

## **INTERSECTIONALITY AND HONOUR CRIMES**

***Responsible Faculty Instructor:***  
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Assistant Professor

Credits: 4

Credits Type:

Cross-registration:

Pre-requisites:

### COURSE DESCRIPTION (COURSE VISION):

This course is designed to provide a detailed understanding of the practice of honour crimes worldwide with a specific focus on India and England. The course begins by critically understanding the very use of the term “honour” associated with these crimes and the paradox it creates. “Honour” is commonly described as *respect or privilege* by the Oxford English Dictionary. This description clearly manifests a positive connotation of the term. The Oxford English Dictionary also explains “honour killings” as, *“the murder of a relative, usually a girl or woman, because she has done something that is thought to bring shame on her family”*.

However, to describe a series of heinous crimes perpetrated for the sake of patriarchal communal/familial prestige on individuals, the use of the word “honour” is an ironical misuse of the term. Very often such use of the term “honour” in context of these crimes helps the perpetrators to justify their crimes and even seek for lesser punishments or acquittal on grounds that they had no other choice than to commit the crimes for “restoring” their community/family honour, tarnished by the victim through their actions. Such an argument is inherently flawed as it shifts the blame on the actual victims from the perpetrators. Interestingly, a survey of several English judgments reflects that in the past often judges have accepted such cultural defences of “honour” as a justification to award lesser sentencing for the offenders. Another important aspect to be discussed in the foundational lectures is use of the term, “honour killings” in majority of the dominant literatures on the issue as opposed to “honour crimes”. This discussion will focus on analysing whether at present, describing the practice merely as “honour killings” restricts the ambit of the term by not including several other crimes committed in the name of family/community “honour” and if there is a need to expand this ambit.

Additionally, the students would be provided insights to various facets of the practice through thought-provoking discussions around issues of caste, gender, religion, sexuality of an individual and their intersectional interplay in

the society that often results in perpetration of “honour crimes”. Beyond these, other themes that this course will explore are: a general understanding of the concept of patriarchy and the notion of P.H. Collins’ “patriarchal bargain”. Since “honour crimes” are essentially manifestations of patriarchal violence, there is a common understanding that women are “necessarily” the victims of such violence. However, in several instances it is witnessed that women have not only been accomplices to such crimes but have also played an instrumental dominant part in their perpetration. These scenarios effectively go beyond the general perception of the patriarchal nature of the “honour crimes”. However, a critical understanding of Collins’ “patriarchal bargain” will help students to understand that a broadened explanation of patriarchy transcends the gender binaries and accommodate women as key perpetrators of “honour crimes”, keeping the very nature of these crimes as patriarchal. Another important theme which this course will explore is that of immigration and multiculturalism in England in context of the rising numbers of registered cases of “honour crimes” in the country. The common understanding among a large section of British population is that “honour crimes” are typically South Asian or Middle Eastern vices, which make their way into England through the country’s liberal immigration policies. The discussions around this theme would explore that “honour crimes” are not exclusively an immigrant problem and there are several instances of such crimes being perpetrated among the “White British” communities. The problem in such instances is that of identification and branding of these crimes within the fold of “honour crimes” rather than passing them off as acts of domestic violence. An allied topic to be discussed in this context is that of wrong classification of “honour crimes” in England where several cases are wrongly classified under other headings in the annual crime records in the country, published by the Home Office. This effectively results in a serious vacuum of credible data on “honour crimes” in England. A comparative analysis of the same, along with discussions of other important factors behind lack of credible data on “honour crimes” in India would be discussed under this topic. Such factors include:

Dedicated sessions will be allocated to one of the significantly under researched aspects of honour crimes i.e. victimisation of men. This problem stems from the general perception that “honour crimes” being patriarchal violence, men can either only be perpetrators of the crimes or it is easy for men to escape such crimes. This perception is rather evident from analysis of several definitions and explanations of “honour crimes” in the mainstream discourse, where “honour crimes” are explicitly described as “killing of women” by the male members of her family/community. There is also a fairly strong opinion among several dominant feminist scholars that including the issues of male victimisation (such as in cases of honour crimes) within the fold of patriarchal violence would eventually “dilute” the very essence of their voice against patriarchy. Further, lack of understanding of the broader notions of

gender, culture, sexuality and patriarchy among the researchers, investigators as well as judges (in some cases), has heavily contributed to this vacuum in data on the male victims of honour crimes. Despite these perceptions, the insightful works of Dr Idriss and Dr Rusi Jaspal in England and my own research in India have shown a sharp rise in the “honour crime” cases involving men as victims (in some cases the only victim). Thus, the discussion on male victims will generally try to understand the shortcomings in perceptions and awareness within the dominant literature on “honour crimes”. Additionally, discourses around situating male victims within the ambit of patriarchal violence will be made. Finally, students will be provided insightful thoughts to incorporate a broader notion of gender as a social construct in light of intersectionality of other identities of a man to investigate the issues prevailing within the investigative agencies, lawmakers and judiciary on male victims of honour crimes particularly in India. The methodology will involve critical analysis of news reports, legislation and decided judgments along these lines.

#### TEACHING METHODOLOGY:

A combination of **classroom lectures on dominant literature/decided judgments, analytical discussions on debates/podcasts, news reports and documentary movie reviews** would constitute the teaching methodology of this course. Further, some **guest lectures by practitioners, NGO representatives working in the field** (specifically in India and United Kingdom) **and investigators** will help the students to achieve the intended learning outcomes.

#### INTENDED LEARNING OUTCOMES:

The students are expected to gain in-depth critical insights regarding the dominant literature, investigative and judicial approaches to the practice of honour crimes in India and abroad. Further, they will learn about the different qualitative research methods commonly applied in conduction research on the subject.

#### READING LIST (upto 10 select readings):

1. Aisha K Gill, Feminist reflections on researching so-called ‘honour’ killings, *Feminist legal studies*, 2013-10, Vol.21 (3), p.241-261.
2. Phyllis Chesler, Worldwide trend in honour killings, *Middle East quarterly*, 2010-03, Vol.17 (2), p.3-12.
3. Robert Paul Churchill, *Women in crossfire: Understanding and ending honour killing*, OUP, 2018.

4. Kimberle Crenshaw, Mapping the Margins: Intersectionality, Identity Politics and Violence against women, Stanford law review, 1991-07, Vol.43 (6), p.1241-1299.
5. Ben Smith, 'Intersectional Discrimination and Substantive Equality: A Comparative and Theoretical Perspective' (2016) 16 The Equal Rights Review 73.
6. Mohammed Mazher Idriss, 'The Forgotten Male Victims of Honour-Based Violence' (Manchester Metropolitan University, 6 June 2018) <https://www.mmu.ac.uk/news-and-events/news/story/7861/>.
7. Mohammad Mazher Idriss, 'Abused by the Patriarchy: Male Victims, Masculinity, "Honor"-Based Abuse and Forced Marriages' (2021) Journal of Interpersonal Violence NP11905–NP11932.
8. Mohammad Mazher Idriss, 'Sentencing Guidelines for HBV and Honour Killings' (2015) 79(3) The Journal of Criminal Law 198.
9. Ritabrata Roy, Shazeb Ahmed, From Parsons to Ethnomethodology: Analysing the Indian Judicial Position on the Question of Gender in the Cases of Honour Crimes (2021) International Journal of Law Management and Humanities, Vol IV(I) <https://ijlmh.com/from-parsons-to-ethnomethodology-analysing-the-indian-judicial-position-on-the-question-of-gender-in-the-cases-of-honour-crimes>
10. Priyadarshini Bhattacharya, "Honor" killings and customary laws: A case study of Khap Panchayats in Haryana, India, Violence: An International Journal, 2024-04, Vol.5 (1), p.3-29.

#### WEEKLY READING PLAN (WEEKLY OUTLINE):

A weekly plan is provided below:

<b>MODULES</b>	<b>WEEK(S)</b>
<b>MODULE 1: HONOUR CRIMES: INTRODUCTION AND CONCEPT</b>	1
<b>MODULE 2: FACTORS BEHIND HONOUR CRIMES</b>	2-3
<b>MODULE 3: THEORY OF INTERSECTIONALITY</b>	4
<b>MODULE 4: INFORMAL JUSTICE SYSTEM AND KHAP PANCHAYATS IN INDIA</b>	5-6
<b>MODULE 5: RESEARCHING HONOUR CRIMES AND PRIMARY DATA COLLECTION TECHNIQUES THROUGH QUALITATIVE METHODS</b>	7-8

<b>MODULE 6: MALE VICTIMS OF HONOUR CRIMES</b>	9
<b>MODULE 7: APPLYING INTERSECTIONALITY THEORY ON MALE VICTIMS OF HONOUR CRIMES</b>	10
<b>MODULE 8: COMPARATIVE STUDY OF THE LEGISLATIVE FRAMEWORK ON HONOUR CRIMES (FOCUS ON UNITED KINGDOM AND INDIA)</b>	11
<b>MODULE 9: COMPARATIVE STUDY OF THE JUDICIAL APPROACHES TO HONOUR CRIMES (FOCUS ON UNITED KINGDOM AND INDIA)</b>	12-13
<b>REVISION WEEK</b>	Week 14