

## Khap menace: on interference in relationships between adults

Each time the Supreme Court feels impelled to remind khap panchayats and the society at large that they have no business **interfering in the life choices of individuals** regarding marriage and love, it is an implicit commentary on our times. The frequency with which one hears the court's warnings against groups and individuals obstructing inter-faith or inter-caste relationships reaffirms the fact that the social milieu continues to be under the sway of the medieval-minded. The court's latest observations that khap panchayats should not act as though they are conscience-keepers of society and that no one should interfere in relationships between adults came while it was hearing a writ petition seeking a ban on such community organisations and guidelines to put an end to "**honour killings**". In 2011, the highest court termed such khaps "kangaroo courts", declared them illegal and wanted them stamped out ruthlessly. Similar observations were made in other cases too, some of them in the context of "honour killings". It is a grave misfortune that parents and self-appointed guardians of social mores continue to use coercion and harassment, and even resort to murderous violence, as a means to enforce their exclusionary and feudal prejudices. The recent murder of Ankit Saxena, a photographer who was in love with a Muslim girl, allegedly by members of her family, is one more extreme indication of families choosing the penal consequences of violence over the perceived dishonour caused by an inter-religious relationship. While the popular narrative situates community pride as a source of unconscionable violence in rural India, such murders are a reality in cities and among educated and presumably socially advanced sections too.

The other dimension is that these khap organisations in north India seek to enforce age-old taboos such as the prohibition on *sagothra* marriages among Hindus. Their grouse is that the present law on Hindu marriage allows *sapinda* relationships up to a particular degree; they would prefer a limitless bar on any degree of such relationship in lineal ascendancy, which would prevent any marriage with one presumed to be descended from an ancestor belonging to the same *gothra*. Such views can only be eradicated with a change in social attitudes. The Law Commission in 2012 prepared a draft bill to prohibit interference in marriage alliances. Key provisions that seek to address the problem of khap panchayats in this draft say such informal groups would be treated as an 'unlawful assembly' and decisions that amount to harassment, social boycott, discrimination or incitement to violence should be punishable with a minimum sentence. Whether the solution is social transformation or legislative change, high-handed mediation or interference should brook no sympathy.

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