

SC Verdict on Honour Killing

Why in news?

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Supreme Court in its recent verdict has upheld the choice of consenting adults to love and marry as a part of their fundamental rights.

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What is the verdict?

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- The judgment came on a petition filed by NGO Shakti Vahini to curb honour crimes.

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- The court held that the consent of the family, community or clan is not necessary for marriage.

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- This is to safeguard young couples under threat for marrying outside their caste or religion.

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- The Court also issued a set of guidelines for the authorities, to stop interference by khap panchayats. (Click [here](#) for SC Guidelines)

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- The guidelines issued by the Court will be in place till the government comes up with a law.

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Why are khap panchayats a concern?

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- Khap panchayats are the self-appointed village courts.

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- Khap panchayats wield enormous influence in villages of several states if India.

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- **Honour Killings** - They are often seen responsible for the growing number of honour killings in the country.
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- They group against young couples to force their presence and dictate punishments.
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- **Sense of honour** - These “feudalistic” entities have no reluctance in committing crimes.
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- The "sense of honour" perpetuates the idea of not to marry outside one's caste, clan or religion.
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- Masculine dominance becomes the sole governing factor of perceptive honour.
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- The police turn a blind eye and the administration hardly questions them.
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- **Women** - Women are treated by the khaps as servile persons who have no desire for autonomy.
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- Their families are either silent spectators or active participants in their torture.
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- To highlight the terror inflicted on women, the Supreme Court gave a list of actions which trigger honour-based crimes.
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- They include
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- i. loss of virginity outside marriage
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- ii. unapproved relationships
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- iii. refusing an arranged marriage
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- iv. asking for divorce
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- v. demanding custody of children after divorce
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- vi. causing scandal or gossip in the community
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- vii. even “falling victim to rape”
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What are the Court's observations on this?

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 - The apex court ridiculed the “elevated sense of honour” of elders, the collective and khap panchayats.
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 - It observed honour killing that guillotines individual liberty, freedom of choice and one’s own perception of choice.
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 - The human rights of a person are not mortgaged to the so-called honour of the family or clan or the collective.
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 - Khap panchayats were condemned for their belief that their duty is sanctified and their action of punishing the hapless victims is inviolable.
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 - It termed the elders, presiding over murder in broad daylight, as “patriarchal monarchs”.
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 - The verdict thus comes down heavily on crimes committed in the name of honour.
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Source: The Hindu

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