raj puts, marriages with members of other castes can provoke the killing of the married couple and immediate family members. This form of honour killing is attributed to Raj put culture and traditional views on the perceived "purity" of a lineage. The Indian state of Punjab has a large number of honour killings. According to data compiled by the Punjab Police, 34 honour killings were reported in the state between 2008 and 2010: 10 in 2008, 20 in 2009, and four in 2010.¹² Haryana is also notorious for incidents of honour killing, mainly in the upper caste of society, among raj puts and jaats.¹³ Bhagalpur in the eastern Indian state of Bihar has also been notorious for honour killings.¹⁴ Recent cases include a 16-year-old girl, Imrana, from Bhojpur who was set on fire inside her house in a case of what the police called 'moral vigilantism'. The victim had screamed for help for about 20 minutes before neighbours arrived, only to find her smouldering body. She was admitted to a local hospital, where she later died from her injuries.

In 1990 the National Commission for Women set up a statutory body in order to address the issues of honour killings among some ethnic groups in North India. This body reviewed constitutional, legal and other provisions as well as challenges women face. The NCW's activism has contributed significantly towards the reduction of honour killings in rural areas of North India.¹⁵ According to Pakistani activists Hina Jilani and Eman M. Ahmed, Indian women are considerably better protected against honour killings by Indian law and government than Pakistani women, and they have suggested that governments of countries affected by honour killings use Indian law as a model in order to prevent honour killings in their respective societies.

More than 1000 honour killings in India every year: Experts

PTI :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 organised 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.

Cases of Honour killing

As in the present days of globalization and immense spread of education in India still the peoples of India could not find the faultiness of the Honor killing. They think still honour than that of any rational justification, even at present scenario the crime of honor killing is being followed saying it as a customary law in the society. There are a lot of events where innocent lives were being brutally killed in the name of honour. Some of the cases are as follows:-

The motivations for honor crimes vary from culture to culture, all having different purposes to commit this crime.

Some major reasons are as follows:

- 1. Belongingness** – A motivational drive for honor is fueled by a desire to obey moral societal codes and thus construct an upstanding character in society. The feeling of loyalty is intrinsic, and so one will act in ways that meet with the approval, behavioral expectations, or values of the group to which one wishes to belong, and will thus be viewed positively by individuals or groups that are given importance. This is in accordance with Maslow's belongingness need. There is also a connection to social identity. Disobeying social convention brings the risk of losing one's identity as a member of a particular social group.
- 2. Patriarchal society** – In a society dominated by men, masculinity is strengthened by the concept of honor. A man's ability to protect his honor is judged by his family and neighbors. If defiled, the only way men can restore it is to remove the stain that brought shame on him. The changing cultural and economic status of women has also been used to explain the occurrences of honor killings. Women who have gained economic independence go against the patriarchal culture, and undermine the authority of male members in the family. This shift towards greater responsibility for women and less for their fathers may cause the male members in the family to act in oppressive and sometimes violent manners in order to regain this authority.
- 3. Objectification of women** – The view of women as property enables the family to easily commit murder, because her life is not deemed important, and can easily be ended. Thus, honor killings occur because society in general places a very low value of female life to begin with.
- 4. Cohesiveness of the family** – Due to the excessive cohesiveness of the family as a group, the actions of one member affect all the others. Women are seen as the repositories of the man's or family's honor, and they must guard their virginity and chastity. In the case of married women, fidelity and monogamy are the determining forces of both her and her husband's honor. An unchaste woman affects not just one victim, but her entire family and her tribe.
- 5. Status anxiety** – It has been argued that family honor is tied to social standing and mobility, and economic opportunities. 'Ghairat' (what is sacred and inviolable) is Izzat (honor, dignity) and this comes with money and property. And if this honor is violated, then it is justified to kill and die for honor. To a large extent, honor killings are linked to an extreme form of 'status anxiety' which is the fear of losing status, and involves the desire to protect it.
- 6. Social customs** – In the societies where it occurs, there is a pathological insecurity in the people, marked by a constant pressure to abide by strict social conventions for fear of losing face, and of being ostracized by the rest of the community. In some cultures, the women of the family are seen as embodiment of its honor, so there is an immense pressure on them to behave 'properly'. These social conventions include, never attracting attention to themselves, dressing modestly, never talking to men outside the family, and most importantly, avoiding sex before marriage (or outside marriage, once they are wed) and consenting to marry a partner chosen by their family. There have also been many cases of homosexual boys being killed to preserve the family 'honor.'
- 7. Sexual repression** – Honor killings are often seen as punishment for the 'crime' of feeling sexual attraction, and following this through to sex itself. Thus, honor killings occur in societies which, in addition to being highly male-dominated, are extremely sexually repressed and are neurotically hostile towards sex and the human body. These cultures do not see sex as a natural and healthy impulse or sex before marriage as acceptable.
- 8. The 'crime' of falling in love** – Most honor killings are a punishment for the completely natural and healthy human instinct of falling in love. Family members in these cases strongly disapprove of any affiliation with a member of a different caste, or with a stranger not hand-picked by their parents.
- 9. Fear of public shame** – Another motive for honor killings is covering up shameful incidents, such as extramarital relationships, rape, incest or other sexual abuse. This corresponds to the excessive fear of public shame that many people face.

10. Cultures of honor – Without institutionalized laws and government implementation of such laws, it was up to men to protect their property themselves. Therefore, they had to develop a reputation for toughness as violent retribution for wrongdoing was beneficial. This emphasis on strength and power shows that the ability to impose one's will on others is a valuable trait in some cultures of the world. In such cultures, an honorable man is one who keeps others, especially women, in their rightful place.

11. Tainted moral code – While many cultures view sexual impurity as incorrect, some individuals elevate this wrong to the breach of a sacred moral code, similar to killing an innocent person. Sexual deviances like infidelity, immodesty, or homosexual acts are considered breaches of this sacred code. Those who perform such acts defile themselves and in some cultures, their impurity may taint not only themselves, but their families too, and they would have to be punished or killed to cleanse this stain.

12. Existential vulnerability and incompleteness – Honor killing stems from a sense of existential vulnerability, or doubts about one's place in the world. It is this sense of lack in completeness which creates the need for belonging and status, and the subsequent paranoid fear of losing them.

13. Sincerity of other women – crimes against women are often condoned, and even perpetrated, by other women. A theory is that some women may feel obliged to endorse the culture of honor in public in order to maintain their safety and status, while privately opposing it. Women may feel pressure not only to prove their worth by adhering to the moral codes of the culture, but also to condemn those who do not, to further reinforce their apparent sincerity.

Psychological and Mental Health effects of Honour Killings

After committing the murder of their child, the families of the victims, who are often the perpetrators of the crime, face an internal conflict. They either feel deeply disgusted with themselves and regret their actions, or feel deep satisfaction at having removed the source of dishonor for the family. This causes a sort of internal debate, with the love for the child conflicting with fear of public shame. While many women and girls in the society seem to condone honor killings, it leaves a deep psychological effect on them. On the face of it, they seem to think such crimes are needed as a method of punishment, but it is mainly to save their own self and status. Watching young girls die ensures that they do not follow their path, and instead, conform to the demands of the society. It leads to ultimate fear and anxiety, along with pressure to conform.

Patriarchal biases contribute to the occurrence of honour killings. However, there are many individuals with similar socio-cultural influences who don't endorse such acts. It is for this reason that one must also consider the role of psychopathy, as alluded to in the previous section. With respect to the victims, there is global consensus that suppression and violence not only violate a woman's basic rights but also threaten her health and the very state of her being. Patriarchal biases also have an impact on the mental health of the victims. The frequency of honour killings and the unexpectedness with which women are targeted contributes to an atmosphere of fear among Pakistani women. The experience of being controlled and the lack of equal opportunities have the potential to erode a woman's self-esteem, and thereby put her at a high risk for developing a variety of psychiatric disorders such as depression and anxiety.

The threat of honour killings may sometimes lead to voluntary or involuntary suicide. Women who are accused may conduct "honour suicides" because of the shame they experience from committing a dishonourable act or because they fear being brutally attacked. This may help to explain why studies depict high rates of suicides among women in some cultures. Another important consideration is the psychological impact endured by children who witness domestic conflicts and honour based violence. These children face increased risk of behavioural problems, substance abuse, anxiety and depression. Furthermore, these children will be at a higher risk of modeling acts such as honour killings later in their own lives.

The psychological effects of the occurrence of 'honor' killings are very detrimental. The presence of this violent practice induces a great deal of fear and many burdens on women, as they are most often the victims. It threatens the safety, physical, and mental health of women, as 'honor' killings not only works as a mode of social control, but a fear tactic, creating an environment of anxiety and risk. (Gadit & Patel 2002: 691) A four-year study at the University Psychiatry Department at Karachi, Pakistan, found that 66% of their psychiatric patients were female, of whom 70% had been victims of violence and 80% had struggled with domestic conflicts. (Gadit & Patel 2002: 691) Children who have bore witness to or are aware of their mothers, sisters, or other relatives being victims of 'honor' killings, are often incredibly traumatized, and face an increased risk for behavioral issues, substance abuse, and/or repeating the cycle of 'honor' killings. (Gadit & Patel 2002: 692) This is an important example of how cultural values can construct a mindset. In this case, the effects of the mindset can be very serious indeed, and act to perpetuate very fearful notions

Laws Presently on Honour Killing:

Cultural crimes are basically the crimes that seek to place within the context of culture or under the head of it. As we all know recently; there has been a spate of honour killings which has shocked the country. Honour killing is one of the types of cultural crime present in the country. An honour killing (also called a customary killing) is the murder of a (typically female) family or clan member by one or more fellow (mostly male) family members, in which the perpetrators (and potentially the wider community) believe the victim to have brought dishonour upon the family, clan, or community.

The aim of the present essay is two-fold. Firstly we intend to show that what actually an 'honour killing' means and what are the reasons behind its occurrence. Also we will discuss about the position of International Law over 'Honour Killing'. Secondly, we will be going to see that what are the various laws are present instantly in the country against the 'honour killing' and will try to find what more laws ought to be there to stop such a heinous crime.

SUGGESTIONS

With regard to the inadequacies in Indian laws relating to honor killing, there has been much suggestion for making new laws. The object of new laws should be shaped in such that it brings under its scope to all the persons who indulge in such crime or helps in doing it. Some of the suggestions are as follows:-

- Firstly, it should be restrict panchayats³⁴ to make any arbitrary rules on behalf of members of the society. If in case any been found, strict actions are to be taken against the persons involving in it. The sanction should be so strict that it should provide for rigorous punishments to those persons involved in the crime.
- Secondly, it should also restrict of any act to be done on behalf of honor and harming any member of the society or any family members. Strict actions are to be taken against those who act on this behalf.
- Thirdly, the members of the society or any person who provokes for honor killing shall be punished with imprisonment to the term same as the term of persons actually acted.
- Fourthly, the person who does the crime shall be imprisoned for life time or pronounced death sentence relying on the gravity of the crime.
- Fifthly, there should be no relaxation to be granted towards the family members in investigation if in any case honor killing is suspected. As in many cases has been seen that even the family members indulge in honor killing.

Further

- Police authorities should be very strict in matters of investigating the cases relating to honor killing.
- Police authorities should be conferred with powers as to make immediate arrest, if they suspect of any cases to be occurring. It will act as a preventive measure to stop honor killing.
- Khap Panchayat or any panchayat which indulge in sanctioning the members of the society who acts against the honor of the society should be banned and any person forming such panchayats or groups, should be punished with imprisonment.
- A separate Act should be introduced such as PREVENTION OF HONOR KILLING, ACT to eradicate honor killing from the society.
- In the new act the honor killing should be defined and it should give instances whereby honor killing is being committed.
- It should provide for various punishments for the acts against honor killing.
- It should also impose heavy fines on the persons committing honor killing.
- It should also provide provisions relating to protection of those persons who seemed to be endangered with life threat by the members of the social from family members.

A separate section should be introduced in Indian penal code where it defines honor killing and provide punishment under it towards those commits the crime of honor killing.

CONCLUSION

Honor killing being one of the worst social evil prevalent in the society which took many innocent life of girls and boys since ages as being the matter of honor of the family or of the society. It has been followed by the members of the society and as a matter of Izzat or pride, while doing this the members" thinks to be cleaning the sins being committed by other member by going against the social norms. India there are no separate legislation in relation to crime of honor

killing, Indian courts applies the sections of Indian penal code³⁵ in trying cases of honor killing which is in-turn found to be inadequate. There has been many suggestions relation to introduction of new separate laws in towards honor killing but legislature till date could not make any law or nay separate legislation in this regard. The reason of non introduction of new laws or legislation may be due to sentimental aspect of the members of the society, as honor killing is being practiced since ages and the legislators may be thinking that introduction of new law against those social customs may create tension among the society. But regardless to the instability, the system of honor killing should be eradicated from the society as it is seen that more than thousands of persons lose their lives following this traditions. Moreover it comes as an hurdle to provisions of Fundamental rights³⁶ provided under Indian constitution.

In order to eradicate the evils of honor killing there should be introduction of new acts or legislations which should be very strict and bring in the scope to every person whoever commits this crime, penalize them with strict punishment so that it create a fear in the minds of the people who tries to commit it. Strict laws will discourage people in acting or committing such a hernias crime.

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