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MARRIAGE NORMS, NOTION OF HONOUR AND KHAP IN HARYANA

Introduction

The institution of marriage has emerged as a subject of critical investigation in social sciences due to its close link with the processes of historical change and forms of social organisation. In that large segment of an individual's life, this institution assumes extreme significance. The family unit is not frozen nor is it immune to changes in the political and economic organization of the concerned society at any point of time in its history. Given the diversity of the South Asian region, the changing form of family reflects this linkage in myriad ways (Dube 1997).

In a caste group in North Indian society, the principles of hierarchy and equality are articulated in complex ways. The *gotra* (sub-caste) is an exogamous patrilineal clan whose members share and claim descent from a common ancestor. Social hierarchy exists within the caste and especially among different *gotras* within a village which involves notions of dominant and subordinate *gotra*. The changes occurring in ideas about rank and equality along with an increasing differentiation of status, power and wealth developing within the each caste, recontribute to a re-evaluation of the relative status of different clans and the collapse of the earlier relativity coherent, internally consistent ideology within caste group (Chowdhry 2004; Karve 1965).

Under the Hindu Marriage Act, 1955, except for the observation of certain prohibited degrees of relationship, legal restrictions on the choice of marriage partners are almost non-existent. This implies that under the law, both *sagotra* (kin in the patrilineal line of descent whose members claim descent from the same *gotra* ancestor) and inter-caste marriages are permitted (Gupta 1992). Yet, customarily, there are rules and practices and degrees of prohibited relationships observed in respect to marriage in different regions of India. (Lewis 1958).

Marriage Squeeze and Social Sanctions in Haryana

Over the past few years, the institution of marriage is undergoing tremendous change. Marriage remains universal and nearly compulsory both for boys and girls as this is an indicator of one's overall position in society. In case of females, marriage is considered important especially for protecting their sexuality and family honour. In case of men too, marriage is important as it is linked with reproduction, their masculinity and having control on their wives and children. Haryana is fast urbanising, with extensive consumerist culture and individualism; education being emphasised for employment and marriage in better status families particularly in case of girl's marriage resulting into higher age at marriage, changing family structure from joint to nuclear, where everyone would like to have one's own independent unit (Chowdhry 2007).

The sex ratio scenario in Haryana shows disturbing trends. Census 2011 has shown sharp decline in child sex ratio (830 girls per thousand boys). The daughter aversion and son preference is expressed through rampant use of sex selective technologies leading to abortions, neglect of female child and female infanticide (Sudha and Rajan 1999; Ahlawat 2013). The aversion for daughters could also be linked to inheritance rights of property as the dominant landowning caste groups are strictly against girl's share in property (Ahlawat 2012). The consequence of gender imbalance is reflected in the excess of males in society leading to what demographers call the 'male marriage squeeze'. The growing number of unmarried men is posing the biggest challenge ever felt, disturbing the fabric of the society. The term *bare-branches* in China to describe unmarried men without families has a parallel in the term *malang* in Haryana which simply indicates 'chronic bachelors' (Ahlawat 2013). As a result, many Haryanvi men are bringing wives from distant states such as Himachal Pradesh, Uttar Pradesh, Bihar, Bengal, Maharashtra and even Kerala. There are combination of factors like low sex ratio, poverty and unemployment, addiction, etc., which are responsible for non-marriage of men (Kaur 2004).

In terms of economic development, Haryana is one of the most developed North Indian states but acutely lagging behind in social development as reflected in rampant foeticides, honour killings, diktats by kangaroo panchayats and violence against daughters in natal families on the choice of their marriage partners, etc. Since marriages are strictly marked by caste endogamy and *gotra* exogamy, and there are prescribed rules regarding the social and spatial distance, therefore, in such a situation, inter-caste and *gotra* marriages are not only ridiculed and boycotted but sometimes the couples are meted out harsh treatment including their elimination. There are numerous cases being reported in print and electronic media regarding the young couples who either eloped or sought police protection or committed suicide or were killed in the name of 'family honour' and in extreme cases asked to tie *rakhi*

(holy thread) and enter into a sibling relationship. In such a situation where universality of marriage is the norm, restrictions on marriage and marriage squeeze become increasingly significant resulting in a limited choice of mate selection.

In view of the emerging scenario in Haryana, the paper examines the marriage norms and restrictions across caste/class/community. How the notion of honour or *izzat* is associated to women/girl? What is the social basis of *khap* in sustaining and enforcing marriage rules and prescriptions in the name of *gotra* and village? The present paper is based on extensive ethnographic survey conducted in four villages namely Dobh and Bhali in Rohtak district; Kishanpura and Bibipur in Jind district of Haryana. Information on issues such as marriage norms, restrictions on marriage alliances, inter-caste marriages, functioning of traditional panchayats and elected panchayats, etc., was collected during group discussions with different groups of people.

The Cases

In all, there were 13 reported cases (from 2009 to 2012) where couples had intended to marry against the wishes of their parents but these alliances were treated as serious violations. Both the boys and girls were in the age group of 19-23 years and studying in colleges. There were seven cases where the girls belonged to higher castes such as Brahmin and Jat who wanted to marry boys from Chamar and Dhanak castes. The girls were killed. In four cases, Jat girls intended to marry Jat boys from adjoining villages (where marriage alliance were prohibited); instead these girls were married immediately with suitable boys from their own community. There were two more cases where Jat boys married girls from Punjabi community and Dhanak (S.C) caste respectively. They were excommunicated and not allowed to enter the village.

Arranging Marriages in Haryana: Rules and Social Sanctions

The significant aspect of marriage and kinship pattern pertains to certain rules and prescriptions observed while fixing marriage. There are specified ways through which these exogamous and endogamous units are identified and operate and bring residents of a village in direct relationship with other villages. In determining exogamous units, ties with a common ancestor with whom links can be traced provide the first step. It happens that a number of descendants become spread over a set of neighbouring villages claiming that they belong to a group of eight villages or 24 villages. All members of the clan of the relevant caste (sub-caste) regard their fellow members of these villages as *bhai-bandhi* (fraternity) or those tied in fraternal bonds to an exogamous group. Village exogamy is maintained through brotherhood defined by a locality principle; a village may get linked by marriage to a hundred others. The villages touching the boundaries have exogenous status through

‘fraternity of common boundary’ (*seem ka bhaichara*) (Davis 1941). The violation in the observance of these prescribed rules of marriage changes the support structure of production and status not only of the immediate family or clan but of the whole caste (Chowdhry 2007). This remains an important consideration while settling marriage particularly in Haryana. Another important factor having tremendous influence is the control of women’s sexuality through marriage which in turn is significantly linked with her production and reproduction capacities so crucial in a patriarchal set-up. Claude Meillassoux (1978), in his analysis of the West African rural population, argued that the social organization of peasantry first revolves around production and then around the necessity of reproduction of the producing unit as it is necessary for the survival of the unit. It implies that marriage must take place within the prescribed group that seeks to reproduce itself in terms of status and control over property. Thus, marriage is a social union of families rather than confined to an individual act.

In the field site, it was observed that people strongly follow rules of caste endogamy, village exogamy and *gotra* exogamy. Besides this, the villagers are supposed to avoid neighbouring villages while settling marriages. An interesting observation is that except Kumhars, all caste groups leave three *gotras*, i.e. the *gotra* of mother, father and paternal grandmother. Maternal grandmother’s *gotra* is not considered saying *nani-kani kisne mani* (no one bothers about maternal grandmother’s *gotra*). Among Kumhars, there is a practice of prohibiting marriage alliances in four *gotras*. Earlier they used to skip seven *gotras*. It was also revealed that Kumhars do not have marriage alliances with ‘mar-Kumhar’ as they are considered lower to Kumhars in hierarchy. These rules are observed to keep village fraternity or *bhaichara* intact as stated by respondents from the village. Any change in observing such prescriptions is a serious violation resulting into negative sanctions in the form of punishment such as torture, boycotting and in extreme cases eliminating the couple in the name of honour killing inflicted either by khap panchayat or one’s own family.

Another norm followed was the distance observed while settling marriages of their children particularly girls not too far off villages or regions. The main reason attributed by higher castes was that if the distance is short, it takes less time to travel especially when there is some urgency. “In case of boys’ marriage, even long distance doesn’t matter; everything depends on availability of match” pointed out a 45 years old agriculturist from Jat caste. In case of Scheduled Castes, it was observed that they did not want to marry their children to very close distance. Ram Prasad, aged 45 years from Chamar caste told that there should be sufficient distance so that relatives rarely visit them otherwise they will keep bothering every now and then (*Juti Jharkaienge*). This reflects the economic concern of the poor Scheduled Caste households which find it difficult to spend money entertaining affinal relations.

On the other hand, this was not an issue among higher castes such as Brahmins, Jats, Khatri/Arora.

Khaps in Haryana: Sustenance and Survival

Khap Panchayats in Haryana are very well known for playing the role of moral policing of the couples who aspire for choice marriages particularly in rural set up. Khaps are the legacies of tribal councils that had been formed by various tribes for the resolution of disputes (Pardhan 1966). Prem Chowdhry (2004) denotes them as caste panchayats. In any case, these are traditional panchayats, patriarchal and revivalist in nature and having no constitutional base; they reinforce traditions and norms especially in marriage practices in rural Haryana. Khaps are either in the name of clan or *gotra* which is dominant in that area such as Dahiya Khap, Hooda Khap, Gathwala Khap or by the name of geographical area such as Meham Chaubisi of 24 villages around Meham in Rohtak district and Bawal Chaurasi of 84 villages around Bawal in Rewari district. Though these Khaps claim to be multi-caste where they have representatives of all caste groups including Backward Castes, Scheduled Castes but in actual practice these khaps are represented by Jats only. Women have never been included in any of their activities.

It has been observed through field survey that khaps have their presence shown in terms of important decisions and restrictions imposed on marriage. On asking the role of the khaps, it was noted that across caste lines people do respect these khaps. 'Khaps have always played a positive role in maintaining harmony, solving marriage and property disputes', stressed an elderly man aged 70 years from Jat caste. It shows that the khap panchayats are manoeuvring influence in rural Haryana on issues of day to day life. This is in a way an attempt to create space and legitimacy for their unconstitutional and revivalist actions.

Marriage Norms, Notion of Honour and Punishment

This phenomenon needs to be understood in the context of a patriarchal value system where the notion of *izzat* or honour is gendered producing inequality and hierarchy having different implications for men and women. As marriages strengthen kinship and caste, therefore there is a lot of surveillance observed in marriage alliances; any breach in caste linkages brings down the honour of the family, clan and the whole caste. For men, this notion of honour has to be regulated and guarded whereas woman is responsible for keeping the *izzat* (honour) intact. Any violation on the part of women is not just disobedience but stigmatizes the whole family, clan and community (Chowdhry 2007). The family perceives shamefaced and threatened in front of community/*biradari* and it justifies the killing of the couple or either of them. Throughout life, a woman is always under the guardianship of a male patriarch and any expression of selection of life partner in a rural set-up by a

woman is taken as an assertion of her sexuality which is taken as a threat to the society. E. Joseph (1911) has categorically explained that, 'a female, minor or adult is always under guardianship; while single, she is under the guardianship of her farther, if he be dead, of other relatives. When married, it is her husband who takes her charge and when old or if husband dies, her sons take over her'. The idea of love before marriage is considered feminized, thus unethical and immoral. For a man to be in love with a woman of her choice before marriage is a sure sign of lack of masculinity. As Veena Das (1976) puts it, 'the natural bonds of love and kinship are sacrificed for higher ends of morality and upkeep of honour. This behaviour is grounded on the belief that like social order, individual personality is also purified and lifted from a lower to a higher self by means of sacrifice. So there is no question of condemnation of the crime or of the perpetrators'.

During field work, it was revealed that inter-caste marriage or marriages in same village or *gotra* are forbidden and if there is any violation, it is strictly dealt with. Despite factional politics, people across caste lines have consensus with regard to marriage norms and practices where any violation of rules is taken as a serious offence resulting into losing family honour. They strongly opined for severe punishment for violation of marriage norms that varied in intensity keeping in view the marriage norms being practiced. An interesting observation was that though cases of 'eloping couples' were discussed; people refrained from disclosing the identities of households to avoid bad name to the families and the village. Raj Bala, an elderly Jat woman said, '*chhori to ghar ki ar gam ki ijat howe se. Isa galat kaam sabne duba deve hai*' ('Girl is the honour of family and village; any such incident maligns everyone in the village'). It was also revealed that initially parents resisted and tried to stop the couple but when boy and girl did not listen to their parents only then on the insistence of local caste *panchayat pardhan*, a meeting was called where reputed elderly men of the village from different clans (*thola*), immediate family members of both the parties and elected Sarpanch of the village participated and discussed at length, and finally the verdict was passed which was mostly acceptable to parents and community. It was also observed that the decision taken by *khaps* was conveyed through elected Sarpanch in the meeting for more sanctity and legacy. Very rarely, if the parties showed distrust or dissatisfaction then the case was passed to territorial *khap* for more acceptability.

Rigid Social sanctions and Inter-Caste Marriages

The field survey revealed that inter-caste marriages are taken more seriously than *gotra* marriages and are dealt with sternly. Local caste panchayats enforced strict sanctions against the couple/family particularly in case of a girl from higher caste wishing to marry a man from lower caste (such as Chamar or Dhanak). Punishments included *hukka-pani band karna*

(boycotting the family and asking them to leave the village) or *jat-biradri se girana* (outcaste from the community) and in extreme cases eliminating the girl. Such heinous crimes are justified and glorified on the ground of protecting family honour and considered 'acts' of courage of the highest order. Those who kill are not only hailed but respected as moral guardians of the community. A combination of morality, sacrifice and honour absolves the criminals of this action and effectively takes away from the charge of killing the errant woman/couple and there is no condemnation of the crime or of the perpetrators.

It was observed that across caste/class lines, people justified the actions of *khaps*. Retired from army, 61 years old Prem Singh from village Dobh said categorically, 'khaps are disciplining boys and girls who violate rules and regulations of marriage'.

There is clear gender and caste/class dimension having serious implications on the girl and her family, held responsible for committing the so called 'crime'. It was observed in seven cases where girls from Brahmin and Jat caste were killed by their parents on the insistence of caste panchayat by poisoning whereas boys from Chamar and Dhanak caste were made to run away to save their lives. It was the girl who was held responsible for going astray and eliminating her was the sole punishment for having committed such 'heinous crime'; boy was left with warning not to enter the village premises. Moreover, boys' involvement with the girl was taken as a small mistake often committed in young age as emphasized by a majority of people in the village. '*Isi chhori ka sabb kime khatam ho jave; chhore ya uske parivar par koi anch na ave*' ('girl's life is ruined whereas it hardly puts any scar on boy or his family') uttered a middle aged Chamar woman in Kishanpura village. The girls who were killed by their own parents belonged to poor families. Since poor families could not bargain with *khaps* and moreover, it was also strongly felt by the parents that no one would marry their daughters due to stigma attached. Besides this, it was also observed that these girls belonged to higher caste and the boys they intended to marry were from Chamar and Dhanak castes which really led to an oppressive situation. 'One can bear a girl from other castes like Brahmin, Khati as there is a common saying that *jat ke beyahi jatni kahai* ('a girl from any other higher caste married to a Jat boy is accepted in the family') but surely a boy from lower caste marrying higher caste girl can just not be tolerated. 'How can we accept lower caste boys as our sons-in-law? It will have dangerous implications on our kinship relations. They will sit and eat with us and one fine day ask their share in property; this is just unthinkable' said Ram Singh, 62 years old Jat from agriculturist family.

There was entirely different case of eloping of a married Brahmin woman and unmarried Jat boy. The woman was brought back home and accepted not because of the liberal attitude of the family but because she was required for domestic work and to look after her children. Now, where does

the family honour go? In case of a girl eloping with a boy, it is taken as a loss of family's honour and village honour and killing her is the appropriate punishment to save the lost *izzat* (honour) of the family. Due to skewed child sex ratio in Haryana, there is shortage of marriageable girls resulting into non-marriage of young men therefore between daughter and daughter-in-law though daughters are valued in terms of '*ghar ki izzat*' (family's honour) yet it is the daughter-in law who gains importance as she is required for production and reproduction to continue the family name by producing children particularly sons to sustain patriarchy (Kaur 2010).

Gotra/Village Marriages and Social Sanctions

The observations revealed the degree of difference with regard to dealing with the cases of *gotra* or village marriages. It has been observed that *gotra* marriages are dealt with little leniently in contrast to the treatment meted out to the couple/families in inter-caste marriages. There were four cases of Jat girls who wished to marry Jat boys from adjoining villages. The matter was reported to Khap Panchayat and the families were asked to keep strict vigil on the girls as such marriages were not permissible due to territorial exogamy. Out of these four girls, two were married immediately whereas two girls eloped with the boys of their choice. With the help of police, the girls were brought back and the case was reported to the territorial Khap Panchayat which passed strictures against the families. Since the families were affluent, they therefore, did not agree with the panchayat's decision of *hukka-pani band karna* ('boycotting the family and asking them to leave the village'); rather, they rejected the decision and pressurised the territorial khap to take a soft view on the entire episode. The Khap decision was reverted due to the affluence of the families. Moreover, the girls were not killed as it was done in inter-caste marriages.

Village voice from Dobh from Chamar caste told that "boys and girls of this village as well as of adjoining villages are considered brother-sister. If they indulge in love affair or elope with boy/girl of prohibited *gotras* and villages then no one will tolerate. Who will marry them? Rather, they will face the consequences and be punished severely so that no one in future dare repeat such shameful act." She further told that such relationships/marriages bring bad name to the entire family and village. It is a stigma that the whole family suffers throughout ages. Media and excessive freedom given to children these days are basically responsible for this degradation in society", she emphasised. Birmati, aged 40 years, an illiterate woman from Jat caste mentioned that 'in our community, if there is any violation then it is seriously dealt with. In extreme cases, family is excommunicated and sometimes family is asked to kill the boy/girl'.

During group discussion with elderly men and youth, it was observed that breaching the caste, gotra and village(s) norms have been taken seriously

and negative sanctions have been attached resulting into strict punishment. Expressing choice for marriage and breaking the prescribed code of conduct was enough ground for either killing the girl or boycotting the family/boy. It was asserted that such marriages disturb the fabric of society and are black spot and result into loss of 'honour or *ghar ki izzat*' of the family including the whole clan. These not only affect the relationships in their own village but also ruin their status and prestige in other adjoining villages. Elderly men in village Kishanpura stated categorically that 'in rural set-up, it is ones *izzat* (honour) that is important and if it is gone then what else is left. *Ghori ar lugai ki lagam jitni kaske rakho uta achha* ('like mare, women too should be put under control to stop her from running') expressed an elderly, illiterate, Brahmin woman from village Bhali. On eloping of the couple, a voice from Bhali stated, 'it is the girl's family that suffers because people cast aspersions on it particularly her brothers find difficult while moving out as many people on roadside tease saying unpleasant remarks such as *thari chhori to bhaaj ri se, thamb bhi ke bolan joge so* ('since your girl has runaway with a boy so you have no right to say anything'). It is difficult to survive in such an oppressive environment and there is no place to go as we are tied to our land and village and this is our identity' as expressed by an elderly, illiterate, Brahman woman from village Dobh. The punishments are attempts to intrude into personal space of consenting individuals and dictating terms to curtail their freedom of choice to enter into matrimony. Though society puts emphasis on education and employment of both boys and girls, yet it does not permit them to take decisions regarding marriage. The special space created as a result of exposure to the outside world, rural-urban convergence, media, education and employment opportunities does not provide enough ground to deal with emerging situation efficiently and with maturity. Rather, it curtails the freedom of individuals under the garb of marriage customs and traditions prohibiting marriages.

These developments have to be studied in the context of political economy of the state where the roots lie in the inter-linkage between land, property, caste, gender and marriage. The sanctions imposed by traditional Panchayats against individuals, families and often caste groups or sections of its own community show that caste dynamics is taking an ugly turn. The interventions of caste councils in the form of social diktats are the logical outcome of the inter-linkage of caste and gender relations with control of assets in rural India.

In a way, serious crisis is penetrating deep inside the rural society of Haryana where forces of tradition and modernity are in sharp contrast defying each other. On one hand, caste panchayats have rigid stand on such marriages; no consensus on relaxing ban on *gotras* to make marriages possible. With fast changing rural society, education, employment particularly in the public sector and urban set-up are the new indicators of the status of boy and his family.

Highly skewed child sex ratio in Haryana has led to acute shortage of marriageable girls leading to male marriage squeeze. As a result, many Haryanvi men bring brides from poorer states such as Assam, West-Bengal, Orissa, and Kerala etc. On the contrary, there is complete control over the sexuality of the local girls/women who are married according to strict norms. There are cases where highly educated girls were married to constables, conductors or peons; the criteria being public sector jobs, i.e. lifetime security of the girl (Ahlawat 2009).

Caste Panchayats versus Elected Panchayats

It has been observed that the nexus between khap panchayats and elected panchayats is very strong; in every meeting along with other members of caste panchayats, the presence of elected member panchayat is compulsory to avoid any legal hassles. The decisions taken by them have the bearing of elected Sarpanch for greater acceptability. Not only this, these caste panchayats have a strong bearing while selecting candidates for PRIs. These panchayats enjoy not merely political support but also play dominant role in local politics so as to ensure that the authority of rural elites continues to be upheld. The patronization of these panchayats by the political parties seems to be the result of the hegemonisation of caste relations over the polity. The state government has always remained indifferent or supported caste panchayats whatever decisions they may take. The politicians have often hailed khaps' contribution and acknowledged them as social organizations maintaining peace and harmony in the society.

The situation at the moment is quite grim and unpredictable as there is tussle between individuals and families and between families and panchayats. In the process, it is the traditional panchayat that exercises its authority in connivance with elected panchayat. It is high time that state intervenes and realizes its responsibility and manages to come out of the shadow of the 'vote bank politics'. It is pertinent for the state to curb the extrajudicial powers of khaps. There is need to create an environment of dialogue, freedom and gender space to protect individual interests. For this, civil society organizations, academia, activists and media together should take the lead.

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