

HUMAN RIGHTS

IN PRESENT SOCIETY :
FROM NORTH EASTERN PERSPECTIVE



Edited By :

**RIDIP KHANIKAR
RATUL KUMAR LAHON**

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WE DEDICATE THE VOLUME

In Respect of Our Teachers
&

In the name of all grassroots level
human rights activists of the NEI

PREFACE

Human Rights is one of the most thought provoking discourses in India in the recent years. Due to gradual dissemination of human rights education and culture in the entire country many downtrodden weaker groups of people of society have been come out for protection of their inborn rights especially in northeastern states of India. Scholars of the region have highly dedicated themselves to examine the various politico-economic and social problems evoked in the region in the context of human rights protection. For instance, serious attempts have been noticed among the scholars to justify the relationships between human rights and terrorism, human rights and indigenious movements, human rights and gender equality, human rights and economic security, human rights and environmental security and human rights and culture biasness etc.

Scholars are now reached in the consensus that the human rights discourse though gets more expedite in modern days yet it is as ancient as human civilization. We have found lots of instances of respecting human dignity in ancient days in every corner of the world. The various religious books, philosophies and historical declarations of the world have acknowledged its witness. So, the credit of the modern days is remained only in making universal of the discourse.

Human rights generally refer to the essential conditions of human being to ensure human dignity. Moreover, human rights are inherent and inalienable rights which are due to an individual by virtue of his/her being a human being irrespective of his/her race, religion, nationality, language and sex or any other factor. These rights are universal, civil, political, economic, cultural, social and collective in nature and make sense only within states and within the community of states.

The scholars have categorized the human rights under the banner of three generations of rights in response to its evolution. The First Generation of Rights represents the civil and political rights of the individuals. These are known as negative rights as they prevent the state machinery to interfere on them. These rights are namely- right to individual liberty, freedom of speech, thought and faith, right to own property etc. These are first generation rights because they had evolved in 19th century in the western liberal nations. The Second Generation of Rights concerns basically with the social, economic and cultural rights of the people which were come into focus in the mid of 20th century in the world. These are positive rights in the sense that they seek state interference to ensure the rights. These are the right to work, right to fixed hours of work, right to minimum equal wages, right to form union etc. The Third Generation of Rights emerged in the later parts of the 20th century as a response to the interdependent ness of the world. These rights are generally collective in nature as they are concerned with the rights of the groups and peoples highlighting mainly the social structure of the third world countries of the globe. They include the rights such as the right to self determination, right to development, right to protection of environment, right to preservation and development of own culture, right to sustainable development and environment etc.

However, although the three generations of human rights are equal, universal and interdependent and interrelated yet, in response to the differences of way of livelihood of the peoples their applications may get preference over each other. For instance, individualism is the culture of the western liberal countries. Therefore, they give precedence on civil and political rights over others. Similarly in the context of north east India, peoples are familiar with group belongingness rather than free individualism. Therefore, collective rights get more importance over first generation as well as over second generation of human rights.

North east India is a land of diversities. Lots of ethnic groups having differences in terms of culture, language, beliefs and way of livelihood have been living in the region since immemorial periods. Before colonial invasion into the region, almost all these groups have had their own lifestyles. They were independent and had been governed themselves in accordance with their traditional rules. But the colonial rulers had brought them under a unique political territory called India and thus it

has remained intact even after departure of the colonial rulers. In the new political arrangement, the ethnic groups specially the tribal of north east India had to introduce themselves with many new systems and ideas of India that have borrowed the nation from the west. The concept of human rights is also a one among those which in many cases can not represent all the problems of the ethnic groups of the region. For that, like many other scholars, we blame to the inadequacy of the existing capitalist and socialist models of analysis of the discourse.

Thus, in this edited volume attempt has been made to examine the related problems of human rights with a north eastern perspective. Here most of the analysis is concentrated on human rights of the downtrodden vulnerable as well as the unorganized groups who consist of majority of the society but less powerful elements such as indigenous groups, women, children, laborers etc. and so often have ignored them by the elitist explanations of human rights discourse.

Hopefully this work will help to enrich the concept of human rights with an indiscriminate outlook as well as to disseminate a genuine human rights culture in the entire region of northeast India.

We are thankful to all the contributors for sending their articles at proper time which helped us in completion of this great effort within the stipulated period of time. The present exercise would have not been possible without the positive responses of the contributors towards our request by disseminating their thoughts, ideas and opinion into writings as papers for the volume.

Secondly, the editors are also thankful to our teachers who have constantly encouraged us until the healthy ending of the whole years old exercise.

At last but not the least, the editors take the opportunity to thank to Dutta Publication, Lakhimpur, for publishing the volume timely.

*Lakhimpur, Assam
February, 2012*

**Ridip Khanikar
Ratul Kumar Lahon**

ABBREVIATIONS

AAGSP	All Assam Gana Sangram Porishod
AASU	All Assam Student Union
AAPTL	All Assam Plains Tribal League
AATRF	All Assam Tribal and Races Federation
ACSC	Assam Civil Service Commission
ATL	Assam Tribal League
BAC	Bodo Autonomous Council
BSS	Bodo Shahitya Sabha
BTC	Bodoland Territorial Council
CDC	Chutia Development Council
CM	Chief Minister
Govt.	Government
IAS	Indian Administrative Service
IFS	Indian Foreign Service
INC	Indian National Congress
IPS	Indian Police Service
LPG	Liberalization Privatization and Globalization
MLA	Member of Legislative Assembly
MOBC	More Other Backward Community
MSS	Mising Sahitya Sabha
NEI	North East India
NEFA	North East Frontier Agency
NEITPF	North East Indigenous and Tribal Peoples Forum
OBC	Other Backward Community
PM	Prime Minister

PTCA	Plains Tribal Council of Assam
SAAA	Sodou Asom Ahom Association
SC	Scheduled caste
SCJSA	Sodou Chutia Jati Sanmilan, Assam
ST	Scheduled Tribes
TMPK	Takam missing Porim Kabang
TSF	Tribal Student Federation
ULFA	United Liberation Front of Assam



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Honour Killing :

A menace to Human Rights

- Nipon Panging
- Luhit Morang

INTRODUCTION:

An honour killing (also called a customary killing an honour murder) is the homicide of a member (typically female) of a family or clan member by one or more fellow (mostly male) family member, in which the perpetrators believe the victim to have brought dishonour upon the family, clan or community. Such killings or attempted killings result from the perception that the defense of honour justifies killing a person whose behaviour dishonours their own clan or family. Honour killings are directed mostly against women and girls, but have been extended to men. The perceived dishonour is normally the result of the behaviours like- dressing in a manner unacceptable to the family or community, wanting to terminate or prevent an arranged marriage or desiring to marry by own choice, especially if to a member of a social group deemed inappropriate, engaging in heterosexual acts outside marriage and engaging in homosexual acts. In India honour killing is more prevalent where a member of lower class (wrt. Social

status or wealth status) marries person of relatively higher class (high social or wealth status). "Human Rights Watch" defines honour killing as: - "Honour killings are acts of vengeance, usually death, committed by male family member against female family". To add with this men can also be the victims of honour killings by member of the family a women with whom they a perceived to have inappropriate relationship.

An "Amnesty international" statements added - "The regime of honour is unforgiving: women on whom suspicion has fallen are not given an opportunity to defend themselves, and family members have no socially acceptable alternative but to remove the stain on their honour by attacking the woman".

The United Nations Population Fund estimates that the annual worldwide total of honour killing victims may be as high as 5,000.

History Of Honour Killing In India : This tradition was first viewed in its most horrible form during the partition of the country in between the years 1947 and 1950 when many women were forcefully killed so that family honour could be preserved. During the partition, there were a lot of forced marriages which were causing women from India to marry men from Pakistan and vice-versa. When these women, who were forced to marry a person from another country and another religion, returned 'home' they were killed so that the family honour could be preserved. At that time, the influence of religion and social control was much greater and hence there were at least a couple of honour killing a day, if not more. The partition years can be seen to be the beginning of the tradition of honour killing on a large scale.

Recent Cases Of Honour Killing & Reasons :

Some recent cases are :

- 2nd May, 2011 : Rajiv Verma and Renu Pal stoned to death in Farrukhbad, Uttar Pradesh, as they belonged to different castes.

- 5th May, 2011 : Family members of Kuruva Madhavi, who belonged to a backward community, dragged her out of her Dalit-in-laws place and set her afire in Mahabubnagar district, Andhra Pradesh.

- 15th June, 2010 : Couple electrocuted to death in Delhi as boy belonged to a different caste.

- 20th June, 2010 : Inter-caste couple Monica and Kuldeep murdered by her brother and cousins in Delhi.

- May 2008 : Pregnant girl and boy friend killed by her father in Haryana.

From the above cases, it is clear that the most obvious reason for this practice to continue in India is because of the fact that the caste system continues to be at its rigid best and also because people from the rural areas refuse to change their attitude to marriage. Sociologists believe that the reason why honour killings continue to take pace is because of the continued rigidity of the caste system. Hence the fear of losing their caste status through which they gain many benefits makes them commit this heinous crime. The other reason is that the mentality of people has not changed and they just cannot accept that marriages can take place in the same gotra or outside one's caste.

LEGAL ACTION TOWARDS HONOUR KILLING : The usual remedy to such murders is to suggest that society must be prevailed upon to be more gender-sensitive and shed prejudices of caste and class. Efforts should be made to sensitise people on the need to do away with social biases. But at the same time, it should be made clear that there is no escape for those who take justice into their own hands. So far, there is no specific law to deal with honour killings. The murders come under the general categories of homicide or manslaughter. When a mob has carried out such attacks, it becomes difficult to pinpoint a culprit. Active policing and serious penal sanctions is the only antidote to this most dishonorable practice.

To prevent such a thing from happening, the mentality of

the people has to change. And when one says that the mentality has to change, one means to say that the parents should accept their children's wishes regarding marriage as it is they who have to lead a life with their life partners and it is their right for being human. And the laws should be stricter to trackle these kinds of killings as this is a crime and against human rights because every human has the right to live, marry and found a family. Besides, the khap or caste panchayats, who play the major role in awarding honour killings, should be banned. The All – India Democratic Women's Association (AIDWA) has presented to law minister M. Veerappa Moily a comprehensive draft law that seeks to make private parties culpable for violation of fundamental rights in crimes and killings committed in the name of 'honour'.

Conclusion : Honour killing is a shameful subject to the world's largest democracy India. It is a slap to human rights. The fight against such barbarian acts is mush necessary at this present juncture when 'Human Right' is a global issue. An environment needs to be created which is caste and gender just. For this role of government, political parties, media, and organization which are working at grass root level becomes very important. Evils like honour killing must be stopped to create a fearless, casteless and egalitarian society where human rights could be enjoyed by all human beings.

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