

India: Tradition over compassion

Caste Panchayats Getting Away With Murder

Sunday 11 March 2007, by [MUKHERJEE Uddalak](#) (Date first published: 6 March 2007).

If caste panchayats still rule the roost in India's villages, it is only because the State is unwilling to intervene, writes Uddalak Mukherjee.

Nineteen-year-old Gudiya, born in Nehra, a village near Agra, led an ordinary life. There was nothing ordinary about her death though. Gudiya and Mahesh Singh, her physically challenged boyfriend, had eloped and left Nehra quietly, early one February morning, and escaped to Bandipur, thirty kilometres away, to get married. However, irate villagers, who had declared Gudiya's relationship with Mahesh incestuous as the couple were from the same gotra, brought them back to the village two days later. Soon after, at a panchayat meeting, Gudiya and Mahesh were ordered to put an end to their relationship. When they refused, the panchayat decided that they must die. The village elders got together, had a few drinks, and then hacked the lovers to death. Then their body parts were burnt in a drain near the village.

It is not as if killings such as this one are restricted to the tribal belts of Pakistan or other Islamic societies. The rise in the number of murdered lovers makes it impossible to believe that honour killings are 'new' to Indian society. In fact, the first reported honour killing in Muzaffarnagar, a district in western Uttar Pradesh, which has gained notoriety for such slayings, goes back to 1993. Since then, the numbers have been rising. For instance, in Muzaffarnagar, 16 such deaths were reported in 2005 alone. Other districts in the state, such as Saharanpur, Bijnor, and now Agra, have also witnessed similar crimes. Significantly, the claim that honour killings are restricted to certain feudal pockets in north India is a dubious one. The day Gudiya and Mahesh were done

to death in Nehra, Mohua Mondol, a girl from Purulia in West Bengal, was shot dead by her own father, for daring to fall in love.

It is not as if the deaths go unreported. But the method that the Indian media employ while covering such events is quite interesting. The vernacular press resorts to sensationalizing such deaths. On most occasions, there is also a hidden moral tone, which helps to legitimize the violence in the name of punishing defiance. The English dailies, as well as the electronic media, invariably point to these killings as tangible proof of the failure of the country's vast rural hinterland to keep pace with an enlightened, modern, urban India.

The caste panchayats, which often order lovers to be strangled, burnt or hacked, are found to have a direct role to play in the violence. But they are by no means alone responsible for the assault or killings; a patriarchal society's curious interpretation of 'honour' and its relationship with gender and caste are as important. But while a lot has been written on this interdependence of caste, honour and gender, caste panchayats and their sinister designs remain curiously under-reported in the media.

The caste panchayat is different from the gram panchayat, which is an elected body, headed by the sarpanch. The former draws its legitimacy from its claims of being a self-appointed keeper of tradition, customs and cultural practices, while the latter is a representative of the law of the land. However, in India's villages, it is the caste panchayat which serves as an extra-judicial agency, a parallel court of law that resolves 'private' disputes at the local level. Its macabre verdicts are often read out in the course of conciliatory meetings, known as shalishis in Bengal. The nature of the disputes vary - people approach the panchayat for settling altercations arising out of inter-caste marriage, elopement as well as supposedly incestuous unions, as was the case in Nehra. A careful scrutiny of the incidents of honour killings would show that in most cases, the caste panchayats have passed judgments in an arbitrary manner, and always in favour of those who wield real power - social, economic or otherwise - to

ensure that the status quo remains undisturbed. A runaway couple, guilty of defying time-honoured traditions, is invariably doomed once the kangaroo court steps in.

Significantly, it is not as if only couples hailing from different castes are murdered. Mahesh and Janaka, a married couple from the same caste, were abducted from Kanpur and taken to Chak Kushehari, their native village in central Uttar Pradesh. They were first tortured for two days, then taken to a paddy field where they were left to die after the bride's father and his henchmen slit their throats. What binds the killings in different parts of the country is the violence that is inflicted on the victims. The caste panchayat will not tolerate any resistance to a set of archaic rules, which determine individual lives in the rural hinterland. The gruesome deaths are meant to remind the men and women the price one pays for love.

Unfortunately, neither the sarpanch nor the gram panchayat has quite managed to stem this particularly brutal trend. It is possible to draw two different conclusions from this. First, these acts of reprisal are accomplished with tacit support from the agencies that represent the State. That this is indeed true is borne out by the statement of a police officer in Muzaffarnagar who has gone on record saying that if his daughter were to elope, he would wait for her, not with roses, but guns. Second, and more important, the sway that caste panchayats hold on the lives of the people also indicate that the State is clearly unwilling to play an interventionist role in these affairs. It is absence of the State that has further emboldened caste panchayats to mete out their brand of capricious justice. The question that needs to be asked is whether the State has the right to recede completely from the 'private' sphere, especially when such a retreat has imperilled the lives of innocent men and women.

The deaths of Gudiya and Mahesh, among many others, can also be interpreted as a violation of individual rights on the part of a twisted, unequal, culture. The right to love and live with a person of one's choice is a fundamental right that is enshrined in the Constitution. Each

murder, therefore, signifies the victory of primitive customs over a modern, liberal and democratic society. The killings also strengthen the hand of a sinister agency, which has demonized concepts as natural as love and affection. Perhaps it is time for the State to look at the caste panchayat's mischief in a more serious light. It is one thing to protect a nation's traditions. But shedding blood in the course of such a defence is unacceptable in any society.

There have been sporadic attempts to rein-in caste panchayats and defy their decrees, without much success. When asked about police inaction in the case of honour killings, a police officer answered that in a democracy, a caste panchayat plays an important role and hence cannot be banned. But, the police, he assured, would take action if they chanced upon an instance where such a body had violated the rights of an individual. He was wrong on both counts. A caste panchayat has no legitimacy. It is not an inclusive agency and hence cannot have a role to play in an egalitarian society. And a couple in India's villages can never expect help from the police when their community turns against them for being in love.

Report: young couple in India killed on the orders of village council

The Associated Press

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NEW DELHI: Villagers in northern India beat a young couple to death and burned their dismembered remains after a local council ordered the killing, saying the pair were too closely related, a newspaper reported Thursday.

The couple - Mahesh, 20 and his girlfriend Gudia, 19 - lived in neighboring villages near Agra, 250 kilometers (155 miles) southeast of New Delhi, and fled their homes when their relationship was discovered.

Their families tracked them down and brought them back to her village, Naharra, where the council, known as a panchayat, told them to end the relationship because they were too closely related, The Hindustan Times newspaper reported.

The paper did not provide details of the relationship, but said Gudia lived with Mahesh's uncle and suggested she was Mahesh's cousin.

The council deemed the relationship to be incestuous, and when the two refused to break it off, it ordered them killed.

The couple was beaten to death by a mob Tuesday and their bodies were dismembered and set on fire, the paper reported, adding that police were investigating 12 people believed to be connected to the deaths.

Authorities were not immediately available to confirm the report.

Village councils wield great influence in rural India and marriages are usually arranged by families in keeping with local customs. Rural couples, even if they are not related, may face ostracism or even death if they choose their own partners.

P.S.

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