MARRIAGE: A FORM OF SOCIAL CONTROL

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Abstract:

It is believed that in the context of rural urban continuum, those who defy tradition and kinship/ customary rules regarding marriage create social disjunction in loosening collective community control which sets standards of behaviour and in sharpening of the generation gap between young and old. There has been a lot of resistance to intercaste marriages time and again. In-fact the resistance has been to such an extent that it has led to intolerable human rights violation. Based on my fieldwork in western Uttar Pradesh using a descriptive research design and an inter-disciplinary framework, this article reflects on the issues of inter caste marriage, the resistance and changing patterns in society and the power play and dynamics of various generations in resisting the trend towards marrying outside their caste. And this conflict is leading to social change in the society. Social control is exercised through severe punishments for marriages outside the caste system Quite clearly punishments are differentiated on the lines of caste and gender.

Introduction

The research study conducted in a village in western UP with more than 70 percent of its population as Jats reflects upon the changing patterns of marriage in India, witnessing rising cases of Inter-caste marriage and honour killings, atrocities, punishments, diktats against Inter-caste marriages. In western UP, the Jats have been the dominant groups in most areas, parts and villages and are the largest landowning caste group. In order to protect their customs and norms and at the same time maintaining and retaining their power and status, caste groups were formed, caste associations were formed, giving itself a separate caste identity with its own rules and norms. Common perceptions related to intercaste marriage strongly appear to follow endogamy. This endogamy or bhaichara (fictive brothers and sisters) is strictly observed. Anyone digressing from this norm is getting severe kind of punishments. The study is seen in the light of conflict perspective where the older generation in resistance to intercaste marriage is coming in conflict with the younger generation who are willing to express their desire to choose their life partner outside their caste. And this conflict is leading to social change in the society. Social control (through marriage) is exercised through severe punishments. Quite clearly punishments are differentiated on the lines of caste and gender. Role of police and judiciary/ state is supposed to be protector of human rights but in such cases of intercaste marriage, traditional laws and society concerns/ customs over ride that of state. Media talks of severity of punishments, it does not take a stand against khaps, it simply reports the cases of intercaste marriages and honor killings. As a result of which, fear and anxiety is linked to such events. Technology used, personal mobility (for education, health etc) creates an atmosphere of change. But such an atmosphere of change is at the same time juxtaposed with tradition in such a manner that the traditional society also sees the use of technology as a means of social control example banning the gadgets for girls. Thus there is a need to look at all this from social work perspective- in the form of social advocacy, support, research and create supportive mechanisms for people, sensitise the police, judiciary. In all

empowerment programmes, we seem to leave out men and so it is imperative to involve them at various levels to uplift both (men and women) together to have a just and humane society.

India is witness to a strange paradox. The modern society with symbols of advanced scientific knowledge contrasts starkly with the traditional society; rights and justice juggles closely with the inhuman and atrocious treatment towards its women and marginalized; governance systems using advanced science and technology nest with archaic and ritualistic forms of governance. The growing and intentional tussle between the traditional laws strictly imposed by traditional panchayats, the elderly and the changes brought about by education, social mobility, urbanization, westernization, industrialization, technological revolution has led to confusion in the minds of people, who-on one hand are not been able to keep themselves aloof from the growing changes and on the other hand want to retain hierarchy, power, acts of suppression and dominance in the name of tradition, caste, marriage and patriarchy (Kummar,1967; Ravinder, 2004). Any act of defying such norms, leads to harsh punishments, disturbance in society-in relationships, lynching, killings, rapes and so on. Our society is caste based society. Caste is deep rooted in Indian society. The growing opportunity through education, rising social mobility, reservation of seats for the underprivileged has led to a lot of change in the traditional defined structure/ hierarchy and status- both in economic as well as socio-psychological ways. People have started moving out –travel to study, work, find jobs fighting away from hereditary occupation, change lifestyle and consumption patterns (Srinivas, 1962; Karthikeyan, 2013; Shah, 2007). Such modernistic life styles are accepted and seen as desirable by all concerned. All this is acknowledged and supported by the family members and village members too. But when it comes to marriage, caste plays a crucial role- not only in villages but also in urban and mega cities. One simple example from day to day life is enough to illustrate the point we have a special column for matrimonial alliances under specific caste headings and sub headings. This also clearly shows that marriage gives strength to caste system and it is this very reason that marriage needs to be controlled as our society is highly caste ridden society. Not only from social point of view but also from political- economic point of view, it is believed that marriage needs to be controlled and it needs to be within ones' own caste and not outside it (Madsen, 1991; Bhatia, 2009).

Understanding marriage in an inter-disciplinary lens

According to Westermarck (1891), in the History of Human Marriage, he defines marriage as "a relation of one or more men to one" or more women which is recognized by custom or law and involves certain rights and duties both in case of the parties entering the union and in case of children born of it". According to Rivers cited in Dash (2004), "Marriage is a union between two opposite regulating their sex relationship. It is an organized institution for regulating their sex relationships". Marriage is considered to be a sacred act. It is not only considered a union of two individuals but also the union of two families wherein they resolve to live the perfect life together. It is the most prestigious family ceremony in which members of the family, caste and many others gather together to celebrate (Kapadia, 1959; Diwan, 2008).

In understanding marriage it has been seriously argued by many scholars that an inter-disciplinary framework needs to be adopted. Also marriage in collectivist societies need to be looking at its contextual issues specially caste locations and caste relationships. Marriage is also seen to be a tool for social control as it is also inherently social and economic at the same time. Marriage norms are followed to protect property relations and to preserve the economic ties between families that enter into such alliances. it is not simply a matter of regulating the social ties but the scale in which celebrations of marriages take place are also seen as reflective of the economic status of the families involved.   The more money is splurged, the higher the status points one notches up on the social scale. Explaining marriage in an interdisciplinary context gives a clear view of need, importance, and role of marriage in life of the individual and how the institution is changing with changing times.

The institution of marriage can be studied from various lens- sociological lens, economic lens, and psychological, legal sense and from public administration lens and it is necessary to see the institution in these perspectives (Busby,

2000). Sociological theories of Marriage look at marriage as a social institution performing an important role in mediating the relations between two individuals and also two families. Functionalist perspective of marriage explains the need and importance of marriage for proper functioning of society. Procreation and up-brining of a new generation is the basic function explained through the process of child bearing and rearing. Thus, marriage not only gives legitimacy to birth of children but also looks at the welfare of the children (Girgis, George and Anderson, 2008). In a country like ours, where on the one hand traditions and customs are deep rooted in our lives, and on the other there are engraved social evils as well. Ours is a patriarchal society. Boys are preferred and girls are seen as a burden as a result of which selective abortions take place even today, bride burnings still exist (Sex ratio-933/1000 according to census 2011). Indian society has been dominated by caste system and marriage amongst Hindus as a consequence is governed by explicit and implicit caste rules. Explicit structural rules include caste endogamy which means marriage within the group, village exogamy which implies husband and wife should not come from the same village or cluster of villages, territorial rules, jati endogamy wherein the village couple must stem from two families that have historically belonged to same jati, gotra rule according to which members of a gotra are presumed to be descendent of same ancestor and hence should not get married and sapinda relations (prohibited kin relations are collectively known as sapinda relations and are traced through both father and mother). Implicit rules of marriage say that each family aims to maximize its gain through marriage and minimize any loss either in status, wealth, or welfare of its child and this can be done through negotiations and distribution of wealth. Rigidity in caste system leads to loss of independence (Gupta, 2002; Dumont, 1996). At the same time there is another dominating context that of living in the 21st century- an era where men and women are now given equal rights and liberties in the world. This is something that is ordained and protected by our Constitution.

Economic perspective looks at the institution of marriage from the economic benefit accrued to the partners in marriage or the exchange of material benefit as a result of marriage. Marriage is also seen to cement some relationships between families/ communities that have some economic impact. Thus sharing of resources through the institution of marriage as well as of control of resources through these ties was evident in Indian Society across various social and religious groups and also across various systems of marriage (bride price/dowry) through inheritance rights (patriliny/matriliny). Dowry and bride price are inherently economic exchanges that totally control the institution of marriage and themselves are controlled by the societal norms pertaining to marriage. It is also seen to foster ties between two families. Marriages are always spoken of enhancing the economic status of women as when the desirability of getting married into one or two notches above one's prosperity levels is articulated in the society. The concept of streedhan (stree means woman and dhan means property)is also associated with marriage in Indian society, particularly in Hindu Society. Marriage is not simply a matter of regulating the social ties but the scale in which marriages are held are also seen as reflective of the economic status of the families involved and the more money is splurged the higher the status points one notches up on the social scale. This is maintained by incurring wedding expenses and dowry system prevailing in India. From socio – political – economic view – distribution of land was a major issue since colonial period. Fragmentation of land became a major concern. Here also, the female – either as daughters or sisters, were the disadvantaged ones as they did not have any legal right for inheritance etc. Hence they were kept out and were not given any inheritance rights. To keep a control over the land – not let it fragment further, it was inevitable to control marriage (whom to marry, when and how to marry – controlled by the male members) – and hence strict emphasis on caste endogamous marriages. However, various theorists (Lundberg, Pollack, 2013) also talk about the weakening of the gendered specific role patterns. With the enhancement of educational opportunities, availability of wage work for women and also increase in dowry demands have even led to delayed marriages (Desai, 2010). The marriage ties having function other than regulating sexual behavior come to the fore when marriages alliances are entered into two scions, both in the ancient, medieval or modern periods. There were stark instances in history wherein, in order to save kingdoms or enhance political power and for economic benefit, marriage alliance between Mughal kings and Hindu/ Rajput princess. This was considered common and was accepted too. Such alliances have also been seen in recent times. One such illustration

is the marriage alliance between granddaughter of RJD leader Lalu Prasad Yadav and grand nephew of Samajwadi party leader Mulayam Singh Yadav. Same pattern has also been seen in the villages too.

Feminist approach to understanding marriage looks at marriage as a gendered institution. Gender can be seen as a powerful structure operating at various levels. Powerful gendered ideologies (Zimmerman cited in Desai, 2010) shape the behaviour of both man and woman. Ridgeway and Cornell (2004) also talk of construction of gender identity as a result of cultural beliefs and patterns which explicitly and implicitly shape thoughts and actions of men and women. Busby (2000) argues that gender difference is both rooted in body and bodily substance and performed through gender specific division of labour, roles and spaces. This pattern/ notion of gender stereotypes is controlled and regulated by dominant social groups in society- patriarchical forces specifically in Indian context. Women have always been considered and portrayed "less" than men especially in matters of reproduction (Connell, 1995; Risman, 1998, 2004; West & Zimmerman, 1987). Proverbs related to Women in all the Indian languages somehow portray the secondary status of women as also marriage as their goal from birth onwards. Cases of families collecting items to be given in dowry from birth onwards are quite common. Further the proverbs related to women and their 'ignorance' with regard to decision making and their lack of understanding in specially property relations or handling money matters are also frequently observed. Such images of women are reinforced through both cultural symbols as well as through linguistic articulations in the contemporary culture of India. Any suggestion for change in the status or the right of women is seen as an aberration. Even the Scriptural history of India suggests that gender defining is ordained and natural and is replayed time and again through everyday articulations and invocation of the myths and legends that speak of such differences (pativrata , sita mata , Ram maryada purushottam etc).

When we look into the aspects of controlling marriage, forcing one to marry within one's caste and punishing the one who breaches this rule of caste endogamy, it is also imperative to see it in the light of human rights perspective, woman liberty and patriarchy. This is because, women have always been seen as objects that reproduce- not only reproduce but give birth to a male child. Female sexuality is thus protected from the time of her birth and then controlled till she gets married (Thapan,1997 ; Srivatsan, 2000).

In legal context, a person can live his life according to his will/ desire. India is known for its largest democracy in the world. And also, the culture of our country is known all over the world. There are various ways by which Indian state recognizes the relationship between man and woman under various laws of marriage- Hindu, Jain, Sikh Muslim laws and also secular law of intercaste marriage. In India, marriage laws gained importance from the time when sati was abolished in 1829. Since then, several legislations pertaining to marriage and in relation to women's right came into being. Right to inheritance of property, dowry prohibition act and domestic violence act and laws related to divorce- to name a few. The primary importance was to curb/ eliminate the social evils prevailing in purview of female infanticide, child marriage, bride burning and gender discrimination/ atrocities in various other forms and maintain a just and humane society. The Hindu Marriages Disabilities Removal Act (1946) and the Hindu Marriage Validity Act, 1949 were the two landmark Acts have significantly changed the marriage rules for Hindus. The former permitted sagotra marriages (of same gotra ancestor) and the latter permitted intercaste marriages, amongst Hindus. Apart from certain prohibited degrees of relationship (sapindas)- seven degrees from fathers side and five degrees from mothers side- all other marriages are validated and legal, according to Hindu Marriage Act,1955. These two acts brought about a landmark change in society because it gave more freedom, a legal status, a right to an individual in matters of choice of a partner and even in matters related to separation and divorce (Diwan,2008). The Special Marriage Act (1954) gave recognition to the right of the individual to choose his/ her life partner irrespective of caste and religion.

Literature review on social control and Caste - marriage inter-linkages

In the Vedic age, intercaste marriages were common. Ancient texts mention two forms of inter-caste marriages: (a) Anuloma Marriage i.e. when a male of superior caste marries a female of inferior caste, for example, a marriage

between a Brahmin male and a shudra female or Kshatriya male and Vaishya female. (b) Pratiloma Marriage i.e. when a female of superior caste marries a male of inferior caste. This situation seems to have changed in the post Vedic period, the Hindu sages approved of the sa-varna marriages and disapproved of inter-varna marriages. Later on, this prohibition was extended to various jatis (Buhler, 1886; Diwan, 1995). The traditional customary rules-based on caste endogamy, gotra exogamy and territorial/ village exogamy are observed and enforced in our society rigorously. Gotra rules pertain to avoidance/ prohibiting marriage with first cousins from both paternal and maternal side. But it is not limited to this alone. There are clusters of gotra combined, come under one big umbrella and forms an exogamous group. Because of this, the degrees of prohibition and restrictions (of whom to marry and whom not to) have increased. Even so much so that a girl and a boy, belonging to a particular village and several other nearby villages are considered as brothers and sisters and marriage alliance is strictly prohibited (Shah, 2007; Uberoi, 1995).

Various theorists (Ross, 2009; Innes, 2003) have explained social control as mechanisms to regulate behaviour of the individual and group behaviour in order to maintain conformity to the existing social norm and social order. Social control refers generally to societal and political mechanisms or processes that regulate individual and group behavior, leading to conformity and compliance to the rules of a given society, state, or social group. There are two basic forms of social control- one that rests with legislations, police, judiciary, panchayats, may be termed as Formal Social Control and other the Informal Social Control carried out through family, custom, religion, socialization, internalization of norms, values, culture, morals, education, ideology etc. Every social group can be studied from the aspect of social control which it exercises over its members and the contribution which it makes in regulating the behavior in society (Encyclopedia of Sociology, 2007).

Explaining the power differential theory (Black cited in Innes, 2003), highlighted how the most powerful persons or groups control the rest through force and authority and regulating behaviour at various levels. The same can be seen in the context of dominant caste groups in western Uttar Pradesh suppressing the lower caste groups and also women being controlled by male authority/ patriarchy. The relationship between the individual and the society in India is colored by the social control that the larger society exerts over the individual in all that he or she does (Derné, 1995). The whole notion of 'izzat' (honour) and 'bezati' (dishonor) which operates in close knit groups, have a strong influence on social living patterns (Wardak cited in Innes,2003; Karat,2006; Chowdhry, 2012).

Thus, the need to prevent any chaos or confusion and for proper functioning of society, both formal and informal mechanisms of social control exist in society. Other than this, certain social control mechanisms are either reactive or proactive- depending upon the nature and timing of the deviant act or transgression of social norms.

According to Hirschi (1969) and Horwitz (1990), small, intimate, close bondedness produces strong social ties and the strength of this bond is reflected through strong sense of attachment and influence of power on framing the attitude, behaviour, thought and actions of the individual- within the family and group. It is in this respect that the shared norms of caste can be understood. People behave in such a manner so as to be well recognized and accepted in the social group and reduce chances of getting belittled in every way possible. It comes from the notion of fear of being rejected, facing disgrace and non acceptance that forces the individual not to deviate from socially accepted norms and values (Coleman, 1990). It is also through primary and secondary socialization that forms and shapes the attitude, behaviour, thinking pattern, values, actions, habits and participation of an individual at various levels-within the context of culture, society, tradition and one's community. For example- the culture or caste to which one belongs to, gives a sense of identity/ belongingness to the individual, creates a social as well as psychological boundary which defines role of the individual, creates a sense of responsibility and commitment of oneself towards others and clearly defines control mechanisms forming and controlling thoughts, behaviour and actions of the individual to keep up to the expectation of the group and maintain its sanctity and honour. However, it is the same culture and caste boundaries which continuously and tremendously pressurize the individual to conform to its stated

norms and values. Any form of questioning the existing norms is seen as a threat to its existence. Any kind of transgression is seriously dealt with. The strong resistance to change or acceptance of any new ideas is manifested in the form of brutal suppression and repression. Also, both law and morality act as the push and pull factors in shaping the behaviour and action of the individual (Shavell, 2002). On one hand, one obeys the legal rules through imposition of legal sanctions in the form of fines and punishments so as to maintain social order and harmony (Goffman, 1971). On the other hand, based on moral principles and values, the behaviour of the individual is judged to be bad or good, accepted or unaccepted and tolerated or not tolerated. Based on this, the individual internalizes the sentiments of guilt and praise and behavior and action is controlled accordingly.

Different theorists (Horwitz, 1982; Garland 2001; Cohen, 1985) have tried to understand and explain social control as an important aspect of social life and thus maintaining social order. This further can be explained through Gramsci's concept of hegemony (1971) and Althusser's 'ideological state apparatus' theory (1971), which went on to explain how the dominant groups exerted control through their dominant ideas and behave as repressive state apparatus in regulating behaviour, thinking patterns, belief of the individual and so on. Moreover, social control is not just seen from the perspectives of communities or groups to maintain social order but it can also be seen in gendered perspective wherein women are subjugated to suppression, repression and violence (Carlen, 1995).

Methodology adopted

For my study, I used a descriptive research design using qualitative methods like interview, observation and focus group discussions and followed the interpretive and hermeneutic traditions. The nature of reality (ontology) for the study was captured in the word Verstehen that is understanding of social reality that can be best captured by in-situ methods. It is understood that social reality is not only complex but also dynamic in that the social relations/processes are not static and are subject to change with interventions/influences such as even those of an innocent query by the researcher. Thus the responses of individuals that contribute to the understanding of social phenomenon is dependent on various factors in a symbolic interaction process of how the query was perceived, and the researcher is viewed from what status point and what privileges etc. The multifarious influences in determining the individual response pattern is something that could be captured by the use of methods that stress on gaining an in-depth knowledge of the issue, seeking the natural social situation as sites of responses, allowing space for dynamics of the social processes to be captured and most significant, to accord value to the voice of the respondents (Denzin and Licoln, 2000). For analysis of the data,   I used Hermeneutics, which is an approach to the analysis of texts that stresses how prior understandings and prejudices shape the interpretive process (Denzin and Lincoln, 2009). The interpretive tradition also calls for the researcher to be a reflexive listener. Thus the study left a deep impression of the judgments of the people- pertaining to marriage, caste, conflict, social control, inter-relationships and killings in the name of honour and prestige, caught in the complex dynamics of caste, conflict, patriarchy and democratic principles of human rights and justice.

The quality of a professional social worker to empathize and use professional skills and tools to understand and undertake the sensitive topic related to caste, marriage, relationships, intercaste marriage, killings in the name of honour, social control and so on- definitely entailed in-depth interviews, interactions and discussions. I had followed Padgett(1988) line of reasoning that "For researchers interested in behaviours considered taboo by society, qualitative methods may be the only approach plausible" .

There were many challenges that I encountered while I was doing research. One major challenge was how to probe a sensitive topic for discussing and probing with communities who are already polarized and extremely cautious in talking to media or sharing any of their opinion regarding such marriages for fear of backlash. These were also designated as riot prone areas by the police and the officials. While I was interviewing the SHO and the SI's in the police station, I was stopped by the mass stone pelting was going on in the vicinity- attacking the police vehicles

when the police protested about drunken behaviour. On yet another day, the police station was overcrowded with people belonging to nearby villages beating a group of handcuffed boys for raping a minor girl.

Insights from the Study

The study reflects upon the changing patterns of marriage in India especially in the village in western UP as a lot of rising cases of Inter-caste marriage and honour killings, atrocities, punishments, diktats against Inter-caste marriages. In western UP, the Jats have been the dominant groups in most areas and are the largest landowning caste group. Since colonial times they either were recruited by the military as warriors and gained Kshatriya status or owned big lands in one way or the other, they were the rich, prosperous, high status ones. Hence since the beginning only they were against the upliftment of the lower caste or even against the mobility of the same. In order to retain their power and status they were against all practices and actions which could challenge the existing customs and norms.

Dominance of upper caste-There was strong community perceptions related to marriage. These social norms are also ensured strictly. Thus the girl/ boy and many a times the whole family is punished in the name of honour or to teach a lesson to them as well as set an example for others. At first it is considered to be a family issue or a family problem and is sometimes dealt in a secret manner and the matter ceases to be. But as soon as it involves two different castes, the matter is spread over in the village and if not privately dealt, the matter goes in the hands of the traditional panchayats or the elders of the village/ khaps. These traditional panchayats/ caste panchayats or khaps have no legal authority or rights to infringe upon human rights. However, they make their own judgments; take decisions on behalf of the village members, issue diktats, calls out for punishing the culprit which even includes acts of violence, rape, lynching and even killing of those who go against the traditional norms and customs. Strong perceptions relate to negation or non-recognition have emerged in the study as such marriage does not have the sanction and blessings of the elders. While others call it marriage out of lust and sexual desire and urge and compare such girls with that of prostitutes, who cannot control the urges of sexual desire and leave themselves open to all. Problems related to marriage and caste are considered as a matter of honour and it is very strongly believed that no police, no state, no law is above the honour of the village/ community. Irony is- where does the honour goes when this male has sex with a sex worker of a dalit caste?

At the same time there is an internalization of this honor as expressed by young girls " Jis baat se meri papa ki ijjat kharab hogi…toh aisa kaam hee kyun karna?"(Why should I do such a thing which brings bad bad name to my father) There is thus an internalization of the family's norms of honour on the lines suggested by Gramsci and Focoult in terms of a hegemony that is perpetuated through the voice of the vulnerable and the weak. As explained by Gramsci (1982) in his theory of 'Cutural hegemony' is not limited to one's family members but also those lower in the caste hierarchy. Thus this is brought out clearly through the words of the persons belonging to so called lower caste (ascribed status) "hum neechi jaat ke logon ke toh sirf ghar mein ijjat hove hai….isi ijjat ko bacha len…." (For lower caste people like us, its within the family that we have our 'honour' and that we have to protect . As identified from Marxian perspective also (Encyclopedia of sociology, 2011) there are two groups- one with power, authority and considered to have honour and the other which does not have power, authority and honour and are the suppressed ones. These are usually the lower caste. They have low socio economic status and hence no power and no honour, as compared to that of the rich higher caste.

Forms of punishments-The study has also brought out various aspects related to punishment meted out in case of transgressions from the stipulated marriage norms. Social boycott and ostracism are the accepted forms of punishment to deal with caste infringements of marrying outside the caste norms. However it was observed that the village has dual norms in punishment as seen in the case where only two upper caste people infringed the norms/ customs, they were not as severely punished as in cases where a dalit and an upper caste was involved.

The study dealt with inter-caste marriage taking place in villages of western UP where one caste is lower and the other is an upper caste. There have been cases registered and unregistered involving two different castes. The couples have eloped, in another case they were expelled from the village and in yet another girl was killed and her body was found in the nearby nahar (canal).

Yet another observation was the stark difference between the punishments given – which was again very much caste based. In some instances, where the girl and the boy were caught and brought back to the village after they had eloped, as a part of punishment, publicly they were asked to acknowledge each other as brother –sister, the girl even tied rakhi(a thread or bracelet, tied by a girl or woman on wrist of a brother as a symbol to protect her thereby treating her as a sister on the boys wrist- symbolizing brother sister relationship). Though it was resisted by them, but due to extensive pressure- physical, mental, emotional- they surrendered. My point is- what kind of example are we setting up for a brother sister relationship- is it justified- morally, ethically- that a couple who eloped, having been in a relationship-both mentally and physically- were made to admit that they are brother and sister- just to punish them or save honour. What kind of honour are we giving to an actual brother sister relationship by doing this? The common thinking regarding the punishments (in public or otherwise) is that it is considered to be mandatory for those who violate customary rules/ norms and it is deterrent for others who dare to do so. The basic aim is to protect and defend village honour in general and caste honour in particular. Making the killings public/ punishing the couple in public in front of the whole village was the only means to assert the loyalty towards restoring one's family and caste honour.. 'agar kahin dikh gayi na, toh apne hath se gala kaat den hum… sabke samne khatam kardenge.'(if she is seen anywhere there and then only will cut her throat and kill her in front of everyone)

Gender differentials quite clearly emerged in relation to marriage norms. Demand/ preference for educated or even working girls is increasing as she would add to the income of the family sooner or later. At the same time, dowry demand has not decreased yet. It is also observed that because there is a change in socio-economic status and rational thinking / questioning has led to breaking of customary rules and norms. The mere fact that apart from traditional panchayats – there was established statutory panchayat and people started to move to courts, knew about their rights and challenged the decision of caste panchayat or even seek protection under law against any decree/ punishment/ decision of caste panchayat – shows a shift, a change that is taking place in society.(legal and political sphere).

Also, it has been observed (through cases and interviews) that the higher caste men consider the lower caste women as mere objects of sex. They openly say and feel as a matter of pride, manliness and bravery that lower caste females are meant for intercourse and fun and not for marriage purpose. The notion and concept of morality becomes important in marriage and following social customs. My point is- where is the question of morality now when the one who rapes or kills a woman in the name of honour is given higher honour. Why? Also, where is the question/ debate of purity and pollution now, when the higher caste men rape or have sexual intercourse with the lower caste females, does it make the higher caste men pure or polluted?

On one hand where teaching as a profession for girls, is accepted and respected, on the other hand higher education is cursed or blamed at directly for elopements and run away marriages. "Padhne padhaane ke liye nikalti hai…aur gayab hojaave hai sasuri(cuss words are used indicating derogatory status)!"(they go out to learn or teach others and run away from there) .This ideology and mechanism of social control- control over a woman's body, her sexuality, her thinking, her lifestyle and above all her decision to marry, is quite clearly a violation of the principles and ideology of human rights, dignity and life.

Challenge to democracy- the functioning of the traditional panchayats pose a threat to our democracy. It is believed and often talked about that the court, the legal procedures are difficult to approach for a common man. Now this has

been imposed by the traditional panchayats in such a manner that the laws are not sensitive to the sentiments, customs and values of the village. It gives a picture that the law is made such- that it is not linked to the grassroots problems, issues and concerns and hence justice is delayed and denied.

Analyzing different cases, reports and interviews it was found that the state very much works and decides on the basis of giving importance to patriarchy and caste kinship and keeping it intact especially when marriage is concerned. Though its mandated role is to support human rights and give preference to legality and uphold the law of the land, but in reality it is not so. It has acted against the principle of justice and egalitarian principles, by supporting the powerful and the dominant and not paying heed to the weak and the vulnerable (women and dalits). The mere fact that a woman being an adult is suppressed brutally if she decides to make a choice or decides to choose her partner, her socio-legal rights are taken away, even her right to live is dependent and is left at the mercy of the caste and honour of the family, village and community. There is conflict between the ideas of state and that of the legal authority and humane principles (individual). The attitude, perception of the people in general and the law authority (judges, lawyers) in particular, poses a question, a challenge to equality before law and the notion of equality between a man and a woman.

The girl or the boy or the couple transgressing the traditional norms and customs and marrying against the wishes of their parents is punished. The legal forces, the police, the judiciary and even the politicians- all play a role. These, who have to protect the law and life and right of the individuals, because of the vote bank politics, the transfers and other related problems, mould their role and decide only in favour of the powerful and the majority- usually the upper caste.

Yet another discrepancy is of the fact that why such law is there, that a woman can have consensual sex if she is 16 years or above, but actually when it happens, it is not accepted. Not only it stands unaccepted, it is brutally suppressed by other sections and laws overriding it. While the law may be progressive and gives equal rights to men and women, but the society is till retrograde and twists and obliterates the spirit of the law.

Another thing which is contradictory is the fact that in the name of honour, a woman is made to stand guilty from all angles, she is called by names, her sexuality, moral values are questioned and she is blamed from all spheres, yet the boy is also punished in severe manner. Firstly the consent of the woman is nullified in whichever way possible and then the man is punished. This again proves patriarchy and control over women which cannot be taken by any other man just like that. In most of the cases where the judgments disapproved the mutuality and mutual consent of the man and woman, it clearly gave importance to traditional norms, cultural beliefs and attitudes, moral and ethical values of the village, society and family as a whole and not that of the two as a married couple individuals with their own rights and dignity. Not only from the point of view of the village and socio psychological perspectives, there is gender bias from legal point of view too. One needs to question the difference between the legal marriage age of girls and boys. Why is it that the legal marriageable age for a girl is 18 years and for boys it is 21 years even though biologically both attain maturity/ puberty at around same age? It is not just conflict between the young generation and the old but this has also brought into picture the conflict between beliefs and practice. Women are considered to be inferior to man in every possible manner.

A need for change- The fact that the lower caste – Dalits have approached National Human Rights Commission – in cases of atrocities/ adversities has been a change to be noticed. They are now becoming aware about their rights – socio- legal and have gained courage to fight for the same. So the need for a change has been realized and recognized. The only drawback is that like other laws, this one also needs to be implemented strictly and effectively. Because the ground reality is very different, wherein the elopement and runaway cases have been dealt with ultimate violence, resistance and ended in trauma. So both societal acceptance /societal change along with strong implementation of laws has to go hand in hand to respect human dignity, life and see a social change in this

perspective. Also, a separate law is needed for honour killings- it has to be recognized as a social problem (like sati practice of bride burning on funeral pyres of their husbands. And thus came the Sati Prevention Act,1987) .

In the 21st century, after so much change and development, where the women are coming out for jobs, the SC's are taking advantage of the reservation opportunity, technically- in legal and economic aspects- the vulnerable group that is the lower caste and the females are not at the receiving end but are still suppressed in matters of marriage and honour. Phrases used especially. for girls- moo kaala hogaya (you have disgraced me, blackened my face), izzat lut gayi(dishonored, bad reutaion), naak katwa di(lose face, spoilt reputation). The irony is that there are no phrases for the one who raped or for the one who killed. Is this humanity? Is this justified?

As told by the ex-Pradhan- unemployment can be one of the reasons why men cannot find suitable brides. The lower caste dalits have had the advantage of reservation of seats- both for education and employment. This has seriously affected the Jats and the upper caste population. He even told that the Jat samooh or the Jat organizations are now demanding reservation amongst the OBC category as their children and the coming generation is deprived of good education and job. Employment hardships have also caused a lot of tussle between the higher and the lower castes. And there is a lot of political drama and blame game regarding this – as they (the higher caste) believe that as it is there are very few jobs available in the market (in government sector) and whatever is left is easily taken away by the dalits (reserved category. The ones who were once against reservations of seats and strongly condemned/ criticized it and even abused the lower caste for availing the facilities/ advantages (kamzor varg ke liye sarakar ne banai hai suvidhayen, khud kama ke nahi kha sakte….sarkar madat karti hai bicharon ko)(the government has made reservation schemes and policies to help the weaker sections as they themselves can not earn and eat). now they are the ones seeking reservation, under OBC category due to changing situation where unemployment is on a rise and people are looking/ seeking educated working grooms/ brides for marriage alliances. So this can be seen as a change arising due to changing situation and demand.

Conclusion:

The two worlds and the twain shall never meet seems to be the situation when it comes to intercaste marriage.
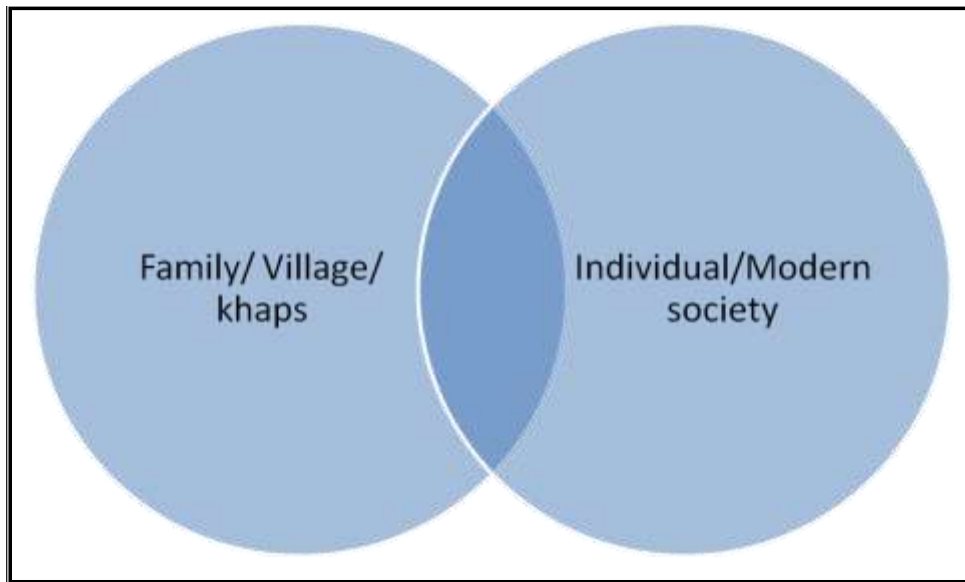
Individuals who desire to marry outside their caste are caught between the two worlds. One is that of traditional society where family status is honored and marriage between families is linked with social status. And on the other

hand the modern society with newer institutions to regulate social, economic, political behaviour comes with its laws, rules, regulations, procedures- closely linked/ bound within institutional parameters- such as the Constitution of India, the electoral system, administrative apparatus, the police and judiciary. While the individual is not averse to being subject to such modern institutional requirements such as having a valid voter ID card, valid passport and other forms of 'social control' that give him/ her citizenship rights and recognize him/ her as democratic entities. This is in stark contrast with family and caste centric societies where the individual abrogates or subsumes his/ her rights to that of the family.

There seems to be parallel worlds existing side by side. And sometimes when they brush against each-other there seems to be a kind of volcanic eruption of underlying tension and conflict. The underlying tension is because of the notion of rights vs. duties/ honour. Modern societies are based on protection and promotion of individual rights whereas the traditional society is based on collectivistic notions of honour and duty. The concept of 'dharma', both sacred and profane seems to be influencing the social behaviour to a large extent. Behaviour specifically marriage or marriage related is thus strongly caught in the twin tensions between aspiring individuals to assert their rights and to those that impel them to be a part of their own society because of social sanctions. There is an internalization of the socialization process which makes individual to adhere to group norms as given in the daily dose of verbal and non verbal communication and interaction patterns. At the same time there is a domination of the traditional authority and power structure over the democratic social institutions such as the police, judiciary and administrative processes.

The culture of domination in western U.P has not changed much even after independence, with regard to the domination of traditional structure. It appears to be that caste seems to have an endearing influence on the very modern institutions which want to reduce its influence. Politics is also influenced by caste and most political parties esp. in western U.P seems to be closely affiliated or bound with caste groups like- Mayawati (dalit leader), the Yadavs and so on. There are also large alliances across parties now (Lalu Prasad Yadav's daughter getting engaged to Mulayam Singh's grand nephew). There has been newer ways of cementing political ties- caste has come into politics and vice versa which once again shows that there is a motive to strengthen caste position in modern time too. It is apparent that democratic behaviour socialization is not taking place and only caste socialization favoring hierarchy and power continues to dominate the perceptions of people in general and representatives of institutions. Professional socialization of the police and the judiciary seems to have nullified effect in the light of caste socialization. Also, very little statistical data is available on killings, lynching, murders in the name honour happening in India. And no research studies have been conducted exclusively on this-highlighting it as a social problem. Cases have been reported as mere incidents of crime, as articles, reporting etc not recognizing it as a growing concern or a social problem.

Also, after the data collection and reviewing articles/ observing cases- it can be said that apart from implementation of laws (esp. pertaining to human rights and honour killings) , there is a need for change and sensitization of social/ community mindset- as this has tremendous involvement leading to resistance and acceptance of the situation. For a long term and sustainable change, change in outlook is important not only by the family members but also by the whole community. Some kind of social reform plan is needed. Like earlier, widow remarriage and sati was also challenged and faced tremendous outrage but nevertheless led to a social change in our society. However, having said this, my question is- even after such hard talks and being tough on paper too perhaps, have the cases of lynching/ atrocities of victims reduced? The fear, the resistance has only taken a toll. Every other day one incident is reported- read and seen in newspaper and news channels. A major breakthrough is required- like in the case of abolition of sati. Like in a case in 2010 where Haryana court sentenced 5 men to death for the honour murder of the young couple while giving a life sentence to the head of the khap panchayat that ordered their death (Shaktivahini, 2013; 2012).

Even after all this, it will be a long drawn battle. The battle of resistance and acceptance! Intercaste marriages have been on a rise. And so the torture and physical pain, abuse, killings, atrocities continue. But it has not deterred the young generation in willfully deciding whom to marry. Every intercaste marriage begins with a rebellion- a conflict against patriarchy, caste, orthodoxy and a fear of pushing the caste boundaries, challenging caste norms, traditions. Many have paid price for that by facing brutality, lynching, rape and even at the cost of their lives. But it has not stopped. The contentious intercaste marriages are still taking place and are on a rise.

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