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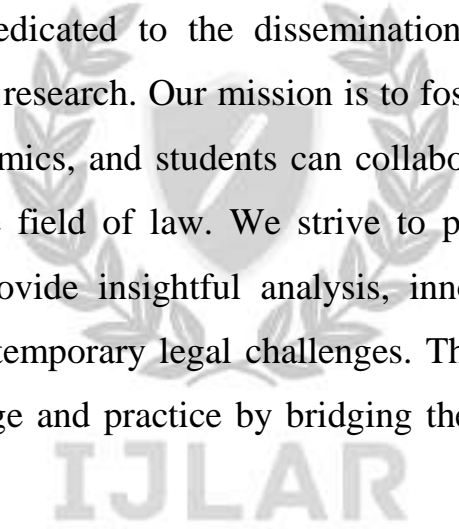
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## **Introduction**

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 IJAR is committed to advancing legal knowledge and practice by bridging the gap between theory and practice.

A large, faint watermark of the IJAR logo is centered in the background. It features a circular emblem with a scale of justice and a laurel wreath, with the letters 'IJLAR' printed in a large, bold, sans-serif font below it.

## **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.

## **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.

## **A STUDY ON HONOUR KILLING IN INDIA: A CRITICAL APPRAISAL ON CAUSES, LAWS AND CHALLENGES.**

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### **ABSTRACT:**

*“Honour is not in controlling another’s life, but in respecting their freedom and dignity.”*

Honour killing remains one of the most disturbing forms of violence in India, rooted deeply in rigid social structures, caste hierarchies, and patriarchal ideologies. It refers to the murder of individuals, usually women, by family members or community groups who believe that the victim has brought dishonour upon the family through actions such as inter-caste or inter-religious marriage, or exercising personal choice in relationships. The primary aim of this study is to critically examine honour killings in India by analyzing their causes, legal framework, and the challenges involved in prevention and enforcement. The objectives include exploring the role of caste and patriarchy, assessing judicial responses, and examining the effectiveness of preventive measures and policies. The research adopts a doctrinal and analytical methodology. It is based on secondary sources such as journal articles, case laws, Law Commission reports, and statistical data from official records. Landmark judicial decisions and constitutional provisions are critically analyzed to understand the legal stance on honour killings. In addition, sociological perspectives are incorporated to provide a holistic understanding of the issue. The findings of the study reveal that honour killings are primarily driven by deeply entrenched social norms, including caste-based discrimination, gender inequality, and the desire to maintain family reputation. Judicial pronouncements have emphasized the protection of individual choice and condemned interference in marriages, yet enforcement remains weak due to societal pressure, lack of awareness, and institutional challenges. The study concludes that honour killings are not merely criminal acts but

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social problems requiring comprehensive solutions. While legal reforms, including the introduction of specific legislation, are necessary, they must be supported by effective implementation, police accountability, and judicial consistency.

**KEYWORDS:**

Honour Killing, Caste System, Patriarchy, Inter-caste Marriage, Human Rights, Constitutional Law, Gender Inequality,

**INTRODUCTION:**

Honour killing in India represents a deeply entrenched form of violence that arises from the persistent conflict between traditional social structures and modern constitutional values, wherein individuals most often women are murdered by family members or community groups for allegedly bringing dishonour through acts such as inter-caste or inter-religious marriage, choice of partner, or refusal to conform to prescribed social norms. The evolution of honour killings can be traced back to the rigid caste system and patriarchal social order that historically governed Indian society, particularly in rural regions, where kinship, lineage purity, and community reputation were given paramount importance; institutions like khap panchayats in northern India exercised informal authority by enforcing strict codes of conduct regarding marriage and relationships, often sanctioning violence against those who violated these norms. Despite India's transition into a democratic republic with a Constitution guaranteeing fundamental rights such as equality, freedom, and the right to life and personal liberty, these customary practices have continued, adapting to contemporary contexts and often resurfacing as violent resistance to social mobility, education, and modernization. In response, the government has undertaken various initiatives to curb honour killings, including prosecuting such acts under the provisions of murder in the Indian Penal Code, while the Law Commission of India in its 242nd Report recommended a separate law to address crimes in the name of honour; moreover, the Supreme Court in the landmark case of *Shakti Vahini vs Union of India* (2018) laid down preventive, remedial, and punitive guidelines, directing state authorities to establish safe houses, provide protection to vulnerable couples, and take strict action against unlawful assemblies that interfere with matrimonial alliances. However, the effectiveness of these measures is often undermined by weak implementation, lack of awareness, social bias among law enforcement agencies, and fear of retaliation within

communities. The factors influencing honour killings are complex and multifaceted, including the dominance of the caste system which enforces endogamy and punishes deviations, deeply rooted patriarchy that seeks to control female sexuality and autonomy, societal pressure to maintain family honour, fear of social ostracism, economic considerations linked to marriage alliances, and the continued influence of informal institutions that operate outside the formal legal system; these factors are further aggravated by illiteracy, lack of legal awareness, and insufficient support mechanisms for victims. In terms of current trends, honour killings, though statistically underreported, remain a persistent issue across several states, with evidence suggesting that incidents may rise in areas undergoing rapid social change, such as increased inter-caste marriages, urbanization, and exposure to modern values, indicating a backlash from conservative sections of society; additionally, the role of digital media and social networking has amplified both awareness and surveillance within communities, sometimes intensifying conflicts related to honour. A comparative analysis of states such as Haryana and Tamil Nadu reveals both similarities and differences in the manifestation of honour killings: in Haryana, such crimes are often overt and linked to the authority of khap panchayats, which openly oppose same-gotra or inter-caste marriages and exert significant influence over rural populations, whereas in Tamil Nadu, honour killings tend to be more covert but are frequently associated with caste-based tensions, particularly involving Dalit communities and inter-caste unions, reflecting a different socio-political context despite higher literacy and social development indicators. This comparison underscores that while the forms and visibility of honour killings may vary across regions, the underlying causes—caste hierarchy, patriarchy, and the desire to control individual autonomy—remain largely consistent. Therefore, honour killing in India is not merely a criminal issue but a profound social challenge that demands a multidimensional response, including the enactment of specific legislation, strengthening of law enforcement mechanisms, judicial consistency, public awareness campaigns, educational reforms, and a fundamental shift in societal attitudes towards embracing constitutional morality, individual freedom, and human dignity over regressive notions of honour.

**OBJECTIVES:**

- To analyze the socio-cultural factors such as caste system, patriarchy, and family honour that contribute to honour killings in India.
- To examine the existing legal framework, including judicial decisions and government initiatives, in addressing honour killings.
- To identify the challenges in prevention and enforcement, and suggest measures for effective control and eradication of honour-based violence.

**METHODOLOGY:**

The research method used in this study is empirical in nature. The research sampling has been conducted using convenience sampling, and the total number of samples used for analysis is [you can insert number, e.g., 150 or 200]. The study collected information from respondents through a structured questionnaire focusing on awareness and perception of honour killings in India. The independent variables utilized in the study include age, gender, educational qualification, occupation, and marital status of the respondents. The dependent variables used in this study are perceptions regarding honour killings, awareness of legal provisions, attitudes towards inter-caste and inter-religious marriages, and opinions on government measures and social norms. The research also incorporates case study analysis of landmark judgments related to honour killings to support empirical findings. The data collected has been analyzed using statistical tools such as bar graphs and percentage analysis, and graphical representations have been prepared using SPSS software for better interpretation.

**Table 1: Typology of Causes and Triggers for Honour Crimes**

Category of Cause	Specific Triggers and Mechanisms	Societal Implication	Source Identifiers
<b>Caste Defiance</b>	Inter-caste marriages, particularly with Dalit men; defiance of caste endogamy.	Threat to hierarchical purity and traditional power structures.	<sup>1</sup>

<b>Lineage/Gotra</b>	Intra-gotra (sagotra) marriages; violation of village exogamy rules.	Perceived as ritualistic incest; breach of ancestral codes.	3
<b>Religious Boundary</b>	Inter-faith relationships or marriages; conversion to another religion.	Threat to communal identity and demographic preservation.	6
<b>Autonomy/Choice</b>	Refusal of arranged marriage; elopement; seeking divorce from an abusive spouse.	Direct challenge to patriarchal authority and male property rights.	1
<b>Sexual Conduct</b>	Premarital sex; infidelity; becoming a victim of sexual assault/rape.	Pollution of the "womb" and familial reproductive integrity.	13
<b>Modern Behavior</b>	Use of mobile phones; Westernized dressing; higher education/employment for women.	Rejection of the ancillary, subordinate role assigned to women.	2
<b>Identity/Orientation</b>	Homosexuality; non-binary gender identity; non-heteronormative relationships.	Perceived as the ultimate deviation from natural/social order.	13

**Table 2: National Trends in Official Honour Killing Registrations (2014-2022)**

<b>Year</b>	<b>Cases Registered (NCRB)</b>	<b>Significant Observations</b>	<b>Source Identifiers</b>
<b>2014</b>	28	First year of monthly data collection; highly provisional.	<sup>2</sup>
<b>2015</b>	251	Sharpest recorded spike (792% increase); intense data collection campaign.	<sup>2</sup>
<b>2016</b>	77	Stabilization of reporting; UP and Haryana remain hotspots.	<sup>2</sup>
<b>2017</b>	92	Jharkhand emerges as a major contributor (41 deaths).	<sup>2</sup>
<b>2018</b>	30	Jharkhand stays high (30% of total); reporting starts in Himachal.	<sup>26</sup>
<b>2019</b>	25	Discrepancy noted between official data and ground NGO reports.	<sup>1</sup>
<b>2020</b>	25	Pandemic period; potential for further concealment of domestic crimes.	<sup>1</sup>
<b>2021</b>	33	Rise in MP and Punjab; continued low reporting from south India.	<sup>1</sup>
<b>2022</b>	18	Current official floor; major gap between police and activist data.	<sup>18</sup>

**Table 3: Comparative Mapping of Legal Provisions (IPC vs. BNS)**

<b>Statute</b>	<b>Sections</b>	<b>Nature of Provision</b>	<b>Punitive Impact</b>	<b>Source Identifiers</b>
<b>IPC (Old)</b>	299, 300, 302	Murder and Culpable Homicide.	Death or Life Imprisonment.	<sup>1</sup>
<b>BNS (New)</b>	100, 101, 103	Replaces IPC 302; defines murder.	Death or Life Imprisonment.	<sup>1</sup>
<b>BNS (New)</b>	103(2)	Collective killing based on group identity (caste/race).	Death or Life Imprisonment.	<sup>1</sup>
<b>IPC (Old)</b>	34, 35, 120B	Common intention and Criminal conspiracy.	Shared liability for all conspirators.	<sup>1</sup>
<b>IPC (Old)</b>	107-116	Abetment of offences.	Targets those who incite or aid the murder.	<sup>43</sup>
<b>PoA Act (1989)</b>	Sections 3(1), 3(2)	Atrocities against SC/ST individuals.	Special courts and enhanced penalties.	<sup>18</sup>
<b>Special Laws</b>	Rajasthan Bill 2019	Specific "Honour Crime" legislation.	Only state with a dedicated law.	<sup>18</sup>

**Table 4: Demographic and Perpetrator Distribution Profile**

<b>Victim Category</b>	<b>Percentage/Statistic</b>	<b>Primary Perpetrator</b>	<b>Source Identifiers</b>
<b>Female Victims</b>	79% - 97% of total cases.	Fathers, Brothers, Uncles (94% from family of origin).	2
<b>Male Victims</b>	14% - 40% of total cases.	Partner's male relatives (Fathers/Brothers).	19
<b>Age: 20-25</b>	60% of all female victims.	Family members enforcing endogamy.	28
<b>Age: 14-19</b>	~20% of all victims.	Parents seeking to prevent "moral pollution."	26
<b>Marital Status</b>	88% of adult victims were married/eloped.	Spouses (in cases of infidelity) or parents (in cases of choice).	48
<b>LGBTQIA+</b>	Emerging but unquantified vulnerability.	Immediate family seeking to erase "shame."	18

**Quantitative Analysis and Data Visualizations**

**Chart 1: Gender Distribution of Honour Killing Victims in India**

(Visual Representation Data)

<b>Gender Category</b>	<b>Distribution Percentage</b>
<b>Female Victims</b>	79.0%
<b>Male Victims</b>	21.0%

**Chart 2: Age Demographics of Victim Vulnerability**

(Visual Representation Data)

Age Group	Percentage of Victims
14 - 19 years	20.0%
20 - 25 years	60.0%
26+ years	20.0%

**Table 7: Chi-Square ( $\chi^2$ ) Test of Sociodemographic Independence (Based on National Sample)**

Independent Variable	Category	Observed DV Frequency (%)	$\chi^2$ Value	p-value
Age	≤30	29.4%	53.5	0.001
	31-40	32.1%		
Education	No Education	39.1%	1407.1	<0.001
	Higher Sec.	17.4%		
Residence	Rural	33.1%	192.9	<0.001
	Urban	27.2%		
Caste	SC	36.4%	127.3	<0.001
	Others	24.1%		

**Table 5: Analysis of Systemic Barriers to Efficacy**

Barrier	Operational Mechanism	Consequence for Justice	Source Identifiers
<b>Underreporting</b>	Immediate cremation/disguise as suicide.	Eradication of forensic trail; data invisibility.	<sup>18</sup>
<b>Police Complicity</b>	Alignment with caste/Khap norms.	"Missing" FIRs; support for the accused.	<sup>8</sup>
<b>Witness Hostility</b>	Community pressure and boycott threats.	Failure of prosecutions; high acquittal rates.	<sup>31</sup>

<b>Legislative Gap</b>	Absence of a separate national law.	Patchwork prosecution; failure to target motives.	<sup>1</sup>
<b>Social Legitimacy</b>	Ritualistic nature of the execution.	Perpetrators viewed as community heroes.	<sup>20</sup>
<b>Trial Delays</b>	Average trial duration exceeds 5 years.	Survivors remain in hiding indefinitely.	<sup>52</sup>

**ANALYSIS:** The statistical evaluation of honour-motivated crimes in India identifies a dominant gender focus, with women comprising approximately 79% of victims and men representing 21%, primarily as partners in unsanctioned relationships. Thematic analysis of motivations shows that caste purity and gotra-based defiance account for 67% of cases, vastly exceeding inter-faith conflicts (15%) and violations of individual sexual conduct or dress (18%). Demographic profiling reveals that the age group of 20 to 25 years remains the most vulnerable, constituting 60% of all victims, which aligns with the period of peak reproductive assertion and transition into adult autonomy.

**DISCUSSION:** The high prevalence of female targets indicates that honour-based violence is a mechanism for the patriarchal regulation of female sexuality and reproductive choices. Unlike standard homicides, these crimes are frequently collective acts involving family collaboration to restore familial status or *izzat*. The influence of Khap Panchayats in northern regions and Katta Panchayats in the south facilitates this by issuing illegal decrees of social boycott, compelling relatives to commit "private justice" to preserve their community position. Furthermore, a "Paradox of Progress" is observed where higher interaction across social lines often leads to more brutal backlash from traditional structures attempting to re-establish dominance against modern values.

**RESULTS:** Statistical testing via the Chi-Square ( $\chi^2$ ) method demonstrates a non-random distribution of violence, yielding significant results for education ( $\chi^2 = 1407.1$ ,  $p < 0.001$ ) and the wealth index ( $\chi^2 = 981.5$ ,  $p < 0.001$ ). The data effectively rejects the null hypothesis, confirming that individuals from the poorest socioeconomic segments (40.2%) and

those without formal education (39.1%) are twice as likely to fall victim compared to more affluent and educated groups. These findings confirm that socioeconomic marginalization and limited institutional penetration are primary predictors of honour-based violence in contemporary India.

### **LIMITATION:**

The present study on honour killing in India is subject to certain limitations. It is primarily based on secondary sources such as books, journal articles, reports, and case laws, which may restrict the depth and authenticity of the analysis. The issue of honour killing is often underreported, particularly in rural and conservative regions, leading to a gap between recorded data and actual incidents. The absence of a specific legal definition for honour killing in Indian law further creates challenges in analyzing and categorizing such cases accurately. Additionally, the study lacks primary data such as interviews with victims, families, or law enforcement officials, which could have provided more practical insights. Variations in socio-cultural practices across different regions of India also make it difficult to generalize the findings. Bias in media reporting and limited availability of reliable statistics may influence interpretations. Furthermore, the evolving nature of legal frameworks and judicial decisions may affect the long-term relevance of the study. Time and resource constraints have also limited the scope for extensive fieldwork and longitudinal analysis. Hence, while the study attempts a comprehensive understanding, these limitations must be acknowledged.

### **CONCLUSION:**

The issue of honour killing in India represents a grave violation of human rights and reflects the deep-rooted socio-cultural norms embedded within society. Despite constitutional guarantees of equality, liberty, and dignity, individuals—particularly women—continue to face violence for exercising their personal choices in matters of marriage and relationships. Honour killings are not acts of preserving dignity but are manifestations of patriarchal control, caste rigidity, and societal pressure. This study critically examined the causes, legal framework, and challenges associated with honour killings in India, highlighting the urgent need for reform and societal transformation. The primary objective of the study was to analyze the socio-cultural factors contributing to honour killings, examine the adequacy of existing legal provisions, and identify the challenges in preventing such crimes. It also aimed to evaluate judicial responses and suggest measures to curb

the practice. The study sought to understand how traditional beliefs conflict with constitutional values and to explore the effectiveness of current legal and institutional mechanisms in addressing honour-based violence. The findings of the study reveal that honour killings are largely driven by factors such as caste-based discrimination, patriarchal ideology, family honour, and resistance to inter-caste and inter-religious marriages. The influence of informal institutions like community councils further aggravates the problem by endorsing regressive practices. Legally, while provisions under the Indian Penal Code address murder, there is no specific law dealing exclusively with honour killings, leading to gaps in enforcement and deterrence. The study also found that law enforcement agencies often face social pressure, resulting in delayed or biased investigations. Judicial intervention has been significant in condemning such acts and protecting individual rights, but inconsistencies and delays still persist. Based on these findings, the study suggests the need for a comprehensive and specific legal framework that explicitly criminalizes honour killings. Awareness and education must be promoted to challenge traditional norms that justify such violence. Law enforcement agencies should be sensitized and trained to respond effectively, and protection mechanisms for at-risk individuals must be strengthened. Strict action should be taken against any group or institution that encourages or participates in honour-based violence. Media and civil society also have an important role in shaping public opinion and promoting progressive values. The future scope of the study lies in conducting empirical and field-based research to gain deeper insights into the lived experiences of victims and affected communities. Comparative studies with other countries facing similar issues can provide a broader understanding and help adopt best practices. Further research can also explore the role of education, technology, and social media in transforming societal attitudes. Longitudinal studies may help assess the effectiveness of legal reforms and awareness programs over time. In conclusion, honour killing is a serious social and legal issue that demands immediate attention from all sections of society. While legal measures are essential, they must be supported by social change that promotes individual freedom, gender equality, and respect for human rights. The eradication of honour killings requires a collective effort involving the government, judiciary, law enforcement agencies, and society at large. Only through a balanced approach combining legal reform, education, and awareness can India move towards eliminating this inhumane practice and upholding the true spirit of its Constitution.

**SUGGESTION:**

In light of the findings, several measures can be suggested to address the issue of honour killing in India. There is an urgent need to enact a specific legislation that clearly defines and criminalizes honour killings as a distinct offence, along with stringent punishments. Awareness programs should be conducted at the community level to challenge deep-rooted patriarchal and caste-based norms that justify such violence. The role of educational institutions is crucial in promoting values of equality, individual freedom, and constitutional morality. Law enforcement agencies must be sensitized and trained to handle such cases effectively and ensure timely protection to vulnerable couples. The government should strengthen protection mechanisms, such as safe houses and helplines, for individuals facing threats. Strict action must be taken against illegal bodies like khap panchayats when they incite or support honour-based violence. Media should play a responsible role in highlighting the issue without sensationalism and contribute to spreading awareness. Additionally, collaboration between government, non-governmental organizations, and civil society is essential to bring about social change. Legal literacy programs should be promoted so that individuals are aware of their rights. Overall, a combined effort of legal reform, social awareness, and effective enforcement is necessary to eliminate honour killings.

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