



drishti

Case Study - 19: Rule of Law vs Social Norms

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You are the Superintendent of Police (SP) in the district where instances of honour killing are rampant. One day you receive a phone call from a girl informing you of the potential threat to her and her partners' life from her family as she has decided to marry a boy belonging to a lower caste. Moreover, the local police station is not filing the FIR or granting them protection. You ask her to visit your office but she demands police protection to come out from the hideout as her father's goons are chasing her.

On further inquiry, you come to know that the girl is the daughter of one of the most powerful Minister of the State and both girl and boy are legally eligible to get married. The family is concerned about the family prestige due to the lower caste of the boy and also of the financial stability of marriage as they both are unemployed. You are under extreme political pressure to charge the boy of kidnapping the girl or else face the consequences.

In such circumstances, point out the ethical dilemma faced by you and options available to you. Also, chalk out the course of action you would prefer to follow. (250 words)

Solution

Facts of the case:

- Possibility of honour killing mainly due to non-acceptability of inter-caste marriage.
- Couple legally eligible to get married.
- Concerns of financial stability of the marriage.
- Local police not filing the FIR.
- Extreme political pressure of filing a false case against the boy.

Stakeholders involved

- The couple
- Politician-father of the girl
- Local communities
- Self (Superintendent of Police-SP)

Values

- Tolerance
- Humanism
- Leadership
- Courage
- Social justice

Ethical dilemmas

- **Personal v/s professional ethics:** Adhering to the demands of political leaders by not providing protection to the couple or following legal duty to provide safety and security to the couple.
- **Following social norms v/s ethical norms:** Accepting inter-caste marriage is not socially acceptable but moral standards suggest to allow the couple to exercise their free will.

Options available

| Options | Merits | Demerits |
|--|--|---|
| Allowing the communities to handle the situation themselves. | Meeting expectations of the political leaders. | <ul style="list-style-type: none">● Against the fundamental rights of the couple. Going against the Constitutional ethos.● Putting lives of the couple at risk.● May disturb law and order situation. |

Providing police protection to the couple and following standard legal procedures.

- Opportunity to show **administrative leadership.**
- Showing impartial attitude of administration.
- Avoiding **moral dissonance.**
- May lead to political backlash against the SP.
- Risk to lives of the couple once police protection is removed.
- Police administration may face the wrath of local community leaders.

Option (2) should be the correct approach to handle the situation.

Course of action

| Step | Reason |
|--|---|
| 1. Initiating preliminary inquiry and validating the facts | <ul style="list-style-type: none">• Knowing about the circumstances would give an opportunity to better understand the viewpoints of the couple, the community members and the local police officers.• It would make sure that there are no vicious motives or any political conspiracy.• This would avoid taking any extreme step under false information. |
| 2. Filing FIR and providing police protection | Protecting the lives of the couple should be of utmost priority. |
| 3. Providing legal, financial and moral support to the couple | <ul style="list-style-type: none">• It is the duty of the administration to provide safety and security to the citizens.• Also, the couple must be counseled about their financial and moral responsibilities post marriage. |

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| 4. Convincing their parents and community members. | <ul style="list-style-type: none">● Parents and community members must be initially convinced about the need to respect their children's individual freedom.● They must be given strict warning not to indulge in any form of violence. |
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| 5. Initiating awareness drive against casteism and honour killing | There is need to make the citizens realize that casteism and honor killing are not just illegal but social evils as well. |

Measures to deal with the crisis

- **Initiate steps for attitudinal change** to reduce caste prejudices, abolish untouchability and spread the values of liberty, equality, fraternity, etc in the society.
- Utilizing **Dr Ambedkar scheme for social integration through inter-caste marriages** to extend **financial incentive** to the couple to enable them to settle down in the initial phase of their married life.
- The SP must show **spirit of service** and **conviction** to ensure **justice** to the couple. He must ensure that a safe and secure environment is created in the district so that no one should fear of moral policing.
- Taking **confidence building measures** to regain the trust **of people** on the administration.

The **false notions of honour and pride** are so deep rooted that people even forget the social bonds of **love and emotions** with their own children. Thus, the attitudinal change programmes must target the revival of social bonds and realizing them about need to give **respect to human lives and compassion**.