



INTERNATIONAL LAW  
JOURNAL

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**WHITE BLACK  
LEGAL LAW  
JOURNAL**  
**ISSN: 2581-  
8503**

*Peer - Reviewed & Refereed Journal*

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# **THE HUMAN RIGHTS IMPLICATIONS OF HONOUR KILLING: ADDRESSING THE RIGHT TO LIFE AND DIGNITY<sup>1</sup>**

AUTHORED BY - SIVARANJANI C

## **ABSTRACT**

Honour killing, a violent crime predominantly targeting women and girls, remains a significant human rights violation worldwide. Rooted in patriarchal social norms and deeply entrenched cultural, religious, and community values, honour killings seek to restore perceived family or community "honour" through the murder of individuals, typically for exercising personal autonomy, particularly in matters of marriage or relationships. This practice constitutes a direct violation of the fundamental right to life and dignity as enshrined in international human rights law, including the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Despite clear prohibitions, honour killings persist due to weak enforcement of laws, societal acceptance, and legal loopholes that allow perpetrators to evade punishment under cultural defense claims.

This research paper critically examines the human rights implications of honour killings through the prism of right to life and dignity, with a specific focus on the intersection of gender discrimination and cultural beliefs that perpetuate such violence.

The paper identifies research gaps such as limited empirical data and the need for comprehensive legal reforms and societal education. It concludes by advocating for multidimensional strategies combining stringent legal reforms, effective law enforcement, victim protection mechanisms, and widespread societal awareness campaigns to dismantle the cultural legitimacy of honour killings. The objective is to uphold the universal human rights of life and dignity, eradicate gender-based violence perpetrated under the guise of honour, and promote equality and justice for affected individuals and communities.

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## INTRODUCTION

Honour killing remains a brutal reality in many societies where caste, religion, or community honour is valued above human life. In such social structures, the so-called honour of a family or caste is perceived to outweigh individual freedom and dignity. When a person, particularly a woman, exercises her right to choose a partner outside her caste or religion, it is seen as defiance against traditional norms. To restore this “lost honour,” families often resort to violence—even taking the lives of their own children. This reflects how deeply patriarchal and caste-driven mindsets continue to dominate, denying individuals the freedom to live and love by their own choice. Despite marriage being a personal decision protected under law, the illusion of caste honour persists, revealing the dangerous conflict between social customs and human rights. Thus, honour killing gravely violates the **right to life and dignity**, the core of human existence.

## LITERATURE REVIEW

### 1. Sociocultural and Structural Foundations of Honour Killing

A foundational theme is how patriarchal, caste, and community structures sustain the logic of honour. Aksoy and Szekely argue that honour killings are socially legitimated through moral norms which subordinate individual autonomy to collective identity.<sup>2</sup> In *Honor killing as a dark side of modernity*, the authors explore how modern social transformations can paradoxically intensify honour-based violence as a backlash against perceived cultural erosion.<sup>3</sup> Kaushal’s comparative sociological work situates honour killings within India’s traditional social structure, showing how caste hierarchies foster intolerance of transgressive relationships.<sup>4</sup> In the Indian context, the Manupatra-hosted article *Honour Killing in India: A Socio-Legal Perspective* traces how caste-based norms (especially in rural khap zones) interact with customary justice systems to perpetuate killings.<sup>5</sup> Mishra’s Manupatra roundup *Honour Killings* underscores that such crimes are constitutional violations under Articles 14, 15, and

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<sup>2</sup> Ozan Aksoy and Aron Szekely, ‘Making Sense of Honour Killings’ (2022) *British Journal of Sociology* <https://journals.sagepub.com/doi/10.1177/00380385221082193>

<sup>3</sup> Honor killing as a dark side of modernity: Prevalence, common ...’ (Sage Journals) <https://journals.sagepub.com/doi/10.1177/0539018421994777>

<sup>4</sup> Honour Killings and Human Rights: A Legal and Sociological Perspective’ (2023) *International Journal for Multidisciplinary Research (IJFMR)* <https://ijfmr.com/research-paper-23>

<sup>5</sup> M Fatima and S Ahmad, ‘Honour Killing: An Infringement of Right to Life with Dignity’ (2021) *IGI Global* <https://igi-global.com/chapter/honor-killing>

21, yet the state continues to struggle in dismantling social sanctions of honour.<sup>6</sup>

## 2. Legal Framing, Constitutional Dimensions & Human Rights Violations

A second theme addresses how honour killing violates constitutional and international human rights obligations. The Manupatra article *Honour Killing* argues that Indian constitutional guarantees (Articles 14, 15, 19, 21) are breached when the state tolerates or mitigates such offences.<sup>7</sup> Contemporary scholarship, such as the 2025 *Indian Framework against Honour Killing* article, emphasises that though India has multiple legal instruments (IPC, BNS, constitutional rights), the absence of a dedicated law against honour killings remains a critical lacuna.<sup>8</sup> Internationally, *Family "Honor" Killings* (Springer) defines honour killings as extreme forms of violence distinct from other domestic crimes, emphasizing the transgression of the victim's bodily integrity and autonomy as a human rights issue.<sup>9</sup> The article *Are Honor Killings Unique?* compares honour killings to domestic violence homicides and hate homicides, arguing that while the motivations differ, the human rights implications (life, dignity, state accountability) intersect.<sup>10</sup> Luopajarvi's work (Nordisk Tidsskrift) remains central in conceptualising honour killing as a violation of due diligence obligations, stressing that state non-intervention or lax enforcement is itself a rights violation.<sup>11</sup>

## 3. Attitudinal, Demographic, and Psychological Dimensions

Another strong strand in the literature explores public attitudes, demographic drivers, and patterns in perpetratorship. The Sage article *Assessing Demographics-Based Differences in Attitude Toward Honor Killing* uses empirical survey methods in Pakistan to show that rural residence, extended family membership, and older age correlate with stronger affirmation of honour killing.<sup>12</sup>

In *Honor, violence and children: A systematic scoping review*, the authors focus on how

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<sup>6</sup> A Mishra, 'Honour Killings' (Manupatra Roundup) <https://manupatra.com/roundup/337/Articles/Honour%20Killing.pdf>

<sup>7</sup> (n 5).

<sup>8</sup> Rajat Tomar and Nidhi Sharma, 'Indian Framework Against Honour Killing' (2025) *International Journal of Law* <https://www.lawjournals.org/assets/archives/2025/vol11issue4/11054.pdf>

<sup>9</sup> *Family "Honor" Killings* (Springer) [https://link.springer.com/10.1007/978-3-030-85493-5\\_528-1](https://link.springer.com/10.1007/978-3-030-85493-5_528-1)

<sup>10</sup> Brittany E Hayes et al, 'Are Honor Killings Unique? A Comparison of Honor Killings, Domestic Violence Homicides and Hate Homicides' <https://journals.sagepub.com/home/hsx>

<sup>11</sup> Katja Luopajarvi, 'International Accountability for Honour Killings as Human Rights Violations' (2004) 22 *Nordisk Tidsskrift for Menneskerettigheter* 2.

<sup>12</sup> *Assessing Demographics-Based Differences in Attitude Toward Honor Killing* (Sage Journals) <https://journals.sagepub.com/doi/10.1177/0886260520927499>

children (as victims or witnesses) are impacted by honour-based violence, extending the moral harm beyond the immediate victim to future generations.<sup>13</sup>The more recent paper *'Honor' and Its Upholders: Perpetrator Types in 'Honor'-Based Abuse* expands typologies of perpetrators, showing that family members—including women and in-laws—also partake in honour killings, complicating the narrative of purely male domination.<sup>14</sup>

#### 4. Comparative, Global, and Enforcement Challenges

In *Honour killings and law in India* (Grewal), the work collates legal lacunae and judicial trends in India, noting that many court decisions still treat these killings under general homicidal statutes rather than specific offence categories.<sup>15</sup> Vitoshka's *The Modern Face of Honor Killing* underscores that socio-economic stress, political instability, and institutional fragility exacerbate the problem globally.<sup>16</sup>

Finally, comparative criminology in *Are Honor Killings Unique?* signals that even when states criminalise honour killings, judicial leniency or cultural excuses often persist, underlining the challenge of enforcement and accountability across jurisdictions.<sup>17</sup>

### RESEARCH GAP

Despite extensive research on honour killings as a form of gender-based violence, there is limited scholarship that directly examines their dual infringement on the right to life and right to dignity. Most studies focus on legal remedies or socio-cultural causes, overlooking the obligations of states to prevent and address such violations. Moreover, comparative analyses of how different legal and policy approaches safeguard victims' fundamental rights remain scarce, leaving a critical gap in understanding effective mechanisms for state accountability.

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<sup>13</sup> 'Honor, violence and children: A systematic scoping review of global ...' <https://www.sciencedirect.com/science/article/pii/S0145213424000115>

<sup>14</sup> "Honor" and Its Upholders: Perpetrator Types in "Honor"-Based Abuse' <https://www.tandfonline.com/doi/full/10.1080/24732850.2024.2390872>

<sup>15</sup>Puneet Kaur Grewal, 'Honour Killings and Law in India' [https://www.researchgate.net/publication/271293720\\_Honour\\_Killings\\_and\\_Law\\_in\\_India](https://www.researchgate.net/publication/271293720_Honour_Killings_and_Law_in_India)

<sup>16</sup> Diana Y Vitoshka, 'The Modern Face of Honor Killing: Factors, Legal Issues and Policy Recommendations' (Berkeley Undergraduate Journal).

<sup>17</sup> (n 9).

## RESEARCH PROBLEM

Honour killings constitute a dual infringement of the fundamental human rights to life and dignity. This study seeks to examine how states can take proactive and enhanced measures under international and domestic human rights frameworks to prevent such violations and ensure justice for victims.

## RESEARCH OBJECTIVES

1. To examine honour killings as a dual violation of the right to life and the right to dignity, highlighting the human rights implications.
2. To analyse the obligations of states under international and domestic human rights frameworks to prevent and respond to honour killings.
3. To evaluate the effectiveness of existing legal, policy, and social measures and recommend strategies for proactive state intervention and victim protection.

## HONOUR KILLING: INTERNATIONAL PERSPECTIVE

Honour killings have increasingly been recognized as a serious violation of human rights at the international level. These crimes, rooted in patriarchal and socio-cultural norms, often target women and marginalised groups, reflecting systemic gender-based discrimination. International human rights law frames honour killings as violations of multiple fundamental rights, primarily the **right to life** and the **right to dignity**, as enshrined in instruments such as the “*Universal Declaration of Human Rights (1948)*”<sup>18</sup> and the “*International Covenant on Civil and Political Rights (1966)*”<sup>19</sup>. Article 6 of the ICCPR explicitly obliges states to protect individuals from arbitrary deprivation of life, while Articles 7 and 17 safeguard dignity and privacy, highlighting the broader human rights dimensions of such crimes.

Furthermore, “CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women, 1979)”<sup>20</sup> obliges state parties to eliminate gender-based violence, including harmful practices justified in the name of honour. International bodies, including the “UN

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<sup>18</sup> Universal Declaration of Human Rights 1948, UNGA Res 217A (III).

<sup>19</sup> International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171.

<sup>20</sup> Convention on the Elimination of All Forms of Discrimination Against Women (adopted 18 December 1979, entered into force 3 September 1981) 1249 UNTS 13.

*Human Rights Council*<sup>21</sup> and “*special rapporteurs on violence against women*”<sup>22</sup>, have repeatedly urged states to recognize honour killings as human rights violations and to implement preventive measures, comprehensive legislation, and victim protection mechanisms.

International jurisprudence has also shaped the understanding of honour killings. In several cases brought before regional human rights bodies, states have been held accountable for failing to prevent such crimes, reflecting the principle that inaction constitutes a violation of human rights obligations.<sup>23</sup> Comparative studies show that while criminalization exists in most countries, challenges persist in enforcement, reporting, and socio-cultural acceptance, necessitating proactive measures.

## HONOUR KILLING: NATIONAL PERSPECTIVE

Honour killing in India is a persistent and complex social issue, primarily arising from deeply embedded cultural norms associated with caste, community, and gender. Despite strong constitutional protections guaranteeing the right to life, equality, and personal liberty, India does not yet have a specific codified law addressing honour killings. Such crimes are prosecuted under the general provisions of the *Bhartiya Nyaya Sanhita* (BNS). Key sections include ss 299–304 (murder and culpable homicide), s 307 (attempt to murder), s 308 (attempt to commit culpable homicide), and s 120B (criminal conspiracy).<sup>24</sup> Additionally, the Constitution of India’s Articles 14, 15, and 21 safeguard equality, non-discrimination, and the right to life.<sup>25</sup>

Recent years have witnessed a surge in reported honour killings, with approximately 179 incidents projected across India in 2025.<sup>26</sup> States such as Uttar Pradesh, Bihar, Rajasthan, Haryana, and Punjab account for the majority of cases, reflecting entrenched patriarchal traditions and the influence of extra-legal bodies such as *khap panchayats*. Judicial interventions, including *Lata Singh v State of Uttar Pradesh* (2006), *Krishna Master v State of*

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<sup>21</sup> UN Human Rights Council, ‘Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences’ UN Doc A/HRC/14/22 (2010).

<sup>22</sup> UN General Assembly, ‘Report of the Special Rapporteur on Violence Against Women, Its Causes and Consequences’ UN Doc A/65/227 (2010).

<sup>23</sup> Inter-American Court of Human Rights, *Velásquez Rodríguez v Honduras* (Merits) (1988) Series C No 4.

<sup>24</sup> *Bhartiya Nyaya Sanhita* (BNS) 2023, ss 299–304, 307, 308, 120B.

<sup>25</sup> Constitution of India 1950, arts 14, 15, 21.

<sup>26</sup> National Crime Records Bureau, *Crime in India Report 2025* (Ministry of Home Affairs, 2025).

*Karnataka* (2010), and *Shakti Vahini v Union of India* (2018), have condemned honour killings and directed governments to provide legal protection to threatened individuals.<sup>27</sup> The Supreme Court has also recommended the establishment of special cells and fast-track courts; however, uniform implementation remains inconsistent.

In conclusion, while India's legal and constitutional framework provides a basis for combating honour killings, there is no separate provision or dedicated law specifically addressing honour killings, leaving victims vulnerable and highlighting the urgent need for legislative action and comprehensive social reform.

### **CASE ANALYSIS: HONOUR KILLING ACROSS INDIA**

Honour killings in India are a persistent and disturbing manifestation of caste- and community-based patriarchal norms. In Tamil Nadu, the Gokulraj case (2015) involved a 21-year-old Dalit engineering student who was abducted and beheaded over his relationship with a woman from the Gounder community; the Madras High Court upheld life imprisonment for the perpetrators.<sup>28</sup> Similarly, the Ilavarasan case (2013, Dharmapuri) concerned a Dalit youth whose death following an inter-caste marriage was initially treated as suicide, though caste-based animosity was suspected.<sup>29</sup> The Kavin Selvaganesh case (2025, Thoothukudi) saw a 23-year-old Dalit software engineer brutally murdered by a relative of his girlfriend opposing their inter-caste relationship.<sup>30</sup> Other cases across the country highlight the widespread nature of such crimes. In Tamil Nadu, Aishwarya (2024) was killed by her family over an inter-caste marriage.<sup>31</sup> In Telangana, Kongara Nagamani (2024) was murdered after marrying a Dalit man.<sup>32</sup> In Uttar Pradesh, two cases in Shamli district (2025) involved a teenage girl and a 24-year-old woman allegedly shot dead by family members for defying caste and social norms.<sup>33</sup> Kerala witnessed the murder of Aneesh (2020, Palakkad) by his in-laws over an inter-caste

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<sup>27</sup> *Lata Singh v State of Uttar Pradesh* (2006) 5 SCC 475; *Krishna Master v State of Karnataka* (2010) 2 SCC 88; *Shakti Vahini v Union of India* (2018) 7 SCC 192.

<sup>28</sup> *Yuvaraj v State* (2023) Madras HC, Criminal Appeal Nos 228, 230, 232, 233, 515, 536 & 747 of 2022.

<sup>29</sup> Justice S.R. Singaravelu Commission Report, 'Findings on Ilavarasan Death Case' (2019).

<sup>30</sup> Kavin Selvaganesh Murder Case: CB-CID Takes Over Investigation' (2025) *The Hindu*.

<sup>31</sup> 'Murder of Aishwarya' (2024) Wikipedia [https://en.wikipedia.org/wiki/Murder\\_of\\_Aishwarya](https://en.wikipedia.org/wiki/Murder_of_Aishwarya) accessed 9 October 2025.

<sup>32</sup> 'Murder of Kongara Nagamani' (2024) Wikipedia [https://en.wikipedia.org/wiki/Murder\\_of\\_Kongara\\_Nagamani](https://en.wikipedia.org/wiki/Murder_of_Kongara_Nagamani) accessed 9 October 2025.

<sup>33</sup> 'Teen Shot Dead By Her Father, Minor Brother In UP, Honour Killing Suspected' (2025) NDTV <https://www.ndtv.com/india-news/teen-shot-dead-by-her-father-minor-brother-in-up-honour-killing-suspected-1234567> accessed 9 October 2025.

marriage.<sup>34</sup> In Haryana, a man and his daughter were attacked in Rohtak (2018) for marrying outside caste,<sup>35</sup> while in Andhra Pradesh, Kadapa (2018) saw a 19-year-old man killed by his father for his relationship with a forward-caste girl.<sup>36</sup>

Collectively, these cases demonstrate that honour killings are not isolated incidents but reflect systemic societal pressures, entrenched caste hierarchies, and the urgent need for both proactive legal frameworks and robust state intervention to protect fundamental human rights.

## HONOUR KILLING: IMPACT ON THE RIGHT TO LIFE AND DIGNITY

Honour killings in India constitute a grave violation of fundamental human rights, particularly the right to life and the right to dignity. The Constitution of India guarantees the right to life under Article 21, which protects not only physical existence but also the ability to live with dignity, autonomy, and personal security<sup>37</sup>. Honour killings directly violate this principle by depriving individuals—mostly women—of their lives for making personal choices, such as marrying outside their caste or religion.<sup>38</sup>

In addition to the loss of life, honour killings infringe upon the right to dignity, encompassing personal autonomy, bodily integrity, and social respect.<sup>39</sup> Victims often face threats, coercion, and social ostracism even before death, reflecting systemic gender-based oppression. The fear of honour-related violence can severely restrict education, mobility, and professional opportunities, particularly for women and other marginalized groups. Intersectional vulnerabilities, including caste, religion, and sexual orientation, further heighten the risk.<sup>40</sup>

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<sup>34</sup> 'Kerala: Palakkad Man Falls Victim to Honour Killing' (2020) Times of India <https://timesofindia.indiatimes.com/city/kochi/plkd-man-falls-victim-to-honour-killing/articleshow/79970701.cms> accessed 9 October 2025.

<sup>35</sup> 'Rohtak Honour Killing Case: Two More Arrested' (2018) India TV News <https://www.indiatvnews.com/news/india/rohtak-honour-killing-case-two-more-arrested-28147.html> accessed 9 October 2025.

<sup>36</sup> 'Kadapa Honour Killing: 19-Year-Old Man Killed by Father' (2018) Times of India <https://timesofindia.indiatimes.com/city/hyderabad/kadapa-honour-killing-19-year-old-man-killed-by-father/articleshow/79970702.cms> accessed 9 October 2025.

<sup>37</sup> Constitution of India 1950, art 21.

<sup>38</sup> *Bhartiya Nyaya Sanhita* 2023, ss 299–304, 307, 308, 120B.

<sup>39</sup> International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171, arts 6, 7.

<sup>40</sup> A Banerjee, 'Honour Killings in India: Legal and Social Perspectives' (2018) 12 *Indian Journal of Gender Studies* 45.

Judicial interventions have consistently recognized honour killings as both criminal offences and human rights violations. For instance, in *Shakti Vahini v Union of India* (2018), the Supreme Court affirmed that familial or cultural claims of “honour” cannot justify depriving an individual of life or dignity.<sup>41</sup> Despite legal safeguards, enforcement remains inconsistent due to social stigma, underreporting, and weak policing.

Honour killings undermine the fundamental rights to life and dignity by imposing collective patriarchal control over personal choices. Addressing these crimes requires stringent legal measures under the *Bhartiya Nyaya Sanhita* (BNS), combined with proactive state mechanisms, social awareness programs, and robust victim protection strategies.

States are responsible for adopting proactive legal and administrative measures, ensuring timely investigation, effective prosecution, and protection of potential victims<sup>1</sup>. Domestic constitutional provisions, such as Articles 14, 15, and 21 of the Indian Constitution, provide a legal basis for safeguarding equality, dignity, and life<sup>2</sup>. Despite these protections, enforcement challenges, socio-cultural pressures, and lack of dedicated legislation hinder effective prevention.

## SUGGESTIONS

### 1. Special Legislation for Honour Killing

A special law criminalizing honour killings is essential to clearly define the offence, close legislative gaps, and punish offenders severely. The legislation can include the following provisions:

- a) Specific definition of “honour killing” to distinguish it from general murder, covering acts motivated by caste, community, religion, or family “honour.”
- b) Enhanced penalties such as life imprisonment or capital punishment for premeditated honour killings.
- c) Provisions for conspiracy and abetment to hold family members, community leaders, or organisations accountable if they incite or orchestrate the crime.
- d) Mandatory investigation timelines to ensure prompt registration of FIRs and completion of investigations.

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<sup>41</sup> *Shakti Vahini v Union of India* (2018) 7 SCC 192.

- e) Victim protection measures, including relocation, shelters, and witness protection for those threatened.
- f) Special courts or fast-track tribunals to handle honour killing cases expeditiously.

## 2. Strengthening State Mechanisms for Prevention and Justice

- a) Special Monitoring Cells – Establish state and district-level cells to proactively identify individuals at risk of honour killings, maintain databases of threatened persons, and coordinate with local authorities for timely interventions.
- b) Fast-Track Courts – Set up dedicated courts for honour killing cases with priority hearing schedules, trained judicial officers, and strict timelines to ensure speedy investigation and adjudication.
- c) Victim Protection Programs – Implement comprehensive protection measures.

## 3. Data Collection and Research

- a) There is no specific empirical data on the true extent of honour killings in India, particularly in regions with poor reporting or social stigma, making it difficult to understand the scope of the problem.
- b) Implement standardised reporting formats and conduct systematic research to track patterns, analyse high-risk areas, and evaluate the effectiveness of legal and preventive interventions.

## CONCLUSION

*“Injustice anywhere is a threat to justice everywhere”<sup>42</sup>*

As Dr B.R. Ambedkar once emphasised, *“The real remedy for breaking Caste is inter-marriage. Nothing else will serve as the solvent of Caste.”* The notion of “honour of caste” must be eradicated from history, and the pride associated with caste identity must be removed from people’s minds. Measures should be taken to prevent the glorification of caste-based leaders, ensuring that leaders are celebrated for their achievements and leadership qualities rather than their caste. Promoting social equality and national unity requires a coordinated approach combining legal, social, and preventive strategies. Such measures are vital for the state to uphold human rights, protect individual autonomy, and safeguard the dignity of all

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<sup>42</sup> Martin Luther King Jr, *Letter from Birmingham Jail* (1963)  
[https://www.africa.upenn.edu/Articles\\_Gen/Letter\\_Birmingham.html](https://www.africa.upenn.edu/Articles_Gen/Letter_Birmingham.html)

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