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HONOR KILLING: A SOCIOLOGICAL STUDY OF INDIAN SOCIETY

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Abstract:

This research paper is an attempt to understand the concept and origin of honor killing. This phenomenon is not new in India and its root lies deeply in patriarchy family structure. The aim of this study is to draw attention about the killing of women in the name of prestige of the family is not ethically right and even against the human rights. This study will find out the reasons, role of khap panchyat, conflict of cultural moralities and steps which should be taken to stop it. In this study both primary and secondary data will be used. On the basis of data, analysis will be done, result will be drawn out and conclusions will be made.

KEYWORDS:

Honor Killing, Patriarchal family, Khap panchayats, Sagotra marriage, Cultural moralities.

INTRODUCTION

The term Honor Killing is first used by the Dutch Turkey expert of the University of Leiden Ane Nauta in 1978.

It is also referred to as “Customary Killing” or “Domestic Public Violence”, It is social evil dominated the Middle East.

Honor Killing refers to the murder of women by family members or husbands as a means of retaining family pride.

Honor Killings are murders by families on family members of both males and females who were believed to have brought not only shame on the name but also for community. In India, All India Democratic Women Association (AIDWA) an association since 1985 confirms that 6-7 cases of Honor Killing has been reported every month in India. Moreover, it has been reported that 10% of all women killings came under the category of “Honor Killing”.

Concept of honor is connected with reputation, power, and money. Geographically the honor ethic is primarily spread in the Middle East and around the Mediterranean. Same kind of ethics are seen in Afghanistan, Pakistan, India, Bangladesh and Africa and South America also. “The report of the special rapporteur to UN of the year 2002 concerning cultural practices in the family that are violent towards women indicated that Honor Killing had been reported in Jordan, Lebanon, Morocco, Pakistan, United Arab Republic, Turkey, Yemen and other Persian Gulf Countries and France, Germany, and U.K. mostly within migrant communities”.¹

In western countries Honor killing often takes place when women aspire greater independence, denied to marry with a boy of their clan/demand to marry according to their own choice or adulterous behaviors of women or having premarital relations or post marital relations or refuse to wear veil and wish to live life on their own terms and conditions. In these societies all the things are objectionable by the males of the family. In these societies Honor Killing is considered less serious crime than murder because it is justifiable in their culture.

The honor culture is mainly found in strong patriarchal societies. The family or clan constitutes the

primary units of the society and the solidarity within the own group is of great importance. Family members are controlled by the head of the family but in a reality women are controlled by the males of the family. The concept behind the honor killing is that women are not capable enough of taking care of themselves and the concept of virginity among the women in patriarchal society. Another aspect of the honor ethic is that women hold the lowest position in the social ladder of society in comparison to men. Women's position in the society has same as land, cattle, house, or money. In other words they are considered as commodity or material in the society. This concept is based on the fact that men stand for honor and women stand for shame. It is important for men to be honorable and respected in society. It's duty of female to maintain the dignity and respect of the family.

OBJECTIVE OF STUDY:

In this paper I have tried to emphasize on main question and there are few sub questions and I tried to give answers of them.

1. What are the characteristics of patriarchal family structure?

Sub questions are:

- Origin of Honor Killing
- How men try to sustain their power over women in India and what are the power relation between males and female?
- Role of the Khap Panchayats
- Conflict of cultural moralities between the two generations.
- What steps should be taken to eradicate this problem from the root?

METHODOLOGY OF STUDY:

This tradition is practiced in northern part of India in Punjab, Haryana, Uttar Pradesh. Purposive sampling method is used for study. Observation method is also used for understanding the depth and seriousness of the problem. Secondary data were collected on the basis of news papers, journals, National Crime Bureau Records and studies are done by different scholars.

ORIGIN OF HONOR KILLING:

In ancient times societies were composed of tribes. Each tribe's power was dependent on the members of the tribes. Tribes who had large number of people had good position in the society. So it was the prime duty of a female to reproduce children who would further strength to their own tribe. It would be a crime if a female would think to marry to their rival tribal male and gives birth children of their opponent tribe's. In this case opponent tribes prestige and power would enhanced. That was the main reason marriages had to be within the tribe and head of the family had a prime responsibility to take care this matter seriously that his daughter should not get married outside the tribe.

As per the historical background of Mexico from 150 BCE -150 CE the punishment for female adultery was death by stoning or strangulation. According to interpretation of Leviticus and Deuteronomy the Halaka (Jewish Law) punishes certain sexual misconduct for both men women with capital punishment as approved by the court.(2).

Matthew A. Goldstein, J.D. (Arizona), has also noted that honor killings were encouraged in ancient Rome, where male family members who did not take actions against the female adulterers in their family were "actively persecuted"(3)

While going through history, it is evident in many religions and culture that the practice of honor killing and control of women has been going on. The complete control over women and children was given to men by the Roman law of Pater families. The men were the sole judge of the live of children and wives. Ancient romans were found guilty of adultery could be killed by their husband in whatever manner the husband desired. Rape was considered as dishonourable to the point of destroying women's life and reputation whereas the act of honor killing was considered below males socially hence this practice was also seen in Greece, where the women were dominated by males.

Among the Amerindian Aztecs and Incas, adultery was punishable by death.(4)

The first person to kill children on the basis of honor as credited by some historians was the ancient leader of Banu Ta Banu Tamim says bin Asim. He had murdered all of his daughters to prevent them from ever causing him any kind of dishonour.

Patriarchal Family in India: The honor culture is mainly found in strong patriarchal societies. The family or clan constitutes the primary units of the society and the solidarity within the own group is of great importance. Patriarchal structure of Indian societies, as well as gender inequality, which is the product of that structure, is deeply rooted.

The patriarchy is a hierarchical organization, where authority and power are inherited from one generation to another generation by the males in the family. Roles are well defined in the society. Traditionally women were thought to be the symbol of sacrifice. They used to play simultaneous role of a daughter sister, wife, mother and their activities were mainly confined within the boundaries of four walls. Their main task includes bearing and rearing, cleaning) and above all to satisfy all the members of the family.(5)

In post Vedic era women were denied to educate. Manu even suggested marrying their daughter at the “Nagnika” stage that is before 8 years. According to Soumyendra Kishor Datta , Piali Bandyopadhyay (Datta) “ it is found that women's mobility is controlled, their sexuality and reproduction are also controlled by the males. Developing south Asian countries like India, Pakistan, Bangladesh and especially the rural sphere are silent spectators to the dominance of males over females in their choice of physical states”.(6)

Tasleema Naseern in her book Aaurt(women) she illustrates the atrocities and violence which are conducted by the men on women in families and it is sanctioned by the religion too. According to Tasleema Nasreen religious books are misinterpreted by the males for their own convenience, she tries to explain it with examples in her book. According to “Soumyendra Kishor Datta , Piali Bandyopadhyay (Datta)The spread of ideas of Masculinity and femininity and cultural values associated with gender specific conduct typify the gender identity in particular women society. Aberration from socially values, moral conduct, however stringent and inhumane it be, is likely to put social stigma on the character of a women”.(7)

It is very clear from the above evidences that roots of Honor Killing lies in the patriarchal family system in India.

PROTECTING THE AUTHORITY OF MALE:

The patriarchal structure of the Indian family and society gives men considerable authority The epic tale, The Ramayan , echoes these notions of sex appropriate behaviors by presenting its characters with attributes that are in stark contrast to the characteristics their male counterparts. The virtuous women of the story possess exaggerated feminine qualities, while the immoral women's actions more closely resemble the behavior of the men. In either case, the women are subordinate and are considered possessions rather than partners. The intended purpose of these distinctions in the Ramayana was to further cement the patriarchal structure of ancient Indian society by reinforcing the ideal of strong men and weak women.

According to MacIver and Page “The term “Patriarchate” suggests inclusive powers of the family's father. Generally he presides over the religious rites of the households, he is guardian of the “family gods” of the hearth”.(8) The patriarchal family structure of the Indian society gives men considerable authority and protects them. Indian society grants power to men in the family sphere as well as in the public sphere too, and uses various means to safeguard it. In patriarchal societies –men are considered to have an advantage in resource, and perceived as enjoying superior personal characteristics ,as well as skills and abilities that are supposedly possessed exclusively by men , including intelligence, wisdom, discretion , knowledge, professional prestige ,the ability to make a living etc.

Division of labor in traditional societies are on the basis of sex, women are confined to stay at home and do households work and men are supposed to go out for earning . Division of labor on the basis of gender is shown in the table as given below.

Table 1: Gender Roles

Male	Female
Honor	Shame
Public sphere(work outside the home , Breadwinner)	Domestic Sphere(work in the home , household, childcare)
Dominance	Subordination

Socialization process played an important part in internalizing the patriarchal values in girls/women. According to Johnson third stage of socialization identification or oedipal stage a child learn to behave according to its sex. According to Baron and Byrne “As children grow older, sex typing occurs when they comprehend the “correct” stereotypes associated with maleness and femaleness in their culture. A great deal of what children learn about gender is based on observing their parents and trying to be like them. Generally children are rewarded for engaging in gender appropriate behavior and discouraged (often with ridicule) when their behavior is gender inappropriate.(9)

The Role of the Khap Panchayat:

Khap Panchayats are collective patriarchal body using its collective strength for repressive ends rather than democratic ones. The Khap panchyats use this power as extrajudicial bodies. Khap panchayats are self styled decision making system. These traditional panchayats influence a large number of people on the basis of family, kin, gotra, caste, community and village including members migrated from this place. Since these panchayats are dominated by the powerful community it is highly patriarchal in nature. It is observed Khap panchayats are mostly related to Jat community In Northern part of India. Jat community is dominating community in Haryana, Western Uttar Pradesh and Punjab. Khap panchyat have had traditionally hold the power and also possess or acquired maximum the land in these regions. This community has agriculture based economy. In the village panchayat their members are also highest due to power and influence. They even try to have consolidated the power through electorate's wins or other ways also.

Members of Khap panchayat are enjoying good status in the society because all the power and government machinery are in their favour. Most of the villagers in the villages are in the favour of Khap panchyats because it resolves the disputed issues among the village, which will take times to solve the issues by the courts. Khap panchyat even try to control the lives and matters of youths. Matters related to education, using electronic gadgets, cloths and marriages etc. When a case of Sagotra or inter caste marriage observes in the village, they exercise their power by imposing writs through social boycotts and fines and in most of the cases end up either killing or forcing the victims to commit suicide. All these things are done in the name of honor and brotherhood. Sarva Khap Swaroop Samiti of Shamli wrote a letter to Prime Minister they demanded that courts should recognize the decision taken by these Khap panchayats.

It is irony that there is no representation of women in Khap Panchayat anywhere. Even though the most of the decision is taken by the khap Panchayat, are against the women. The message has been conveyed to maintain the tradition and the honor of the family, is very important to do anything even kill the couple married in sagotra. The reason behind this, couples from same gotra or sub castes that are traditionally believed to share a common bloodline. The Khap Panchayats have been indirectly motivating such heinous crimes. The Khap panchayat, though not directly involved in killing, but are guilty of providing sanctity to such crimes. There was a meeting in Garhmukteshwar, 60 km. from Ghaziabad, Uttar Pradesh, The main agenda of this meeting was the sagotra marriages. In this meeting there was a consensus on not tolerating the sagotra marriages, even if it is happened than these couple will be separated forcefully. They also demanded the government for amendment in the Hindu Marriage Act 1955 which allowed sagotra and pravara marriage as well as inter caste marriages.

In British Rule the Hindu Marriage Disabilities Removal Act, 1946 was enacted with a view to dispel any doubts in this regard. The Act expressly declared the validity of marriages between the Hindus belonging to the same 'gotra' or 'pravara' or different sub-divisions of same caste.

DATA FROM NORTH INDIA:

Hundred's, is not thousands of women and men are murdered or driven to suicide by their families each year in the name of 'honour'. It is difficult to get precise number on the phenomenon of honour killing the murders frequently go unreported, the perpetrator unpunished, and the concept of family honour justifies the act in the eyes of societies.

In India cases of Violence reported to police in different states indicate that home (family of procreation) is not always safe place for the women.

According to Ahuja there are six types of violence:-

violence which is money oriented
Violence seeks power over the weak
Violence is the result of the perpetrator's pathology

Violence which is the result of stressful family situation
Violence aims at pleasure seeking
Violence which is victim precipitation (10)

In Indian society all the six types of violence by and large are involved in Honor Killing.

The study analyzed 560 cases where couples have been threatened. From these 560 cases 121 persons were killed. Out of 560 cases 48 persons were killed in Uttar Pradesh, 15 person in Delhi, 41 person in Haryana and 17 persons in other states. Maximum Honor Killings and honor related crimes have been reported from Haryana, Punjab and Western Uttar Pradesh. The cases from these states are as follows:

HARYANA: PROFILE OF CASES

	Inter Caste	Inter Religious	Same Caste	Sagotra	Others	Total
No. of cases	142	3	12	15	2	174
%	81.6	1.71	6.89	8.62	1.14	100

Out of 174 cases of Honor Crimes & Runway couple seeking protection profiled by study, In Haryana the percentage of inter caste marriages which were targeted was 81.6% whereas the Sagotra marriages where only 8.62%.

PUNJAB: PROFILE OF CASES (2007-2010)

	Inter Caste	Inter Religious	Same Caste	Sagotra	Others	Total
No. of cases	248	0	37	0	1	286
%	86.02	0	12.9	0	.04	100

Out of the 248 cases of Honor Crimes and runaway Couple seeking Protection(in Punjab) 86.02% are in the inter caste nature. In Punjab not only a single case of sagotra marriage has been reported.

Uttar Pradesh: Profile of Cases (2007-2010)

	Inter Caste	Inter Religious	Same Caste	Sagotra	Others	Total
No. of cases	39	6	1	2	5	53
%	73.58	11.32	1.89	3.77	9.43	100

Out of the 39 cases of Honor crimes and runaway Couple seeking Protection, in Uttar Pradesh 73.58% are in the inter caste nature ,same gotra marriage is only 3.77%.

It is very clear that the exact number of Honor Killing cannot be ascertained as many of these killings are reported in the data as murder cases. The National Crime Records Bureau Reports Murders for the Love Affairs/Sexual causes.

Khap Panchyats and Sagatra Row

	Inter Caste	Inter Religion	Same Caste	Gotra Row	Others	Total
No. of cases	465	14	55	18	8	560
%	83.03	2.5	9.82	3.21	1.42	100

From the above table it is very clear that Sagotra marriages in these states are not more than 3.21% and Inter caste marriage are 83.03%. So the demand of Khap Panchyat for the amendment in Hindu Marriage Act 1955 not to allow sagotra marriage is irrelevant, because most of the marriages were seen inter caste .

CONFLICT OF CULTURAL MORALITIES:

Honor Killing is facing not only in Hindus and Muslims, but also in the Sikhs and Christians. For them morality is a collective affair for all the family. It is not the affair of individuals. Family, clan and tribal rights, supplants individual human rights.

It is evident fact Hindu who migrated to Europe or America no case is registered against them of honor killing, but in migrated Muslim community in Europe and America number of Honor Killing are very high registered. Violence is also more visible in Europe .Sweden held an international conference on Honor Killing, and conference participants concluded on Honor Killing for “international cooperation” on the issue. Conference participants concluded: “Violence in the name honor must be combated as an obstacle to women's enjoyment of human rights. Interpretations of honor as strongly connected with female chastity must be challenged .It can never be accepted that customs, traditions or religious considerations are invoked to avoid from a obligation to eradicate violence against women and girls, including violence in the name of honor. Violence against women must be addressed obligations to eradicate addressed from a right-based perspective. Measures should be taken in the areas of legislative, employment, education and sexual and reproductive health and rights. Respect for women's enjoyment of human rights is intrinsically linked to democracy. International conventions must be incorporated into national legislation”(11)

SACRED BELIEF AND VALUES INVOLVED IN THE HINDU MARRIAGE:

According to Hindu Dharmshastra Hindu marriage is a sacrament and not a civil right. It is a samskara obligatory for every Hindu. Marriage in India is a holy performance of religious duties. There are three rinas (debt) Dev rina, Pritra rina Rishi rina ,he get rid from these rinas when he get marry .There were two types of marriages according to manusmrti Hypergamy or Anuloma :Under the kind of social structure that caste have given rise to in India, there are certain restriction in the form of limits beyond which a man woman cannot go in the choice of a spouse. He/she must invariably marry outside of his/her gotra. Hypergamy is a custom forbidding the woman in a particular social stratum to marry into a lower stratum, but a man does not lose caste status by marrying a low caste women. According to Hindu Dharram Shastra, Sagotra marriage is prohibited; people who belong from same Gotra are considered siblings. Incest taboo is also strictly against the first blood relatives this tradition is deeply engrave in the hearts of Hindu community.

Chastity before Marriage: There is deep rooted religious belief in Indian culture about the chastity concept before marriage .It is considered impure if a girl has had sexual relation before marriage .It is punishable up to extent to death.

Status of women is lower and she does not have any right to select her mate: According to Hindu Dharm Shastra Women' status in the society is considered lower than men and they are considered weak. In Manusmriti Woman has to be protected by her father in childhood, by her husband in young age and by the sons in the old age, so she lost all rights which she had in Vedic era.

In present scenario norms and values of the society are shifting from religious to rationality. These young girls are not ready to accept things as it is. They are educated enough to think for their betterment. They believe on Gender Equality ,liberty. According to Dr.Ram Ahuja “ideals of democracy have filtered down to the level of family living, demand to right by women, emancipation of children from patriarchs authority, willingness to approach decision making through democratic process and change from familisim to individualism may be described as important trends in family.(12)

Steps can be taken to prevent heinous killing:

The mindset of the people has to change, it is very important to understand the meaning of honor. Honour killing is a violation of article 21 of the Constitution of India. There must be done some major amendments in IPC, Evidence Act and HMA as that there could be strict laws regarding honour killing. The laws which are made should be well defined and enforced it well planned manner. Registration of marriage should be made mandatory for all the citizen of India. Education plays a very important role to eradicate this problem, educate not only girl child but educate boy child about gender equality. Education develops skill, imparts knowledge, changes the attitude and

improves the self confidence.

Employment gives the income and improves the economic condition of women. It provides economic independence and better position in the family too.

Empowering women with the help of laws, education and employment will compel the society to think that she is no less than male in any field.

Self confidence among the women is low due to the suppression of women from years. Women require building up self confidence to fight against all the atrocities against her and to live self esteemed life.

Honor killing should be consider as a separate crime ,New law will provide mandate for special police cell in each district to provide protection to couples, like Punjab establishment of protection home/centre at district levels to provide protection to the inter-caste newly married couples.

The government, international community, the NGO's and local community need to integrate and function as a unit.

Having women in higher position of legal authority and in empowering women with dissent to speak out on these issues has a tremendous impact on halting.

Counselling is very important ,Apart from legislation to effectively curb honour related crimes, it is equally important that the steps should be taken to organise counselling programmes for the village communities, for instance to explain to them that sagotra marriages are not opposed to law, religion 'sadachar' or medical science.

Decision making power is always in the hand of male either in family or in society. Female voice should also be taken seriously instead to suppress it.

CONCLUSION:

Honor killing is a heinous crime .In the age of 21 century we are following barbaric atrocities on our young daughter in the name of honor, which is against our preamble of the constitution and also Human Rights. On the one side we are in the process of becoming powerful nation and developing in all aspects, but on the other hand we still following barbaric rules of laws without thinking are wither they worthwhile in today's world or not. A nation or society, without the participation of women cannot achieve development of society. Let them come out of their shell and deliver their potential, skill, knowledge, for their own growth, family and nation and at last the whole world.

SCOPE AND LIMITATION OF THE STUDY:

In this study, though efforts are made to represent the universe, but this study is based on secondary data so we have limited choice and rely on secondary data. Through this study an attempt is made to understand seriousness and gravity of the problem because current scenario of Indian society is, an estimated four to twelve million selective abortion of girls has done in the past three decade. According to the census of 2011 there are 914 girls for every 1000 boys who belong the age group of six or younger. If Honor Killing is continue in practice in the society then difference between the sex ratio will increase and many social problems will arise in the society.

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