

August 02, 2015

AIDWA Starts "Pass the Bill, because 'honour' kills" Campaign

THE recent years in India have witnessed a rapid capitalist transformation accompanied by a regressive feudal consciousness, emergence of identity politics and consolidation of caste panchayats in defence of status quo. The conflicts which arise due to these processes are most visible in the sphere of marriage practices and the basis on which social relationships are established. As more and more young couples are exercising their right to choose their own life partner, the reaction against such marriages/relationships is also becoming more violent and pronounced.

The last two decades have seen an increase in the violence that is committed against young persons who dare to transgress the boundaries set by members of their caste or class or religion while choosing their partners. Killings and crimes in the name of 'honour' are increasing. Punjab, Haryana and western Uttar Pradesh are among the worst affected regions, but such cases have also been reported in Tamilnadu, Maharashtra, West Bengal and Gujarat. It has been estimated that in Punjab and Haryana alone, 10 percent of all murders are related to honour killings and the number of crimes of honour is continuously increasing. At least 333 crimes of honour were committed in 2012; more than a dozen were committed in the first month of 2013.

Though the right to choose a partner of own choice is a basic human and democratic right under the Constitution of India, this right is being denied to young couples and particularly women in the country. As women have a subordinate position in all communities and castes, honour crimes occur when a woman chooses a partner (of a lower caste or a different religion or the same gotra) in marriage/relationship, because she allegedly taints the 'honour' of the family, caste and community. The crimes of honour thus stem out from

religion/caste-based discrimination on the one hand and gender-based discrimination on the other, with the real motive to control the sexuality of women.

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AIDWA has been in the forefront of struggles and agitations against crimes of honour. It has investigated several cases and helped victims of these crimes to get protection and financial support from the government. It has further helped victims and their families to fight cases in the courts. AIDWA has noted that:

1. A crime in the name of 'honour' is one of a range of violent or abusive acts including emotional, physical, and sexual abuse and other coercive acts.
2. In most of these cases, the family of the girl who has chosen to exercise her choice to marry is implicated. In other cases, the main perpetrators of these crimes and killings are the 'caste' or 'khap' or community panchayats.
3. In several other instances the khap panchayat, the family of the girl and the police have together been complicit in the crime.
4. Most of these crimes and killings are booked under crimes of Criminal Intimidation whereas these crimes are specific in nature, therefore there should be a separate law to address the crimes and killings in the name of honour.
5. Since the perpetrators of these crimes are family members, the witnesses often turn hostile, thus it is necessary to shift the burden of proof from the victim to the offender.
6. It is necessary that honour crimes and killings are specifically defined, so that those committing them can be appropriately punished and that data about these crimes can be gathered.
7. There is a need to reiterate the right of young persons to enter a marriage/relation of their choice in legislation.

AIDWA, through its interventions in the cases pertaining to crimes of 'honour' and in consultation with other women's organisations and individuals, has drawn up a bill to address the crimes of honour and to reiterate the right of persons to be able to choose a partner in a relationship. To comprehensively deal with such crimes the draft prepared has a two pronged approach.

1. To prevent the commission of such crimes and violence: It provides for a penalty to people who support honour killings and crimes. Further, there should also be a compulsory investigation in cases of unnatural deaths of young persons between the ages of 15 and 28.

2. To affirmatively provide a safe environment and facilitate the couples: The law specifically states that all young persons and women have the right to choose their own partners in marriage or in relationships and any action to prevent this right shall amount to an offence.

AIDWA has also submitted its draft proposals to the government. But, because of vote bank politics, the ruling parties lack the political will to challenge caste and communal organisations as they depend on them for electoral support. The current NDA government, which has circulated the draft law prepared by the Law Commission in the states, is prepared to enact a law which is narrow and patriarchal in its vision to deal with such crimes. The recommendations put forward by the Law Commission deal only with law and order-problems posed by the khap panchayats and do not see the members of family as offenders in the crime. It neither affirms to provide safety to young couples in their exercise of the most fundamental right nor does it provide for facilitation to these couples by easing the process of marriage registry. This draft is prima facie inefficient to deal with honour crimes. And, actually strengthens caste panchayats and prevents the youth from exercising their rights.

In this context, AIDWA with the efforts of its Young Women's Sub-Committee has re-launched a nationwide campaign "Pass the Bill, because 'honour' kills" on July 23, the memorial day of Captain Laxmi Sehgal, for the enactment of a law against honour crimes and killings. The campaign was flagged off by Nilam Katara, mother of Nitish Katara, by putting up a poster at Jantar Mantar. An ongoing signature campaign 'Sign the wall, endorse the call' and a Facebook page "Pass the Bill because 'honour' kills" were also started. Similar campaigns and conventions of young girls were held in other states as well.

Brinda Karat, patron member of AIDWA, Kirti Singh, vice-president of AIDWA, Jagmati Sangwan, general secretary of AIDWA, Sudha Sundararaman, former general secretary of AIDWA, Ranjana Narula from CITU, Sonia, president of Delhi JMS and Dr TN Seema and Jharna Das Baidya (MPs, Rajya Sabha) addressed the gathering at Jantar Mantar. Sumit Chauhan and Rekha shared their views on the various challenges faced by the youth in asserting their right to choose. Seeta and Rajvati of Delhi JMS, who have helped young couples in

inter-caste marriages, also shared their experiences with the gathering. The programme was conducted by Harleen Kaur and Sarbani Sarkar of YWSC and AIDWA.

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A delegation of AIDWA also met the law minister, D V Sadananda Gowda after the launch, to press the demand that the law in tune with the understanding of women's organisations must be taken forward for consideration and be passed without delay.

The campaign which has begun on 23rd is getting positive and welcoming response from all sections of the society and particularly youth, who have come forward to join hands and are organising similar programmes in their various capacities. The campaign will have different phases and seeks to engage people from all walks of life and will continue till the demand is achieved.

c sympathy. Although INTUC and TRSKV (of the TRS) did not give strike notice, their workers also participated in this strike.

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