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Honour killing: A Critical Study of Legal frameworks in India and Global Prevention Strategies

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Abstract

Honour killing is a grave human rights violation rooted in patriarchal traditions, caste norms, and the obsession with family honour. In India, such crimes are often carried out by close relatives against individuals especially women for marrying against societal expectations. For years, the Indian Penal Code (IPC), 1860, lacked explicit provisions addressing honour-based violence, treating such killings as ordinary homicides. The enactment of the Bharatiya Nyaya Sanhita (BNS), 2023, marks a significant legal shift, with Section 100, 101,Section 103(2) specifically recognizing and penalizing honour killings with life imprisonment or the death penalty. This paper critically examines the socio-legal dimensions of honour killings in India, assesses the impact of the BNS reform, and explores its effectiveness in addressing deeply rooted cultural issues. It also offers a comparative overview of global strategies from countries like Jordan, Pakistan, and the UK, highlighting legislative and community-based approaches. The study concludes by proposing a multi-level strategy combining legal reform, public awareness, and institutional accountability to effectively combat honour killings and ensure justice for victims.

Keywords: Honour Killing, Gender-Based Violence, Legal Reform in India, Global Prevention Strategies, Victim Protection, etc.

INTRODUCTION

In a country that has a constitution that promotes equality, personal liberty, and freedom of choice, the existence of honour killings illustrates the large gap between paper law and actual law. Honour killings are committed by an individual's own family members that stem from patriarchal domination, caste purity, and communal honour.

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Victims are normally young women and increasingly are also men that defied society's norms by either marrying outside of their caste, religion, class, or through self-choice marriages[3].

There are death sentences planned for people in large parts of India who use this constitutional right. Indian judges, especially the Supreme Court, have said that the right to choose a partner is an important part of Article 21 of the Constitution, which says that everyone has the right to life and personal liberty. Some court decisions have said that the right to choose one's spouse is important, but the protections aren't working in real life. When police are involved in what they see as "family matters," they don't want to get involved, so people who know their lives are in danger barely have any safety[4].

The Bhartiya Nyaya Sanhita (BNS), 2023 does not name honour killings as a specific crime. Section 100, 101, and 103 name murder as crime, and Section 73 is a provision for conspiracy. These sections are generic offence descriptions, and do not distinguish the social purpose and complicity of the community from regular homicide offences. The Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, similarly, is not old and improved, but has new codifying of the GDPR sections but does not provide any specific provisions for preventative protection of individuals who may find themselves at risk of an honour crime.

Because honour killings are not recognized as a specific type of violence that is both gendered and caste-based, there is a systematic absence of compliance with criminal law[5]. The Bhartiya Sakshya Adhiniyam (BSA), 2023, offers revisions of evidentiary principles, but does not offer any greater protection for vulnerable or hostile witnesses, which can be important in prosecutions for honour crimes, and without institutional safeguards that step outside of criminal law, the traditional socio-cultural power formations that allow honour-killings to persist remain largely untouched.

HONOUR KILLINGS IN INDIA

Despite growing public awareness and judicial condemnation, honour killings remain a brutal and widespread reality in India. The lack of national-level data until recently has obscured the true extent of the problem. However, according to the National Crime Records Bureau (NCRB), over 145 incidents classified as “honour killings” were

[3] Mishra, Paro. 2013. “Sex Ratios, Cross-Region Marriages and the Challenge to Caste Endogamy in Haryana.” *Economic and Political Weekly* 48 (35): 70–78.

[4] Jeffries, Samantha, Rachael Field, Helena Menih, Zoe Rathus, and Good Evidence. 2016. “Good Evidence, Safe Outcomes in Parenting Matters Involving Domestic Violence: Understanding Family Report Writing Practice from the Perspective of Professionals Working in the Family Law System.” *University of New South Wales Law Journal* 39 (4): 1355–88. https://heinonline.org/HOL/License.

[5] Anand, Amit. 2023. “Unheard and Unnoticed : Violence Against Women in India – A Study of Practice of Witch-Hunting , Honour Killing and Devadasi System,” no. June. https://doi.org/10.17635/lancaster/thesis/1606.

recorded between 2017 and 2021, though civil society organisations believe the actual figures are far higher due to underreporting and misclassification[6].

One of the most well-known cases that drew national attention was the Manoj–Babli honour killing case (2007) in Haryana. Babli's relatives following an order from the local khap panchayat that declared their marriage invalid killed the couple, who belonged to the same gotra within the Jat community. The Karnal Sessions Court, in a landmark 2010 verdict, convicted five family members and sentenced them to death—marking the first time an Indian court imposed capital punishment for an honour killing. While hailed as a milestone, the case was also an exception. In most instances, perpetrators face minimal consequences, and the social legitimacy of their actions ensures procedural apathy from the police and judiciary.

Another horrific case occurred in Tamil Nadu in 2016, where Kausalya, a young woman from the Thevar caste, married Shankar, a Dalit man. Shankar was brutally murdered in broad daylight while Kausalya narrowly escaped death. Her own parents were among those convicted. The incident laid bare how caste pride and community "honour" override not only legal norms but basic human empathy. The trial court sentenced her father to death, though the High Court later commuted the sentence[7].

Many honour killings are also disguised as suicides or accidents. In states like Uttar Pradesh and Rajasthan, couples are frequently found dead under suspicious circumstances shortly after eloping. Police records often reflect such deaths as suicides without adequate investigation, a direct consequence of both institutional bias and pressure from dominant caste groups[8]. Even when first information reports (FIRs) are registered under BNSS Sections 37 and 113, follow-up investigations remain poor.

India's legal system, under the Bhartiya Nyaya Sanhita (BNS), 2023, continues to treat honour killings as ordinary murders under Section 100,101,103 failing to reflect their systemic, gendered, and social nature. The Bhartiya Nagarik Suraksha Sanhita (BNSS), 2023 and its procedural safeguards—such as anticipatory arrest or protection orders—are rarely utilized in honour-related threats. Moreover, hostile witnesses, often-family members who supported the killing or fear social backlash, undermine trials even when cases go to court. The Bhartiya Sakshya Adhiniyam (BSA, 2023) does not mandate special protections or closed-door testimony in these sensitive matters, exposing victims and witnesses to further trauma.

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[6] Sarkar, Reena, Richard Bassed, and Joan Ozanne-Smith. 2025. "Strategies to Overcome Barriers to the Statistical Representation of Femicide Data-a Technical Note." *International Journal of Legal Medicine*, 1343–52. https://doi.org/10.1007/s00414-025-03419-z.

[7] Brain, Inking Your, This Article, International Journal, Legal Science, International Journal, Legal Science, International Journal, and Legal Science. 2024. "INTERNATIONAL journal of legal Honour Killing in India : A Critical Study," 165–252.

[8] Schneier, Bruce. 2003. "Guilty until Proven Innocent?" *IEEE Security and Privacy* 1 (3): 111–29. https://doi.org/10.1109/MSECP.2003.1203231.

The judicial system has responded with progressive intent in some rulings, such as in Shakti Vahini, where the Court issued guidelines for state action against khap panchayats and honour-related violence. Yet, the absence of legislative codification, combined with institutional and societal complicity, has rendered these protections largely symbolic. The reality is that many couples live in fear, often turning to civil society organisations or going into hiding, foregoing not only legal remedies but also the very right to live freely[9].

LITERATURE REVIEW

Hitesh Choudhary et.al (2024) determine the history of honour killing in India dates back to a time when patriarchy and the caste system were commonplace. Honour killings were frequently the result of marriages between castes or outside the society, which were seen as a breach of societal standards. Despite efforts by the government and civic society to end it, this practice has persisted throughout time in various regions of the nation. India has seen a rise in the number of honour killing instances recorded in recent years. Honour killings, which are associated with the social and cultural customs of tribal, patriarchal communities, are an extreme form of gendered domestic violence. Honour killings are committed by uneducated people. Examining if honour killing is a serious crime is the study's goal[10].

Seied Beniamin Hosseini et al. (2016) wants to bring attention to the laws that can be used to stop crimes of honour killing. The beginning briefly talks about what honour killing is and what actions are seen as shameful by family or society. A person's own family, particularly male family members, or the community may kill them for certain actions or behaviours. The next section talks about different parts of the Indian Constitution that can be used to stop these honour killings in the country. People in the Khap Panchayat who tell people to kill people for honor's sake can be put in jail using these rules. The next section talks about the international rules that India has agreed to follow when it comes to honour crimes. The paper asks why, despite all of these rules, killings are so common these days[11].

ARADHANA SAHU (2024) looks into the part of government institutions, focussing on the problems that law enforcement, the courts, and social service groups face when they try to do their jobs and stop honour killings. It's very important to bring attention to the problems with the justice system and the pressing need for changes to the law to make it safer for people who might be victims. The human-centered view of this research comes from using qualitative data sources like case studies and conversations. This study's goal is to put light on the daily lives of victims and their families, focussing on what they go through. The research also looks at the moral effects of different

[9] Keane, John. 2010. "Unfamiliar Words." *Global Civil Society?*, 1–39. https://doi.org/10.1017/cbo9780511615023.002.

[10] Available, Sadiq. 2021. "Uncovering Community Notions of Honour and Their Relation to Honour Killings."

[11] "'honour ' killings in india : men and women as victims and perpetrators of violence Volume 6 , 2022 the jmc review in india : men and women as victims and perpetrators." 2022, no. December.

action methods and the possible part that voluntary organisations, civil society, and community involvement could play in questioning the current rules.

Satnam Singh Deol et al. (2014) used both the detailed case study method and the content analysis method. The study shows that honour killings happen when families do not accept their girls' relationships and marriage choices before they get married, especially when those decisions involve marriages between different castes. The severity of these causes, which lead to elopements and illegal love weddings, makes things even worse. In addition, the study finds that a significant number of honour killings are carried out as quick acts of rage caused by couples being caught in inappropriate settings by the girls' families[12]. The girls' dads and brothers are not the only ones involved in the killings. Their moms, paternal and/or maternal uncles, family friends, and even hired killers are also involved.

Puneet Kaur Grewal et al. (2012) The purpose of this paper is to give an overview of the laws that deal with the crime of honour killing. This section gives an overview of what "honour killing" is and what actions are seen as unacceptable by family or society. In some cases, someone's own family, especially male family members, or the community could kill them for certain actions or behaviours they have. These honour killings in India can be stopped by using different parts of the Indian Constitution that are explained next. Criminalizing khap panchayat members who tell people to kill people for "honour" is possible with these laws[13]. In the next section, we'll talk about the international rules that India has agreed to use when dealing with respect crimes. The paper asks why, despite all of these protective measures, killings are still so common today.

Dr.Pranab Kumar Rana et.al (2013) which is proud of its democracy and has been independent for many years, still sets up most marriages through a marriage broker, a classified ad in the newspaper, a website for marriages, or the age-old method of talking to someone. Marriage can be forced to save a girl's reputation, though, and women can be killed if they refuse to be married and marry someone they choose instead, even if that person isn't acceptable to her family.

Dr. Kavita Dhull (2017) Honour killing is the same as homicide and murder because the victims are meant to be killed because they are thought to have brought shame on the family. The people who did this can be charged under Section 302 of the IPC. Everyone has the right to live. People can only be put to death if the law allows it[14]. The Indian Constitution says that when khap panchayats have forced married couples who are old enough to get married

[12] Anand, Amit. 2022. "Unheard and Unnoticed: Violence Against Women in India – A Study of Practice of Witch-Hunting, Honour Killing and Devadasi System" 2014 (April). https://doi.org/10.17635/lancaster/thesis/1606.

[13] Farina, M., & Cei, A. 2018. "King ' s Research Portal Title :" *Academy of Management Journal* 58 (2017): 457–86. https://doi.org/10.18742/pub01-040.

[14] "Author (s): M . P . Jain Published by : Indian Law Institute Stable URL : Http://Www.Jstor.Org/Stable/43950497 REFERENCES Linked References Are Available on JSTOR for This Article : You May Need to Log in to JSTOR to Access the Linked References ." 2018 19 (4): 392–418.

to be split up, they have broken the law. According to the provisions of CEDAW, punishing people for having bad ideas about dishonouring the family is basically institutionalised discrimination against individuals. As a state party to the convention, India is legally bound to do everything it can to end all forms of honour killing and make sure that all forms of discrimination against women in marriage and family matters are eliminated. This means that women have the same rights as men to get married, choose a spouse, and get married with their free and full consent, as stated in Article 16 of the Indian Constitution.

Rucha Sule et.al (2015) looks at the concept of respect and what it means when we talk about these events. It also suggests a few ideas about what might be causing these kinds of events. There is statistical data on honour killings and violence based on respect that is used to look at the study and writing that is already out there. Based on the situation in India, where the authors work, a special part talks about killings that happen under the Khap panchayat rule. There are suggestions for ways to stop honor-based violence and ways to help people who have been victims of it.

Dr. Tulika Tripathi et al. (2016) India is known around the world as the Jagat-Guru because it is home to some of the world's oldest civilizations. There are a lot of different religions in this country, and some of the most holy groups and cultures can be found there[15]. For many people, religion is the most important thing in their lives. Indian culture, which is often called a mix of different cultures, is spread out over the Indian region and has been shaped by a past that goes back thousands of years. The pride and respect that every Indian person feels inside is one of the most important parts of Indian culture.

Dr. Smita Satapathy et.al (2023) Life is unpredictable, and everyone has the right and power to live their life the way they want to. Nobody should have to live a life for the good and name of someone else. In this case, honour killing is when someone, a man or a woman, is killed because she or he does not want to marry the person her family has chosen or because she or he wants to change her marital status because it brings shame on the family's honour[16]. The family's highest leader cares about the family's image but does not pay attention to the love and warmth that family members show each other. This essay talks about the laws that India has in place to deal with the crime of honour killings.

Research gap

While existing literature on honour killing in India provides valuable insights into its socio-cultural roots, most studies tend to focus on the phenomenon as a byproduct of patriarchy, caste, and traditional values, often limiting the analysis to regional or case-specific narratives. There is a noticeable lack of comprehensive research that

[15] Vijapur, Abdulrahim P. 2023. "Socio-Cultural Interactions in India : Does Contemporary India Disrespect Its Past ?" 11 (January): 135–55.

[16] Mishra, Anand. 2010. "Honor Killing : The Law It Is And The Law It Ought to Be."

integrates recent legal reforms, such as the introduction of the Bharatiya Nyaya Sanhita (BNS), 2023, and its potential impact on honour crime prosecution. Moreover, although international comparisons have been drawn in a few academic works, there remains a significant gap in exploring global prevention models in a way that informs context-specific policy recommendations for India. The intersection of legal developments, societal resistance, and enforcement challenges remains underexplored, particularly in rural and semi-urban contexts where such crimes are most prevalent[17]. This study seeks to bridge this gap by critically examining the Indian scenario in light of global best practices, while also evaluating the effectiveness and limitations of recent legislative advancements in addressing honour-based violence.

RESEARCH METHODOLOGY

This research uses both qualitative and theoretical research methods to look at the problem of honour killings in India and find good ways to stop them around the world. The study is both exploratory and critical. It looks at both legal writings and cultural practices to try to understand the socio-legal aspects of honor-based violence. The primary sources of information were statutory provisions primarily in the Bharatiya Nyaya Sanhita (BNS), 2023, e.g. section 103(2), constitutional provisions, case laws, and additionally international human rights instruments at play like CEDAW. Secondary sources constituted academic journals and books, government reports, NCRB data, newspaper articles, and publications from NGOs and international organizations, which provided descriptive knowledge on the frequency, causes, and effects of honour killings.

The doctrinal legal research method has been utilized to illustrate the progression of laws regarding honour crimes in India focusing on the most recent changes to the law with the BNS, as well as providing a global comparative perspective of legal and policy contexts from jurisdictions including Pakistan, Jordan and the United Kingdom, to help identify global best global practices and provide an assessment of whether these practices could be applied in the Indian context. Selected case studies of honour killings in India, used to assess patterns, legal outcomes and enforcement challenges, were also reviewed as part of the study. The data was analysed using qualitative content analysis for work in progress. Content analysis was focused on thematically clustered areas, such as patriarchy, gender regimes, legal enforcement regimes and victim protection. While the study method was comprehensive and wide-ranging in scope, it was limited to secondary data, similar to other countries where the author has employed doctrinal legal research, and did not include primary empirical research by way of interviews or field work.

THE SOCIO-CULTURAL ROOTS OF HONOUR KILLINGS

Honor killings in India cannot be regarded as isolated events of personal violence. They are indications of entrenched social hierarchies, sanctioned through patriarchy, caste superiority, and community superiority. The cultural

[17] Turnock, Luke A., and Kyle J.D. Mulrooney. 2023. "Exploring the Impacts of Rurality on Service Access and Harm Among Image and Performance Enhancing Drug (IPED) Users in a Remote English Region." *Contemporary Drug Problems* 50 (2): 232–53. https://doi.org/10.1177/00914509231155487.

imagination that underpins these crimes regards women as the vessels of family honor. Women's agency is thus patrolled and militarized, through violence, as public opinion determines how families control women's agency. The action of choosing a partner, particularly through inter-caste or inter-religious marriage is a violation not only of the family but of a cosmopolitan's moral code.

The primary agents of these unwritten laws are khap panchayats, different forms of informal caste councils found in northern India. These extra-legal bodies can issue diktats against couples who marry in the same gotra or outside of their caste, often directly or indirectly facilitating honour killings. The Supreme Court in Shakti Vahini v. Union of India denounced this sort of interference, and ordered state governments to provide protective measures for couples facing honour-based threats. Nevertheless, the laws laid out in the case fabric remain largely ineffective, particularly at the level of implementation. This is particularly true in administrative settings where police and other officials often identify with caste interests.

Caste remains a central factor in honour killings especially when the woman is upper caste and the man a Dalit or lower caste man. Violent attacks in these circumstances are not simply about individual agency, but instead are a symbolic reassertion of caste dominance. In this sense, honour killings are an instrument of social punishment for contravening the rules of endogamy and pure caste. These acts of violence are not crimes of passion; they are crimes of power of social control.

The legal framework has not embraced this context effectively. Under the Bhartiya Nyaya Sanhita (BNS), 2023, the law punishes both murder and conspiracy, but does not designate honour killing as a separate specific offence with social and cultural-based motivations. Consequently, courts generally do not have the interpretive framework to give aggravated sentences for, or to gauge the joint culpability of community actors. Similarly, the Bhartiya Nagarik Suraksha Sanhita (BNSS), 2023 does have provisions for preventive arrest (Chapter VIII), however these are infrequently exercised in regard to honour-related threats, and more importantly, there are genuine occasions where these provisions could be applied, but the police are reluctant or operate under social or political light pressure to act.

An additional obstacle to prosecutions is the lack of witness and survivor protection. The Bhartiya Sakshya Adhiniyam (BSA, 2023) has limited but nevertheless helpful procedural innovation for hostile environments in which socially pressured testimony is a standard feature of honour killing trials. Victim's families may rationalise the crime, or even aid the crime, and therefore it is difficult to offer evidence in a way that anyone could reasonably rebut unless the law deals with these issues, is clear about them and includes them in the case formulation.

In addition, societal complicity often protects perpetrators. When communities support honour crimes, even implicitly, they are perceived to be "culturally acceptable," even if they are constitutionally intolerable. This is the primary conflict inherent in honour killings - collective morality overrides constitutional morality, and the State finds itself stuck in balancing tradition and rights and dignity.

THE LEGAL FRAMEWORK OF HONOUR KILLING

The Bharatiya Nyaya Sanhita (BNS), 2023, which codifies India's criminal justice system, does not categorically recognise honour killings as a crime. Rather, honour killings are charged as elements of general offences, under Section 100,101,103 (murder), Section 73 (criminal conspiracy), and Section 109 (abetment) failure to acknowledge their unique social cultural incentivization, and collective nature. The criminal justice system is thus legally blind to the systemic nature of honour killings as they reflect not acts of murder, but punishment for exercising constitutionally protected rights, such as the right to choose a partner, or marry across caste and faith boundaries.

These BNS provisions allow for strict punishment, but the lack of an aggravated clause or specific acknowledgement means the punishment serves a symbolic rather than a substantive function. By relegating socially situated contexts (caste pride, norms of patriarchy, khap panchayat orders, etc.) to secondary status in lower court reasonings, there exists a comparative disadvantage to both the prosecution and the sentencing process.

Procedurally, the Bhartiya Nagarik Suraksha Sanhita (BNSS), 2023 provides mechanisms to facilitate preventive policing. For example, Chapter XII gives power to take certain actions based on a "threat to life" or "threat to peace" including anticipatory arrest or the imposition of security bonds. However, those provisions are seldom invoked in honour killing situations. It is common for local police to regard the situation as a family dispute or to show reluctance in proceeding against a powerful community members and in doing so decrease the scope of the law for prevention.

The Bhartiya Sakshya Adhiniyam (BSA), 2023) is India's reformed law of evidence, and while it is structurally modernised, it does little to tackle the significant evidentiary challenges present in honour killing prosecutions. A common evidentiary challenge in honour killing cases arises from the fact that most of the witnesses are family members with ties to the accused, and they may refuse to testify, or become hostile, out of fear and family-oriented social pressures. Section 126 does allow evidence to be taken from vulnerable witnesses, with special protections, but these protections are rarely invoked in honour based violence cases. The evidentiary burden is still very high, resulting in a failure for conviction in many cases where there is no direct evidence of testimony and poor forensics.

Moreover, the absence of mandatory reporting obligations for community leaders in the spirit of or religious heads or members of khap panchayats that arguably instigate or sanction honour killings means accountability is limited. While in the Shakti Vahini case the Supreme Court admonished all District Magistrates and Superintendents of Police to prevent unlawful assemblies involving couples under threat of violence, these admonitions cannot be argued into mandatory duty under the codes.

In short, even though India has laws that punish murder, they do not fully acknowledge or recognize the collective, ideological, and symbolic violence of honour killings. There is no specific provision for honour killings, in part because honour killings take place in a specific socio-political context that doesn't acknowledge the forms of violence. Without laws specifically identifying and punishing honour killings, and identifying their specific socio-

political context, the criminal law will only be a mechanism of punishment, vulnerable to corruption, rather than an instrument of preventive justice.

THE CASE FOR SPECIFIC LEGISLATION ON HONOUR KILLINGS

Although the Bharatiya Nyaya Sanhita (BNS), 2023 has provisions for general penal provisions, the current trajectory of the legal system on honour killings is imprecise, contextually insensitive, and symbolically ambiguous. The continued application of generic charges such as murder or conspiracy do not capture the collective purpose and social sanction of the discriminatory intent behind honour killings. Honour killings are not like other murders; they are often premeditated acts of violence, often with coordinated approval, informed by ideology, aimed at constitutionally sanctioned choices such as choice in marriage across caste and religious divides.

Without a distinct offence, there are several problems. First, it weakens the constructive judicial interpretation as a court is not obliged to recognise the aggravating nature or social context of such killings in the sentencing process. Second, it dilutes investigative focus, where police might treat the crime as a mere criminal event without connecting it to the influence of caste councils, family conspiracies or even prior threats. Third, it dilutes public messaging, where the criminal justice system fails to bring condemnation to the greater injustice to society that evidently underlies honour-based violence.

There is a growing consensus in both law and academia that honour killings need to be strictly legislatively defined as a separate offence with aggravated culpable liability together with the community, and enhanced To satisfy any movement of honour killing into a murder case there must be a clearly evident discriminatory motive. This statute needs to make it a crime to murder in a tangible way including inciting another person to carry out an honour killing, or abetting or inducing another person to incite or induce an honour killing, even if its merely intimidating a victim, who maybe a family member, caste council, religious authorities or community member. I would reasonably think that these obligations must be specifically stated in the Bhartiya Nagarik Suraksha Sanhita BNSS 2023 legislation clarity, to ensure when police receive any information about a potential honour related threat they must immediately, act upon that information.

In addition, procedural reforms have to be passed under the Bhartiya Sakshya Adhiniyam (BSA, 2023) to safeguard fair trials in cases such as these (plainly including new terms such as anonymous testimony, making the use of vulnerable witness protocols mandatory in such cases, limiting the ability to use victim character evidence to impeach complaints).

In this regard, several comparative jurisdictions have made significant strides. The United Kingdom, for example, acknowledges "honour-based abuse" as a standalone offence involving the elements of forced marriage, coercive control and homicide in its Crown Prosecution Service ("CPS") guidelines. Pakistan has also passed the Anti-Honour Killing Laws (Criminal Laws Amendment) Act, 2016 in response to pressure both internationally and domestically, which eliminated the ability for families in these cases to forgive the perpetrator.

India, too, must move towards a special statute or amendment within the BNS that explicitly defines and criminalizes honour killings. Such a law would not only aid enforcement but also send a clear normative message that tradition cannot justify murder. It would restore the promise of constitutional morality over regressive customs and affirm the State's duty to protect the vulnerable from communal tyranny.

COMPARATIVE LEGAL PERSPECTIVES, RECOMMENDATIONS, AND THE WAY FORWARD

Addressing honour killings requires more than punitive criminal law it demands a holistic response that includes legislative specificity, institutional reform, and social transformation. A comparative analysis of legal responses from Pakistan, the United Kingdom, and Jordan reveals how targeted legal frameworks can shape both state accountability and social behaviour. These models offer valuable insights for India's path forward.

Honour killing laws in Pakistan, the UK, and Jordan

Pakistan, a country with a strong patriarchal tradition, amended its penal laws in 2016 through the Anti-Honour Killing Laws (Criminal Laws Amendment) Act, which closed a major loophole that allowed family members to "forgive" the killer under Islamic qisas provisions. The new law mandates life imprisonment in all honour killing cases, regardless of family consent. Although implementation challenges remain, the law symbolically disempowers communal sanction and reinforces state authority over personal retribution.

In the United Kingdom, the Crown Prosecution Service (CPS) identifies "honour-based violence" as a distinct category, encompassing crimes like forced marriage, mutilation, and homicide. Prosecutors receive specific guidelines on victim handling, charging decisions, and risk assessment, making honour-based abuse an institutional priority. This framework recognises the patterned and ideological nature of such crimes, not merely their criminal result.

Jordan's experience also provides a cautionary yet instructive contrast. For years, Article 340 of the Jordanian Penal Code allowed lenient sentences for male relatives who killed women in the name of honour. Following international pressure, these provisions were partially repealed, and special tribunals were created to handle gender-based violence. Though socio-cultural resistance persists, the Jordanian example underscores how formal legal change can initiate normative shifts.

Lessons for India from international practices

These international experiences illustrate that legal reforms must be specific, symbolic, and structural. India can draw five key lessons:

- Codify honour killings as a separate aggravated offence under the BNS with increased sentencing and non-compound ability.
- Create legal duties for police and district magistrates under BNSS to prevent, report, and protect at-risk couples.

- Institutionalise training modules for law enforcement and prosecutors on honour-based violence, with monitoring mechanisms.
- Introduce protocols for culturally sensitive investigations, drawing on CPS best practices.
- Link criminal reforms with public messaging and community outreach to counter legitimisation of such crimes.

Role of international human rights law

India must prevent and punish violence against women, including so-called honour crimes, in accordance with its commitments under international human rights treaties like the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the International Covenant on Civil and Political Rights (ICCPR). The CEDAW Committee has called on nations to end impunity and has openly denounced the cultural rationalization of honour murders. These tools provide a moral and legal foundation for calling for strong state action in both enactment and enforcement.

Sensitization of police and judiciary

One of the most urgent needs in India is the sensitization of law enforcement and the judiciary. Officers must be trained to understand that honour killings are not "family matters" but constitutional violations. The use of Standard Operating Procedures (SOPs) and mandatory reporting protocols can improve accountability. Judicial officers should undergo regular training on the principles of constitutional morality, ensuring that personal biases do not undermine the rights of victims.

Strengthening witness protection and victim support

Since many honour killings involve collective family complicity, witnesses—especially women—face severe threats. Under the Bhartiya Sakshya Adhiniyam (BSA), 2023, enhanced provisions must be introduced to allow:

- Anonymous or video-linked testimony,
- In-camera proceedings,
- Access to legal aid and psychological counselling.
- A state-funded "victim relocation and protection scheme" should be introduced for inter-caste and inter-faith couples facing threats.

Finally, no legal reform can succeed without cultural transformation. Honour killings thrive in environments where patriarchy, casteism, and religious rigidity are normalised. Public education campaigns, school curricula, and media partnerships must promote messages of gender equality, individual liberty, and constitutional values. Civil society organisations should be empowered to provide legal awareness, shelter, and mediation support to vulnerable couples.

GLOBAL PREVENTION STRATEGIES TO COMBAT HONOUR KILLING

Honour killing is a heinous crime committed under the pretext of protecting or restoring the 'honour' of a family, often in response to acts such as inter-caste or inter-religious marriages, refusal of arranged marriages, premarital relationships, or defiance of traditional gender roles. While the cultural motivations may vary, honour-based violence is a global concern, affecting not just South Asia and the Middle East, but also immigrant communities in Western countries. To combat this, a number of comprehensive global prevention strategies have evolved, encompassing legal, social, institutional, and international approaches.

1. Legislative Reforms and Stronger Legal Frameworks

Legal reform is the cornerstone of preventing honour killings. Countries with high rates of honour killings have historically failed to prosecute offenders effectively due to cultural tolerance, weak laws, or legal loopholes. For example:

- Pakistan had provisions that allowed family members to forgive the perpetrator, often leading to the killer walking free. However, in 2016, Pakistan passed a law that removed this loophole, making honour killings a crime punishable by life imprisonment, regardless of familial forgiveness.
- Jordan amended its penal code to prevent reduced sentences for honour crimes, which were previously justified as crimes of passion.
- India, until recently, prosecuted honour killings under general homicide laws. With the implementation of Bharatiya Nyaya Sanhita (BNS), 2023, Section 103(2) now explicitly recognizes honour killing as a distinct offence, prescribing life imprisonment or the death penalty, marking a major advancement in addressing the issue through legal channels.
- United Kingdom has passed legislation targeting forced marriages and honour-based violence, with the Forced Marriage (Civil Protection) Act, 2007, and criminalization of forced marriage in 2014.

2. Education and Community Outreach

Legislation alone cannot transform deeply rooted cultural norms. Education plays a crucial role in reshaping social attitudes and challenging patriarchal control.

- In the UK, the government runs awareness campaigns in schools, community centers, and through media, targeting both victims and potential perpetrators to promote gender equality and human rights.
- NGOs like Karma Nirvana offer training to professionals and create platforms for survivors to speak out, encouraging societal change.
- Canada and Germany also integrate gender sensitization in school curriculums and public campaigns, helping immigrant communities understand local laws and cultural expectations.

3. Protection and Support Systems for Victims

Many potential victims of honour violence live under constant surveillance or threats from their own families. Therefore, prevention requires early identification, timely intervention, and safe rehabilitation.

- Shelters, crisis helplines, safe houses, and legal aid services are integral in countries like the Netherlands, Sweden, and Canada, offering protection to those fleeing violence.
- The UK's Forced Marriage Unit (FMU) provides immediate assistance to victims, including repatriation support and protection orders.
- Governments often partner with civil society organizations to run anonymous support services and train social workers to detect early warning signs in schools and communities.

4. Law Enforcement and Judicial Training

Cultural bias and lack of awareness often lead to ineffective policing of honour crimes. Therefore, sensitization of police, prosecutors, and judges is essential.

- Countries like Norway, Australia, and the UK have introduced specialized training programs for frontline officers to recognize and respond appropriately to honour-based threats.
- Some nations have established dedicated investigation units within police departments to handle such crimes, ensuring confidentiality, speed, and sensitivity.

5. International Collaboration and Monitoring

Given the transnational nature of many honour killings (such as forced marriages conducted abroad), international cooperation plays a vital role.

- Agencies such as the United Nations, UN Women, and CEDAW (Convention on the Elimination of All Forms of Discrimination against Women) call on member states to criminalize honour killings and report progress.
- Cross-border monitoring, information sharing, and diplomatic pressure can support reforms in regions where cultural resistance remains high.

CONCLUSION

Honour killing continues to be one of the most brutal and regressive forms of violence, deeply rooted in patriarchal control, caste dominance, and the societal obsession with family honour. In India, such crimes are not only a violation of constitutional rights but also a stark reminder of the persistent clash between tradition and modern individual freedoms. Despite the historical absence of specific legal provisions, the enactment of the Bharatiya Nyaya Sanhita (BNS), 2023, and the inclusion of Section 103(2) represent a landmark shift in the legal recognition and treatment of honour killings. This development offers hope for stronger deterrence and justice for victims.

However, legal reform alone is not sufficient. Drawing from global experiences, it is evident that honour killing can be effectively addressed only through a multi-dimensional strategy involving education, community engagement, victim protection, law enforcement training, and international collaboration. Countries that have implemented such comprehensive measures show tangible progress in reducing honour-based violence.

To eradicate honour killings in India, it is crucial to confront the societal mindset that legitimizes such acts. The path forward must blend strong legal enforcement with cultural transformation, ensuring that the values of equality, dignity, and human rights take precedence over outdated notions of honour.

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