



INDIAN JOURNAL OF LEGAL AFFAIRS AND RESEARCH

VOLUME 3 ISSUE 1

Peer-reviewed, open-access, refereed journal

IJLAR

+91 70421 48991
editor@ijlar.com
www.ijlar.com

DISCLAIMER

The views and opinions expressed in the articles published in the Indian Journal of Legal Affairs and Research are those of the respective authors and do not necessarily reflect the official policy or position of the IJLAR, its editorial board, or its affiliated institutions. The IJLAR assumes no responsibility for any errors or omissions in the content of the journal. The information provided in this journal is for general informational purposes only and should not be construed as legal advice. Readers are encouraged to seek professional legal counsel for specific legal issues. The IJLAR and its affiliates shall not be liable for any loss or damage arising from the use of the information contained in this journal.

IJLAR

Introduction

Welcome to the Indian Journal of Legal Affairs and Research (IJLAR), a distinguished platform dedicated to the dissemination of comprehensive legal scholarship and academic research. Our mission is to foster an environment where legal professionals, academics, and students can collaborate and contribute to the evolving discourse in the field of law. We strive to publish high-quality, peer-reviewed articles that provide insightful analysis, innovative perspectives, and practical solutions to contemporary legal challenges. The IJLAR is committed to advancing legal knowledge and practice by bridging the gap between theory and practice.

IJLAR

Preface

The Indian Journal of Legal Affairs and Research is a testament to our unwavering commitment to excellence in legal scholarship. This volume presents a curated selection of articles that reflect the diverse and dynamic nature of legal studies today. Our contributors, ranging from esteemed legal scholars to emerging academics, bring forward a rich tapestry of insights that address critical legal issues and offer novel contributions to the field. We are grateful to our editorial board, reviewers, and authors for their dedication and hard work, which have made this publication possible. It is our hope that this journal will serve as a valuable resource for researchers, practitioners, and policymakers, and will inspire further inquiry and debate within the legal community.

IJLAR

Description

The Indian Journal of Legal Affairs and Research is an academic journal that publishes peer-reviewed articles on a wide range of legal topics. Each issue is designed to provide a platform for legal scholars, practitioners, and students to share their research findings, theoretical explorations, and practical insights. Our journal covers various branches of law, including but not limited to constitutional law, international law, criminal law, commercial law, human rights, and environmental law. We are dedicated to ensuring that the articles published in our journal adhere to the highest standards of academic rigor and contribute meaningfully to the understanding and development of legal theories and practices.

IJLAR

“HONOR KILLINGS: A SOCIOLEGAL PERSPECTIVE ON SEPARATE LAWS”

AUTHORED BY - TELIKICHERLA LATHICA CHAKRAVARTHI

INSTITUTION - Damodaram Sanjivayya National Law University

ABSTRACT

Honor killings are still a major threat to the freedom, dignity, and constitutional rights of individuals in India. Such offenses are typically caused by caste-based discrimination, male chauvinism, keeping family honor, and social pressure. This is in particular the case with inter-caste and inter-religious love affairs. This socio-legal empirical paper investigates the social causes of honor killings and analyzes if the present laws are capable of effectively dealing with this problem.

The research was on primary data and secondary sources. Structured interviews with parents, college students, teachers, and lawyers served as the basis for gathering primary data. Secondary data comprised of laws, court rulings, books, and scholarly articles. The results confirm that social reputation, community pressure, and traditional beliefs still largely determine people's perspective of marriage and individual freedom. The study also revealed that respondents had different degrees of legal knowledge and that there is a general feeling of anxiety about the continuation of honor-based violence.

Most of the people interviewed thought that the current laws providing for criminal offenses are not enough and favored the drafting of a separate law for honor killings only. The paper argues that amendments to the law, more effective preventive measures, awareness raising, and the provision of education are all essential elements in the fight against violence motivated by honor and the violation of one's right to life and personal liberty.

INTRODUCTION

Honor killings often happen by family members or social groups who murder people, mostly childrens, for honor. This can be seen mostly due to children refusing to arrange marriage and choosing romantic relationships with other castes, religion or in some cases choosing other person is enough even though the same caste and religion. Mostly daughters are murdered for honor as most people think their respect in society is based on how their daughter behaves. Sometimes for honor people even kill other people who their children chose. It can be seen in other countries like South Asia, Europe, North America, and Middle East not only in India. So many people think this happens only in Muslim community, but it also happens in conservative Hindu and Christian community. This is due to patriarchal mindset who thinks female are less than male. In some countries they have separate laws for honor killings but in some countries, it is considered as a general crime like murder. Activists are arguing regarding honor killings should be considered as a unique crime or similar as murder.

In this project I want to show about how the honor killings are happening with regarding to love marriages of their children and that too regarding caste issues. I want to show how parents of upper caste and lower caste think about honor killings and love marriages of children and how students think regarding love marriages and honor killings by parents and how scholars/ teachers think regarding honor killings and how they want to decrease it by giving proper education and the legal point of view through some lawyers.¹

BACKGROUND

Honor killings are acts of extreme violence, including murder, committed against individuals, usually women, by family members or community groups that view them as the ones who have brought dishonor to the family or community. In general, such events are related to consumption of products or choices of marriages, relationships, caste, religion, or alleged sexual behavior. The idea of honor comes from male, dominated social structures where the reputation of the family is placed above the rights and freedoms of the individual.

¹ Micah Issitt, Honor Killing: Overview, EBSCO Research Starters (Psychology) (2018).

Honor killings of women in India have existed for at least half a century in various parts of the country, and especially in areas where caste hierarchies, strict social norms, and community dominance of personal choices are deeply rooted. Most often, traditional customs and informal social institutions are involved in the enforcement of these norms, thus they are the main perpetrators of violence in the name of honor.

Even if the Indian constitution guarantees equal rights, dignity, and personal freedom, honor killings still happen because of the social pressure, fear of being cast out, and unawareness of legal protection. Although Indian criminal law considers honor killing as murder that is punishable under the Indian Penal Code, the lack of a separate law for honor, based crimes has resulted in issues of deterrence, prevention, and accountability.

Honor killings, which have been going on for a long time, are evidence of a clash between the values upheld by modern law and the ones held by society at the background of traditions. The situation describes an environment for studying honor killings as social phenomena and figuring out if we have enough legal measures or if a new law is necessary for dealing with this issue effectively.

SYNOPSIS

a) Statement of Problem

Even after India has made constitutional guarantees of equality and personal liberty and has penal provisions for murder and criminal conspiracy, honor killings are still being carried out in the country. These crimes are largely influenced by sociological factors such as caste system, patriarchy, family honor, and community pressure. In India, the general provisions of the Indian Penal Code are used to prosecute honor killings, but there is no separate or specific legislation that recognizes honor-based violence as a separate offense. This situation causes doubts about the sufficiency, deterrent effect, and implementation of the existing legal frameworks. The lack of a special law may also be a factor in the phenomenon of less reporting, social justification, and weak accountability. Hence, this study intends to explore honor killings as per a sociological perspective to determine whether the existing laws are enough or if there is a necessity for separate legislation to effectively resolve and prevent the occurrence of crimes related to the honor concept.

b) Objectives of the study

1. To study social factors influencing given sociological phenomena with the help of such factors as the caste system, patriarchy and community pressure, especially in the case of honor killings.
2. To study social norms regarding honor killings and honor-based violence.
3. To study the sufficiency of the current law in terms of solving the problem of honor killings and preventing them.
4. To evaluate the requirement of a separate law to effectively handle the issue of honor killings in India.

c) Research questions

1. To what extent is honor killing still considered a major social problem in India, and what sociological factors are responsible for it?
2. To what extent are the students and society being aware of the constitutional rights related to marriage and personal choice?
3. Are current laws enough to stop honor killings, or is it necessary to have a separate law?
4. How do education, social institutions, and political leadership influence the occurrence of honor-based violence, either by supporting or opposing it?

d) Scope of the study

This research examines honor killings from a sociological perspective. It assesses the adequacy of existing laws and whether there is a need for a separate law in India. The research investigates the behavior of society, knowledge of constitutional rights, and the impact of social structures such as family, caste, and political leadership. Data will be obtained from teachers, students, parents, and lawyers. The study is limited to people's perceptions and views and not the number of incidents and also through journal and judicial interpretations. Its primary intention is to act as a measure of how effective the laws are and to pinpoint the potential reforms.

e) Significance of the study

This research matters as it mainly points out the sociological factors that lead to honor killings and assesses how effective the current laws are. Knowing social attitudes and being aware of legal

rights through research can guide policy makers, teachers and social organizations in bringing about the change in the law or passing a new law. The findings are intended to be a source of support for the awareness programs that enable the preventive measures to be strengthened and help the individual rights and personal freedom to be respected in the Indian society.

f) Limitations of the study

1. The research solely concentrates on the viewpoints and ideas of educators, students, parents, and lawyers and not on real criminal cases.
2. The investigation is limited to a certain area and sample size, therefore the results may not be indicative of the whole country.

REVIEW OF LITERATURE

Honor killings have been investigated in-depth as a grave social issue whose root causes are patriarchal values, caste hierarchy, and inflexible ideas of family honor. Academics point out that one of the biggest reasons for norm violations is that especially in the case of marriage and intimate relationships, the mentioned violations are regarded as a direct attack on the social reputation and this, in turn, is the main cause why families choose to go for extreme violence. At the same time, the terror of being excluded from society and the pressure that comes from the community are frequently mentioned as factors that contribute to the perpetuation of these kinds of practices.

Several research emphasize the impact of community views and other non-formal institutions like community elders and khap panchayats, which normally support the continuation of traditional norms rather than constitutional values. Although these organizations have no legal power, they strongly influence social control and are responsible for acceptance as well as the silence that prevails in cases of violence based on honor.

Moreover, from the point of view of the law, the available literature demonstrates that honor killings are dealt with in the general criminal law provisions i.e. the cases of murder, and conspiracy, as India does not have any separate laws for sharing crimes based on honor. Besides, lawyers say that the absence of such a law brings about weak deterrence, irregular implementation,

and that the cases are on the down-low because families and political quarters exert pressure on them to remain silent.

Other research works have the same point of view and claim that the role of education and the awareness of constitutional rights are very important factors in this issue of marriage and the personal choice of an individual. Research proposes that knowledge about laws coupled with morality-based instruction can be very helpful tools for breaking down walls built by society and they also give people the power to take a stand against honor-based violence. Nevertheless, a good part of the literature disregards this issue and focuses solely on either the sociological aspect or the legal one which in turn leaves a gap for studies that have empirical research and look at both perspectives together.

Our research intends to fill that void by examining honor killings from a sociological point of view, and in the meantime, gauging the public opinion on the sufficiency of existing laws and the necessity of a separate law based on field research.

CONCEPTUAL FRAMEWORK

Meaning of Honor and Honor Killings

Honor is a social value that is based on family reputation, moral conduct, and conformity to the social norms. When a family or community violently attacks a member who is accused of breaking these norms, especially in the areas of marriage, sexuality, caste, or religion, it is called an honor killing. In their research, scholars describe honor killings as a form of collective violence where individuality is denied retaining social control.²

United Nations considers honor killings to be a grave infringement of human rights, especially the right to life, liberty, and dignity.³

² Amartya Sen, *The Argumentative Indian: Writings on Indian History, Culture and Identity* chs. 1–2 (Oxford Univ. Press 2005).

³ U.N. Human Rights Council, *Report of the United Nations High Commissioner for Human Rights on Practices in the Name of Honor*, U.N. Doc. A/HRC/21/22 (2012).

Sociological Perspective on Honor Killings

Honor killings, when analyzed through the lens of sociology, are basically a consequence of male, dominated (patriarchal) systems in which the honor of the family is closely related to the moral conduct of women. Sociologists suggest that these are some of the ways in which societies control individuals so that they conform to the set rules and traditions and to keep the power structures intact.⁴ Usually, the dread of being left out by society and the stigma that comes with it makes the families take the community's approval for their individual rights.

Honor, Patriarchy, and Gender Bias

Honor based violence is a concept that is very much interlinked with the patriarchal system and has a great deal of bias against women, as the behavior of females is more tightly controlled in such societies. Feminist scholars have pointed out that the murder of a woman in the name of honor is a manifestation of gender discrimination that is still deeply entrenched and the treatment of women as vessels of the family's honor.⁵ Men are hardly ever given to undergo the same kind of scrutiny, which is a very strong indication that there is a gender bias in those practices that relate to honor.

Honor Killings as a Violation of Human Rights

Honor killings are a breach of the most basic human rights such as the right to live, the right to be equal before the law, and the freedom to make one's own choices. These acts go against the three major articles 14, 15, and 21 of the Indian Constitution in a very direct manner. On several occasions, the Supreme Court has declared that the right of a person to pick their partner is one of the essential freedoms that a person has.⁶

Conflict Between Social Norms and Legal Values

The survival of honor killings serves as a vivid example of the clash between age, old social norms and the values enshrined in the constitution. Even if the community may excuse such killings under the guise of culture or honor, the court system rejects them unequivocally as illegal activities. The

⁴ Pierre Bourdieu, *Masculine Domination* chs. 1–2 (Richard Nice trans., Stanford Univ. Press 2001).

⁵ Aisha K. Gill, *Honor Killings and the Quest for Justice*, 4 *Int'l J. Crim. Just. Sci.* 1, 1–4 (2009).

⁶ *Shakti Vahini v. Union of India*, (2018) 7 S.C.C. 192 (India).

disagreement constitutes the major conceptual point around which the question of whether the current laws are enough or if a new law is necessary to regulate such crimes is revolved.

PRESENT LEGAL FRAMEWORK

Constitutional Protection

The Indian legal framework is centered around and provides strong safeguards for the rights of life, liberty, equality, and personal choice. One of the most significant provisions of the Indian Constitution is Article 21 which guarantees the right to life and personal liberty.⁷ The right to freedom of choice is thus logically included in the above guarantees i.e. the liberty of a person to choose one's life partner. Articles 14 and 15 provide for equality before law and prohibit discrimination on any of the grounds such as caste, sex, or religion.^{8,9} Honor killings are a kind of violence which, very drastically, refutes the existence of those fundamental constitutional rights in the first place.

It has been very clear from the apex court jurisprudence that the highest judicial authority in the country has been very vocal and has time and again vocalized that any kind of violence that claims to be done in the name of honor is against the constitution and the law of the land and hence illegal. The Supreme Court in *Shakti Vahini v. Union of India* (2018) ruled that the freedom to choose a partner is a freedom which comes from the very core of human liberty and human dignity and is protected under Article 21.^{10,11}

Indian Penal Code and Honor Killings

India does not have a separate law that specifies the way honor killings should be handled. Such cases fall under the Indian Penal Code, 1860, the provisions of which are already applicable. As a rule, honor killings are treated as murder under Section 302 of the IPC.¹² Besides, the related offences may lead to the activation of Sections 307 (attempt to murder),¹³ 341 (wrongful

⁷ INDIA CONST. art. 21.

⁸ INDIA CONST. art. 14.

⁹ INDIA CONST. art. 15.

¹⁰ Id. art. 21.

¹¹ *Shakti Vahini*, 7 S.C.C. at 192.

¹² INDIAN PENAL CODE, 1860, § 302 (India).

¹³ INDIAN PENAL CODE, 1860, § 307 (India).

restraint),¹⁴ 342 (wrongful confinement),¹⁵ 503 (criminal intimidation),¹⁶ and 506 (punishment for criminal intimidation).¹⁷

In a situation where more than one person is implicated, the law refers to Sections 34 (common intention)¹⁸ and 120B (criminal conspiracy).¹⁹ Thus, honor killings are crimes punishable by criminal law; however, they are not distinguished as a separate category of crime.

Judicial Response to Honor Killings

The judiciary has been instrumental in opposing honor killings vehemently. The Supreme Court in *Lata Singh v. State of Uttar Pradesh* (2006) declared that honor killings are cruel murders and commanded the police to take severe action against the offenders, "barbarians".²⁰

Likewise, the Court in *Arumugam Servia v. State of Tamil Nadu* (2011) rejected vehemently the idea of caste, based honor killings and the illegal interference of caste or community in the love affairs.²¹ The Court went on to say that such conduct is utterly unacceptable in a society ruled by law and order, and it is a society of human values.

Role of Informal Bodies (Khap Panchayats)

Non, formal organizations like the khap panchayats have frequently been associated with the killing of family members following loss of honor by imposing social sanctions against couples belonging to different castes or religions. The Supreme Court, in *Shakti Vahini v. Union of India* (2018), ruled unequivocally that any gathering or group that meddles with the freedom of partners is disallowed by law and goes against the constitution and thus courts should not tolerate such interference.²² The apex court, therefore, instructed the state governments to adopt measures of prevention, remedy, and punishment.

¹⁴ INDIAN PENAL CODE, 1860, § 341 (India).

¹⁵ INDIAN PENAL CODE, 1860, § 342 (India).

¹⁶ INDIAN PENAL CODE, 1860, § 543 (India).

¹⁷ INDIAN PENAL CODE, 1860, § 506 (India).

¹⁸ INDIAN PENAL CODE, 1860, § 34 (India).

¹⁹ INDIAN PENAL CODE, 1860, § 120B (India).

²⁰ *Lata Singh v. State of Uttar Pradesh*, (2006) 5 S.C.C. 475 (India).

²¹ *Arumugam Servai v. State of Tamil Nadu*, (2011) 6 S.C.C. 405 (India).

²² *Shakti Vahini*, 7 S.C.C. at 192.

Limitations of the Existing Legal Framework

Even though honor killings are penalized under the IPC, the lack of singled, outlaw defining and dealing with honor-based crimes makes it difficult to prevent such crimes and to deter offenders. Current legislations mainly penalize the perpetrator after the commission of the crime and in a very limited manner they acknowledge the aspect of collective responsibility, social coercion, and preventive mechanisms. As a result, there is a growing controversy about whether a new law should be introduced to govern such cases in which people are killed for honor.

NEED FOR SEPARATE LAWS ON HONOR KILLINGS

Honor killings are still happening in India even though they are punishable as murder under the current criminal laws. This shows that general criminal law provisions have not been enough to stop such crimes. Honor killings are different from normal crimes as they are usually pre-meditated, considered acceptable by the society, and may have the involvement or support of the family and community members. Lack of specific legal framework makes it difficult to deal with prevention, collective responsibility, and the role of informal institutions like khap panchayats in giving the proper guidance. After thorough examination of the legal provisions, court responses, and societal factors, this research recommends that a separate law can be made to deal with honor killings. A particular law would be instrumental in recognizing honor killings as a separate category of crime, facilitating focused investigation, issuing protection orders to the vulnerable and making it easier to hold the perpetrators accountable. Such a law would work with the existing criminal laws and be in agreement with the constitution which is based on the principles of personal freedom, equality, and dignity, instead of replacing the current legal framework.

RESEARCH METHODOLOGY**Type of Study**

The present research is an empirical, descriptive, and analytical study aimed at examining honor killings from a sociological perspective and assessing the need for separate legal provisions.

Method of Data Collection

The research employs various methods to gather information, such as primary and secondary data collection. The major data is obtained through conversations, and the minor data is taken from books, journals, research articles, and reputable sources.

Type of Data

Primary Data: Information is gathered from the teachers, college students, parents, and lawyers through the interview schedules.

Secondary Data: Information is gathered from the published pieces of writing, government reports, and academic writings.

Instruments

A structured interview schedule consisting of open-ended and close-ended questions was used as the main research instrument.

Data Analysis Method

The collected data is analyzed using qualitative interpretation and simple percentage analysis, supported by tables and graphical representation wherever necessary.

Sampling Frame

The sample frame is made up of four different groups of people: teachers, college students, parents, and lawyers living in the geographically defined area of the study.

Sample Size

The study has been carried out with a small number of people chosen from each group of the population categories; thus, the results are representative of the population only to a limited extent. The limited time and resources have been the main reasons for such a choice.

Sampling Design

The research has been conducted using a purposive sampling strategy. The selection of respondents was thus based on their direct involvement or connection with the topic of the study.

Study Area and Time Frame

The study is conducted in a selected region in India over a specified period during the academic year.

Ethical Considerations

The study strictly followed ethical principles. Informed consent was obtained from all respondents. Participation was voluntary, confidentiality was maintained, and no personal or sensitive information was collected.

EMPRICAL STUDY AND ANALYSIS

This chapter provides empirical study and analysis which is based on data that were collected through personal interviews with teachers, parents, students and lawyers. The responses were analyzed using thematic analysis to understand societal perceptions, legal awareness, and opinions regarding honor killings and the need for separate legislation.

Thematic Analysis

Theme 1: Understanding of Honor and Honor Killings

In this theme I want to show how people understand honor. I divided **parents** into high caste and low caste and most of the **high caste** people consider honor as society status and get scared through society point of view and most of the **low caste** people think that women should be at home and men will work. Even most of the high caste people know about these issues and they hear more situations than most of the low caste people. Most of the **college students** know about what honor killings are and most of the college students think families choose honor before individual rights in most cases because of society pressure and they think educated people choose individual rights rather than uneducated people. I divided **teachers** into government teachers and private teachers and most of the **government teachers** know slightest about honor killings and they think they don't exist in present situations, and most of the **private teachers** rather than knowing about honor killings they think it is happening more in present situations. Most of the **lawyers** think honor killings are treated better under current Indian law as they deleted caste word the new amendments are doing great.

Theme 2: Gender Bias and Control over Personal Choice

In this theme I want to show what society thinks who will spoil the honor: Boys or Girls. And do children should have the choice in their marriage. Most of the **upper caste parents** think boys are the one who will damage the honor through drugs and drinking, most of the **lower caste parents** think girls as they don't listen properly to anyone and they are the ones who got judged. Most of the upper caste and lower caste people think children should choose their life parents for various reasons and most of the upper caste people think they should choose individual happiness instead of tradition while most of the lower caste people think they should choose honor instead of individual happiness. Most of the **college students** think young generation cannot choose their life partners freely due to social pressure, and they think caste and religion shouldn't be seen in marriage as they don't feed them, and they do support their friends if they engage in inter-caste or inter-religious marriage for various reasons except a few of them. Most of the **government teachers** think now a days children are not stressed due to pressure from family and friends while most of the **private teachers** think now a days children are the one who get stressed more due to peer pressure. Most of the **lawyers** think that victims don't seek legal help due to fear or lack of knowledge.

Theme 3: Role of Society, Tradition, and Social Pressure

In this theme I want to explain regarding society's pressure, regarding tradition and other pressures. Most of the **upper caste parents** think about society before deciding, while most of the **lower caste parents** think about their family rather than society. Most of the **college students** think victims don't approach police due to trust issues with police and there might be a chance society will know about the issue. Most of the **government teachers** think traditions shouldn't be given more priority than law as they might be superstitions, while most of the **private teachers** think customs are the whole reason why they give more importance to traditions than laws so everyone should be educated. Most of the **lawyers** think the police are investigating correctly and there is a lot of pressure from political leaders and society which is indeed affecting the investigation while some even think police are not understanding how to investigate due to lack of proper laws towards honor killings.

Theme 4: Role of Informal Bodies and Political Influence

In this theme I want to explain regarding Khap panchayats and other political influences. Most of the **government teachers** think khap panchayats are wrong while most of the private teachers think khap panchayats are needed in most cases. Most **college students** think political leaders do not take any action regarding honor killings because they use caste as source of votes. Most of the **lawyers** think khap panchayat members should be punished for conspiracy and abetment as the root comes from it.

Theme 5: Awareness and Adequacy of Legal Framework

In this theme I want to explain how much people know about current laws and the adequacy of present laws. Most of the parents from **upper caste and low caste** are aware that honor killing is a serious criminal offence in India, and most of the parents from both upper caste and lower caste think there is a need for separate laws so that people will get fear through punishments. Most **college students** think there is need for separate laws so that the honor killings might decrease and most of them know that choosing your life partner is a fundamental right under right to liberty. Most of the **government teachers** think that children know about their right to marriage and right to choose through social media, the same goes with **private teachers**, both government and private teachers think there is a need for separate laws so that the rigorous punishments will decrease the crime rate. Most of the **lawyers** think there is a need for separate law so it will be viewed differently and might be helpful for faster judgements, and most of them think the present BNS and constitutional protections are not sufficient as they are vague and doesn't have a specification for honor killings, and most of them think the landmark judgement in Shakti Vahini is not sufficient for ground reality as most of the people either doesn't know it or the age limit should be increased from 18 to 20/21.

Theme 6: Prevention, Reforms, and Need for Separate Law

In this I want to explain the suggestions made by each category to decrease or prevent honor killings. Most of the **upper caste parents** think children should listen to their parents and everything will be alright, most of the **lower caste parents** had no idea and think the government should do something. Most of the **college students** think awareness should be created through seminars and all. Most of the **government teachers** think racism should be eradicated and parents

should be educated, while most **private teachers** think children and parents should sit and talk and come and the parents mindset should change. Most of the **lawyers** think the laws should be severe and punishments should be increased.

FINDINGS OF THE STUDY

1. Honor in most cases is viewed as the social reputation of the family by parents of the upper caste, but the lower caste parents more often relate it to gender roles and control of the family.
2. Upper, caste families, in identifying an honor violation, are more likely to judge boys more severely, while lower, caste families mostly girls.
3. After all, the idea that children should have the freedom to select their life partners is supported in the opinion of most parents from different castes, yet a lower caste parent would still hold on to tradition rather than to the child's happiness.
4. College students are more knowledgeable about the issue of honor killings and the rights guaranteed by the constitution; they also expressed that social pressure acts as an obstacle to the free choice of marriage.
5. The teacher's point of view is not the same; government teachers say that honor killings are less frequent nowadays, while private teachers confirm that it is still happening.
6. The fear of what others will say and the pressure from society ("log kya kahenge") dominate the decisions of the family and keep the victims in a state of silence regarding the police.
7. Most lawyers and students identify the khap panchayats and informal bodies as the main sources of honor-based violence that achieve this through their social and political influence.
8. The issue of impartial investigation and strict actions in cases of honor killing are said to be affected negatively by political considerations and vote, bank pressures.
9. Almost all interviewees agree that honor killing is a serious crime; however, they far less know about legal protections in place.
10. Individually and collectively, across all the different groups of respondents, an overwhelming majority expresses the necessity of a separate and specific law on honor killings as a means of ensuring deterrence, clarity, and faster justice.

CONCLUSION AND SUGGESTIONS

Honor killings remain a prominent example of the clash between constitutional ideals and deeply ingrained social prejudices in Indian society. While the constitution promises equality, liberty, and freedom of choice, the continuing occurrence of honor, based violence indicates that the law alone has not been able to break down patriarchal and caste, based conceptualizations of family honor in society. In *Shakti Vahini v. Union of India*, the judiciary through its interventions has recognized honor killings as serious infringements of fundamental rights, but due to the lack of a specific statutory framework, there has been a fragmented enforcement and inconsistent accountability. The offense is usually brought under the general provisions of murder, conspiracy, and abetment, which do not take into consideration the collective, premeditated, and socially endorsed nature of the crimes committed for honor. The discrepancy between legal principles and social facts here points to the necessity of revisiting this issue to understand whether current criminal laws can adequately deal with such crimes that originate from community pressure, informal authority structures, and gender control.

The decision to carry out this research was significantly impacted by the murder of Radhika Yadav. Her death highlighted the fact that individual freedom, particularly that of young women, can be forcibly limited in a very brutal way just for the sake of a family's good name. The case of Radhika Yadav is only one among many which signal the failure of society to acknowledge the power of personal choice and to provide the necessary protection to the ones who are vulnerable against the violence coming from the family and community. Cases like these are used to show that honor killings are not just the result of crimes of passion but rather the consequence of people's upbringing, their staying silent, and being afraid. They put forward a multitude of questions regarding the efficiency of measures taken to prevent such acts, protect the victims and the possibility of early intervention by the law before the threats turn into actual violence.

Given this, it is also very important to seriously think about the enactment of a separate and distinct piece of legislation specifically relating to honor killings, which would not only clearly define the offense but also recognize collective liability and address the role of informal bodies and social coercion in this regard. On the preventive side, the likes of protection orders, safe houses, and confidential reporting mechanisms should be placed on a statutory footing. Police and other law

enforcement agencies as well as members of the judiciary need to be trained and made aware that crimes based on honor should be perceived as breaches of human rights rather than issues of the private lives of families. Besides this, educational reform in the long run should concentrate on schooling, social awareness, and the encouragement of constitutional morality to be able to challenge and disprove the old and damaging traditions. Legal reform, institutional accountability, and societal transformation working together as one can be the only way to be sure that the dignity and freedom of the individual will be safeguarded from the violence perpetrated in the name of honor.

ANNEXURE

LAWYERS INTERVIEW QUESTIONS

1. How are honor killings currently dealt with under Indian law?
2. Is there a need for a separate law on honor killing?
3. Are existing BNS sections and constitutional protections sufficient?
4. How effective is the *Shakti Vahini (2018)* judgement in reality?
5. Do political and social pressures affect investigations?
6. Can khap panchayat members be punished for conspiracy or abetment?
7. Why do many victims hesitate to seek legal help before violence happens?
8. Are police and judiciary adequately trained/sensitized?
9. What is the biggest legal gap in preventing honor killings today?
10. What ONE major reform do you suggest (legal/political/both)

Closing

Case/examples (if any, anonymous): _____

PARENTS' INTERVIEW QUESTIONS (UPPER CASTE AND LOWER CASTE)

1. What _____ is _____ your _____ age _____ group?
☐ 20–30 ☐ 31–40 ☐ 41–50 ☐ 51 and above
2. When people talk about “family honor,” what do you think it usually means?
3. In your opinion, who is judged more harshly for damaging family honor — boys or girls?
Why?
4. Have you heard about cases where someone was harmed or killed in the name of honor?

5. Do you believe children should have the freedom to choose their life partner? Why or why not?
6. In family conflicts, what should matter more — tradition or individual happiness?
7. Do you think fear of “log kya kahenge” (what will people say) influences family decisions?
8. Are you aware that honor killing is treated as a serious criminal offence in India?
9. Do you think existing laws are sufficient, or is a separate law needed to prevent honor killings?
10. What do you think is the most effective way to prevent honor killings in society?

Closing

Any additional thoughts (do you support honor killings): _____

COLLEGE STUDENTS INTERVIEW QUESTIONS

1. What do you understand by the term “honor killing” and is there many cases about honor killings in India according to you?
2. Are current laws enough or is a separate law needed?
3. Do young people today feel free to choose their life partners? Why or why not?
4. Are you aware that choosing your own partner is protected under Indian law?
5. Should caste or religion have any role in marriage decisions?
6. Do families give more importance to “honor” than individual rights in society?
7. Do you think political leaders take strong action against honor killings? Why / why not?
8. Would you support a friend facing opposition for inter-caste or inter-religious marriage?
9. What stops people from reporting threats to the police?
10. What ONE step should the government take to stop honor killings?

Closing

Any additional thoughts (do you support honor killings): _____

TEACHERS INTERVIEW QUESTIONS (GOVERNMENT AND PRIVATE)

1. Is honor killing still a serious social issue in India?
2. Do students know their constitutional rights regarding marriage and choice?
3. Should schools and colleges teach more about personal freedom and law?
4. Do social traditions sometimes overpower constitutional values?

5. What role do khap panchayats or informal bodies play in such cases?
6. Do political leaders avoid strict action due to voting bank or social pressure?
7. Can education reduce honor-based violence? How?
8. Have you seen students being mentally stressed due to family or social pressure?
9. Are current laws enough or is a separate law needed?
10. What is the ONE best solution to reduce honor killings?

Closing

Additional suggestions (if any): _____

