

# Enquiry into the status of Women in Nagaland



**NORTH EAST NETWORK  
NAGALAND**

# Enquiry into the Status of Women in Nagaland

An exploratory study on the status of women in 3 districts of rural  
Nagaland done in 6 villages during January 2014 to March 2016



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April 2016

Supported by :  
Brot für die welt & Misereor

Printed at :  
Labanya Press  
Guwahati-1

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# Acknowledgement

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We would like to express our heartfelt thanks to all the respondents of the study, women, youth, community leaders from Ehunnu, Phekerükriema Bawe, Thürütsüsüwü, Matikhrü, Hudangru and Thsingar villages, for their support and cooperation and making this study a reality.

We would like to place on record our sincere appreciation to the tribal women organizations particularly Pochury Mothers' Association (PMA) Meluri, Angamimiapfu Mechu Krotho (AMK) Kohima, Akheda Sangtamlaru Thsingmujang (AST) Kiphire, Yimchunger Women Organisation (YWO) Kiphire, without whose support, we would have been lost. They were instrumental in introducing us to their communities, and got us the best field research assistants we could possibly ask for. Smt. Apila Sangtam, Smt. Vesalu Swuro, Smt. Khontele Seb, have been equally instrumental in introducing us to their communities for which we are immensely grateful.

To our resource person Soma KP, for guiding us through the entire process and strengthened the entire research team, words are inadequate to express our thanks.

The commitment and the passion of the young field research team have made this study come through. Field Researchers – Ms. Alfina Tromai, Ms. Dolly Wotsa, Ms. Hraveine David, Ms. Neimhanu Kulnu, Ms. Wekoweu Tsohah; Field Research Assistants – Ms. Atsope Sangtam, Ms. Posietsu Pochury, Ms. Cicily Yim, Ms. Miriam Rengma, Ms. Khontele Seb, Ms. Kevilekhonuo Angami, Ms. Kuthonulu Ringa and Ms. Sevonulu Ringa.

For the secondary information support: Ms. Aanchal Kapur, Kriti Documentation Centre, New Delhi for the literature reviews; and the Government departments ie Police, Education, Health for sharing their records, we are grateful.

Ms. Iswarya Subbaiah for consolidating and writing the literature review section and Ms. Vanitha Falcao for the support in the quantitative data analysis. We would like to make special mention of NEN member Ms. Hraveine David, for the enormous effort put into the writing of this report.

Ms. Samhita Barooah, for her constructive feedback and editing of the report, and for keeping the research team's motivation alive through the end, we are deeply indebted.

Our Funders BFDW-Miseroer for the financial support. We would like to express our appreciation to NEN's Former Executive Director Sreekala M.G, who have inspired the NEN Nagaland team to undertake this study, and Executive Director Dr. Monisha Behal for believing in this study and the team.

**North East Network Nagaland**

# Preface

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“Enquiry into the Status of Women in Nagaland” is a study done by a young team from North East Network, keeping in view the state’s diverse socio-cultural context. Empirical work was done in 3 districts of Nagaland, covering 6 villages which, to my mind, has revealed, perhaps for the first time, real situations of women and different forms of discrimination faced by them in their personal and public lives. Indeed the fieldwork is a testimony to this hard reality, with valid evidence. The field investigators were amply trained on issues of gender which resulted in them imbibing a strong perspective that helped them to take forward the field work sensitively.

The study is divided into 7 chapters, the first one being that of childbirth, nutrition, and health of children and women. This chapter indicates differential treatment between the birth of infant boys and girls, which translates into normative practices in the life cycle of girls, that are discriminatory, into their adulthood. The remaining chapters depict the experiences of girls and women through their education, their work, their employment and, the barriers that they face in participating in the political process. The absence of women in the political process, the inability to articulate their needs to authorities is of serious concern to us because they are the ones who are intricately involved in agriculture work, livestock care, rural economy and of course, taking care of their families. Thus, denying their constitutional right to voice their opinion in village and public matters is a wrong precedence to a state like Nagaland, considered by many as ‘liberal’, even if couched by traditional norms. But far more importantly is what Naga women themselves feel about their difficult situation, examples of which are represented in the last three chapters. The experience in their married lives, access to land ownership or the lack of assets, relationships with their families and incidences of violence, faced by women, are reflected in these chapters.

North East Network undertook the study to understand the gravity of the situation as NEN often experiences women sharing about the hard realities of their lives. This is indeed a grave issue as the general view of Nagaland, being an egalitarian society, can be subject to debate and questioned. It was thus felt that the study should be read by different people to instill a certain degree of awareness among them and state agencies in particular, which must be understood and acted up by authorities, from the village to the state level. It is our resolve to advocate for policy change towards improving the lives of women in communities.

Monisha Behal

Executive Director, North East Network

# Glossary

AFSPA : Armed Forces Special Power Act  
Angami : Recognized tribe of Nagaland  
Angh : Chief of the Konyak Tribe  
Ao Naga : Recognized tribe of Nagaland  
ASHA : Accredited Social Health Activist  
ANC : Ante Natal check up  
CEDAW : Convention on the Elimination of All Forms of Discrimination Against Women  
Chakhesang : Recognized tribe of Nagaland  
DVA : Domestic Violence Act  
Dobashis (DB) : Interpreters of Customary Laws  
Dao : Machete  
Dai : Traditional Birth Attendants  
FGD : Focus Group Discussion  
Gaon Bura (GB) : Clan elder  
GBDVAW : Gender Based Discrimination and Violence against Women  
HH : Household  
ICDS : Integrated Child Development Services  
IPC : Indian Penal Code  
IMR : Infant Mortality Rate  
Konyak Naga : Recognized tribe of Nagaland  
Lotha Naga : Recognized tribe of Nagaland  
MMR : Maternal Mortality Rate  
NEN : North East Network  
NGO : Non Governmental Organisation  
NCW : National Commission for Women  
NMA : Naga Mothers Association  
NCRB : National Crime Report Bureau  
NHM : National Health Mission  
NFHS : National Family Health Survey  
NSSO : National Sample Survey Organisation  
NBCC : Nagaland Baptist Church Council  
SHDR : State Human Development Report  
SSA : Sarva Shiksha Abhiyan  
Satan : Local reference of evil  
Sema Naga : Recognized tribe of Nagaland  
UGs : Underground Group  
UN : United Nations  
VC : Village Council  
VHC : Village Health Committee  
VCC : Village Council Chairman  
VDB : Village Development Board





# Introduction

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“Men are like trunks and women are like leaves”, said a Gaon Bura in a Naga village. Even though there seems to be a protective veil on the status of women in Nagaland<sup>1</sup> to be progressive and equal with men, the realities reveal the difference. It is very poignant to note the comment of a male village leader in relation to women’s access to political space when he said, “if we can change the Bible, then we can also change our customs.” Despite the fact that constitutional rights for women are guaranteed, they continue to be inaccessible and are superseded by customary practices and usages. Until recently, where exceptions are slowly taking place, women have been excluded from the Village Councils<sup>2</sup>, thereby denying them the opportunity to govern the village and administer justice. Despite the advantage of constitutional provision of 371A<sup>3</sup> in safeguarding the commons such as lands, or traditional knowledge, it has alternative implications on the rights of women. The struggle for representation in the Municipal bodies of Nagaland is a classic example of using 371A to deny women the right to participate in governance. Similarly there are other customary practices and usages that continue to be discriminatory against women, though it varies across tribes and even villages within the same tribe.

Above all these, the culture of silence around the issues of violence against women strongly prevails, as the society is indoctrinated to sustain the silence. Again, the lack of documented evidence on the issues often remains a big challenge to address women’s human rights violation. The customary practices deeply entrenched in patriarchal beliefs made it more difficult for women to access existing constitutional justice mechanisms, who have to resort to customary

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1 Nagaland is one of the 8 states in the North East region of India, sharing its boundaries with Manipur in the South, Assam in the west and Arunachal Pradesh in the north, and the country of Myanmar in the East. Nagaland formally became a state under the India Union in 1963. It has 11 districts and 16 recognised tribes, scheduled under the constitution of India. The State has a total population of 19,78,502 with 10,24,649 (M) and 9,53,853 (F).

2 In 1978, the Nagaland Village and Area Councils Act was enacted to regulate the duties and functions of the Council. Every recognised village in Nagaland is governed by the Village Council, the members of which consists of those, “chosen by the villagers according to the prevailing customary practices and usages, the same approved by the State Government, provided that hereditary village Chiefs, GBs and Angs shall be ex-officio members of such Council and shall have voting right”. The Village Council wields numerous powers and duties related to development of the village, village administration and the administration of justice ‘within the village limits in accordance with the customary law and usage’.<sup>2</sup>

3 The Constitution of India under Article 371A has created special provisions for governance structures of Nagaland in order to “respect and protect” the customary laws and practices of Nagaland. One major provision states that no Act of Parliament in respect of-

- i. religious or social practices of the Nagas,
- ii. Naga customary law and procedure,
- iii. administration of civil and criminal justice involving decisions according to Naga customary law,
- iv. ownership and transfer of land and its resources,

shall apply to the State of Nagaland unless the Legislative Assembly of Nagaland by a resolution so decides.

courts instead, which are discriminatory against them. Therefore, it is pertinent to bring out valid evidence on the status of women in the state. It also is vital in the context of struggle for women's representation in elected bodies which is going on in Nagaland currently.

Nagaland has a long history of conflict, dating back to the early decades of the 20th century that continues till date. Prolonged existence of armed conflict has also impacted the lives of people. With the imposition of AFSPA 1958 in the 'disturbed areas' such as that of Nagaland, there has been increased militarisation over the years. One can see the increased deployment of armed forces, emergence of new outfits and continuation of ceasefire agreements. In recent years, even though direct combat is minimal, the atmosphere of insecurity and animosity exists. The disruption of stable governance mechanisms is accompanied by the inaccessibility of constitutional and state obligations.

### **Scope of the Study**

This is an action research to map Gender Based Discrimination and Violence against Women (GBD and VAW) in the personal and public spheres. The type of this research study is exploratory with an emphasis on contextualising women's experiences from a life-cycle approach. The study is carried out across 3 districts in Nagaland covering 6 tribes, to capture a larger representation of the contextual understanding of women's experiences of discrimination (overt and covert forms), amongst women belonging to diverse social-cultural contexts.

After a thorough understanding of the field locations, participation of the team in a consultative write-shop and the context of this study enabled the research team to develop and grounded analytical framework. The data collected from the field locations were analysed with the following parameters:

- Concept of GBD and VAW
- Power and Consequences of Power relations
- VAW Manifestations
- Role of Institutions
- Women's Agency
- Interventions

## **CONCEPT OF GBD and VAW**

In diverse cultural contexts, society perceives and understands GBD and VAW differently. Women and men further define, rationalise and justify GBD and VAW differently. One of the main reasons for the continued prevalence and sustenance of discrimination and violence against women is the myriad ways in which it has been justified and rationalised by society. Our attempt is to capture the perception of the community particularly through women, men and youth, identify the underlying complexities and nuances, and see if such concepts perpetuate or strengthen GBD and VAW in the society. Discrimination against women include “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field”<sup>4</sup>.

Often the denial and justification of gender based discrimination results to various forms of violence against women. Indeed, VAW is “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”<sup>5</sup>.

## **POWER and CONSEQUENCES OF POWER RELATIONS**

Violence against women does not exist in a vacuum. It intersects with other factors, such as ethnicity, class, gender, age, disability, nationality, culture, religion. Certain parameters were used in the study to gauge the interplay of power relations, the intersections of diverse contexts which finally impacts women's position and helped in identifying what or who maintains the status quo and keep women in diverse context under oppression and subjugation.

## **VAW MANIFESTATION**

Violence against women is a subset of gender based violence. It is global, systemic and rooted in power imbalances and structural inequality between men and women. VAW is an extreme manifestation of gender inequity, targeting women and girls because of their subordinate social status in society. VAW manifests in different forms, overtly and covertly. The attempt

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4 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

5 General Assembly Resolution 48/104 (*Declaration on the Elimination of Violence against Women*, 1993)

was to locate VAW manifestations and raise consciousness amongst diverse stakeholders.

## **ROLE OF INSTITUTIONS**

Institutions including the family, religion, community and State sustain normative behaviour and stereotypes. The study looked at the role of institutions in responding to the issues of GBD and VAW, whether they are supporting or preventing women from accessing justice; and whether they maintain patriarchal status quo or enable/reinforce VAW through cultural practices and customary laws.

## **WOMEN'S AGENCY**

In a patriarchal structure that exudes inequalities, women are always perceived as victims. Despite the fact that women, as individuals and collectives have resisted, struggled, challenged the authority and developed alternative strategies to address GBD and VAW, their 'agency' is invariably not recognised. Whether their actions got approval or backlash, it is important that the narratives of the women are brought to the fore.

## **INTERVENTIONS**

These parameters were used, not only to identify the various interventions by the different institutions in addressing GBD and VAW, but to understand the existing justice delivery mechanisms and if they ensure gender justice.

### **Objectives of the Study**

- To make an enquiry into the status of women in diverse socio-cultural contexts in rural Nagaland
- To create a valid evidence of the main issues of gender discrimination/ violence faced by women in the personal and public spheres
- To advocate for policy change and future interventions, so as to improve the lives of women and community at large.

### **Universe of the Study**

The selection of Study Locations: The research was conducted in three districts of Nagaland



viz Phek, Kohima and Kiphire. We chose Kohima district because it is considered an advanced district, and Phek and Kiphire as backward districts.

As Nagaland reported a higher rural population of 71.14% as against urban population of 28.86% population (2011 census), we chose to focus in the rural areas. In each district, two villages representing two tribes were taken thus covering a sample of 6 villages. The study locations are: Thürütsüswü Village (Chakhesang) and Matikhrü Village (Pochury) in Phek district; Thsingar village (Sangtam) and Hudangru Village (Yimchunger) in Kiphire district; Phekerükriema Bawe village (Angami) and Ehunnu village (Rengma) in Kohima district.

## Methodology

We used a feminist research methodology to fulfill our objectives. The study methodology includes:

- A. Secondary data collection method - literature review, analysing Government records
- B. Primary data collection method - profile of the women respondents and of the village, Focus Group Discussion (FGD) with women and male youth, participant observation, interviews of women and community male elders/leaders. We also conducted focus group interviews with women organisations and women rights activists.

## Technique

- Observation
- Key- Informants Interview
- Case Study Documentation
- Focus Group Discussion and Interviews

## Tools

- Profile sheets
- FGD Guide
- Interview schedule

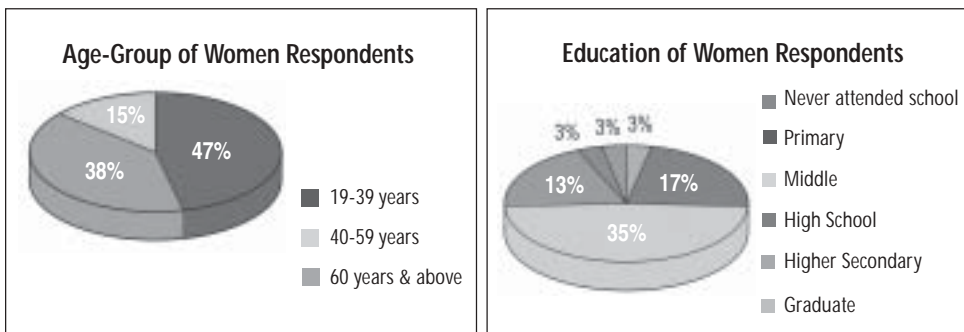
We used a combination of purposive and snowball sampling to select the villages, the respondents for the FGDs and the interviews respectively. We chose a village that is not too large; a village that is not too close to a town but accessible; a relatively old village and willingness of the community to be part of the study.

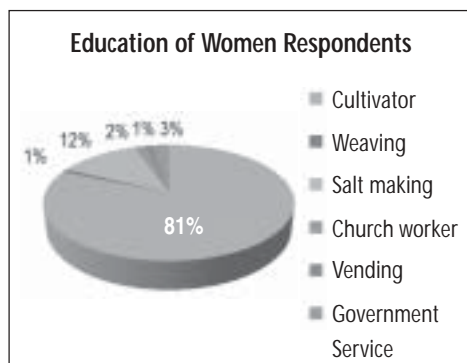
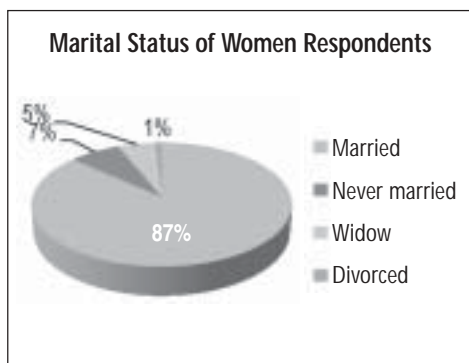
## Assigning the Sample Size for the Study :

The sample size was not pre-fixed because of the sensitivity of the topic of this study. After the field data collection process the sample was saturated to fulfill the research objectives. Finally we could manage to get the required information from the six field locations through 180 respondents. Out of 180 respondents, 113 were women, 19 were male community leaders and 48 were male youths from village youth bodies.

## Profile of the Women Respondents in this study

Women respondents were drawn from diverse categories of age groups, educational backgrounds, marital status, denominations, occupational and economic background. The average household size in our study location is 6.4 members.





## Duration of the Study

January 2014 – March 2016

## Process

- The research team conducted preliminary discussions and developed a study framework.
- Literature review: The literature review was done to capture the situation of women in Nagaland, North East India, India and across the world in existing literature to explore the what/why/how studies that have been done on GBD and VAW.
- Consultation workshop with Naga women organisations, women rights activists to understand the scenario / status of women in the Naga society, to help us delve into key questions and decide on the possible realms of enquiry was done by the research team.
- Meeting with the apex women organisations of the tribes, in the study districts, was undertaken during this phase to introduce the study. In addition we sought the support from the women organisations to identify the villages as well as the research assistants from the communities.
- Orientation of the selected research team members from the specific tribal communities and NEN researchers was done. This was followed by a pilot study in one village for field-testing the pre-worked research tools.
- Sharing the experience and findings of the pilot study was done through another workshop. The literature review was also consolidated during this stage of the study.



- The research team reviewed the tools and reformulated a fresh set of tools to be used for the study which was followed by 2 field visits for data collection in each of the location.

### **Process of data collection**

- We began with a formal introduction of the study with the community leaders in the village institutions, church leaders and women respondents selected by the women's agencies in the local community.
- During the 1st round of FGDs with women and youth in all 6 locations we focused on the issues related to Birth, Nutrition and Health, Child Rearing Practice, Education, Gender division of labour, Work and Employment. This was followed by compilation and transcription of the 1st round of data collection notes, review and sharing amongst research team.
- During the 2nd round, the research team conducted FGDs with women, youth, case studies with women and key informant interviews with male community leaders. This time the focus was on issues of Marriage & Family, Assets and Ownership, Citizenship and Political Participation and Violence against Women. This process was followed by data compilation and transcription of the 2nd round of field work and data verification from the 1st round and sharing of the results amongst the research team.
- A three-day write-shop was conducted by an external resource person for NEN research team.
- Data analysis process was conducted in consultation with a team of data analyst and NEN researchers.
- Chapter writing
- Stakeholder Consultation to share the key findings of the study
- Publishing and Dissemination of the study report

### **Need Based Interventions by NEN Nagaland during the data collection period**

- Awareness meeting on women's reproductive health with women in two of the study locations was conducted as a part of felt need assessment from the community.
- Information Sharing Discussion on the impact of chemical pesticides/ weedicides in agriculture was conducted with community leaders in one of the study locations.

- Community awareness on sustainable agriculture and local food systems was carried out through the medium of film screening and talks using the church platforms in one of the study locations.
- Awareness programme on women rights was conducted in all the study locations as a part of feminist research practice.

### **Limitations of the study**

- Limited documentation of quantitative data on violence against women cases from both primary and secondary sources in relation to this study.
- Dilemma in selecting conflicting secondary data from multiple sources.
- Language barriers.
- Lack of time during data collection phase in the field.
- Emotional involvement of the researchers on issues of VAW had a psychological impact.

# Literature Review

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## Context and Background

The term 'gender based violence' can be better understood as "Gender-based violence (GBV) is the general term used to capture violence that occurs as a result of the normative role expectations associated with each gender, along with the unequal power relationships between the two genders, within the context of a specific society."<sup>6</sup>

"The primary targets of GBV are women and adolescent girls, but not only are they at high risk of GBV; they also suffer exacerbated consequences as compared with what men endure. As a result of gender discrimination and their lower socio-economic status, women have fewer options and fewer resources at their disposal to avoid or escape abusive situations and to seek justice. They also suffer consequences on their sexual and reproductive health], including forced and unwanted pregnancies, unsafe abortions and resulting deaths, traumatic fistula, and higher risks of sexually transmitted infections (STIs) and HIV."<sup>7</sup>

The present construct of society allows for, and enables, the existence of such violence. It is important to understand that violence is not purely physical in nature; it is also mental and psychological, thus making it subtle and far reaching. The forms of violence to which women are subjected and the ways in which they experience this violence are often shaped by the intersection of gender with other factors such as race, ethnicity, class, age, sexual orientation, disability, nationality, legal status, religion and culture.

Women are also socialized into being silent about their experience of violence in patriarchal societies or in some tribal communities. The state, in choosing to conceptualise violence against women in only extreme forms of violence and by leaving out everyday violence, does a great disservice to the fight against the same. The UN's gender-based definition of violence refers to a range of abuse- physical, sexual and psychological-within the community and family.

The most pervasive and persistent form of gender based violence continues to be domestic violence against women in the country. Domestic violence is violence that occurs within the private sphere, generally between individuals who are related through intimacy, blood or law.

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<sup>6</sup> Bloom 2008, p14

<sup>7</sup> UNFPA Strategy and Framework for Action to Addressing GBV, 2008-2011, p. 7

It can take the form of mental, physical or sexual violence. 33% of registered crimes in country are crimes of cruelty against women at home.

Physical violence was almost always accompanied by psychological abuse. Yet, for however damaging and humiliating women described their physical and sexual abuse to be, they deemed the psychological violence to be even more painful, since it targeted their sexuality, self-worth, and parenting ability. Violence that included threats to their children was especially traumatic.

Carol Gilligan<sup>8</sup>, suggests that 'for women the fracture in human connections is what is violence, whereas for men, the connection itself poses a threat'. Following this line of thinking, domestic situations provide reason and space for male perpetuation of violence. Her observations on how the differing notions of authority are entailed in the differing understandings of violence are important for understanding how we question established structures of authority and find ways of resolving conflict.

While domestic violence might be the most visible or reported, gender based violence is insidious. Gender control is exercised in a myriad of ways. Private violence doesn't preclude it from being political in nature. The nature of Gender based violence is such that the repercussions flow seamlessly into one another.

Keeping this in mind, it is important to position questions of public violence within a larger frame that includes not just public and private violence but also the social, community, family restrictions and self-policing that might not hitherto have been viewed as violence at all.

'For women the best long term strategy to enhance claims to public space is to embrace risk and pleasure while accepting violence as something that must be negotiated in the process of doing so'.<sup>9</sup>

The definition of violence is subjective. Violence that takes place within pre-defined norms and structures of authority – be it the state, community or family – is normalised as intended to maintain law and order and therefore not seen as violence at all. Aggression that is sanctioned either by the law or by social norms is seen not as violence but as just retribution. Violence that is officially sanctioned through familial or community authority of whatever kind is then no longer seen as violence.

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<sup>8</sup> Gilligan. C, A feminist and psychologist attached with NYU and the University of Cambridge

<sup>9</sup> Phadke. S

The imposition of safety involves a series of violence which include restrictions in clothing, demeanour, and mobility. These restrictions are justified as being rational and reflect the exercise of a familial and community authority expressed as being in women's best interests.

Feminist scholars point out that such normalized violence often leads to situations and states that are then further normalized as female pathologies like Agoraphobia. Agoraphobia is an anxiety disorder characterized by anxiety in situations where the sufferer perceives certain environments as dangerous or uncomfortable, often due to the environment's vast openness or crowdedness. Agoraphobia can be seen as an allegory for the sexual division of labour and the inscription of sexual difference on to public space. In certain contexts and situations, when the risk of violence against women in public space, real or perceived, is greater, agoraphobia assumes an endemic form.

The fear is not of violence but of uncontrolled violence by unknown persons. This selective labeling of violence, in fact, allows sanctioned familial and community violence to be justified in the name of avoidance of unknown stranger violence.

Control of female sexuality continues to be very prominent way of assertion of male dominance. 'Women are seen to embody the honour of the men to whom they belong'<sup>10</sup>. Sexuality has become a site of oppression and violence. The depressing reality being that sexualized violence has become deep rooted to the extent that it pervades even language.

It is worse if a woman accepts or 'flaunts' sexuality. In a patriarchal construct, sexuality is the domain of men. Women enjoying their sexuality are a direct threat to this which is curbed almost immediately with violence. Sexual violence is also used as 'revenge' and 'retribution' against men. Seeing that women are considered male property, they are considered a means of inflicting 'loss' upon men.

Patriarchal notions around female sexuality perpetrate and sanctions sexual violence during conflict. Portraying violence against women as a crime of 'honour', the issue has been understood through concepts of chastity, purity, virginity and stereotypical concepts of femininity. Any loss of the above is a direct mark against the men of the society.

Absence of explicit recognition of gender-based violence in armed conflict contributes to impunity on violence against women and perpetuates structural and systematic violence against

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10 Cheney, M, A, 2002

women. There has been slow evolution towards partial recognition of gender based crimes in international humanitarian law. Even the UN has also failed to address sexual violence and abuse committed by UN Peace keeping forces. Absence of security and justice apparatus in conflict situations backed by inefficient state security measures has resulted to increased control and aggression over women.

### **Justification and Rationalization of Violence**

Violence against women also prevails and sustains in different ways because it is justified and rationalized by society. The unfortunate reality is that this pervasiveness is due to the actions of both men and women. While it is often in the men's interests to maintain the patriarchal status quo, women are indoctrinated into following this line of thought from a very early age.

Economic inequalities are also a contributing factor to such violent behaviour. The lack of female economic empowerment and restrictions over women's control over economic resources curtail any development and further increase her dependence on male members of the family or society. This dependence is exploited and used as justification for violence against women. Globalization has not lessened this economic disparity. In fact it has opened up new avenues of subjugation or worsened existing forms of violence against women, like trafficking.

Most forms of violence, however, begin at home. Domestic violence is a highly troubling reality in society today. About 60% of respondents in a poll admitted to wife beating, often on the flimsiest of pretexts; like not preparing food on time, not cleaning the house properly, refusing sex, or upon trying to restrict the husband's alcohol consumption. The frequency of such violence is alarming, with women often having to face multiple acts of violence. In fact, 30% male respondents said they beat their wife whenever they get angry. This phenomenon cuts across all classes and castes, the common denominator only being male control over women.

Addiction to alcohol or other narcotics could also be a cause for high prevalence of physical violence. 62% of respondents admitted an addiction to alcohol, 52% to smoking, 26% to chewing tobacco and 18% to the consumption of raw tobacco. Addiction however isn't the problem as much as the catalyst.

Control over women is exercised in many ways. The imposition of restrictions over women's sexuality and sexual health is paramount. Women are rendered powerless to ask for contraception or refuse unwanted sex. A majority of men expect women to take responsibility

over use of contraceptives and undergoing sterilization. They also deem to have unconditional sexual access to their wives. The decision making with respect to the frequency of pregnancy or the number of children also mostly rests with the men. Marital rape, or forced sex, is rampant. Male sexuality is privileged while no heed is paid to female desire. In fact, female desire is considered taboo and is sought to be curtailed. The very strong belief in a connection between female chastity and male honour serve to justify violence against women and exacerbate its consequences. The preservation of honour is vested in men, thereby justifying their control over women and specifically their conduct, in both private and public spaces.

A number of restrictions are also imposed on women during menstruation. These include prohibitions to enter kitchen, eating with family, going to work outside of home, hot food restrictions, food given separately, etc. Religious and social norms are the primary reasons behind such restrictions. Another form of violence is sex determination. Even though illegal in India, sex determination continues unchecked in vast areas of the country, especially in rural India. Women are blamed, beaten and even murdered for giving birth to a female child. Men themselves take no responsibility on the sex of the child, laying the blame completely on the women. Culture and society reinforce the demand for male children. This makes it more difficult for women to break out of the cycle of violence because they often don't have recourse even in their maternal home.

Alternative sexualities continue to remain taboo in the country, leaving a percentage of the population susceptible to violent backlash. Criminalization of same sex activities is a relatively recent development that came about with modernity. The polyvalence of gender identities and sexual desire even in India was closed off through legal and social interventions.

Female autonomy is also limited in India. Women have very little access to decision making processes, often having no say in their own affairs. Traditional forms of governance do not accept women. In the few instances that they are included in such media, they often assume peripheral or figurative roles.

Many mostly women go to work not out of choice but out of poverty and sheer economic necessity, thus leaving them with very little control over conditions of labour. This also leaves them vulnerable to various forms of violence.

## Power, power relations and consequences

Power and power relations in contemporary society justify any kind of violence with complex social, cultural and economic underpinnings with brutal impacts. **From thought to action: Building Strategies on Violence Against Women**<sup>11</sup> argues that it results in psychological scarring as a result of prolonged exposure to brutality and the restriction placed on women in the patriarchal society has given greater consequences for their well-being. Women find themselves at the receiving end of violence on three fronts, from the state, the militants and a corresponding escalation of violence within their own homes. The effects of rape, sexual abuse and physical assault and abuse have led to deep psychological and emotional trauma and a very high incidence of 'post traumatic stress disorder'. In a conflict area, spaces, especially women's spaces become restricted and their mobility severely hampered. People are unable to work long hours in their fields, being forced to go in groups for fear of assault from armed security personnel or armed groups. Fewer hours in the field means that the food security gets affected.

The devastation of the natural environment, too, has serious repercussions since in times of conflict with the men engaged elsewhere; the women often have to take on the role of food providers and the caretakers.

Often women's bodies become the site of battle with innumerable instances of atrocities and brutality. Women who lost their 'honour' find it extremely difficult to lead normal lives and live down the stigma.

Continued violence especially in the rural areas has also resulted in large scale migration of young women to urban centres. This leads to number of problems because suddenly the women find themselves cut-off from their tribes, their villages and their cultural moorings. Without any kind of effective support they become extremely vulnerable to violence and exploitation. It has been found that this has led to women being sexually exploited and even trafficked.

Since women form the bulk of the unemployed and the uneducated, women find themselves ill-equipped to take on the burden of the household and as a result become completely poverty stricken. Young women are forced to head households even though in a patriarchal feudal setup they have little or no access to land and property.

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11 Kapur. A et al



North East India is often heralded for its progressive outlook towards women. However, research shows that this perception of the North East may be deceptive. **Violence Against Women in North East India: An Enquiry**<sup>12</sup>, notes that apart from the direct impact of the conflict in terms of violence, loss of property and livelihoods; displacement, trauma and patriarchal controls on women seem to have increased. It is the conflict and the domestic violence in the State of Manipur that affects the mobility and violates the rights of women to live freely and fearlessly.

**Naga Women and Customary Law (Land, Politics and Culture)**<sup>13</sup> makes the argument that there are three elements in gender relations:

- Discrimination exists when there is prejudice sanctioned by culture: privileges and rights are denied to one group
- Exploitation exists when there is unfair advantage taken because the person or group has less power.
- Oppression is the expression of relationships between the dominated and the dominating person

The book also examines the situation of Gender based violence with respect to the Ao people of Nagaland.

Naga women may arguably have a higher degree of freedom as compared to other non tribal societies. However, Naga women still have to live and conduct themselves within the confines of a patriarchal tribal society. Stepping out of such boundaries would mean an inerasable stigma from society.

While women in society are said to be the repositories of culture, the Naga culture alienates and marginalizes women from the society.

On consideration of a woman's physical weakness, an Ao woman suffers from disqualification in following ways:

- She cannot become a member of Putu Menden (the traditional village/ clan/tribal council which is the highest decision making body in Ao society)
- She cannot become the Patir/ Putie (village councillor) though she may be the oldest person in the village. Thus she is debarred from performing religious rites and sacrifices.

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<sup>12</sup> North East Network

<sup>13</sup> Changkija, T. M

- She cannot participate in debate and discussion of public interest
- She is not entitled to get honour, title and fame

She cannot inherit landed property; she is also not liable for debt of her ancestors or her heir. All property is inherited in the male line. If a father dies at the maturity of his only son, then the property belongs to him and the mother must even ask his permission to cut firewood on the land.

**Customary laws of the Chakhesang Nagas of Nagaland**<sup>14</sup>, state that when a married woman is caught in adultery, she is forced to leave her husband's house with only her clothes she is wearing, with a fine imposed, depending on the gravity of the situation. If a married man brings his lover and creates disharmony in the family, then he will have to give his wife half his property acquired during his marriage life.

**Violence Against Women: Health Sector responds**<sup>15</sup>, a Pan American Health Organisation, reports that most women suffered sexual violence, but many were not aware of this abuse during most of their relationships, since they considered forced sex to be part of their domestic obligations.

Intimate partners often subjected women to economic violence by limiting, withholding, or withdrawing financial support from them and their children, by threatening or actually by throwing them out of the house, by controlling any income the women brought home, and by breaking objects of value to the family. Aggressors were men from all generations and all types of relationships, though the majority was intimate partners.

South Asia, is unfortunately filled with political strife, both civil and international. Women are often the most affected and simultaneously the most ignored victims of militarism. **Militarism and women in South Asia**<sup>16</sup> discusses this issue in detail.

In most of the areas where militarism activities are concerned, women were considered as the weaker sex and manhood symbolizes masculinity. The main issue is the masculinity of war helps maintain gender differences and assigns a lower rung to women in the social and power hierarchy. In the conditions of poverty girl child is deprived of basic needs and education. More importantly women are assaulted, humiliated, raped and murdered during conflicts that are not of their making

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14 Barooah J

15 Velzeboer.M, et al, 2003

16 Chenoy.M, A, 2002

**Crimes against Women: Bondage and Beyond, Revelation of Data**<sup>17</sup> focuses on the horrific topic of rape being used as a tool of political repression by upper caste men to stamp their superiority on lower castes. During communal riots and caste wars, rape of women of the other community or caste is taken as symbolic subjugation of the entire community. Rape has also been used by the state machinery like the police and the army to suppress political protests by communities.

**Staying Alive 5th Monitoring & Evaluation 2012 on the Protection of Women from Domestic Violence Act, 2005**<sup>18</sup>, a survey done in three states of India- Delhi, Maharashtra and Rajasthan, by the Lawyer's Collective arrives at the following key conclusions with respect to litigation processes in the states surveyed:

The survey shows that Delhi has had independent POs, many of whom have had a background in social work. At baseline, it was noted that the POs in Delhi demonstrated far more sensitive attitudes and a better understanding of violence, as compared to other states.

Maharashtra has a large number of government officials notified as POs. They are mostly ICDS and revenue officers with the additional charge of being POs. A majority of the POs support patriarchal values and justify violence against women. Even after five years of implementation, more than two-third of the POs are not clear about the intent of the Act.

In Rajasthan, POs are holding additional charge and have been appointed sometime after the Act came into force. Over time, there is an overall shift in the attitudes of the POs. However, the police show more resistant gender attitudes, as compared to the POs.

**Unveiling the Silence on Domestic Violence: A Study on Knowledge, Attitudes and Perceptions of Domestic Violence in India**<sup>19</sup> draws the following conclusions:

- Women in higher socio-economic groups notice gender inequality and feel that violence is wrong. They try making certain attempts to curb such acts of violence by using their knowledge and education.
- Women in lower socio-economic groups despair about their lack of status and opportunity. However, they still think that minor acts of violence are justified. By doing so, they create an unhealthy conditioning for their daughters.
- Rural women live within defined norms and codes. They see little possibility of change and feel that lack of education is their main problem.

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17 Krishnaji. N et al, 2002

18 Lawyer's Collective, Women's Rights Initiative

19 Kapur.A et al

- Men from higher socio-economic groups are reluctant to give up their dominance but are pressured by growing protest against violence against women. They live complicated lives because they've grown up seeing women dominated in the household but their own wives don't let this happen.
- Men from lower socio-economic groups are resistant to change. They try to maintain social inequality and gender boundaries. Rural men treat male privilege as god given and are rigid about gender roles and boundaries.

### **Forms of Violence against Women and manifestation**

Violence against women isn't one dimensional, it is complex and intersectional. It can be in the public or the private space; with perpetrators being known, unknown and even the State.

Forms and manifestations of violence against women vary depending on the specific social, economic, cultural and political context. Violence can be physical, sexual and psychological/emotional and/or economic abuse and exploitation.

Women themselves are involved to a greater degree in the perpetration of harmful traditional practices and in trafficking. Forms and setting of violence can include: Family and intimate partner violence, harmful traditional practices, battering and other forms of intimate partner, Violence including marital rape, sexual violence, dowry-related violence, female infanticide, sexual abuse of female children in the household, female genital mutilation, early marriage, forced marriage or non-spousal violence, Violence perpetrated against domestic workers, prenatal sex selection, crimes against women committed in the name of "honour".

Practices of son preference, expressed in manifestations such as female infanticide, prenatal sex selection and systematic neglect of girls, have resulted in adverse female-male sex ratios and high rates of female infant mortality in South and East Asia, North Africa, and the Middle East.

On a community level forms of violence against women and girls in the general community include: foeticide, sexual violence including rape, sexual harassment, trafficking in women, forced prostitution.

The maltreatment of widows, including inciting widows to commit suicide is an abhorrent practice still being practiced in India.

Some of the most vulnerable groups are female migrant workers, refugee and displaced women

belonging to particular ethnic or racial groups. Depression is one of the most common consequences of sexual and physical violence against women.

Female sexuality is still markedly controlled in India. It is tightly bound to the abstract idea of family honour. **Honour Crimes, Paradigms, and Violence Against Women**<sup>20</sup> rightfully says that honour crimes are a violation of basic human rights of a woman. Women being considered to embody the honour of man lay the burden solely on the women with men being let free even if they indulge in adultery and being completely pardoned if they agree to marry the victim.

**15 Years of The United Nations Special Rapporteur on Violence against Women, its Causes and Consequences: A Critical Review (1994-2009)**<sup>21</sup> examines sexual violence during armed conflict and the absence of recognition of gender-based violence in armed conflict. It stresses on the invisibility of women in peace and reconstruction processes, highlighting the absence of security and justice apparatus in conflict situations backed by inefficient state security measures has resulted to increased control and aggression over women.

**In the North East, The Peripheral Centre: Voices from India's Northeast**<sup>22</sup> studied the reproductive health issues among the marginalized population of Nagaland. The Health department in the state capital of Kohima claims that the maternal mortality is below one per 1,00,000 while infant mortality rate is 7 per 1,000 live births. The female literacy rate is said to be 55.7 percent and immunization coverage is 60 percent (A senior health officer stated: "Our women are strong, they have stamina. They hardly ever go to a doctor with complications. They deliver their children safely at home").

However, studies reveal that less than 20 percent of women in Nagaland receive any ante-natal care and only 14 percent of children receive their complete course of vaccination. Hospital-based data does not reflect the reality of death and illness taking place in the villages (independent researcher). Patients have no faith in the service there and come only when they are really critical. 384 women belonging to the Konyak community died in Mon district in the year 1998 during child birth. The problem of high maternal and infant deaths is the highest rate of miscarriage in the state, most of which are not reported.

Women do not talk about the problem and it takes place in the privacy of their homes, it seldom recorded in official data. For Konyak women, the day starts long before the dawn.

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20 Welchman .I, Hossain .S., 2006

21 UN reports, The United Nations Special Rapporteur on Violence against Women, its Causes and Consequences

22 Gill .P, 2010

Deforestation and depletion of ground water caused havoc in their daily lives, forcing them to wake for miles in search of fuel and water, collection of firewood takes at least 3 hours and fetching water one hour apart from the household chores, the day in the field on the steep hills, slashing and burning of old crops residues and growing new ones in the jhum or shifting system of cultivation. At dusk when they return home, they collect wild leaves, to garnish the support of rice, chillies and some meat and if the husband has been successful in day's hunt. In the mist of back-breaking routine, they bear an average of five to ten children.

**Situational Assessment of Women into Sex Work in Dimapur**<sup>23</sup> makes a note of the problems and challenges of women in sex work. A sex worker is subjected to unspeakable violence from different sources. While the **State Human Development Report**<sup>24</sup> makes the disturbing observation that the forms of violence faced by the Naga women are like rape, wife beating, and molestation are on an increase and have been reported in the recent years. There were 33 reported cases of crime against women in the state during 2000-2003. Out of which 24 were rape, 5 molestation, 2 wrongful restraints, 1 abduction and a murder case. Women are socialized into being silent about their experience of violence in a patriarchal society or some tribal communities.

### **Role of institutions- family, community, state agencies, religious bodies**

Violence against women depends on certain institutions for its curtailment. The question still remains as to what roles these institutions play and how they react to reports of violence in the public or private sphere.

**Violence against Women: the Health Sector Responds**<sup>25</sup> observes that law enforcement and legal departments are found to be least supportive in terms of provider's attitudes and willingness to help and the availability of gender-sensitive services and information. Officials of these departments were neither aware of laws to protect women nor did they apply them. The analysis showed, however, that most conventional community organizations, such as labor unions and cooperatives, held traditional beliefs and provided no support at all to women affected by violence.

Gender-based violence places women at risk of health problems and even death and is related to their inequitable socio-economic status within their families and society in general. The

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23 Prodigals' Home Dimapur (NGO), sourced from the Women's Development Department, Govt. of Nagaland

24 Department of Planning & Coordination, Government of Nagaland

25 Velzeboer, M, et al, 2003

resulting subordination and sense of powerlessness often thwarts women's ability to seek help and protection for themselves and their children. It is, therefore, important that policymakers, service providers, and community leaders be aware of these underlying inequities that affect women's human rights and health.

**Violence Perpetrated against Women in India**<sup>26</sup> draws attention to women in the upper and middle socio-economic strata, where a woman was traditionally excluded from the economic processes, so that she became a liability in spite of her sizable contribution to the family economy in the form of all domestic work - which was unpaid and therefore devalued. The family can be a highly dangerous institution as evidenced in **Honour Crimes, Paradigms, and Violence Against Women**<sup>27</sup>. The notion of *izzat*, or honour, in North India is connected to female sexuality. This is closely guarded and any 'mark' upon it is considered disgraceful to the entire family, consequently punished using violence.

This argument is strengthened **Building Alliance Globally to End Violence against Women: The Global Dialogue Series (Working Paper I)**<sup>28</sup> where fundamentalism is referred to as anti-democratic, anti-secularist and anti-women.

**Seeing Like A Feminist**<sup>29</sup>, refers to the family as a core in maintaining the social order. A patriarchal heterosexual family plays a major role in managing the policing of sexuality for a woman through structures of the following:

- Family/ marriage as an **institution of inequality**
- Women's unequal access to financial resources
- Widespread physical and **structural** violence against women.
- ***Sexual division of labour***
- Women are responsible for house work. Either herself or with the help of a maid (woman).
- Gendered themes of work for men and women

The family is an institution that rigidly enforces systems of inheritance and descent and in this structure; individuals are resources that are strictly bound by violence – implicit and explicit.

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26 Kosambi.M, Khrishnaraj.M ,1993

27 Welchman .L, Hossain .S., 2006

28 Creating Resources for Empowerment in Action (CREA), Working Paper Series

29 Menon. N, 2012

- There are power dynamics at play in the household.
- Supreme Court judgment of 2005 ruled that a child inherits the fathers caste
- In the case of '*mukhya mantri kanya daan yojna*', which was meant for getting girls from poor families to get married at the government's expenses, 'virginity' tests were being conducted on girls and this led to a big uproar.

The need to recognise that 'normal' heterosexuality is painfully constructed and that it is kept in place by a range of socio-cultural, bio-medical, economic forces, and these forces help in maintaining the existing hierarchies of class, caste and gender.

Another matter of disgrace is the prevalence of foetal sex determination in the country. A long standing preference for sons has led to a highly skewed sex ratio. **Violence against Women in India: A review of trends, patterns and responses**<sup>30</sup> makes a note of Pre-birth Elimination of Females (PBEF)

- PBEF stems from a societal preference for the male child, coupled with advances in medical technology.
- It occurs as a result of low regulation, societal acceptance, and endorsement by medical practitioners.
- It has supplemented a fall in the female-sex-ratio in India.

The State can also emerge as a vindictive entity. Being loath to admit fault, the State projects blame onto others, with women often being convenient targets. In **From Mathura to Manorama: Resisting Violence Against Women**<sup>31</sup>, the author examines State impunity, citing horrific examples of State backed violence against civilians in the North East.

- 1998, Jawans of Assam Rifles indulged in gang rape and molestation of tribal women in Ujan Maidan, Tripura. Government and Army denied of any atrocities, alleging that the charges were intended to malign and discredit the Government.
- July 11, 2004, Thangjam Manorama suspected to be an insurgent was raped and murdered by Havildar Suresh Kumar in Imphal without any warrant.
- 5 enquiries- the state police, the local police, the criminal investigation department, the district magistrate and the Assam rifles- were announced, and all five concluded that the charges were fabricated.

The author depicts the extensive range of violence committed by state actors and in particular

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30 ICRW , published by UNFPA India

31 Kannabiran.K, Menon. R, 2007



the military. The impunity factor had been a backbreaking obstacle in achieving justice for Violence affected victims (mostly women) and ending violence. The book clearly indicated the unwavering attitude of the Government and state actors in relooking at Draconian acts like AFSPA. The author in the concluding lines of the book quotes Wendy Brown's:

- i) prerogative dimension of contemporary state power "legitimate arbitrary power in policy making, and legitimate monopolies of internal and external violence in the police and military"
- ii) Bureaucratic dimension of state power "organizational structure of state processes and activities"

The North East continues to be a hub of violence against women contrary to public perceptions disseminated by the State. **Status of Naga Women with Reference to Customary laws- a brief review of the customary status of a Naga Women in five Naga communities**<sup>32</sup> examines violence against women in five Naga communities.

In Ao customary law context:

- In case of divorce, where there is mutual agreement on both the parties that there is no compatibility between the two, immovable properties are equally shared except the landed property which remains with the husband.
- There is no defined scale/specificity for crime against women and thereby no laws as set befitting the crime. Mostly, it is settled with family interventions and the community according to rules set for crimes like forceful intimacy (not rape in their context) and physical abuse which totally lack understanding the trauma of victims/ a sensitive approach.
- Women in all tribes do not have a role/ place in decision making in governance. Particular to the Ao, the absolute denial to women on representing the clan has debarred women to be part of the lager apex decision making body Putu Menden
- Following the above mentioned restriction on women they are not appointed as Gaon Boras (GB) or Dobashis (DB) (these appointments are not traditional and the laws do not mention that a woman cannot be GB/DB, since these people play an important role of interpreting the customary laws: for this point it is important that a woman also be a GB/ DB)

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32 Changkija. T.M

- "Men's property" are the landed, iron/ metallic items (iron was considered a very valuable property because of reasons of its scarce availability and its usefulness in the olden times). The other moveable properties are "joint property" this over again defuses the rigid inferior determination of a woman's status.
- In case of unmarried daughters, the right to occupy parental house and inherit parents granary. However they are never secure because of the clan members/ brothers who can anytime claim their right over the landed property with/ without alternative measures for the unmarried woman.

In Konyak customary law context

- The Konyaks have a slight variation in Marriage and the rules. Love marriage is generally preferred, but as for the Angh (the chief), the Queen has to be daughter of another Angh. For the commoners monogamy is the accepted norm but the Angh can practice polygamy.
- In case of divorce, no trial at length is conducted but efforts are made by both sides of the family to reconcile and unite the separated couples. If however this reconciling effort does not work, an official divorce is declared after which it is a taboo for the couples to reunite.
- Domestic violence is not considered as a serious issue deem fit for punishment. If however the wife has been killed as a result of the husbands violent acts, he is expelled from the village for a duration after which he can return if permission was granted by the Angh (the chief)
- Discussing sexual harassment openly in the public is a taboo.
- If rape happens, the family, relatives and community elders intervene where the best efforts is made to let the perpetrator and the victim come to consensus of marrying each other.
- The father has the unspoken right of custody over children. More extreme is in cases of women/ wife's infidelity, the husband has the right to not allow the wife to even visit or meet with the children.

The modern interpretation of traditional customary practices which puts women at a disadvantage is often due to differences in the context and the attitudinal changes taking place due to socio economic conditions. The modern interpretation of the practice of

*Rangpyahtaro*, which literally means 'ten coins' in the Lotha custom, symbolizes the final act of separation that seals a divorce. *Rangpyahtaro* is extracted from husbands who divorces wife as a deterrent to discourage divorce. The amount so fixed was also considered as an unimaginable sum which no man could ever amass. However, in recent times this practice has been a subject of controversial interpretations. The 'ten coins' considered as an unimaginable sum which no man could pay as fines for divorce became equivalent to 'Ten rupees' which anybody could pay thereby making it cheap for men to divorce his wife. More seriously, in the modern context, the custom which was put in place as a means to protect women from being divorced by their husbands and also as a means to safeguard their interest by making the husband provide for her needs in case of divorce was re-interpreted and used against women. There are instances where this practice has been taken to advantage of without taking into consideration its true traditional significance. By referring to the customary practice of *Rangpyahtaro*, the value of women was even considered by some as worth only ten coins or ten rupees thereby degenerating the status of women."

**The Peripheral Centre: Voices from India's Northeast**<sup>33</sup> continues this line of thought in examining gender based violence. Women find themselves at the receiving end of violence on three fronts, from the state, the militants and a corresponding escalation of violence within their own homes. This theme has been covered in the following essays:

- In 'Benevolent Subordination': Social Status of Naga Women, the author gives an account of the social status of the Naga women, against their male counterparts, who (the men) are of the opinion that just because they have made reforms like induction of women into parallel bodies like the Village Development Boards, Town Committees and other similar organizations, the women are not considered subordinate. Rather, the truth is that thought women are inducted into these boards, all they did during the meetings was to make tea for the men and get to play no role in decision making processes. The author has touched upon other aspects of the topic as well, like, how when book learning became an option, it was the male child who got the first opportunity and girls were educated only enough to be able to read the Bible.
- 'In 'Socio-economic reality in Nagaland', the author describes the socio economic realities of a Naga village- Khonoma, as well as its cultural life. The gender relations within this village and the role of women have also been discussed.

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33 Gill. P 2010

Perpetrators of gender based violence are products of socio-cultural practices and stereotypes. The pervasiveness and perpetuation of these norms and behaviours enables these offenders to commit their crimes with audacity.

**Ending Violence Against Women, From Words to Action, Study of the Secretary-General (United Nations)**<sup>34</sup> states that there continues to be cultural causes of violence against women. Certain cultural norms including beliefs associated with harmful traditional practices such as female genital mutilation, child marriage and male child preference still prevail.

**In Violence Against Women: The Health Sector Responds**<sup>35</sup>, one possible reason for women allowing such kind of violence is given. Women often reported tolerating abuse because they feared that resistance might only intensify the situation. Staying in the relationship was also often encouraged by social pressures from their own mothers, children, and other community members in order to keep the family together. Lack of independent financial resources and family and institutional support also inhibited their actions.

**From thought to action: Building Strategies on Violence Against Women**<sup>36</sup> continues this trail of thought by zeroing in on the home as a site of violence. The societal construction of 'good/ bad woman' justifies violence - Deviation from behaviour pattern prescribed for 'good women' warrants retribution. Women do not question who defines the 'good woman' on what basis and why? Neither do they ask why any woman should be at the receiving end of such violence. The social image and identity of a woman is as a life giver.

Women do not speak in public against violence. Women burdened with the moral responsibility and made repository of family honor and pride. Physical harm is a constant reality – harassment or violence in public spaces. From a young age, girls are trained to live in fear from the 'outside world'.

Public spaces become inaccessible to women after dark. Women grow up with tendency to accept violence in public spaces as part of daily life and something that cannot be prevented. The legitimacy given to certain forms of harassing behaviour (teasing, verbal comments etc) and branding them as harmless, encourages men.

The issue of violence is addressed in 'patriarchal language' of protecting women from bad men. The language of rights of women is silenced. **Violence against Women in India: a**

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34 Prepared by the Division for the Advancement of Women of the Department of Economic and Social Affairs of the United Nations Secretariat

35 Velzeboer.M, et al, 2003

36 Kapur.A et al

**review of trends, patterns and responses**<sup>37</sup> reports the incidence of violence against women in India, claiming that violence against women is founded on three aspects of Indian society: the social status occupied by women, accepted by both genders; the failure of the legal system; and a backlash against women's empowerment.

Internalisation of gender roles and the idea of family honour have led to lower reporting of these incidents outside the household.

This ties in with the conclusion arrived at in **Honour Crimes, Paradigms, and Violence Against Women**<sup>38</sup> which sees honour crimes as human rights violations. These crimes are that they represent a violent and discriminatory response to the failure or inadequacy of traditional mechanisms for the regulation of sexuality

The idea of honour crimes is related to how the female body and female sexuality is viewed by the public. In **Seeing Like A Feminist**<sup>39</sup>, the author states that society has a hegemonic understanding of what a body is – that everybody is clearly and unambiguously male or female – brought about with colonialism. However arbitrary attempts to impose freedom on female sexuality is also problematic as evidenced by Europe's ban on veils, which can be seen as exactly parallel to the institutions that impose the veil, as it is curbing Muslim women's freedom just as much.

**In From Mathura to Manorama- Resisting Violence against Women in India**<sup>40</sup>, violence against women is understood in the following ways:

- Domestic Violence
- State Violence
- Communal Violence
- Conflict situation
- Violence of normal times

They derive the conclusions that preference for sons is admittedly more evident in the North and East of the country. Women are coupled with economic dependence, pressure for early marriage, stigma attached to divorce, ritualized violence at home etc which overtime internalize them as being part and parcel of women's condition.

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37 UNFPA, ICRW, 2004

38 Welchman, L, Hossain .S., 2006

39 Menon. N, 2012

40 Kannabiran.K, Menon. R, 2007

North East India differs from the mainland in customs and traditions, however, there is still a prevalence of gender based violence. **Status of Naga Women with Reference to Customary laws- a brief review of the customary status of a Naga Women in five Naga communities**<sup>41</sup> discusses the matter of marriage and divorce amongst tribes in Nagaland.

- Divorce in Angami custom: the husband can seek for divorce any time he deems fit but the wife, if it is her first marriage, she cannot divorce within 5-6 months. Breach of this would mean a penalty of all her belongings. As for the Sema custom, only the husband can divorce his wife, the wife is not given the power to divorce.
- In Angami custom, in case of divorce, 1/3 or half of the property share is divided between the husband and the wife in case of divorce. The woman has no share of landed property, either acquired during the course of marriage.

Inheritance/Property rights

- In Ao customary context, case of husband's death, sons have the legal right over the property, and if there are no sons, first paternal cousins/ paternal clan inherit the landed property. Wife only has the custodial role in managing the property and has the right to live in the house unless she re marries.

**Customary laws of the Chakhesang Nagas of Nagaland, with special references to their land holding system**<sup>42</sup>, states that the family system is nuclear and patrilineal in nature, with the father head of the family and all authorities and responsibilities vested in him like decision making and economic activities. The wife is more concerned with domestic work and maintenance of the family. The division of work among men and women in Chakhesang society is on patrilineal principle

The status of women is not equal that that of men. Women are paid lower wages than men considering the work which are entrusted to women are not considered as hard work. A woman has no right of inheritance, nor can they take part in village administration, decision-making processes and judgment during divorce or separation.

**Women's Economic Dispossession vis-à-vis skills for sustainable livelihood; Context of women farmers in Nagaland**<sup>43</sup> states that the general attitude toward women's labour is dismissal. Gendered division of labour ensures that work done by women isn't valued.

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41 Women Studies Centre, Nagaland University

42 Barooah, J

43 Jimomi .A

All of women's waking hours are spent in physical activity mostly for food production and caring for family without which the household cannot function smoothly, yet their employment status is "akumla/ service kuha" which literally translates to being jobless. Women's productive and reproductive labour are not salaried and therefore has no "visible employment" despite their long working hours almost every day in the farm and at home.

Women are also not represented in decision making bodies; all major decision making bodies and important social bodies in the village are headed by men. Their leadership positions in the village are limited only to women bodies. Women are never consulted for general village development activity planning such as decision to construct roads, drainages or buildings. However women themselves are not conscious of the need for their voices to be heard and their rights to be exercised

### **Resisting violence- women's struggles and stories**

Women's struggle is not limited to the public space or to areas of conflict. A lot of violence begins within the private sphere. It can be in the form of domestic violence or abuse, and can be physical or psychological in nature.

**From thought to action: Building Strategies on Violence Against Women**<sup>44</sup> refers to the home as a site of violence. Women tend to accept and cope with this form of violence and do not use the language of 'rights' and 'violation' while reliving their experiences.

Despite efforts by women's groups in bringing the issue of domestic violence to public domain, it still remains difficult to address this issue.

Even when it comes to conflict areas, the women's movement has, for decades, demanded equality, development and peace in the world. The demand for peace is made by women because they are directly and specifically impacted by war and civil strife as women. The voice of women against militarization has remained critical and persistent as argued in **Militarism and Women in South Asia**<sup>45</sup>

In **The Peripheral Centre: Voices from India's Northeast**<sup>46</sup>, the idea of women's activism against violence and conflict has been covered in the following essays:

1. Shifting Sands: Negotiations, Compromises and Rights in Situations of Armed Conflict

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44 Kapur, A et al

45 Chenoy, M, A, 2002

46 Gill, 2010

## 2. Performance: The Gendered Space in Manipur

In 'Shifting Sands: Negotiations, Compromises and Rights in Situations of Armed Conflict', the author describes the birth of the women's movements and women's activism in Manipur and Assam where women came out in strong protests against the issues of violence effecting them. She mentions about the Meira Paibis who had protested against domestic violence and armed conflict.

In 'Performance: The Gendered Space in Manipur', the author looks at Meitei women's activism and the drama inherent in the protests launched by these women groups. She quotes the example of 'Manorama's Mothers' who had sprung in protest again the Indian Army demanding to repeal the Armed Forces Special Power Act.

**Ending Violence Against Women, From words to action, Study of the Secretary-General (United Nations)**<sup>47</sup> stresses on the need for recognition on a global scale. The issue of violence against women came to prominence because of the grass-roots work of women's organizations and movements around the world. Women's rights advocates have lobbied Governments and parliamentarians to pursue prevention strategies more vigorously. Litigation in cases involving violence against women has been used to expose gaps in protection and remedies and the need for more prevention

**From Mathura to Manorama- Resisting Violence against Women in India**<sup>48</sup> has done an extensive survey of state impunity. In 1990, the All India democratic Women Association (AIDWA) submitted a memorandum to a parliamentary team visiting Tripura where it listed 145 names of women who have been raped over a period of 20 months (between 1988-1990). Tribal and Muslims were specially targeted victims. With the increase in complexities of forms of violations on women- from rape, dowry etc to state actors and impunity, conflict areas etc. the strategies as well as approaches used by women groups has changed towards a comprehensive approach inclusive of gender and human rights

- "Back on track" the railway campaign: 1998, Delhi

Activism period of about 4 years, and long run impact of reforming railway policies in attempts of securing right to mobility without fear. Main stakeholders included railway officials, media, NGO's, Minister and Union collectives. The strategies used were multi dimensional, involving diverse stakeholders and mediums of communication.

<sup>47</sup> Prepared by the Division for the Advancement of Women of the Department of Economic and Social Affairs of the United Nations Secretariat

<sup>48</sup> Kannabiran.K, Menon. R, 2007



- War and Peace: use of theatre, traditional ballet as an instrument of activism: Hyderabad (2000 to 2004). Two ballets: War and Peace & Lakshmana Rekha.

This activism believed in the significance of culture in gendering the society, and thereby opted to a conventional method of penetrating the traditional forms through fresh interpretations and perspectives.

- “Shed no more blood”: Naga Mothers Association

A 30 years long running women movement, started during 1984 formed with course of three decades violence, armed conflict and social upheaval in Nagaland. Strategies used is of extensive mobilization, direct confrontation with violence through public rallies and demonstrations, peace dialogues with both underground (UG's) and over ground, the Government. Approach used cannot be quoted as a feminist approach but of a conventional approach of “motherly role” but their stand on violence makes their approach ambiguous/ equivocal. The author concluded that the NMA has been the longest movement comparing with the other two, because it embraces society as a whole, meaning “NMA lies in its assertion that the whole of society is a victim of violence in Nagaland.”

Diversity of feminist interventions in resisting violence against women at different contexts and levels:

- 2004, in Andhra Pradesh women collective of about eight came together and planned out to reclaim International Women's Day. They planned and organized a state level campaign where there was public hearing on cases of VAW (victims sharing cases) were being collectively acknowledged by a 5,000 women gathered at the mid of the city.
- The rape case of Bhanwari Devi, belonging to Dalit and a development worker under the *Saathins* (A government programme) against child marriage in Rajasthan. The injustice and insensitivity of the law and health centers during her lone struggle for filing her case. The collectivized approach of the *Saathins* in extending solidarity as well as bringing the case from a private to public sphere. Origin of the concept of safe employment space/ right to dignified work and livelihood emerged from this case.
- From domestic sphere of the family to the political advocacy is the Anti-Arrack movement, spearheaded by women collectives in Andhra Pradesh. The intensity of the involvement and spread of women groups on Anti- Arrack is to be noted, the collectivized spirit and the strategies of extreme advocacy (picketing arrack shops) to imposing the Government with no alternative besides closing down arrack sale and business.

- The National Federation of Dalit Women in India (NFDW) mobilizing Dalit feminist resistance with an effort to re- articulate the issue of caste in the theoretical/political context of anti- racism. Declaring sovereignty, asserting a distinct 'identity' and also simultaneously forging a 'collective identity' has marked the Dalit movement in very specific ways.

Women groups demanded against cases being influenced upon sexual history, forcing judges to re examine their biases and discomfort in bringing about justice to woman

**Unveiling the Silence on Domestic Violence: A Study on Knowledge, Attitudes and Perceptions of Domestic Violence in India**<sup>49</sup> lists the coping mechanisms adopted by women

- Putting up with it
- Appeasement
- Self-punishment/ Starvation
- Expression of misery
- Running away
- Denying love, displaying coldness
- Verbal retaliation
- Physical retaliation
- Legal Recourse

### **Survivor speak and representation**

A country's sensitivity can be accurately gauged by how it reacts to violence and how it treats the victims of violence.

**The Peripheral Centre: Voices from India's Northeast**<sup>50</sup>, an anthology of essays on issues and concerns that have emerged as a result of violence and conflict in the North East, and their devastating and long term effects on the women of the region, zeroes in on the women's movement in Manipur and Assam in the process of peace

The Meira Paibis, for example, came out strongly against domestic violence resulting from alcoholism but the issue control of the drug mafia and the nexus between them in gun-running was either not mentioned or was only talked about in strict confidence. The women spoke out strongly about being targeted during the search operation and their vulnerability as 'shelter providers' and the pressure on them to be keepers of the faith and of community values.

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<sup>49</sup> Oxfam, Campaign to End Violence Against Women  
<sup>50</sup> Gill 2010

Women are not considered a decisive constituency in conflict resolution either by state or non-state agencies but that they have had their uses and have been exploited by both in the role of go-between, healers and pacifiers.

The presence of armed forces in large numbers increases the demand for sex work. The greatest factor for the vulnerability is also that women are in no position to demand safe sex or negotiate condom use, making them highly susceptible to STDs and/or HIV.

The impact of violence and conflict on women has been covered in the following essays in the book:

1. In times of Conflict, the real victims are women
2. Women writing in times of violence
3. Red is the colour of Blood
4. Dealing with Conflict and Violence: The Power of Attitude

In the essay 'In times of Conflict, the real victims are women' is an intense piece where the author describes and agonizes over the horrific Nellie Massacre of 1983 where more than 1700 people lost their lives. It describes the growing divide between different tribes, groups and classes, the intolerance of one group towards the other. He also mentions about the killing of Manorama Devi, a cadre of People's Liberation Army by the Assam Rifle soldiers. He draws a pen picture of the suffering of women as a result of the massacre and also gave insights about how in such turbulent times of violence, it is the women who suffer the most. Also, that even in the attempts for peace talks, women do not get represented, although it is the women who have the greatest stake in peace.

Today the ethics of representation is further complicated by the demands of twenty four-hour media. Women's groups routinely issue public statements of condemnation or support, often without having met the survivor, or seeking her opinion. But, the question of who speaks for whom – and when and how – remains a matter of urgent debate within the movement.

## **Interventions**

Legal and community intervention is required not just as preventive measures but also as forms of support for survivors. Justice is often delayed or denied to victims of abuse. Due to the multifaceted nature of violence against women, complete justice is a tricky subject.

**Ending Violence Against Women, From words to action, Study of the Secretary-General (United Nations)**<sup>51</sup> identifies violence against women as global, systemic and rooted in power imbalances and structural inequality between men and women.

Women's activism on violence against women increased in the early 1980s and the issue was more prominent at the Third World Conference on Women in Nairobi in 1985. The Security Council resolution 1325 (2000) on women and peace and security was a milestone in addressing violence against women in situations of armed conflict.

Some necessary services include:

- Health Services
- Sexual assault centers
- Hotlines and helplines
- Shelters
- SHGs and counselling services
- Legal service
- Services for victims of trafficking
- Services for victims/survivors during and after armed conflict

*Victims* of sexual violence, including rape, require immediate health care and support and evidence for any resulting legal case also needs to be collected.

*Hotlines* and helplines provide important access to information and support systems for victims of violence against women and constitute good practice.

*Ensuring* that women have access to shelters that meet safety standards to protect them from further violence is good practice. It is good practice for the State to assist, encourage, finance and cooperate with NGOs in establishing and maintaining them.

*Self-help groups* and counselling services are promising, as they provide support for women while respecting their autonomy and encouraging their independent decision-making.

The availability of such services, including free legal aid and advice for indigent women, is a promising practice. While legal services to victims of violence against women are usually provided by civil society organizations, it is good practice for Governments to support such projects, particularly through funding. The immediate needs of trafficking victims are protection,

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51 Prepared by the Division for the Advancement of Women of the Department of Economic and Social Affairs of the United Nations Secretariat

medical care, access to legal advice and counseling. The range of services required to assist victims/survivors of violence against women include: comprehensive medical services, including access to safe abortion; counseling; shelter; provision of basic necessities such as food, water and sanitation; and community services and education.

Promising practices in Prevention of violence against women:

*Advocacy and campaigns:* They enhance women's awareness of their rights and of available remedies and services.

*Community mobilisation:* Good practice in community mobilization involves a participatory process and the engagement of all levels of society, including local government representatives, community leaders, NGOs and women's groups.

*Education and capacity building:* Promising practices in this area include eliminating gender-based stereotypes in educational curricula; providing gender-sensitivity training for teachers; creating a school environment that rejects violence; and offering specialized courses on human rights, including women's rights.

**From thought to action: Building Strategies on Violence Against Women**<sup>52</sup> condones the acceptance of violence by women as a reason for the perpetuation of such violence.

Various factors determine this behaviour:

- Construction of good woman or a bad woman
- Normative understanding of marriage
- Extent of economic dependency on husband
- Support structures and survival options available to women

However, the invisibilisation of violence against women points at gaps in institutional thinking and thereby action to eliminate such violence.

Police expresses inability to deal with these cases due to procedural or institutional constraints:

- Lack of women officials
- Lack of specific laws
- Judicial delays
- Political interference
- Inadequate medical evidence and open ended certificates by doctors

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<sup>52</sup> Kapur. A et al

**Status of Naga Women with Reference to Customary laws- a brief review of the customary status of a Naga Women in five Naga communities**<sup>53</sup> looks at the differences/ discriminatory practices seen in the customary laws in carrying out justice deliveries. The following are forms of crime and offences and in the next column the glaring differences in serving punishment/ penalty between men and women:

- Adultery
- Physical/ Verbal Abuse
- In case of a man, the society looks down upon him as a disgrace. He gets retaliation from the family of the wife and he is imposed with material/ money compensation. For a woman, her hair is shaved and nose chopped off. Publicly humiliated by driving her away naked from the husband's house to her parents house. Physical punishment to the extent of mutilation to show the gravity of her crime. Material or monetary compensation is imposed.
- In the context of Ao customary, Kilamat (customary fine) is imposed on the spouse engaged in adultery. Besides imposing kilmat, as for the case of a woman, she is publicly humiliated with her hair cut off and she does not have custody over her children.
- Angami context, man abusing wife: corrective guidelines are given and cautioned. There is no specific punishment for men. He is made to pay 2/3 of the grains to the other partner.
- Women abusing husband: the women is deprived of all her entitlements, properties. No property is given to her.

**Sufferings of Naga women: Violence and health perspective**<sup>54</sup>, draws attention to the importance of community outreach in addressing domestic violence. Being a religious society, the church can play a vital role. Eradication of domestic violence in Nagaland requires advocacy and sustained public education, which would achieve change in the culture that perpetuates violence against women and children. Education and theology should be gender sensitive helping both men and women to become more self-aware. Theology with an emphasis on gender equality can have a tremendous impact on violence against women.

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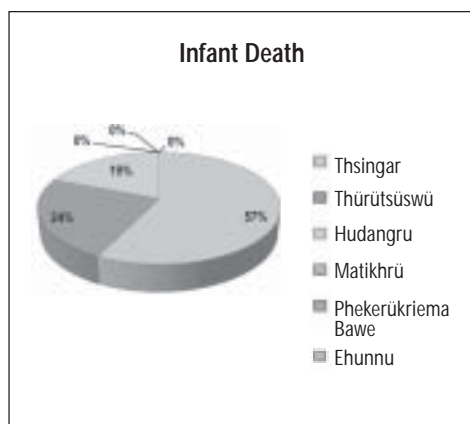
53 Women Studies Centre, Nagaland University  
54 Phom. A

# Birth, Nutrition and Health

## Introduction

There tends to be a misconception amongst the populace that society has achieved, or is at least close to achieving, gender equality. General changes in behaviour are convincing people of equality but this is deceptive; while there might be a noticeable change for the better, it has not yet translated to absolute equality either in status or in gender relations between men and women. This is evident from the time a child is born. Status accorded to boys and girls evolves from the nature of practices and rituals observed during and after the birth of the child in a Naga village. Adopting the lifecycle approach to understand the status accorded to boys and girls, this section examines some norms and practices followed at the time of birth of children in the Naga community across different tribes.

The National Health Mission recognises that reproductive, maternal and child health cannot be addressed in isolation as these are closely linked to the health status of the population in various stages of life cycle. Therefore the new program on *Reproductive, Maternal, Newborn, Child and Adolescent Health (RMNCH+A)* have incorporated the 'Continuum of Care approach' of defining and implementing evidence-based packages of services for different stages of the lifecycle, at various levels in the health system. In order to strengthen the holistic perspectives within this existing Continuum of Care approach, this study will include gender based discrimination at various life-cycle stages to ensure gender sensitive approach in both policy and practice. According to the Economic Survey 2012-2013, the maternal mortality ratio of



Source: Findings of the study

Nagaland is 240 out of 1 lakh live births in 2011. Data systems in National Health Mission Web portals have projected Maternal Mortality Rate for Nagaland as 'Nil', and reasons for such has been given by health officials that the number of deliveries does not reach the National figure of 1 lakh deliveries which does not reach the measurable parameters. In our study locations between the period 2011 to 2013, 1 maternal death during delivery was reported. However the infant death rate for Nagaland was 1.58%

in the year 2011 according to Economic Survey 2012-2013. Our study has revealed that in two villages<sup>55</sup> out of the six villages under this study, there were 9 infant deaths in the three-year period of 2011-13. Alarmingly, from the 6 villages under this study it was found that 21 infant deaths were experienced by the women respondents themselves in their lifetime. Thsingar village women recorded the highest with 12 infant deaths which constitute 57% out of the 21 infant deaths mentioned earlier. One of the common causes for such deaths is apparently related to inaccessibility to health care services for women undergoing child birth in rural areas.

Gender discrimination is not necessarily obvious and in many cases it can be subtle and insidious. Therefore it often becomes difficult to comprehend the seriousness and depth to which gender bias permeates society. Gender discrimination is manifested through symbols, practices and cultural renderings. There is every possibility of understanding notions of equality and discrimination differently, based on certain changes in practice that signify the birth of children. The coming of Christianity has changed traditional methods of celebration during the birth of children in Naga society and yet, the deep roots of male preference continue to remain strong and uncompromised. Such discrimination can be observed in diet of the mother, naming of the child and the pressures women face to bear a male child and when losing a male child.

## Power and Consequences of Power Relations

*"If the woman is barren then the man may consider about marrying another woman who can bear him a child. And even for a woman, if the husband is illiterate and not well to do then she may go and find another man who is rich and educated, thinking that instead of living a hard life, it is better to go and find a better life. Such can be the circumstances."<sup>56</sup>*

Conceiving a child is highly valued in Naga society, therefore a woman who is barren faces discrimination. While a woman is expected to get married and conceive, the society also expects a man to fulfill his duty of being the breadwinner. We can analyse from the quote above that a woman ensures her survival and social security through marriage, while a man ensures the extension of his ancestral lineage from a marriage. This is how power gets transformed into family and community customs which defines the status of a woman in the social ladder.

Women reported that they deliver at their conjugal home more often because it has become "our home after marriage, either our mothers come or those women who are experienced.

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55 Hudangru and Thürütsüwü village

56 Woman from Thsingar Village, Kiphire District



This makes us comfortable during the delivery. There are also husbands/ men who are present during the delivery and for help. But those are the ones who are 'good' and God helps in such times. In some cases, it is shameful to call a man for the delivery." Generally society does not expect men to assist wives during delivery and therefore it also explains the minimal paternal role during, pre and post-birth.

Though women see the natal home as more comfortable during delivery than the conjugal home, they also see delivery in the conjugal home as an assertion of their right, even if they have to compromise their security and comfort that the natal home provides. In a nuclear setup, women from the natal and conjugal homes come to support women. Women living far away from the natal home may lack this support and consequently have a shorter rest period, much to the detriment of their health.

There are distinct gendered practices followed during the birth of a child. As per our findings during this study, in one of the study locations<sup>57</sup>, there were significant differences in celebration of the birth of new born in the olden days. A cock is killed to mark the birth of a son and killing of a hen marks the birth of a daughter. The ritual of sacrificing a cock for a male child versus that of a hen for a girl has a deeper meaning. The cock is looked upon as a guardian signifying superiority. Boys regarded as a companion for the father and as an heir while the birth of a girl child is met with commiseration. Significantly, cock symbolizes strength and guardianship in many Naga tribes, and this symbolism is still strongly used in the present day. This practice is lesser or no longer practised, but religious celebrations such as having church leaders come and pray during the naming and holding small feast has replaced the older ways. Thus, value is immediately ascribed to gender. Particular to one of the study location<sup>58</sup>, there is a practice of a daughter named on the 5th day of her birth, and a son named on the 6th day. This practice has the significance and marking of alleviating men as stronger beings. Boys being named on 6th day represents that men are stronger and greater than women.

Though predetermination of sex of unborn child is not heard of being practiced amongst pregnant women in rural areas, yet there are expectations of either a girl or a boy by the larger society. Depending on the sex composition of children in a family, the expectations for either sex are defined. Predictions of either a boy or a girl are also made by other women in the family or in the neighbourhood in different ways such as the position and movements of the unborn baby. There is also an assumption that if the unborn foetus is male then their movement

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57 Thürutsüwü village

58 Kiphire district consists of Sangtam, Yimchungru, Sema, tribes. This study was conducted amongst two tribes viz, Sangtam and Yimchungru.

inside the stomach of the mother is very vigorous.

*"My husband was the only son in his family so when I gave birth only to a girl he was so upset and that is how I felt the pressure."*<sup>59</sup>

*"My husband fed me with meat of a bigger animal when I give birth to boys but when I delivered a girl I was treated to smaller sized animals for namesake."*<sup>60</sup>

It is an acknowledged fact that it is irksome for men if their wives keep conceiving only daughters. This may lead men to have lesser concern for their wives and daughters when a male child is strongly desired. In such a case, the birth of a male child draws greater significance because a big pig will be killed for feast in the spirit of celebrating the birth of a son along with longer duration of celebration. In contrast smaller animals are used in celebrating the birth of a girl.<sup>61</sup> Though nutrition is a more important aspect for ensuring the health of the mother, yet it has to be noted that this significance of size was stressed and mattered more over the nutrition aspect. It is because the 'size' matters in terms of prestige as can be observed during any other feasts in Naga society. Bigger animal also meant longer duration of feasting.

According to the National Family Health Survey 2005-2006, in Nagaland the desire for more children is affected by women's number of sons. Among currently married women with two children, 61-62% with one or two sons wants no more children, compared to 47% of women with two daughters<sup>62</sup>. In the study locations, amongst the households with 8 to 13 members<sup>63</sup>, these families had either maximum number of daughters or maximum number of sons. Reasons could vary from inaccessibility to family planning methods to longing for a son or a daughter.<sup>64</sup> In the study locations, the high mortality of male infants and child was found. Amongst 11 child deaths experienced by women in their lifetime, 7 were male and 4 were female. Amongst 21 infant deaths experienced by women in their lifetime, 16 were male and 5 were female. When there is a strong preference for male child, the woman who loses a male child will face additional pressure to bear more children. Women are indoctrinated to believe that the bearing of the male child will complete her motherhood by the husband, in laws and extended relatives. Indeed this is a way of controlling women's sexuality.

There are clear gendered needs expressed for wanting a son and a daughter. For families with

59 As narrated by women from Thsingar village in Kiphire district

60 As narrated by women from Thsingar village in Kiphire district

61 This practice is followed in Thsingar Village, Kiphire District as related during the NEN field study

62 NFHS 3rd Round 2005-2006

63 Study locations- Thürütsüwü, Matikhrii, Phekerükriema Bawe, Ehunnu, Thsingar and Hudangru

64 Case study: "In my family (natal) we were 9 children, 3 daughters and 6 sons, and among all the children. I got married in the year 2008, it was unplanned because I got pregnant and when my parents found out they spoke with my husband's family and arranged our marriage.

only sons, mothers desperately long for a daughter as a companion. But primarily the mother needs her daughter to help her in household chores and in meeting the duties towards male members of the family. The preference and longing for a male son has cultural and hereditary backings as can be seen from the cases below.

*"Boys are favoured over girls because as human beings they need a man to look after the property and look after the parents". "After the death of parents it is the man who inherits all the property but not the woman. The man looks after his family and not the woman's family. It is the responsibility of the man to care for his parents' family."*<sup>65</sup>

*Boys are permanent,  
girls are temporary*

Another factor determining families' preference for male sons is on the 'permanent' status accorded to men. "Man is considered a permanent member of the family but for a girl, she is not permanent because one day she will get married and go to other family." This strongly points out the cultural rendering of 'permanency' status giving to men while women are differentiated and preferred lesser on the basis of their 'impermanency' or temporary status. The issue of childbirth itself is couched with many complexities. Due to the near complete prevalence of patrilocality, a girl child gets the status of the 'other', meaning never quite a complete member of her natal family, and considered as married into another family, she is never seen as a complete member of the conjugal family as well.

The society does not permit sharing of sexuality openly, therefore women's space to share issues related to reproductive health is very limited. In two<sup>66</sup> of the study locations, the absolute absence of awareness on reproductive health was found, indicated by huge

*How Good is it for a  
'Good Woman'?*

family sizes and unsafe reproductive health practices. However the notion of a 'good woman' perpetuates to increase health risks. Another factor in enabling women to access health care is dependent on the man and his decision to seek health care for the woman. Women undermine their own health, bearing pain as much as possible till the husband comes to a decision- of whether to take her to a hospital.

*"Even if we have many children if our husbands take care of us properly than we don't get sick."*<sup>67</sup>  
*"Women go to Hospital only in serious cases/ complications."*<sup>68</sup>

<sup>65</sup> Commonly shared by all the respondents in all the six villages under this study

<sup>66</sup> Thsingar and Hudangru village of Kiphire district

<sup>67</sup> As narrated by woman from Hudangru village in Kiphire district

<sup>68</sup> As narrated by woman from Hudangru village in Kiphire district

## Violence against Women Manifestations

The NHM Continuum approach envisions to address maternal and child health issues and ensuring safe motherhood, it emphasizes on diet requirements, regular health checkups of the mother to ensure safe delivery and motherhood. Despite the presence of health centers in all districts of Nagaland, its services have failed to reach out to a lot of rural women. Communitised health workers such as the ASHA's and Anganwadi workers are present in these villages, however for indefinite reasons; women remain unaware on maternal and reproductive health. In the context of our study some of the findings reveal that the physical health of the mother at the pre-birth stage is disheartening. Being in a subsistence agriculture based livelihood, women continue to work in their fields even a day before the delivery or even on the due date. Patriarchal notion of a 'good woman' endorses the qualities of tolerance and endurance of pain in a woman's lifetime. Rigid gender stereotypes compel women to compromise her health over provision of food, household and other family needs. The case study below depicts the intricate layers of socio-cultural discrimination of the woman where women entangled within these patriarchal social norms themselves jeopardize their health.

*"Before when I was pregnant with my first child, I kept going to the field even when I was already heavy. One day I decided to go to the field though my husband has stopped me because my delivery time was very near; I still decided to go because the harvesting of soybeans was already getting late as the rains might start anytime. I went alone to the field, and that day unfortunately my labour pain started in the fields and it was hard and took time for me to deliver because I was alone and it was my first time, I delivered in the fields, but my new born was delivered still and dead. After this, my husband was really disheartened because my first born was a son. After this I have conceived only daughters and now I cannot conceive anymore. Sometimes at night I say things to my husband like 'If you really want a son, and since I am not able to conceive one, you can consider marrying another woman who can bear you a son. I will be alright with your decision but if that happens, I will take our two daughters and raise them my own'. I really do not mean when I say these things, but it is just to test his mind. My husband then would keep quiet and respond 'who will take care of you when you fall sick? I do really yearn for a son but when we are not able to conceive at all, maybe this is what God has already planned for us so we do not think of such silly things.'"<sup>69</sup>*

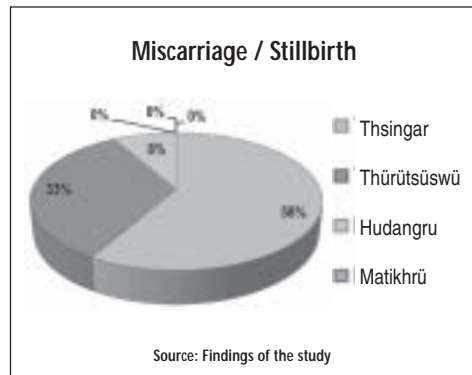
<sup>69</sup> As narrated by woman from Hudangru village in Kiphire district

*Workload Woes and wounded wombs*

The NFHS 2005-2006 stated that perinatal mortality, which includes stillbirths and very early infant deaths (in the first week of life), is estimated at 23 deaths per 1,000 pregnancies that lasted 7 months or more in Nagaland. Though it is slightly higher in urban areas, yet 21 deaths per 1,000 pregnancies was recorded

for rural areas. There seems to be multiple factors contributing to the skewed picture above. In our findings, amongst 19 respondents from Thsingar village, 5 cases of miscarriages and 2

cases of stillbirths were reported as experienced by women in their lifetime. In all the six locations of this study, the most prominent health problem amongst the women they shared is 'womb problem' though there is no definite or clear explanation given. When we analysed our data from the field, we could gather that a direct relation of the high perinatal deaths can be drawn on woman's work load, traditional bindings, lack of awareness on reproductive health amongst women, and lack of adequate reproductive health services.



After delivery, 'rest' is defined by the women as the initial days when they do not go to the fields for work, although they continue to do the all household chores such as cooking, washing, cleaning'. Currently women are awarded this kind of 'rest' for 10 to 20 days or perhaps for a month. For 'complete rest' which means a woman is not doing any other household chores, a woman gets rest for 4-5 days before the naming of the child. During these days, female friends and family help with the household work. There have been occasions where women from natal homes come and help the new mother for few days, while particular to one village<sup>70</sup> this support does not extend beyond the naming of the child. Almost 20 to 25 years back, women took rest from agricultural work only for 5 days after which they would continue going to the field. But now it has changed and the duration of rest depends on their contextual realities such as level of awareness on their health, nature of livelihood, seasonal activity, economic status, attitudes of family members and so on. Even though the rest period for women is not uniform during the post delivery

*We cannot afford to rest*

70 Hudangru village in Kiphire district

stage, a lot of care giving support is extended to the women by neighbours, friends, extended families from both conjugal and natal homes. Women who have migrated from far away villages are often bereft of natal family support during and post delivery, thus shortening their rest period. The definite gender roles in household work assigned to women also denies her from adequate rest. The woman is expected to recover quickly and partake in the household duties expected of her.




*Shrinking Paternal Role*




'Some husbands do assist women during delivery though minimal' is a response given by the women from the study locations. However on care giving roles, husband's engagement is limited to a few days, which reflects that cultural norm that limits father's role only to a few days. During childbirth and post delivery period, men provide food and nutritional supplies while care giving roles are transferred to other women in the house as 'husbands only help or assist when their wives are not in a position to get up and work, or when there are no other female members to help'<sup>71</sup>. Such practices reinforce gender stereotypes perpetuated by both genders as a living tradition within families. Women have noted the change in the involvement of young husbands that "due to early marriage and immature decision to marry without sharing adequate responsibilities, these days men are hardly involved during delivery." The lack of male involvement is dismissed as 'immaturity' and hence it has become an accepted norm in the current context.

*"For men, only when the family starts growing like after two or three children, they begin to act like a responsible father and they become different. Even in matters of family, earning and everything, men will start thinking or come to sense only after two or three children."<sup>72</sup>*

*"Men do not mature fast. It is only after three or four years of marriage that they will start copying their own fathers (replicating their fathers). Only after this they start taking on responsibilities as fathers."<sup>73</sup>*



*He decides the health of her body*



In few cases due to the gendered expectation of the man to be the sole provider of the family, men are compelled to migrate for sustaining their livelihoods. In such circumstances there is an absence of the man's role during and after child birth. A very interesting analysis has been drawn from the interaction with the women about the concept of good and bad husband. Those husbands who are not good

71 As narrated by women from Thürütsuswü village in Phek district

72 As narrated by women from Hudangru village in Kiphire district

73 As narrated by women from Hudangru village in Kiphire district

send the wife to the field right after delivery even before the wounds get healed. Some women get to rest for 1 to 2 months. But 'Good husbands tell their wives to take sufficient rest for 2 to 3 months and are fed with special diet'.

The significance of investing in children's future has been recognised by women wanting to limit child bearing through family planning methods, which also includes accepting abortion which is otherwise a taboo. This practice will also ensure better opportunities to the existing or living children. Women do not have control and decision over her reproductive rights or choice of number of children which gets reflected by the son preference practices. When family planning methods are opted, it is the women who are compelled to use family planning services even if detrimental to her health. The case below underlines the helplessness and dilemma of one such woman. Men resist towards availing family planning methods themselves, often on the pretext of losing their manhood.

*"Sometimes I feel I should give birth but my husband tells me that we already have many children so we cannot afford to look after them. He would say, 'it is painful for you but you have to bear it and go for abortion'. As we don't have a salaried job, we have to work a lot and even go for wage-work."*<sup>74</sup>

According to the nutritional indicator of children's stunted condition (under 3 years) is 34.1% for Nagaland<sup>75</sup> which indicates undernourishment for some time. The study team also observed that children in Therürütsüswü village had pale hair and bulging stomachs<sup>76</sup>. Though it is not a case of food insufficiency, on speculation there might be lack of nutrition intake.

When one looks at the breast feeding practices in the study locations, distinction for male and female child was found in cultural beliefs and practices though it varies. While some communities deny the practice of such beliefs currently, others shared that differences in breastfeeding practices for girl and boy child is still practised. The underlying reason for such a practice is the strong preference for sons.

*"Boys get hungry faster than girls, which is why boys have to be breastfed more than girls"*<sup>77</sup>

One woman stated "sons are breastfed more out of love", while some felt that "sons need more food to eat."<sup>78</sup> Thus "boys are breastfed for a year or more, while girls are fed only for a

74 As narrated by women from Thsingar village in Kiphire district

75 National Family Health survey 3rd Round 2005-2006

76 Participant observation

77 As narrated by women from Thsingar village in Kiphire district

78 This view was shared by women from Thürütsüswü and Thsingar villages from Phek and Kiphire districts of Nagaland

year”.<sup>79</sup> Situations may vary in families having fewer children and with different family sizes. For those families who have only one child they may be breastfed longer and the youngest child in the family may also be breastfed longer. But for larger households, the breastfeeding duration runs parallel with the spacing of the children. This has been expressed multiple times by women in the six areas of field study.

*“Boys get hungry faster than girls”*

In Naga society the concept of nutrition is defined by what is considered as special food which differs from area to area and also based on cultural practices. While pork, chicken and fish meats are considered as a special diet food in some areas, wild meat stands out as special diet food in others. Mostly it is the mother/wives who cook as well as serve the family members. While there may not be differences in quantity intake, yet gender differences in accessing food in the family are commonly seen in all the study areas. Usually the best portion of the meat is reserved for the father/head of the family.

*“When my husband was still alive he preferred to have the gizzard of the chicken along with some meat pieces. And so that piece is always served or reserved for him.”<sup>80</sup>*

*Nourishing patriarchy*

The husband’s share is always kept aside out of “respect, love and care”. Patrilocality and patriarchy work together to create an order for the consumption of food. This hierarchy serves to reinforce the secondary status of women. Amongst children, women state that usually importance is given to the youngest member of the family, be it a boy or a girl, which is done out of love. While for some families who have only one daughter, she will be treated as “special” and those who have only one son will be treated as “very special”. “Special” and “very special” carries different influence as per the statement given by the women. Amongst children distinctions based on gender is not necessarily made, but girls are definitely taught with values of being sacrificial even in food. This is reflected in later age, when she gets married.

Women may be the producers but they have to sacrifice their needs and their desires for the sake of men. The tradition or practice of serving the best part of the meat to the husband has been justified with “men are considered to continue the family lineage whereas women would become other’s flesh”<sup>81</sup> and “Women are still considered as inferior to men and often are

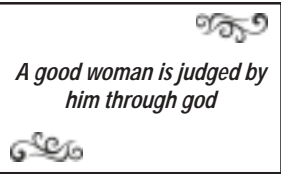
79 As narrated by women from Thsingar village in Kiphire district  
80 As narrated by women from Matikhru village in Phek district  
81 As narrated by women from Ehunnu village in Kohima District



under the control of men. So out of respect and fear, better food portion are reserved for them.”<sup>82</sup> In another village women stated that “the traditional concept that holds true till today is that men work so hard that they have to be stronger than women. Physical strength counts a lot as they have to be competent with others. Men are to lift heavy things, wrestle with strong people and safeguard the family”<sup>83</sup>. The significance of inheritance culturally is granted to men and his responsibilities to be in-charge of the parents and family properties elevates men with higher call of duty.

## Role of Institutions

Customary norms and religion plays a very crucial role in the construction of the concept of ‘Good woman’. If women face complications during conception, child birth and post delivery stages, there is a common practice of relating such complications with her moral character. Such discrimination against women becomes more prominent in cases of teenage pregnancy and unwed motherhood.



*A good woman is judged by  
him through god*

Religion/ faith also play an important role in influencing the health care seeking behaviour of the community. People believe that being free from illnesses and diseases is because God has been merciful to them.

*“In our village, even though there are more illnesses as compared to earlier times, but by God’s grace they are not severe.”<sup>84</sup>*

According to NFHS 2005-2006, only 12 percent of births take place in a health facility; the remaining 88 percent take place at home. The proportion of institutional births in Nagaland is the lowest among all the states in India. While the state has acknowledged that a large number of maternal and child deaths are attributable to the ‘three delays’: (1) the delay in deciding to seek care, (2) the delay in reaching the appropriate health facility, and (3) the delay in receiving quality care once inside an institution. In rural Nagaland, these delays continue to be reasons for women not seeking health care. It is a common trend that women access health care service only for complicated cases related to pregnancy and delivery. Illnesses like fever, coughs, body ache, etc are not considered important that need medical attention and examination. “Women do not go to the hospital even when they have severe body pains for two to three days and even if they are not able to sleep at night because of the pain”<sup>85</sup>. Women await the

82 As narrated by women from Thsingar village in Kiphire district

83 As narrated by women from Ehunnu village in Kohima district

84 As narrated by women from Matikhrü village in Phek district

85 Shared by women from Thürutsuswü village in Phek district of Nagaland.

decision of the husband to access health care in many cases. This can be attributed to the notion of 'good woman', a woman who can bear pain without complaining. Some of the reasons for men's restraint in decisions about women accessing health care facilities may be economic factors but additional factors which might influence their decisions are men's protective approach on women's bodies, health care services having no female doctors to attend to child delivery and support of traditional birth attendants as a family or customary norm. 'In Nagaland, only one-quarter of births in the past years, took place with assistance from a health professional and only 8 percent of births were assisted by a traditional birth attendant or *dai*. The majority of births, 63 percent, were assisted by a friend or relative. Only 15 percent of home births were assisted by a health professional. ANC visits are much more common among women in urban areas (85%), than among women in rural areas (50%)'.<sup>86</sup> There is a misconception about seeking health care as one woman reasoned 'we do not go to hospital as we are village people'.<sup>87</sup> This reflects the notion of the common rural populace that medical services are meant for the educated, elite and urban population. A Senior Health Officer stated, "Our women are strong, they have stamina. They hardly ever go to a doctor with complications. They deliver their children safely at home"<sup>88</sup>. Such misconstruction can further disconnect health services from rural population. There could be another understanding related to ethnocentrism which is based on inherent customary traditions. Despite the presence of ASHAs in all study locations and nurses in some locations, women mostly rely on traditional birth attendants as they shared "We usually do not go the hospitals because we have some elderly women who are there to help the mother at the time of delivery" "unless it is a complicated case".

*"We do not go to hospital because we are village people"*

*When the system fails women*

Lack of infrastructure, inaccessibility and poor quality of health care services in the rural areas are the main barriers for people in seeking health care services. Women have shared that cases of infant death occur due to complications during pregnancy and inaccessibility to health centers.

<sup>86</sup> NFHS 3rd round 2005-06  
<sup>87</sup> This view was shared by women in Hudangru village which is the last village bordering Tuensang district within Kiphire district of Nagaland. The access roads to this village are deplorable and there is no primary health facility till the nearest district head quarter which is 42 kms away in Kiphire town.  
<sup>88</sup> Gill 2010

- *"Yes, 2 women died during delivery in recent years also because there is no hospital close by."*<sup>89</sup>
- *"We know that we need to go for check-up during pregnancy but we are not able to go because of the poor road connectivity."*<sup>90</sup>
- *"No one goes for medical check-up because of the inaccessibility to health centres"*<sup>91</sup>
- *"We do not have any awareness about the well being of our health or of the child"*<sup>92</sup>
- *"During pregnancy we have never taken medicines"*<sup>93</sup>
- *"In my case, I went for check- up often like between three months and 6 months but the doctor only gave TT injection. The doctor said that the baby is not in correct position and as predicted the baby died on delivery"*<sup>94</sup>
- *"We know that we need to go for check-up during pregnancy but we are not able to go because of the poor road connectivity."*<sup>95</sup>

Women of Thsingar village, for whom the location of the Health centre is farthest, record the highest infant mortality rate amongst the study locations.

Village	Number of infant deaths (0-1 year)	Number of child death (1-5 years)	Miscarriage	Stillbirth	Distance from Nearest Government Health center
Ehunnu	0	0	0	0	0 km
Thsingar	12	3	5	2	54 km
Thürütsüswü	3	8	1	1	0 km
Hudangru	4	1	0	0	42 km
Matikhrü	0	0	0	0	0 km
Phekerükriema Bawe	0	0	0	0	13 km

Male village leaders have also expressed this structural problem and the ineffectiveness of their demands. This brings to light the lack of infrastructure, inaccessibility and poor quality of health services as critical issues that require urgent attention from the State.

<sup>89</sup> As narrated by women from Hudangru village in Kiphire district

<sup>90</sup> As narrated by women from Hudangru village in Kiphire district

<sup>91</sup> As narrated by women from Hudangru village in Kiphire district

<sup>92</sup> As narrated by women from Hudangru village in Kiphire district

<sup>93</sup> As narrated by women from Hudangru village in Kiphire district

<sup>94</sup> Women's experiences in Hudangru village of Kiphire district

<sup>95</sup> As narrated by women from Hudangru village in Kiphire district

*“Due to bad road conditions, children were not given vaccine on time. During rainy season the roads are blocked due to landslide and we have to walk by foot to take the patient to the hospital, by the time we reach the hospital the sick person is dead. Health department officials had come and we had requested them to set up a dispensary, we have also given a proposal. We were given positive response verbally but nothing has been done. They said “our files were lost and we don’t know whether it is the department or the officials who is keeping our file on halt.” Even if the dispensary is not set up, we requested for a nurse to be stationed in the village so that emergency vaccines and medicines can also be given in the village. They agreed but since our village is so remote no one likes to live here as it is like living in a box. To travel is also a problem because most of the time we travel by foot. Due to this the nurse comes after 6 months or after 2-3 months, so even to get TT injection or vaccine for children we don’t get it on time.”<sup>96</sup>*

### **Women’s Agency**

Defying societal expectations of a woman to be sacrificing, a woman from Matikhrii village remarked, “Why would I give the piece of meat to my children or the father when I prefer it instead? “I will eat because I have given birth and I am raising the children”. Some women reacted to this comment while others responded in support that she is also an important member of the family and that she should enjoy the best instead of playing the role of a sacrificing woman. The problem is not that women do not recognise the problem; it is that they still maintain the status quo. Women’s agency creates a space which enables them to devise coping strategies to address the realities of discrimination in their life-cycle context. In this study even the process of raising the questions related to women’s reproductive health in all the six field locations will begin to trigger a thought process which could lead to emancipation of the women in Naga society.

### **Recommendations**

1. Create community awareness programmes on gender sensitive socialisation and child rearing practice, and strengthen paternal responsibilities in mother and child care support systems.
2. People centric monitoring of effective health programmes specifically focusing on rural healthcare services, reproductive health facilities and mental health facilities at community level. Such health services should be affordable, accessible and available at all levels of health facilities.
3. Community level awareness on reproductive health for both women and men. Life skill education for young adolescents in rural areas must be imparted.

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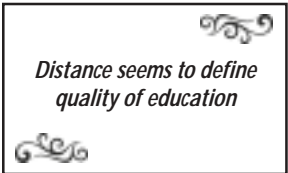
<sup>96</sup> As narrated by male village leaders from Hudangru village in Kiphire district

# Education

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## Introduction

Education being recognized as a basic human right in the Universal Declaration of Human Rights, the State has taken various steps to ensure the right to education for all citizens. Under the constitutional provision of Article 45, the right to free and compulsory education up to the age of 14 years is enshrined. India's literacy rate in 2011 is 74.4% as compared to 12% in 1947 which shows a tremendous increase. According to 2011 census, Nagaland's total literacy rate stands at 79.55%. Despite the increase in total literacy rate, a huge gap of 82.14% among males and 65.46 % among the females in 2011 is observed at the national level. In Nagaland, male literacy rate stood at 82.75% while female literacy rate stood at 76.11% according to 2011 census<sup>97</sup>.



*Distance seems to define  
quality of education*

Among the samples chosen for the study i.e. Kohima, Phek and Kiphire, literacy rate is comparatively high among the residents of the state capital with 85.23% as compared to the other two districts with 78.05% and 69.54%<sup>98</sup> respectively. The reason for this phenomenon could be the existence of more educational institutions in Kohima and it being the capital city where education is valued highly. Lack of infrastructure, inadequate neighbourhood schools and curriculum development in the region can be an obstacle towards providing and obtaining education. As apparent in the data, Kiphire district located farther away from the state capital has lower literacy rate than Phek district, which otherwise is located closer to Kohima. Problems of transport and modern means of communication make it more difficult for schools to develop well in these far flung districts of the state.

Education is identified as one critical indicator for measuring societal progress. Though people largely claim that 'gender equality is achieved in the field of education' because 'girls and boys are given equal opportunity', the reality reveals a different picture.

## Concept

To the women in rural areas of Nagaland, modern education is a passage to a comfortable lifestyle from laborious working conditions. Women anticipate security in old age and in difficult

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<sup>97</sup> Statistical Handbook of Nagaland, 2013, Department of Economics and Statistics, Nagaland

<sup>98</sup> Statistical Handbook of Nagaland, 2013, Department of Economics and Statistics, Nagaland

situations by enabling children to receive education and getting into salaried employment. Efforts of educating children also reflect the aspirations which women have sacrificed in their earlier years.

*"I want to send my children to school so that they do not have to toil and struggle like us but to get education, earn well and lead a good life."<sup>99</sup>*

*"So that they can get educated and that even the parents can have an easy and better life, help the parents and even in their life they can live as educated person, respected rich (wealthy) and comfortable life."<sup>100</sup>*

*"Because we are living very difficult lives because we are not educated, so we want all our children to get what we have not received."<sup>101</sup>*

Earlier women were not given education because they were seen as temporary members of the family. Women are constantly seen as the 'other' as they have to depart from their natal home for their conjugal home. This investment in girls was seen as unnecessary and it is more important to prepare the girl for the

*Women are educated now for future gains to the family not just for her personal gain*

responsibilities of the conjugal home. The perspective of educating a woman is still influenced by socially constructed roles of women as nurturers and care givers.

*"Children from a family where a mother is educated have more advantage than of those whose mothers are illiterate. Because an educated mother tends to guide and manage her family intelligently and systematically, we feel that even our girl children should be educated for better living. Thus, we consider it important to educate both boys and girls equally."<sup>102</sup>*

*Education is not free*

The concept of equal education for all, irrespective of gender is true on the outer aspect of access to schooling. However this becomes debatable when we further examine the access and opportunity to quality education in rural areas of Nagaland.

Though modern education in itself has flaws and minimum sensitivity to culture and social realities of the region, society perceives quality education as those being provided in private schools. While Government run schools are alleged of not

99 As narrated by women from Hudangru Village in Kiphire district

100 As narrated by women from Phekerükriema Bawe village in Kohima District

101 As narrated by women from Thurutsuswü village in Phek district

102 As narrated by women from Ehunnu village in Kohima district

providing quality education based on the conditions of poor infrastructure, resources and translucent approach of disciplining the teaching and learning environment<sup>103</sup>. Another aspect to this is that higher fees are paid in private institutions which guarantee better quality in providing education to students, while 'Government schools have seen lesser accountability on the part of the teachers as well as the parents/guardians'.<sup>104</sup>

Educating the girl child still remains a hard reality for most of the parents. The older generations of women were denied education because of their gender. Education being a rare opportunity at this stage, every chance was given to men. The society's approach of having a protective perception towards women, in controlling their sexuality, enforcing performative roles over opportunity curtailed women's access to education. Modern education was a new concept and every novel concept entailed a risk factor. If women were exposed to education then the implications might jeopardize the social order and power relations.

*"In my time what I remember is, elders say it is alright for girls if we are not interested to study. If women are able to read the Bible and the hymns, then it is enough. That was the comment we get for women in the earlier days."*<sup>105</sup>

*"Most of our peers did not study, so even our parents did not encourage us to study. Instead they threatened us saying if you study you will be sold to others. So I was happier going to the field to work with our peer group. And, so I could not study when I was young."*<sup>106</sup>

*"I could not study much. I used to take care of my siblings though I went to school. Then after school, I used to go to the field to work, which I liked doing. During examination I considered that working in the field is more important than studying. Me being the eldest in the family, I dropped out of school to help my parents in the field."*<sup>107</sup>

*"My mother was mentally sick, and my father remarried another woman who gave birth to two children and died. So when I was studying in class 3, my father told me not to continue my studies since there was no one to look after my sister and brother."*<sup>108</sup>

*"Being the second eldest in the family, the responsibility of taking care of the siblings rest with me and there was no one to help my parents in work. So I could not study."*<sup>109</sup>

103 As observed in Thsingar village of Kiphire district, the existing Government primary school had only one teacher to teach five classes. Reason cited that there was another teacher who unfortunately passed away

104 It is very difficult to discipline the students, because in the middle of the class, some parents will come and ask for the students to come and help them- shared by a primary school teacher from Thürütusuwu village in Phek district

105 As narrated by woman from Phekerükriema Bawe village in Kohima district

106 As narrated by woman from Phekerükriema Bawe village in Kohima district

107 As narrated by woman from Phekerükriema Bawe village in Kohima district

108 As narrated by woman from Thsingar village in Kiphire district

109 As narrated by woman from Phekerükriema Bawe village in Kohima district

Certainly in the slightest manner, education was seen as an opportunity to improving life by the society. In circumstances where male members are absent, opportunity to education was given to women as well. However, the presence of male members automatically eliminated women's opportunity and access to education.

*"I am the eldest in the family with only girl siblings. So my parents told me since we have no boy in the family they encouraged me to study."<sup>110</sup>*

*"I could not study, but my younger brother wanted to study Theology to become a Pastor and he has achieved what he wanted in his life."<sup>111</sup>*

During such a time though women were denied education, yet it already had influences on the perceptions of women as well. Though they were denied the opportunity to be educated, they had aspirations which they saw can be achieved only in the process of modern education. It is certain that women were made to understand that family needs override her personal ambitions, which is why women hardly put up resistance to the denial.

*"I had a big dream and that is to become an IAS officer. I could not complete my studies and that is because I got married early."<sup>112</sup>*

*"I wanted to study Theology and serve as a Woman Pastor. I had even filled up admission form, but suddenly my brother passed away and my parents told me not go for my studies. Since it was a faraway place where I intend to study and where my brother was supposed to take me there, it was a problem for my parents to take me to the place. So I didn't continue."<sup>113</sup>*

In the present age, it is denied that the idea of considering women as temporary members do not affect her access to education. In the wake of communities getting exposed to the notions of equality, it is professed that irrespective of gender, education is provided equally. However, the 'temporary member' concept still remains a reality for most of the families who do not have sound financial positions. Parents are unwilling to invest in the education of a daughter when school expenses rise above the threshold, not because they are opposed to female schooling in principle, but because they are "unwilling to invest much in it". Investing in education for boys is prioritized over girls. However, the presence of free schooling in Government schools has made education accessible for girls

*Education was always  
prioritized for men*

110 As narrated by a woman from Thsingar village in Kiphire district  
111 As narrated by a woman from Phekerukriema Bawe village in Kohima district  
112 As narrated by woman from Phekerukriema Bawe village in Kohima district  
113 As narrated by a woman from Thsingar village in Kiphire district



and has contributed to their progress in education. Women are also acknowledged for doing better than men in education, by citing instances of boys dropping out of school more than girls due to their loss of interest.

*"But this concept of women as temporary members no longer exists. There is no differential treatment with boys and girls nowadays. But it depends from family to family; in fact girls are progressing much more than boys."*<sup>114</sup>

*Women get education for better home, while men get education for better society*

Society's perspective on why education is considered important for women further reveals the fact that women's knowledge and skill building through education is meant to be used in care giving service. While on the other hand, men need to be educated to perform better in public arenas and social service. Such concept underlines the rigidity of women's spaces within the home which in turn impacts women's access to higher education and employment opportunities.

*"As a mother, I personally experienced that with the little education that I received, when my parents sent me to school, I taught my children how to read and write at home before they go to school. That further helped them a lot to perform well or adjust themselves very well in the school. With that, I can confidently say that when a girl child is educated they manage their home better than the boy child, which in turn is a big contribution towards transforming lives in the village as a whole."*<sup>115</sup>

*"When men get educated they teach their parents the civic sense and other lifestyle which they have observed and learned from others. And not only that but they extend their concerns towards the orphans and the widows, helping them financially and providing them jobs in any way that is possible for them."*<sup>116</sup>

Women are also attributed and acknowledged for the progress made in hygiene and cleanliness. In all the six study locations, this aspect emerged where women themselves and men ascribed this as a huge achievement. The onus of maintaining cleanliness and hygiene is solely imposed as women's responsibility and education is seen as an input to achieving such goals.

*"Women have improved a lot in hygiene and cleanliness. Before, in our village, pigs were left free and people and animals lived together in the same shed. But education exposed us with new ideas, which has led to much cleaner and healthier surrounding in the village."*<sup>117</sup>

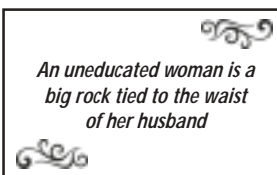
114 As narrated by a woman from Thürütsuswü in Phek district

115 As narrated by a woman from Ehunnu village in Kohima district

116 As narrated by a woman from Ehunnu village in Kohima district

117 As narrated by a woman from Matikhru village in Phek district

Women are sometimes educated with marriage as the culmination of the effort. Education is provided for girls, to prepare her for the responsibilities of the conjugal home. Girls need as much education that is needed to fulfill performative roles in order to keep the balance of hierarchy intact, *"we educate the girl child so that she can teach her children and take care of the family. If she is educated, she can manage the family but if she is uneducated she will be like a 'big rock tied to the waist of the husband'."* Discrimination still prevails as a result of social parameters that had been planted in earlier times whose impact is still felt no matter in what state of progress and development our society stands.



### **Role of Institutions**

The poor are more likely to cite poverty as the main reason for not enrolling their children in school. The presence of Government schools which provide free schooling becomes questionable with such responses. In all the six study locations, there were elementary schools and in locations like Matikhrü village of Phek district had even a middle school. For villages in Kiphire district, a huge proportion of students migrate outside the village to study, the reason being the absence of institutions beyond elementary education. While this is being said, according to the human development report for Kiphire district, the enrollment of girls is higher in Government schools, while boys' enrollment is higher in private schools. This is also reflected from our finding where the ratio of enrollment of boys and girls in government schools in the study locations of Kiphire district was 40:60 respectively.

This disparity was also expressed in all the locations which connotes that women's access to quality education is limited. While it is difficult to make generalisation, there is a tendency for poor families who cannot afford education for all of their children to invest their limited resources in boys rather than girls.

### **Public & Private Schools**

The poor performance of government schools in Nagaland continues year after year. Even rural students are opting more in favour of the much-better-performing private institutions. The Annual Status of Education Report of 2013 by National Education Trust, Pratham, says that enrolment in private schools have been increasing in almost all states with the states of Kerala, Nagaland, Manipur and Meghalaya accounting for over 40% in private schools even in 2012. It was found in all our study locations that, students who belong to poor families are

most likely to attend public schools and students who are from affluent families will attend private schools *“For well to do families, regardless of girls and boys, they are sent to private schools as they want both to be competent. But for families who are living on daily wages, though they want their children to get quality education, it becomes impossible for them to sent all the children to private school, so the boy child is given the priority to study in private school”*. The quality of education received from public schools is low compared to the private institution, which is also another reason why many students fail to compete with others in higher levels of education. Men have also acknowledged that girls are unable to pursue higher education, especially in technical education because of the poor training and upbringing from Government schools.

*“Girls are not given quality education; they fail to compete with other people at higher levels of education”<sup>118</sup>*

*“Children who study in government schools in the village, when sent outside the village for higher studies, they find difficulty in coping with the other children in the school. This may be due to the kind of education they are receiving from the schools in the village”<sup>119</sup>*

## Drop- outs

Female drop-out rate is a widely discussed issue within the country, and most statistics point to it. However in the six study locations, there was a common response that most students drop out at high school level, with majority of it being boys.

*“There are no school drop-outs amongst children of young age, but we find that most of the boys stop their education from standard 7 or 8 onwards. There is more boys’ school drop-out than girl’s school drop-outs.”<sup>120</sup>*

There are multiple reasons why students leave school before the completion of their education, with unavailability and inaccessibility of institutions as one major reason. For locations like Ehunnu village in Kohima district, which have greater access to towns and cities for studies, it was seen that girls attain higher levels of education than boys. While in the case of villages which are further distanced from towns like Hudangru village in Kiphire district, girls attaining higher education is very rare. The high dropout rate of boys before they complete high school is cited for reasons of disobedience and losing of interest in studies. While in case of girls

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118 As narrated by male teacher from Ehunnu village in Kohima district

119 As narrated by women from Phekerükriema Bawe in Kohima district

120 As narrated by women from Phekerükriema Bawe in Kohima district

dropping out, reasons could vary from girls' sacrificing for the sake of their brothers in families with financial constraints to reasons such as early marriage and unplanned pregnancies.

*"We have the higher number of girls going to schools and colleges. We also have dropouts and most of the dropout students are boys. Mostly when the boys reach class VIII, IX and X they start leaving the schools, mainly due to gambling, substance abuse and lack of interest due to their inability to cope with the standard of curriculum of those classes as it becomes tougher for them."*<sup>121</sup>

*"Children drop out from school due to financial crisis. When children are studying outside, usually parents do not visit them and it becomes difficult for parents to deliver monthly supplies and necessities like rice, vegetables and other food supplies. Also children are influenced by their friends who are drop outs themselves. So there is lack of guidance."*<sup>122</sup>

*"If they (boys) fail once, they feel lazy to continue and some they themselves are not interested in studies."*<sup>123</sup>

A different aspect was found for Matikhrü village which attributed the high dropout rate of boys to the prospect of earning livelihood, while for girls since they do not have that option, they continue with education.

*"There are more boys who dropped out of the school. It is because their interest grew in making money. It started in the year 1984 more boys started getting into the timber business and by earning they lost their interest in studies. As for girls they are not involved in the business."*<sup>124</sup>

The carefree and fearless attitude of boys is stated as a reason why boys fail to comply with aspirations and instructions of their parents. Such being a way of reflecting the stereotyping of 'Boys are boys', the gendered advantage of being a male gives them the freedom to choose and are left free at their own will. It also reflects that men can afford to give up opportunities such as education while women cannot.

*"Boys are more demanding to the parents, girls demand less comparatively. And then when boys demand, if they are not given what they asked they get disappointed and do as they wish (rebel). But for girls they only demand sometimes, not always, so now even in studies girls are more."*<sup>125</sup>

121 As narrated by women from Ehunnu village in Kohima district

122 As narrated by women from Hudangru village in Kiphire district

123 As narrated by women from Thsingar village in Kiphire district

124 As narrated by male village leader from Matikhrü village in Phek district

125 As narrated by male youths from Thurütsüwü village in Phek district

The multi-layered discrimination faced by women in accessing opportunities has left women to avail and make best use of opportunities when it is offered. The socialisation of children begins right from the family, and with gendered notions of men conferred with power, resources and privileges, the space for negotiating with boys and steering them to any direction becomes difficult. This being said, it is necessary to relook at such roots of gendering attitudes, and the need to redress to assure equal opportunity and move towards building the cadre of human resources for the future.

## Violence against women manifestations

While the high dropout rate of boys was commonly found from all the study locations, still the number of women getting higher education in graduate and post graduate levels was found lesser than boys in five locations and more so that fewer women are in technical streams. There is a gap of women discontinuing with studies after Pre-University. Marriage and financial constraints are found to be common reasons across the study locations. Besides this the gendered aspirations for daughters and sons also intersect as another major factor in deciding women's education and their careers.

*"Boys are more in number amongst the college going students. These days the number of girls studying in towns is also increasing but the boys are bigger in number."<sup>126</sup>*

*"When it comes to technical line, girls are very less in number compared to boys. Like I said earlier, which may also be the reason why girls cannot compete with other students. Because girls are not given quality education, they fail to compete with other people in the larger level!"<sup>127</sup>*

*"For example if my sister was sent for higher studies and she is settled and if I go and ask money from her, people will think otherwise, so it is better to sent the son as he will take care of the family needs."<sup>128</sup>*

In majority of the families which have financial constraints, women's aspiration for higher education is often given up. Parents aspire for sons to become engineers, doctors and other socially dignified careers, whereas for daughters, they are aspired to become nurses, teachers and enough education to get into any employment opportunity which can secure their economic status

*Sexuality affects both girls and boys but only girls have to drop-out to uphold family honour*

<sup>126</sup> As narrated by women from Thsingar village in Kiphire district

<sup>127</sup> As narrated by male youths from Ehunnu village in Kohima district

<sup>128</sup> As narrated by male youths from Hudangru village in Kiphire district

but never their position in society. Education in its own empowering ways can disrupt power relations in patriarchy, which is why society fears that a wife being more educated than her husband is not desired. Such being the perception, women continue to abide within these norms which violates their rights to personal and social development, their achievements and employment opportunities.

Girls' education is both an intrinsic right and a critical lever to reaching other development objectives. Providing girls with an education helps break the cycle of poverty: educated women are less likely to marry early and against their will; less likely to die in childbirth; more likely to have healthy babies; and are more likely to send their children to school<sup>129</sup>. When all children have access to a quality education that is rooted in human rights and gender equality, it creates a rippling effect of opportunity that influences generations to come. As evidenced, women's education is only as important as the value it gives to the society. This attitude needs to be changed to recognize the need of educating women for the sake of education in itself.

Other literature have also pointed at benefits of educating girls: (1) increased economic productivity and reduced poverty; (2) lowered maternal and infant mortality rates; (3) delayed sexual activity and improved reproductive health; (4) increased gender equity (5) strengthened democracy; (6) enhanced social status; and (7) improved management of water and other environmental resources. In addition, girls who receive education tend to marry at a later age and raise fewer children who are healthier, have much better chances of survival, and are more likely to go to school. Each of these factors is proven to reduce poverty.

## **Recommendations**

- Ensure effective implementation of State education programmes and policies, with adequate infrastructure and improve quality of education in both Government and private institutions.
- Create enabling conditions with gender re-distributive policies to encourage girl child education at elementary, higher secondary, professional and higher education; and to provide equal opportunity for girls in making career choices.

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129 UNICEF, Girls education and gender equality/ education UNICEF, [www.unicef.org/education/bege-70640.html](http://www.unicef.org/education/bege-70640.html)

# Work and Employment

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## Introduction

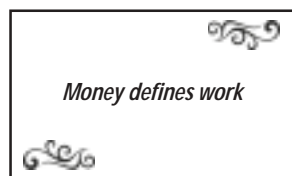
The constituencies of defining work had always been vague and frequently understood from the paid work context in every society. The term 'Work' includes varied spectrum of unpaid and care work to paid work. However, care work and unpaid work have never been valued equally as other paid work. Statistically, the remuneration and data collection systems are formal which have information regarding remunerated works and employment. But with unpaid work there is no formal grading of remunerations or classifications which result in a huge section of people being lowly paid. They may also be termed as unproductive or economically inactive. In India, women have been largely featured in informal and unorganized sectors. According to the NSSO survey 2011-12, in rural India 75% of agricultural workforce are women, without any recognition for such contribution. Unfortunately, Indian society is dominantly patriarchal, and in such a set up there are roles and responsibilities which are sanctioned with greater value based on gender.

Women's work and contribution are always devalued in such a structure. In the context of neo-liberal regime, society's perception of work is also constantly changing. The conflicting notions of 'developed and underdeveloped' have dire consequences on the contextual socio-cultural realities of the local communities. In such a regime, small scale and cottage industries and community based producer groups; traditional livelihoods are getting superseded by huge profit making multinational companies without giving much thought to long term ecological sustainability. Migration from rural areas to urban areas for work has become a common scenario. The NSSO has recorded a huge increase in migration of rural male (2% to 13 %) and female workforce (1 % to 7%) to urban settings from the period 1977-78 to 2011-12 in manufacturing, service sector and construction work in the context of India as a whole. But our study findings in all the six villages reveal that 64.71% of women have migrated from rural to urban settings mainly for care-giving work without remuneration and 35.29% of men have migrated to urban settings for service sector employment. Nagaland's migration pattern is relatively less than that compared to states of Bihar, Rajasthan and Maharashtra. As per the NSSO data related to Nagaland, in 2011 and 2012, 78.99 % female and 51.3 % male workforce are engaged in agriculture and allied sector and an increasing rate of workforce is getting into construction and manufacturing sectors. Besides these sectors, at present Government employments have become a highly aspired sector for work, and also huge employments in private services and companies beyond the state.

## Defining Work

Traditionally the Naga society is agrarian depending primarily on forest and cultivated produces for subsistence living, therefore their primary occupation basically revolved around agriculture, crafts making, hunting, fishing and collection of non timber forest produces. Oral folklores and literatures on Naga society indicate that manual work that involves physical labour was considered as 'work' in olden days. 'Fear, shame and taboo were three principles guiding everyday life of the Nagas'<sup>130</sup>; in respect to the second principle 'Menye' or shame, the author notes that "It is shameful for a man and woman who do not know how to do manual works such as weaving cloth, making basket, carving wood and also shameful to be lazy". In continuation he adds "these principles are very important for the children to live with. Failing to abide to these will affect his/ her future career".<sup>131</sup> Within the family structure, parents had the role of teaching their children on skills and techniques of manual works. Men and women were both praised and adorned if they excelled in any skills. Though traditionally works were divided based on gender, such as weaving was strictly for women and hunting was strictly for men, it is certain that women did receive a status and recognition for her abilities and skills. Such women were praised, appreciated and endowed with blessings of getting a good husband and this is a way of recognizing a woman for her contribution. Yet, this can also be debated as women's contribution was recognized only because she will be providing her service for her husband and her family. While on the other hand men's achievements and successes in skills of warfare and hunting were greatly celebrated by the entire community. The economy being subsistence in nature, there was no concept of accumulation of wealth for future purposes, what is produced is for self consumption and everyday sustenance. In such a setting, skills were highly valued.

In the context of our study, work was defined by the women in the following ways, 'Engaged in service and which are mostly done by men'. Most of the respondents have accepted productive work which brings remuneration as real work. These include daily wage, salaried jobs, vegetable vending, stitching, tailoring,



knitting, salt making, teaching. A very few respondents also recognized other unpaid reproductive work like cooking, cleaning, washing, child rearing, working in the field as significant forms of work. But predominantly women regard Income bringing works as 'true

130 Metha, Menye, Kenyu of Chakhesang Naga in the context of Modernization' by Obed Marhu

131 'Metha, Menye, Kenyu of Chakhesang Naga in the context of Modernization' by Obed Marhu



work' and fail to acknowledge their unpaid and care labour as work, even though they are actually performing productive roles like ensuring food, care services which will incur high costs if translated in monetary terms. Though cash income in Nagaland is minimal yet the concept of 'income' has changed the societal definition of work in Naga Society. Cultivation does not bring immediate income, like weaving, petty business or daily wage services hence it is gradually getting obsolete for the educated young people in today's context.

Education came in with the Baptist missionaries during the late 19th century which have changed the nature of livelihood and occupation scenarios of the Nagas from hunting and gathering based livelihoods to agrarian livelihoods. Apart from agriculture, church and theological educational institutions also provided new avenues for employment. With the influence of western societies, acculturation and assimilation have in big ways changed mindset and attitude of the Nagas. Traditionally the 'values of honour and fame was different- territorial vastness, merit feasts but today fame and honour of a village is measured in terms of the number of gazetted officers a village has, number of government employees and number of educated persons in the village, unlike the past, indicating change in value systems. Salaried occupations are looked upon as the 'ultimate desired work/job', which has undermined the value of unpaid and reproductive roles and labour. Sandwiched between the transitions, the society has witnessed drastic shift of younger people migrating to urban settings for education and job opportunities while leaving the parents behind in the villages. The preference for urban employment brings in better opportunities, more comfortable lives and certainly less



hardships to a Naga. And yet the skills and techniques in handicrafts, weaving etc are undermined as these are not considered the ideal occupations today. At the same time the continuation of such patterns of work remains the mainstay of Nagaland's rural economy.

However, within this changing structure, gendered differences continue when one looks at the aspirations and expectations of families and society on men and women. Men or boys are expected and encouraged to get into employment preferably salaried as men continue to be seen as the 'bread winner', while women or girls are expected to get into any livelihoods which can provide secondary income to the family.

### **Locating Gender at Work**

A woman in Naga society plays multiple roles within the household, farm lands, community and the market.

It is agreeable that men received the first opportunity when education first came, by this it meant gradual transition of men's daily activities and his aspirations. The process of men coming in contact with education has led to giving up of traditional occupations and skills which were earlier practiced by men. Though this has also happened with women, the process first began with men, therefore in many villages we still find women practicing weaving but very few of men doing basket weaving and allied activities. The Indo Naga war periods had left many men to become part of the national struggle, joining armed forces, some killed in the process and many being far away from homes and villages. During those periods women largely if not solely, managed families- in food production, maintaining household and also the community affairs. As in the case of Matikhrii village, it was attacked by Indian army during the 1950's, where many men in the village were killed and then the process of village re-establishment began. Yet during this phase, in the absence of men, women continued with the traditional activity of salt making. However Indo-Naga war cannot be the only factor for this transition, of men's departure from traditional occupations but men were never compelled to continue. In addition to the growing demand of the cash driven economy women are compelled to play the dual roles of a care giver and also an income supporter. This is with reference to the transition of salt making livelihood exclusively taken up by women today.

*Conflict created cultural livelihoods for women*

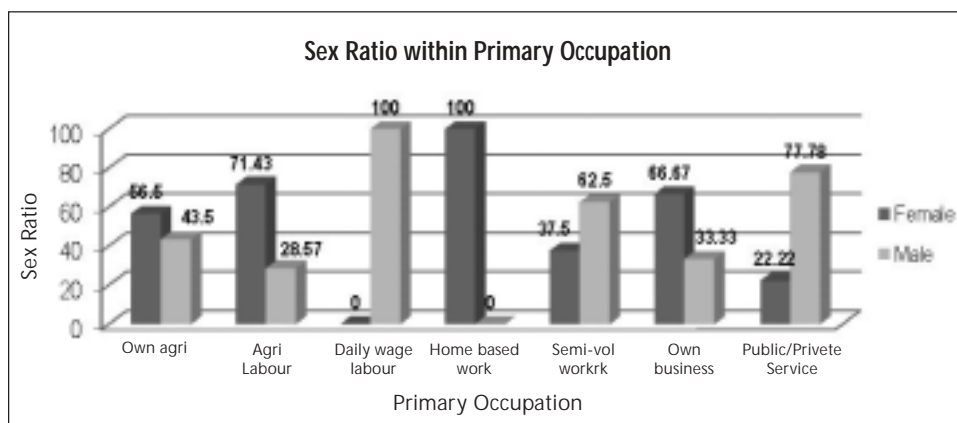
*"Yes since olden times, women usually engaged in salt making procedures, but earlier times there was more involvement of men than now. Men used to help in felling and cutting of trees which is used as fuel for cooking salt. In olden times, bamboo was also widely used because it retains a lot of heat. Men's engagement has lessened because women have taken more interest in this livelihood as it is a good source of income for our families. We are able to take care of our children from the income we get from selling salt. Since the income is independently earned by women so we also have the freedom to use or spend it."*<sup>132</sup>

*Women became labourers and men became the owners*

Similarly there are other traditional activities such as agriculture which has also seen a gradual fall out of men's participation. When education and technologies first came in, the beholders and receivers of opportunity to these resources was ascribed with much admiration and value. 'When the vehicles were first seen

<sup>132</sup> Salt-Making activity done exclusively by women in Matikhrii village

in the village, it was the men who drove it. Since men were able to drive vehicles, which were then considered as doing something great'. The beholders strategically happen to be men as the systems dictate, then began the devaluation of traditional occupation of agriculture. Women were automatically given the onus over agriculture, as substantially pointed by Indian agriculture scenario on increasing feminisation of agriculture.<sup>133</sup> Even in Nagaland, the process of this feminisation is visible. In six study locations of three districts in Nagaland, the sex ratio in agriculture is 57:44<sup>134</sup> and in agricultural labour 71:29 for female and male respectively. In other sectors like semi-voluntary work, the ratio is 38:63<sup>135</sup> and for private and public employments it is 22:78 for female and male respectively. While women remain with agricultural activities, men are increasingly getting employed in service sectors and in other subsidiary sectors such as village and religious bodies. Particularly in villages which have closer proximity to towns, men's engagement is highly skewed as compared to those areas or villages with lesser road accessibility and further from urban settlements which is evident of Ehunnu village: own agriculture worker, the sex ratio is 70:30 for women and men, in business it is 50:50 for both women and men, while in salaried employments it was 27:73 for women and men.



Women's income relate only to subsistence earning. These are weaving, livestock rearing, salt making, vending and semi voluntary work ie ASHA and Anganwadi workers. Besides this semi- voluntary work, the rest are seasonal in nature. Vending happens when there is harvest and surplus production. Weaving is done mostly in dry season when agricultural work is minimal, and salt making is possible only in dry seasons when the springs produce salt water.

133 NSSO 2011-12 data on agricultural workforce composition between 1977-78 to 2011-12

134 Rounded off the last decimal point

135 Rounded off the last decimal point

136 Primary data collected in six villages under this study

*Women became custodians  
of subsistence livelihoods*

Though the earning is meager, women continue to thrive in such occupations as these are the only options available within their reach. A common trend observed is that subsistence work is increasingly becoming the responsibility of women. The drudgery of work is not reduced. Social security support or access to credit

linkages, skills, technology and resources made available to women is negligible. Women's shrinking presence in the labour market is largely attributable to their difficulty in finding employment in the most sought-after sectors - services and construction in the last two decades. The economy has struggled to create employment in manufacturing, a sector typically attractive to women of emerging economies. Consequently, women are concentrated in agriculture, basic services and handicraft manufacturing, which, recently is witnessing a rapid growth. These trends are not likely to persist since neither a manufacturing revival nor are a job-rich growth strategy there in the near future.

### **Power and Consequences of Power Relations**

Amongst women in our surveyed locations, based on daily activities women define rest time as those moments when they have meals, tea and sleep. The present situation of women's work is definitely overburdened as there is no or minimal time for rest. Over the decades, changes in the gendered roles of men and women are observed which is indicated by role reversals. Traditional roles in agriculture between men and women are changing, which is indicated by decreasing leisure time and increasing workload for women. Women have cited that they have to give up hobbies such as flower gardening, sports and singing, which are activities of leisure. The equality in division of labour can be measured through the amount of leisure time afforded to all parties involved. The lack of leisure is much more harmful than what is acknowledged. It contributes to a lack of multidimensional growth leaving one with less opportunity to explore potential or with less ability to dissent. The creation of negative stress leads to adverse implications on health, which in turn stunt mental and physical development.

*Violation of leisure  
rights of women*

With reference to the housework, women themselves do not acknowledge their service in the household and farms as 'work', which undervalues their work and labour. Bina Agarwal has noted that gender relations impinge on economic outcomes in multiple ways not only in the division of labour and resources, but also in the ideas of representation of different abilities,

attitudes, desires, personality traits, behaviour patterns, and so on. These vary from location to location and state to state.

*"This is the tradition in our society; usually men do not work like women do. So we have to teach our daughters right from their childhood."<sup>137</sup>*

Distinctions between men and women's roles within the household and social life have been enforced strictly by patriarchal structure- one that restricts women's mobility and enforces women's subjectivity. In the light of modern education and modernisation, these traditional values may have lost its significance.

Socialization of children begins right from the family. Girls and boys are oriented from a very young age to ascribe to certain activities. Girls then appropriate this role in order to find a space for respect, e.g., take pride in housework. They are also conditioned to imbibe the roles of motherhood which reinforces socially constructed ideas of femininity. Women are conditioned to accept the denial of equal opportunities in every sphere of life. The concept of 'the other'- connoting a woman as a transferable object and the impermanency status of women is a recurring factor in every aspect of gender relation.

*"It is right to give more work to daughters because when we consider or think about our daughter getting married then it becomes necessary. Because in our Naga society it is the mother who does more work than man. I do not know about other mainland societies but this is the tradition in our society. Usually men do not work like women do, so we have to teach our daughters right from their childhood."*

*"Because when daughters get married it becomes easier for them as they already have work experience while they are back home with their parents. So there won't be much problem when they get married. What daughters learn from their mothers is special and they will never forget"<sup>138</sup>*

Women are bound to protect patriarchal practices because they are expected to be the custodians of their tribal identity. This is much more important than asserting her gender identity. The sense of belongingness to the collective consciousness of being a member of a tribe compels a woman in the Naga society to reinforce gender stereotypes.

The socialization of boys and girls into the expected roles of man and woman begins right from childhood in their daily activities, both in household chores and games they play. Girls

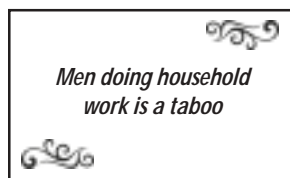
<sup>137</sup> Field findings from this study

<sup>138</sup> As narrated by women from Therütsüwü village in Phek district

engage in games which are related to nurturing and caring roles, while boys play outdoor games which relates to power, control and freedom. Jobs given to boys many a times revolve around muscular chores- fetching of firewood, water. Any chore 'outside' the house is considered apt for boys.

*"Girls play with dolls made of old clothes at home, carrying them on their backs and acting as though they are taking care of infant babies. Boys use wood made guns and mimic the firing situations and sounds. They also play with catapults"<sup>139</sup>*

The expectation of becoming a breadwinner relieves men from any other household chore. The presence of norms as found in one of the village<sup>140</sup>: 'there's a belief that if men wash clothes, they won't be able to hunt'. These beliefs offer justification to men not helping in household chores. It shows that these habits have existed for so long that they are deeply



imbibed in the collective psyche. They are accepted and rarely disputed. This indisputable image of a male is also strengthened by distinct gender division of labour in a Naga society. Men's laziness is discounted casually by both genders which results in a subtle assertion of male authority. Men can afford to be lethargic

because of women's own insecurities.

*"Not all men are same but some men do not help women. The heavy work which woman cannot handle are also left for women to do. Of course there are men who do their own part but there has been a change from what men did in the olden times, majority of them becoming laid back now. In the present time even women do the cutting and splitting of wood along with men in the forest."<sup>141</sup>*

Exposure to modern ideas has made younger men more sensitive to inequality especially the educated as we learn from their responses that, "if men and women help each other in work, then women can spare their time and they can focus on other things outside their homes like political participation, pursue education. As women are overburdened with work at home they do not get opportunity to be part of trainings or exposure that is taking place."

However this realization doesn't always translate into action. Role shift will only be apparent when men begin to participate in housework willingly and when such work becomes a source of respect. There are few men willing to share work; however, they

139 As narrated by women from Thurutsuswü village in Phek district

140 Thsingar village in Kiphire district

141 As narrated by women from Hudangru village in Kiphire district

are often chided by their family for taking an interest in housework as can be seen in the following responses below. This is all social construct and it is not a pre-determined law.

*"If men do household work, it does not look nice as it will bring shame on women. People will make fun saying that the father is cleaning the dishes or washing the clothes. That way, women will be made fun of and that is how they will be discriminated."<sup>142</sup>*

*"If men are willing to do household works, then we are happy. But what will other people say? They will instead mock us for letting our husbands do the work instead of us."<sup>143</sup>*

*"We are happy if men are willing to sell vegetables in the market. But on the other hand we also feel bad for them, because, being the man and the head of the family, they have a prestige to maintain and we don't want them to feel embarrassed. People will speak ill of him, and also backbite about us saying what kind of woman is this who sends her husband to sell vegetables in the market."<sup>144</sup>*

Nagaland is not much different from most societies. Women must work much harder to maintain the status quo. Her value is ultimately measured either in housework or child birth.

*"Women engage in vending to take care of their children's expenditure which includes school expenses. The menfolk sometimes are not aware of all these needs. So, we women we have to do it."<sup>145</sup>*

*"Women are not embarrassed to go out and sell the agriculture produce in the market because of the need of the family. We cannot ignore it."<sup>146</sup>*

Gender power relations are dictated by a multiplicity of factors- culture, religion, economy, exposure to world. These factors which currently work against women must be transformed in their favour. It is ultimately not about role reversal, but about sharing of labour. Unless all labour is shared and equally respected, gender norms will prevail. These restrictions based on gender are detrimental to a progressive society.

## **VAW Manifestations**

If time factor is determined as the basis to define work, a Naga woman identifies herself to performing multiple roles which begins from within the home to agricultural fields (work

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142 As narrated by male village leader from Matikhru village in Phek district

143 As narrated by women from Thurutsuswu village in Phek district

144 As narrated by women from Thurutsuswu village in Phek district

145 As narrated by women from Thurutsuswu village in Phek district

146 As narrated by women from Thurutsuswu village in Phek district

places) and the societal obligations. The work is plenty if seen within the household. Women spend most of their hours in nurturing and raising children, maintaining the household, taking care of the sick and elderly, ensuring food availability at home and several more. Though care work is solely expected on women

*Non-recognition and  
Non-monetised work*

to perform, yet society ignores women's contribution to care giving work in order to maintain a patriarchal status quo. This leads to women themselves not acknowledging the work they do. There are existing cases where care and nurturing works are still perceived as natural duties of women and that duty is transferred from one woman to another. There are cases where women are made to marry the husband of her deceased sister. Families and the woman often consider it better for a younger sister to take on the responsibility of taking care of her nieces/ nephews. Though a single woman's role in raising her children is looked upon as normal and sometimes emphasized as strong woman, a widower with children is empathized as someone needing help. Children will furthermore imbibe these values and likely to reinforce the roles in later life. Thus, the burden of nurturing the future- human capital- falls squarely on women. Under circumstances where there are no women in the household, men do the housework and are considered good.

Women become the custodian of culture-traditional livelihoods where skill building is not valued economically - as the knowledge is passed down from generations. Such being said, women continue to engage with laborious livelihood activities which have the least or no

*Women are asset less,  
powerless and vulnerable*

support from others in the family or home. Agriculture being a subsistence livelihood- women's labour continues to be de-valued. Feminisation of subsistence livelihood also is a manifestation of violence against women because women are bound to continue working with low skills, low productivity, low wages and vulnerable

working conditions. The drudgery of work has not reduced for women and the compensation for such work is also limited. In such a scenario, specialised skills and decision making power, as per the societal norms puts men in a position of privilege and impunity. The man can threaten her emotional, social and relationship security keeping her asset less, powerless and vulnerable to all forms socio-economic discrimination.

*"Due to carrying heavy loads of wood, we get a lot of backache. But the most tiring thing is the sleepless nights. We do not sleep at night, because we can't stop the salt making process in our village. For this we take turns and two persons will sleep by 8:00 P.M. and*



get up around 12:00 P.M. to take over, after which the two can sleep again and wake up by 5 A.M. On waking up, the whole day is a continuous process, fetching firewood when we run out of it. At other times someone also has to cook, prepare tea and those small breaks in between. Felling of trees and carrying firewood gives a lot of headache and back pain.”<sup>147</sup>

**Working conditions and health implications**

In community activities, if women are to work in any form of labour, their wages are lower than that of men. Wage disparity exists widely in the society. Wage disparity of upto 20% less for women for same tasks performed by men and women is found. Most often physical strength and specialised skills justify higher wages for men, but in today's context of agriculture women's work is equally skilled, time consuming and grinding.

“The amount of wage for weeding in the field is Rs. 150 for women and Rs. 160 for men. Generally it is the men folk who cut or fell the trees and the wage is Rs. 250. Whoever carries the firewood from one place to the other, the price is Rs 200. Carrying firewood is done both by men and women and the price is the same for both; however it is the women who usually carry the firewood when men cut it. Cleaning the Orange farm is Rs 200 for both women and men. Even when women receive the low wage they consider it as normal because the traditional practice has conditioned them since their childhood. When asked about the extra wage the men get, it is said that since men carry dao which is heavy and exerts extra energy, Rs 10 extra is given to them.”<sup>148</sup>

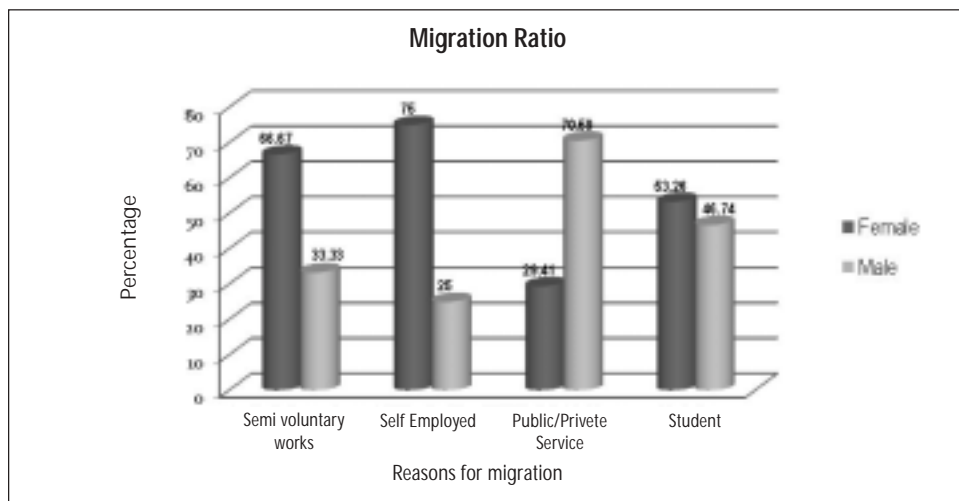
**Unequal Wages**

Out migration from rural areas to cities for work is a very lucrative option for the rural population. Earlier women's social interaction had been limited within their villages and a woman's aspiration had only been confined within her village. However as described earlier, traditional livelihoods are least aspired by individuals as they offer limited scope for cash earning. The older generation, where women never received or have received minimal education continues with more traditional livelihoods, however as a mother, her aspiration for her daughter has changed. Our findings reveal that the outmigration of women is higher than that of men in pursuit of education, and own business which is mostly

**Custodians of Culture**

147 As narrated by women from Matikhru village in Phek district  
148 Ehunnu village of Kohima District.

of vending and small scale self employment. While men mostly migrate for employment in public and private sectors, it was also found that outmigration for men happen because of conflict situation. In Thsingar and Matikhrü village, it was found that women temporarily migrate to nearby towns for looking after children, siblings and their education.



*“The life of those women who works outside would be tougher. It will be tougher because a woman have to keep doing minute things at home. So if she works outside, men at home cannot do work like women does. So in that case women’s life would be tougher.”<sup>150</sup>*

*“Women have taken up so much work and it has increased their workload. But all these are done by women because they want to improve their lives economically. Now how they have started moving out for business and earning livelihood. They also work in the fields as well as at home. For widows particularly, it is overload, but for the other women who have husbands, it is fine because all these will improve their economic status.”<sup>151</sup>*

On one side women’s increased mobility and earning income is often seen as a positive indicator, but the flipside is that it has increased women’s workload. The traditional roles of women within the home continues the same, despite her contribution to family’s income, she continues to manage the traditional role within the house. Therefore women’s workload increase without much changes in her decision making power.

149 Source: Findings of the study

150 As narrated by women from Ehunnu village in Kohima district

151 As narrated by male village leader from Matikhrü village in Phek district

## Role of Institutions

In rural areas, though men are still in agriculture workforce, women spearhead cultivation activities and there have been considerable shifts in gender roles in agriculture in the last 30 to 40 years where women's labour and work burden have visibly increased. In many Naga tribes the traditional roles of men and women differed in agriculture. For instance, slashing and burning was considered to be strictly a man's work, even with implements such as *daos* that only men are supposed to handle. It may be noted that women are now getting involved in the slash and burn agriculture work doing multiple work of seed saving, selection, ploughing the fields, seed sowing, weeding, harvesting, winnowing and storing. Women are, in many rural areas of Nagaland engaged in the cultivation cycle from beginning to the end. Though the introduction of mechanised agriculture through the use of power tillers, rice mills, has reduced work drudgery in agriculture, women have been categorically excluded from enjoying the benefits of such mechanised agriculture.

*"In our custom, men do not do the sowing, so it is only the women doing that even today. Men will complete his share of work using the machines and engines. So while the women are sowing manually, men will stand by relaxing and simply watching. So in my opinion, in this area there is overload of work for women. Even traditionally buffalos were used for ploughing, which is helping men lighten his work. So when we actually think deeper into the issue we find that men worked with the help of animals but women have been working alone using their own strength. The buffalo days are gone but now in the age of machines and engines, this practice should change in my opinion, since it is not the men ploughing but the machine doing the work. So, even men should help in the sowing. It is not right that men are resting in the huts while women are working, but even women, though not lazy believes that this part is my work. Men will forget skill of rice planting too and this does not look good. And by chance the mother has died, but the men will still not do it will be the daughters doing the sowing and not sons."*<sup>152</sup>

Women do get a better status by bringing income. However her social position remains the same, as she has limited control over land based resources and income. The lack of support and recognition from the society as well as State aggravates the working conditions ultimately impacting women's capacity and opportunity to good income.

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<sup>152</sup> As found in Matikhrü village

*“Economic problem is the biggest problem that we women have at present. Most of the women in the village are farmers and as such we produce large scale vegetables and fruits. But finding a market to sell our products becomes a problem. Some of us take our things to Kohima to sell but since we are uneducated and inexperienced, we get cheated and mistreated most of the time. Sometimes, the town committee members harass us and even take away our things without any compensation. Sometimes we come back home empty handed due to our things being ceased. The yearlong labour becomes wasted. With lots of struggle we take our products to Kohima only to find ourselves in a helpless situation. Apart from farming, we are also gifted in weaving traditional attires but since we don’t find the market to sell it, we cannot develop further.”<sup>153</sup>*

## **Recommendations**

1. Gender redistributive measures to mainstream care work irrespective of gender.
2. The State must make every effort to ensure labour rights for unorganised workers in the rural areas.
3. Social security benefits must be made accessible for unorganized sector workers especially women who are agricultural workers, weavers, vendors.
4. Adequate measures must be adopted to enable women to have access to information and skills, technology, markets, finance credit and access to appropriate technology and tools to reduce drudgery in agricultural work.
5. Effective implementation of Government livelihood programmes and policies in the rural areas to tackle out-migration of rural people.
6. Creation of livelihood opportunities for rural youths besides farming should be considered a priority.

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<sup>153</sup> As narrated by women from Ehunnu village in Kohima district

# Marriage and Family

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## Introduction

The institution of marriage and family has been a much talked about factor in perpetuating Violence Against Women in many parts of the world. In India, practices of Sati, Dowry, Child marriage and marital rape has been constantly challenged. While there have been movements around these issues, little is heard of tribal societies of Nagaland. The intensity and visibility may vary across societies; nevertheless violence curtails the society and individual potential to growth and development. Violence within the institution of marriage and family do exist even in the Naga society and an understanding of this crucial. Marriage is seen as the universal truth, with emphasis on enabling marriages and ensuring its permanence.

## Concept

Families are imagined only within the scope of the marital union and not beyond. Basically acceptable marriages need social approval. Christianity has in a lot of ways changed the practice of marriage and what defines the terms of acceptable marriages in the society. In the six study locations, church marriage is the most accepted form of marriage, yet an increased incidence of young people eloping was reported. The significance of marriage as an act of maintaining lineage in patriarchy is emphasized at every stage of life. Youngsters are guided and efforts are made by parents to ensure the permanency of marriage, as separation and dissolution of a marriage union is never wished. Therefore relationship between men and women outside marriage is generally not approved and accepted by the society. What is determined unlawful is bound to distort the society's image and therefore the good image has to be preserved at all cost.

*"If they are married they can stay under one roof but if not then it's not good to live-in together before marriage. If such cases happen the society will get involved and interfere, because it shows a bad image."<sup>154</sup>*

Marriage practices also vary across villages, such as in Hudangru village of Kiphire district, there was a practice locally termed as 'invitation', which not commonly heard of, in other regions. In this form of marriage, the families of both women and men come to a consensus and a marriage party is organized, in the presence of village leaders but not the church.

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<sup>154</sup> As narrated by women from Matikhru village in Phek district

Though this form of marriage is not largely accepted by the society, it also is not rejected as it was found that in this particular village this was a more common form of marriage than church marriage. In another village, Ehunnu of Kohima district, young people eloping was cited as a common phenomenon though this particular village upholds religion and church more strongly than the other study locations. Interestingly the declaration of villages as 100% Christian is held with pride and as an achievement; however there are variances in practices of society deviating from Christian norms and constructing other options to exert their own personal spaces. Such is very much evident in the norms of marriage institution.

Women view marriage as a source of social security. In the face of lack of education or professions, marriage is viewed as a way to fulfil aspirations. For men, marriage is a means to sustain legitimate lineage. It is also a way of ensuring that they are cared for in old age.

*"It is important for women to get married because it is lonely and when they get older their own children will look after and take care of them. Otherwise if we remain single, in our old age who will take care of us? There is no one to take responsibility over us."*<sup>155</sup>

*"A man also has to get married because he will be alone with no children to take care of him in his old age. He will not know how to take care of himself in old age. It is a fearful thought that he will have nothing to feed himself. So if he gets married, his wife will bear children, which will add to his clan and also to the growth of the village population."*<sup>156</sup>

The practice of pre marital relationships is present in all the study locations, and it is also stated that such practice has increased. However such relationships are not favored by the society because it serves as a threat to the honour of family. The coping mechanism of the society with such cases is to settle through marriage alliances. The longer such relationships prolong the stronger the threat of distorting social norms of marriage. The other mechanism is to stop such relationships, if not favored by parents. Generally there are two kinds of relationships identified, one being the 'private relationship' which has not been shared openly with parents. The other being the likely acceptable 'informed relationship', which can only become acceptable if the parents favour it and better if both the partners are 'god fearing'-connoting the religious influence of a desirable men and women. However, this religious connotation falls on women predominantly, while men are excused with notions of a man being stubborn, or, 'he has a mind of his own'. Most importantly pre-marital relationships become acceptable when the society is convinced that it is 'committed' to culminate in marriage.

<sup>155</sup> As narrated by women from Hudangru village in Kiphire district

<sup>156</sup> As narrated by women from Matikhru village in Phek district

*"Dating culture is not a new concept to our children; it is taking place between girls and boys. We don't encourage it but cannot stop completely. When we see a boy and a girl roaming together in the village, which is not a pleasant sight of course, for boys we say it is human nature but for girls we say she is morally weak and is being a disgrace to the family."*<sup>157</sup>

*"It is fine if young people are having a relationship and everyone knows that they are committed to get married. But the other case it is not good."*<sup>158</sup>

*"Be it boys or girls if they are in a relation with a person who is not up to parent's expectation we stop them. But if we are in favour of the girl we encourage and help them mentally and financially."*<sup>159</sup>

## Power and Consequences of Power relations

Women's reproductive role is an essence in ensuring lineage, which drives and strengthens the value of marriage. Women see themselves as the only biologically capable resource in ensuring this, and the society in turn reinforces values and norms to strengthen this.

*"For population growth and enlargement of a village, clan or society that's why women marry."*<sup>160</sup>

There are interesting insights on the practices of ensuring lineage maintenance through selective processes. This begins right from the adolescent stages, where parents start to prepare daughters to be a presentable contestant. Chastity of a woman is one of the most important pre-requisite for marriage. Violation of this chastity in a woman devalues her place in the contest of lineage. Therefore pre marital sexual relationship minimizes women's likelihood of getting a husband. The incidence of unplanned pregnancies as a consequence of such relationships marginalizes women's choices in personal decisions. So prohibition of mobility and restricted norms bind the women as a pre-emptive measure to curb incidents of alliances outside marriage. Such restrictions can be counterproductive on sexual and reproductive health rights, potential avenues of employment outside their homes and liberal socialization practices.

*"Their roaming around will be checked and even stopped. Then parents will also send the daughters to some or other kind of work in order to restrict them."*<sup>161</sup>

157 As narrated by women from Ehunnu village in Kohima district

158 As narrated by women from Hudangru village in Kiphire district

159 As narrated by women from Thsingar village in Kiphire district

160 As narrated by women from Thürütšuswu village in Phek district

161 As narrated by woman from Hudangru village in Kiphire district

*“When young people are in relationship, we parents worry, in case the girl gets pregnant because they are in a relationship. So we get angry.”<sup>162</sup>*

The practice of planning and arranging marriages begins with parents looking out for suitable spouses for their sons. In all the study locations arranged marriage is one common practice, and before coming to any concrete decision of choosing a bride, potential brides are examined. This examination or assessment is mostly based on the moral aspects of the bride to be, someone who will not challenge power and tarnish a family's honour but ensure a safe marriage and family relation. Maintaining marriage relations within the village is seen as important and desirable because a lineage's alliance building with another is crucial to the sustenance of both lineages. In all the study locations, women perform the significant role of mediating between families for arranging marriage. In this sense, marriage is a space where men are considered unable to negotiate. There is a constant pressure of maintaining endogamous marriages in order to secure lineage and strengthen tribal customary practices related to marriage.

*“The boy's parents would look for God-fearing girls who have patience, are not lazy, show respect to others. They should be beautiful, not talkative, and employed in some way but must adjust to being a good daughter-in-law. They would prefer a girl from their own village because building relationship with any other clan is thought to be complex. They can get help or help others in times of need. On the other hand, if dissension arises it can be solved easily and one can forgive one another. But unlike marrying somebody from other village whose lifestyle is different.”<sup>163</sup>*

Women's perspective on getting married at a young age is to ensure sustenance of lineage. In this way, women curtail their personal choices of postponing a marriage, in order to secure their children's health, while they are physically strong.

*“I personally experienced with my two daughter-in-laws, where a young woman of 18- 19 years old give birth without any problem and the baby was healthy too. But the 35 years old lady had a hard time and the case was very complicated at child birth.”<sup>164</sup>*

*“For some if they have dropped out from school, it is better for them to get married a little earlier, so that she can have children early, support them and educate them. And if a woman marries very late, she cannot raise the children well because she will get old very soon. But for school going girls, it is alright because they can look out for educated men.”<sup>165</sup>*

162 As narrated by women from Thürutsuwü village in Phek district

163 As narrated by women from Ehunnu village in Kohima district

164 As narrated by woman from Ehunnu village in Kohima district

165 As narrated by woman from Hudangru village in Kiphire district



Men's expectations for a desired wife also points to one which is unlikely to disrupt the power relations. Education is often viewed as an empowering agent, but it really is not for women in rural areas of Nagaland within a patriarchal society. Men are skeptical of marrying women backed with resources, knowledge and skills. The choosing of partners for marriage is strongly directed by maintaining male power, which is why women are left with minimum skills, knowledge and status to ensure they can remain passive partners.

*"For a wife I do not want a rich person, but also not too poor but somewhere in the middle- not too educated because it is me who will be feeding and taking care of her and the household. The woman may have high education but if unemployed then the man has to feed her too, right? For some there are women who are employed while the husbands are not. So the wife is feeding the husband. If the woman is from a rich family then the woman will act as the head of the family. They become proud and that is why I do not like such kind of a woman. Then again if she is too poor, both of us will not be able to achieve anything. So the kind of woman I want is that she should not be morally loose and not too educated also, but good if she can sign or write her own name."*<sup>166</sup>

*"I want a woman who is humble, can remain at home and maintain it. Someone skilful, someone who is religious and close to the church, is a virgin and pure at heart. That's the kind we like."*<sup>167</sup>

*"For me the woman may be rich or even poor, but should have good character even before marriage and after. She should be a person who knows how to warmly receive or welcome people, maybe through nice words when people come to our place, and caring for other people and friends. There are women who feel lazy and do not appreciate visitors. I want a woman who is not like that but maintains good relationship with others also."*<sup>168</sup>

While premarital relationships are widely discouraged by the society, it is seen as normal for men. Women do not express their own sexuality, but couch it in terms of 'that man is attractive'. This highlights subtle expressions of sexuality by women versus blatant force of sexuality by men. Expression of sexuality and desire are much more acceptable from men, talking in terms of 'conquests'. Women must be objects of desire rather than express desire themselves which is considered shameful and disrespectful, should they approach men. Men, however, can exercise their choice- to which women must accept and submit. However interestingly, any advance made by men must first be refused by women who are expected to be coy and not desperate.

<sup>166</sup> As narrated by male youths from Hudangru village in Kiphire district

<sup>167</sup> As narrated by male youths from Thurutsusuwu village in Phek district

<sup>168</sup> Opinions shared by male youths from Hudangru village in Kiphire district

But on the contrary women having premarital relationships are looked down upon. She will be viewed as 'loose, or characterless'. Women are encouraged to present themselves as wanting the emotive and not the physical. As such, women should not explicitly seek the attention of men. The language/ term used in describing such women are strongly coercive, projecting them as objects. Chastity supersedes any other status a woman may have achieved, such as education and employment. This reinforces the stereotype of women's bodies seen as possessions, offering service of reproductive roles alone and displacing all other rights of women.

*"Yes the boys are also guilty but it is the girl who is more accountable. All these cases happen, invariably, because of the girls. If the girls are careful even if the boys force them, they will be able to withstand and nothing will happen."*<sup>169</sup>

*"Because men look down on these types of women, they are often regarded as second-hand and characterless. Even if she is matured, qualified or have a job, there is some problem with her."*<sup>170</sup>

*"There is some injury in her life as if something is wrong with her, that a man will not be able to trust her even after marriage."*<sup>171</sup>

Non-heterosexual behavior is not accepted in the society. There are very definite male- female binaries. There is some knowledge of same-sex desire in the society, but it is an extreme taboo. However the terminology exists, proving that even if unspoken, it features in customary culture as well as in Christianity as understood from existing taboos around non-heterosexual behavior. An understanding of this could be that patriarchy cannot deal with complexity. So it wants to limit sexuality to the heteronormativity, thus making it easier to control.

*"It will be the man who will be making the first move in a relationship."*<sup>172</sup>

*"Men to men relationship and women to women relationship do not exist."*<sup>173</sup>

*"Even if the girl has her right, they will give all the blame upon her and they will say she has a loose character."*<sup>174</sup>

*"Being in a relationship is not good, even if they do not do anything wrong. Whatever the case may be, it does not look that bad on men but for women, they lose their worth and value as women."*<sup>175</sup>

169 As narrated by male youths from Hudangru village in Kiphire district

170 As narrated by male youths from Hudangru village in Kiphire district

171 As narrated by women from Hudangru village in Kiphire district

172 As narrated by male youths from Hudangru village in Kiphire district

173 As narrated by women from Thsingar village in Kiphire district

174 As narrated by women from Matikhru village in Phek district

175 As narrated by women from Thurutsuswü village in Phek district

Sanctity in the institution of marriage should be endorsed, and the role of ensuring this is imposed largely on women. Even if such pregnancies are a result of consensus, outside wedlock, the entire blame is labelled against the women. Men can live free from society's prejudices. The impunity given to men is sanctioned by culture.

*"If a man does not accept the child, then the woman has to look after the child but the father can roam and live about freely. It is easier for man to move on with life."*<sup>176</sup>

*"It is difficult for women/ girls to redeem their status once they 'fall' or do something inappropriate. For boys it is different because it is easier for them."*<sup>177</sup>

An observation was made on the differences of perception society has, on marriageable age for boys and girls. This difference occurs between younger people and older people, and also based on locations and their proximity to urban dwellings. Exposure to practices of other communities in this way influences perceptions of people. Both women and younger men are of the opinion that unlike olden times, women should not get married below 20 years and men should reach at least 30 years of age. In villages that have lesser exposure to the outside world consider that women should marry at 18-19 years and men at 20-25.

*"For women, ages 18- 20 is right time for marriage if she has not gone to school but just staying within the village."*<sup>178</sup>

*"If women have to marry then they should marry before 28 years of age, or else better not to marry because she will lose her beauty. In addition there are complications for a woman if she delivers a baby after 30."*<sup>179</sup>

However on an average, from all the six study locations, we found that women between 20-25 years and men between 30 to 35 years are considered right for marriage. This marriageable age can be extended, but for women crossing 35 years there is lesser chances of getting married. Whereas for man, 45 years is seen as the limit, though they have greater chances of getting married even beyond those years. The entire construction of sexuality is around presenting herself to the man as young and desirable. This is explained by the practiced norm of men marrying younger women. The reason is also reflective of the preventive mechanism in any chances of dissolving marriages.

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176 As narrated by male youths from Hudangru village in Kiphire district

177 As narrated by woman from Hudangru village in Kiphire district

178 As narrated by male youths from Thürütsüswü village in Phek district

179 As narrated by male youths from Matikhru village in Phek district

*"Some say that because ageing is faster in girls. In such cases, where the girl is older than the boy, there is always a fear that the boy will get into an adulterous relationship with a younger girl!"*<sup>180</sup>

Cases of women remaining unmarried are looked upon as a 'pity' connoting that woman's reproductive capabilities are wasted. The support mechanisms such woman will receive in later life also depend on reasons of remaining single. On reasons of personal choices or social disdain, she is likely to get less support in older age. There has to be constant status quo maintained in marriage, where empowerment can create power dilemmas which is avoided therefore which indirectly reinforces the notion of women as lesser beings. There is a fear attached to single woman and their sexuality, on the note that woman remaining unmarried can create discords in others' marriage. It is considered better to marry someone potentially unsuitable than not to marry at all. Often women gave up on marriage, to earn and provide her service for the family with the hope that she will receive support in later age. Either way by getting married or remaining unmarried, women's reproductive rights get violated and they are seen only from the perspective of being naturally endowed with care and nurturing roles.

*"Not being married is something not normal for us."*<sup>181</sup>

*"A woman may be educated but remaining unmarried is incomplete. Not having children is also something shameful. So it is a blessing to have children and even better as a woman can pursue her dreams through her child."*<sup>182</sup>

*"If she does not marry then one day when she grows old and weak, and unable to take care of oneself, none can help her. So I feel pity for unmarried women."*<sup>183</sup>

*"There are some women who dedicate their lives to churches. So it becomes difficult to propose to such women, especially those who are very beautiful as they too will face problems. There are also some women who are approached with proposals a number of times, but they keep refusing and later on they are over aged for marriage. If she is highly educated, or holding a high post, that too becomes a problem as they will not get a match that is of same status. In our village there are many women who, because of taking responsibilities of the family, never got married."*<sup>184</sup>

180 As narrated by women from Thsingar village in Kiphire district

181 As narrated by women from Thürütsüwü village in Phek district

182 As narrated by women from Thürütsüwü village in Phek district

183 As narrated by women from Thürütsüwü village in Phek district

184 As narrated by male youths from Ehunnu village in Kohima district

Marriage dissolution is discouraged by the society as such cases will blemish family's honour and individual pride. Despite the preparation and training undergone by women in upholding marriage, incidences of separation are bound to happen, and in such circumstances speculations heighten within the society around the man and woman. There is a difference in these speculations made for men and women. For women it is made mostly on her moral conduct and character, it also arises that women's assertion of agency can be interpreted in the form of being the marriage breaker. While for men, visible and concrete reasons are made in cases of proving them as the marriage breaker. While the social norms and mechanisms does not allow women to walk out of a marriage, heavier measures are imposed on women to ensure that they continue upholding marriage institution no matter what, and that the foremost blame is put on women unless there are concrete reasons found from men. Women's morality is held accountable for the maintenance of social fabric.

*"In a family either big or small a woman can play a major role, because what comes out of our/ women's mouth is very powerful. It can either break families or even bring good name. Even among neighbours having a bad woman affects everyone."*<sup>185</sup>

*"It spoils the reputation of both men and women. Therefore whatever the extent of difficulties, we bear it for the sake of the family."*<sup>186</sup>

While this has been said, in the six study locations, the causes of marriage dissolution happens due to extra marital affairs and in some cases, because the woman is unable to conceive a child. A barren woman, therefore experiences social exclusion within the institution of marriage and also amongst other women in the society. The significance of woman's reproductive roles, integral in the institution of marriage, re-emerges and strengthens the norms dictated by the structures of patriarchy.

It is difficult for women to seek divorce as the customary norms are restrictive and the religious institutions do not allow it. Backed by social insecurities, women are bound to remain within the marriage and are expected to play altruistic roles.

*"In some case if a woman doesn't conceive a child, the man looks for another woman, some due to the bad character of a woman, some by having affair with the other woman."*<sup>187</sup>

*"In this entire situation there are some women who bear all these problems and stay at home because of the love for their children."*<sup>188</sup>

185 As narrated by women from Hudangru village in Kiphire district

186 As narrated by women from Thurütsüwü village in Phek district

187 As narrated by women from Thsingar village in Kiphire district

188 As narrated by women from Thsingar village in Kiphire district

## Remarriage

The concept of remarriage is present in all the study locations and some men have also acknowledged that widow remarriage should not be discouraged. However it is almost impossible for a woman to remarry because of the existing notions created around widows who remarry. The altruistic responsibility of a woman affects the option of women ever remarrying, attached with social shame of being the 'bad mother'. While remarriage for men is justified with his inabilities of raising children, remarriage for women is restricted even stronger when she has more children. This questions the parental roles of men and women in a family.

*"Because men are poor in maintaining the house, cooking and feeding the children, they fail to take proper care of the children or discipline them well, which is why they remarry to get a woman to take care of the children."*<sup>189</sup>

*"Yes women also face the same thing, because even myself I have lost my husband. Since I have children it would be shameful for me to remarry, leaving my children behind. Yet I have the desire of raising them to the best even in the absence of a father. But there are also women who leave behind their children and go off to remarry. So there are different kinds of people with different perspectives."*<sup>190</sup>

*"In our village a woman having many children (4 to 5) is not allowed to remarry. It has not happened. But there are men who have remarried having such number of children. Since there is no case of remarriage of such woman, we cannot really think of it. But for men society considers that men will be unable to take care of the children, maintain or bring them up properly. Therefore it is acceptable for a man to remarry."*<sup>191</sup>

## Bigamy

While the sanctity of marriage has been enforced so much on women, the norms are always bended for men. Bigamy, the practice of having two wives is said to be a practice in the past, however it continues to be a living tradition in some societies till today. In three villages of the study locations, cases of bigamy existed. Christianity in many forms may be stringent on upholding monogamous marriage as a strong institution with moral values in the society. However it fails to abdicate the patriarchal system and power. Religious bodies, being headed

189 As narrated by women from Thurutsuswü village in Phek district

190 As narrated by women from Thurutsuswü village in Phek district

191 As narrated by women from Thurutsuswü village in Phek district

by men and religious laws enforced by men has not seriously questioned this issue or understood the consequences that fall on women in bigamous marriages. Women have no space to question such authority. During the course of discussions, it was found that women hesitate to talk about bigamy as it is a matter of family and society's honour. What is socially unacceptable has become normalised in the silence.

*"Some men freely decide in marrying another woman even if his wife doesn't approve it. Some women accept to marry even after knowing that the man has his wife. If there is good understanding between the wives and love for each other, people will have nothing to say bad about them."*<sup>192</sup>

*"We had a case before where a man had two wives. They lived in different houses. But later the first wife left the husband and he is currently staying with the second wife."*<sup>193</sup>

*"We have an existing case where a man had two wives. He however passed away some years back. The two wives continue to live together under the same roof. There was no action taken for this case. Both the wives had children and they are all living peacefully."*

<sup>194</sup>

*"The husband marries at his own will, so we feel there's no right to advise him. But the society will blame and judge to second wife guilty. And to the first wife she will be considered innocent."*<sup>195</sup>

*"If she (first wife) continues to protest (the second marriage) the husband will tell her that if she wants to stay she may, and if she does not want to or cannot accept this reality she can leave the house."*<sup>196</sup>

*"Every woman has a different perception. Some women will say that being the first wife why would she leave the family whether there is conflict or not. Some will think 'he does not deserve me and that's why he is bringing another wife in my family. So I will just let them marry and I will leave my family'. For some, they will consider in case 'if I have my children why should I run away from home? After all every property belongs to the children of the first wife.'" <sup>197</sup>*

Even in cases where the second wife was married against her wishes by forcibly been taken by the man, society blames the second woman and not the man who is at fault. A woman is

<sup>192</sup> As narrated by women from Thsingar village in Kiphire district

<sup>193</sup> As narrated by women from Matikhru village in Phek district

<sup>194</sup> As narrated by women from Hudangru village in Kiphire district

<sup>195</sup> As narrated by women from Matikhru village in Phek district

<sup>196</sup> As narrated by women from Matikhru village in Phek district

<sup>197</sup> As narrated by women from Matikhru village in Phek district

expected to understand the social norms better and restrict herself. The first woman is also left with no choice but to stay even when another woman is brought home because either way she will be losing. In cases where a woman has children, she sees security in them and chooses to remain within the house and raise the children.

### **Role of Institutions**

The existing institutions such as the family, religion and society work together in enforcing marriage, ensuring sustenance and defending breakdowns. At different levels, the roles played by these institutions are interwoven so well that marriage is seen as inevitable and ideal. The consequence of men and women failing to achieve marriage is obvious, chided with remarks of being 'incomplete', burdened with insecurities and threat to lineage, marriage becomes an uncontested concept.

*"We consider marriage as very important because it is to multiply the clan's membership and continue the family lineage. The other valid reason for us as Christians is to fulfil the plan of God in marriage. Since God has designed for a man and a woman to become one and help one another, being single is incomplete. In times of sickness and need no other person can take the place of either a wife or a husband. It is a very intimate matter that only in marriage one can understand. Another serious reason is that, according to our customary law all the inheritance belong to men and therefore if you are not married you would not enjoy any benefit of whatever the family has accumulated. Security of life and providence is also another reason that says that marriage is important for a girl. We consider marrying in the church as an ideal marriage and therefore marriage outside the church is looked down by everybody and is discouraged. When a girl wishes to marry somebody with the knowledge of the parents, it is done. But in some situations even if the girl likes the boy/man and also is already into relationship it does not always end in marriage when the parents dislike the boy. Sometimes, in some cases even if the girl does not like the boy she marries the person of her parent's choice, through pressure of course, which invariably ends in divorce."*<sup>198</sup>

Firstly, family as a primary institution plays the role of ensuring the sustenance of marriage institution through training and socialization of children. Girls are trained to become good mothers, boys are trained to become the head of the family. There is constant fear that sons and daughters will become rejected competitors of marriage. No doubt women have to fulfil

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<sup>198</sup> As narrated by women from Ehunnu village in Kohima district





Consultation workshop with Naga women organisations and women rights activists



Women interacting with the research team in a Focused Group Discussion



A village leader interacting with the research team during an interview



Rural communities of Nagaland are closely knitted and depend on subsistence agrarian economy



"Due to early marriage and immature decision to marry without sharing adequate responsibilities, these days men are hardly involved in child rearing" - narrated by women from Kiphire District.



Girl child education is not opposed in principle, but investing in boy's education is prioritized over girls



Despite the existence of Basic infrastructures in the villages, the services provided remain poor and inadequate



The socialization of boys and girls into the expected roles of man and woman begins right from childhood in their daily activities, both in household chores and games they play.



Though women contribute and play a major role in food production, yet they have no ownership rights over landed resources.



Salt making process in Matikhrü village of Phek district-Women are bound to continue working with low skills, low productivity, low wages and vulnerable working conditions

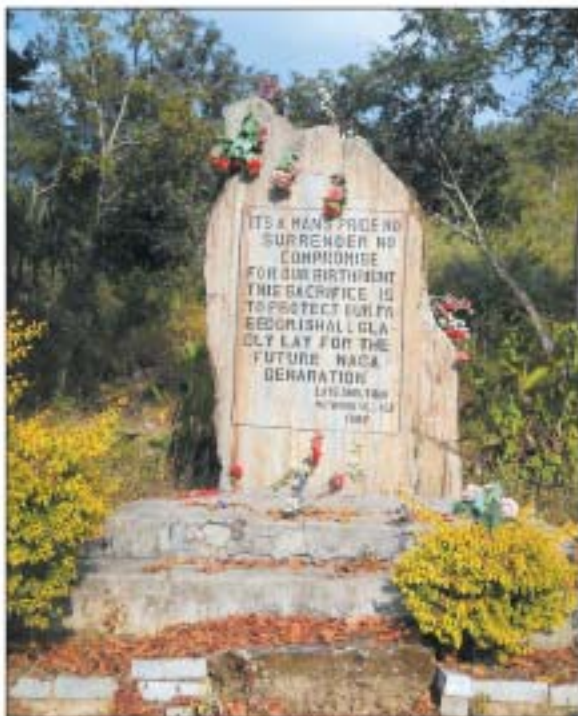
Living traditions reinforces gender division of labour. It is not appropriate for men to carry baskets, similarly agricultural activities such as weeding, sowing are women's work



Orange orchard in Ehunnu village, Kohima district - Increase in cash crop and gradual privatization of land promoted by settled cultivation can lead to women losing out their powers of micro-decision making in food production.



A good woman is someone "who is humble, can remain at home and maintain it, skillful, religious, chaste and pure at heart"  
- Narrated by a male youth in Kiphire district



Monolith reminding the sacrifice of men, during the genocide which happened at Matikhrü village , Phek district in 1960.



Write-shop in progress - Research team with the consultant



Sharing the key findings of the research during stakeholders consultation meeting at Kohima



more criteria to be considered marriageable; therefore the family makes sure that she is well prepared. With the changing times, expectations of a bride changes, as it is seen in the case of education becoming a indispensable criteria, which is to fulfil the family needs and interest but never her own. 'Peace building' is another quality expected from a woman, which puts her in a position accountable for conflict and violence within homes. Therefore any issue of marriage dissolution, the liability is held first on the woman. All of the expected qualities from a woman are that of submission and being selfless.

*"We want good person who does some service, for example a teacher. It is fortunate if she is of good character and hard working, for this will help the family and even the society. Even if she doesn't hold service I want at least an educated woman who will be able to teach the children, serve and guide the family in a right manner. I want my son to get married to a woman from our own community who is patient, God-fearing and can provide love for the family."*<sup>199</sup>

*"One of my sons is very naughty and disobedient in the family and I really want a good woman who will be able to teach and change him, a woman who has love and is patient."*<sup>200</sup>

In the case of men, the foremost criterion is to ensure economic stability of the family. He is also trained to be courageous as the head of the family. All of the qualities expected from a man are that of wielding authority and exert domination.

*"Because the man will surely be the head of the family and he will be providing for the family. So before settling down he has to earn money and also if he can construct a house before marriage, it will be good. He should not depend on his parents but he has to earn his own living. That is why in my opinion, like I said before, he needs to get job placement after his graduation and for some years he should save money for marriage."*<sup>201</sup>

The relation of parents and children is noted, which reflects that the family and the home is not a space to express sexuality. On the contrary, discussing sexuality is seen as disrespectful. Basing on this, in marriage institution men and women do not have the space to choose their spouses. This explains the increase in unapproved marriages as observed by the society. In cases of pregnancy outside wedlock, the family is the first institution which looks into the matter. The alternative provided for women is to remain unmarried and either loses custody and support over her child or resort to marriage even if against her will.

199 As narrated by women from Thsingar village in Kiphire district

200 As narrated by women from Thsingar village in Kiphire district

201 As narrated by male youths from Thurütsüsuwü village in Phek district

*"No, it is not that there is no freedom, but youngsters do not share these issues with their parents out of respect. There can be different cases, for some young people. They actually plan to get married even if the relationship is not a serious one, in which case this kind of relationship is not appreciated. It is a shame for couples to break apart."*<sup>202</sup>

*"If both have agreed then marriage can happen and no fine will be imposed. But if not then the fine is decided and the woman's family will ask. And if the woman decides to keep the baby as hers then the fine is not imposed but if not then the man pays the fine and keeps the child."*<sup>203</sup>

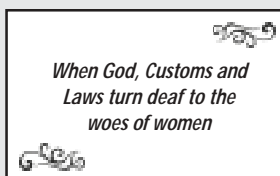
Society at a larger level creates mechanisms which can suppress women's choices over her sexuality. Just as a woman remaining unmarried on her own will is considered 'incomplete', so is widow remarriage looked upon as 'selfish'. Religion plays a directing role in enforcing laws and values of moral conduct, which hugely are on controlling and allowing measures in exercising sexuality. The church is one space of social interaction defined for girls, where socialization with the other gender is allowed, but only when it is within the purview of morally accepted norms. Therefore while this space is allowed, at the same time it is a space where social interactions can be controlled.

Religion enforces marriage, and deems it as fulfilment of a holy decree. Dissolution of marriage is strongly discouraged by the society through the church institution.

*"As said even in the Bible, from the very beginning God created both man and woman to be together."*<sup>204</sup>

*"The church approaches the couple, to counsel and make them understand. But if they don't listen they will be out from the church membership (both the wife and husband)."*<sup>205</sup>

*"If the marriage is of holy marriage then following the norms, the church leaders will first try to reconcile between the two. It is by God's law that they are united, but if the woman is finding it really difficult to continue living with the husband in a miserable marriage, a decision to separate can be done. But the church cannot open up doors for both to get remarried. The family themselves may decide for the couples to get separated and get remarried, and thus breaking the Church law. The first person who gets remarried will be excommunicated from the church. Then the person who remarries later, the church will pray and bless the marriage so the first who gets married is considered guilty."*<sup>206</sup>



202 As narrated by women from Hudangru village in Kiphire district

203 As narrated by male youths from Hudangru village in Kiphire district

204 As narrated by women from Thsingar village in Kiphire district

205 As narrated by women from Thsingar village in Kiphire district

206 As narrated by male village leader from Matikhru village in Phek district

Suppressions within marriage are manifold. Stereotypes around marriage are reinforced by religious institutions, while simultaneously enforcing norms and values which serve the interests of man. The role of church in dealing with divorce is based on moralistic grounds, where personal choices are not considered and even more women do not have a space to negotiate. Sanctity is reinforced so much that reconciliation of marriages in conflict becomes the priority. Justice is understood from the perspective of securing identity within the religious institution and not beyond. Divorce in this sense gives women certain rights and yet it is frowned upon by the church. It functions under the sanction of the church. However, a woman's morality and her conduct can also impact the response of the church in delivering justice, as seen in this case that she has attained respect and status within the religious institution. As long as a person reaffirms his or her commitment and support with this institution (religion), even perpetrators of marriage dissolution can regain their status and be accepted. This lack of agency given to the woman highlights the need to explore strategies that enable existing institutional structures to be strengthened in order to combat vulnerabilities in women.

*"It is usually men who come asking divorce. Last year when I came into my ministry it happened. The man was from our village employed and serving as an army. He had married a woman from another tribe, but the woman could not conceive a child since the last eight years which is why the husband was disappointed and became a different person. His wife was living in the village and she was also a deaconess. The husband came one day saying he wanted to divorce his wife. Then we said that except on grounds of fornication, there can be no divorce between husband and wife which is instructed by Jesus himself so we have to follow this rule. We asked him for what reason he wanted to divorce his wife. He replied that there is no fault in his wife so we replied that is not possible. He still persisted that he does not want her anymore, and added that if she also wants to leave him then she should cut off her name and not his. This created a huge problem in our church because women on behalf of the other tribe's church and the other village came to intervene. I told the husband, if you are having any suspicion of your wife but do not have evidence then I will count that it is because of your own desire to get another woman. And since your present wife is not able to conceive so you are sacrificing her over your own gain and happiness and hence the guilt will fall on you. We (church) tried our best to convince him and after much effort he agreed and united with his wife. But for the second time again brought the same case, so even after much convincing he did not agree this time so we have to tell him that he will have to be expelled from the*

church. For the woman we had to send her back to her own village with a membership transfer certificate. The woman was hurt so she said she wanted to file a case though, I told her she will have to go to the level of tribal association. I also added that the process and norms will be the same so I advised her it will be better to remain quiet. In this very case, the woman is a migrant from another village and tribe so it is not right for us, the church to overlook her rights, so we sent her off without violating her rightful membership in her native church. As for the man he is still out. He does not come to the village and he has not got married yet. He inquired once whether the church will accept him back. We replied that as long as he repents, confesses his guilt and asks for forgiveness from the woman, the church can accept him back. But if the woman (wife) does not forgive him then the church also cannot grant him forgiveness. Only his wife can forgive him and can restore him. Hearing this he said he can never do that and ask for forgiveness. We should bring back that norm of forgiveness and reuniting families, since the wife will be ready to forgive and reunite, he could have done it.”<sup>207</sup>

## Violence Against Women Manifestations

In marriage, the most problematic aspect is the control of sexuality. Chastity, sexuality, desire and pleasure are all to be controlled in the case of a woman and diverse sexual choices are not spoken about. By channeling sexuality into marriage, anything outside is seen as deviant.

*“If a woman does not marry it is feared that she may become immoral/ wayward, for which she has to be married off.”<sup>208</sup>*

By controlling women's sexuality, her rights to development in other arenas and opportunities get violated as she is bounded to labor of love and care. In a patriarchal context, with lineage being a focused component and with the absence of awareness on family planning measures, it has a huge implication on women's reproductive health.

*“We had many children because we were also not aware of family planning. I went for abortion 3 times. The first time, I aborted the foetus when it was one month, once after 2 months, and once after 3 months. I suffered a lot during the last abortion. I bled a lot. The abortions happened with one year gap in between. All these three abortions happened after I gave birth to all the other children. I have 6 living children. 3 died and 3 aborted. One died after I gave birth to twins, One died at six months old, and one died in the 9<sup>th</sup>*

<sup>207</sup> As narrated by male village leader from Matikhru village in Phek district

<sup>208</sup> As narrated by women from Thurutusuwu village in Phek district

*month i.e. still birth, after excessive bleeding. I am also careless and clumsy. The doctor scolded me that it is not good to always go for abortion. So I was advised to plan.”<sup>209</sup>*

The cycle of violence perpetuates through socialization of children within the family and women play a big role in this process. Women being viewed as ‘the other’ entering another household to provide service, she often does not have the power to assert her agency, which further violates her right to rest and health. These forms of violence are often not visible or recognized but they continue to exist and slowly deteriorate women’s health.

*“Yes, because the more a woman gains respect from in laws, the more in laws will love the woman. That is why everyone tries to please their in laws. So since I have learned this, I will also teach my daughter or my own daughter in law. But for men, it is different because it is their own home and they can live freely like they are before marriage”<sup>210</sup>*

*“Otherwise when we first started family, even though we women are pregnant, we will be the ones working in the fields the whole day and even after coming home tired, the men/ husbands will be playing carom the whole day as though they are still unmarried man, without having any sense.”<sup>211</sup>*

Rural women’s security to live is often dependent on the presence of male heirs. The case below illustrates the intersections of violence faced by women in her lifetime across three generations. The demise of parents leads to economic and social violence of the living children both sons and daughters. In this situation, sons are likely to be adopted and accepted into a clan, while daughters are vulnerable to be economically exploited. The second generation witnessed another wave of violence, in this case where the adoption of a male heir and acceptance of his family into the clan was immediately detached with the demise of the adopted heir. Women were left completely asset less and with no identity in an adopted community, it can only be redeemed through marriage into a clan. However as for the mother, she refuses to remarry as she has no other security left besides her children, also the consequence for her to remarry can be devastating for her and the children, as the customary norms denies women of property rights over acquired and other moveable properties in widow remarriage. Therefore remaining a widow became a way of asserting her agency over the acquired properties, which however will only be passed down to her one son and not the four daughters. The other level of violence is on the children, especially daughters whose labour is exploited, and denied of any opportunity and environment to develop.

209 Case study of a woman- Tsingar village in Kiphire district

210 As narrated by women from Hudangru village in Kiphire district

211 As narrated by women from Hudangru village in Kiphire district

*"We are five of us in my family, one boy and four girls. I am the eldest in the family. My father passed away in 2003. He is from village K and my mother from village C. My father had one sister. He was actually from village X but after the death of his parents, he was asked to leave the house by the family members. Their intention in doing this was to take away the property. He had nowhere to go and later with his sister he went to village K and became a son and daughter to one of the family from village K and they called them as their parents. His sister stayed and served as a servant in one of the family's house and got married there in village K. My father got married with a woman from village K who died and they had no child. After some years he remarried to my mother from village C. Even after my father passed away, my mother didn't leave us. I was 10yrs when my father passed away. After the death of my father, since I am the eldest in the family I took the responsibility to help my mother. I did not have good education and so are my sisters. I studied till class 3. My brother was studying but since we had financial problem and no was there to look after us and help us, so he stopped studying too. Now my youngest sister is studying and she stays with one of my younger sister who is married.*

*Since my grandparents were not real parents to my father, we were not looked after properly by them after he passed away. We did not have any property and nor did we have good land for cultivation. Because of this we have had to do wage work to earn for our living. I know how to weave and so through my weaving I earned and helped my younger siblings. Whenever we earn some money, my grandparents question us on where and how we have spent the money. They treat us as their servants. We had a small property bought by my father before he died so in order to take away the property they (grandparents) sometimes coaxed my mother to go away to her natal home. They wanted my mother to leave the house and wanted us the children to serve as their servants.*

*I had an affair with a man from village A. I was reluctant to get married though I loved him because of my poor family status. But he told his parents and his parents approached my grandparents who agreed to our marriage. We got married and had a son. After three years of being together, he happened to have an affair with another woman.*

*Once when my husband was out, that girl gave a call and my sister in law picked up the call. She scolded the girl saying that her brother is already married and has a child. She also told her not call again in this number and the girl replied with an excuse that she dialled the wrong number. After some time the girl called back again and my sister in law*

*rebuked her and told her not to call again. I was out to field when this incident happened and my sister in law told me about it only after I came back from the field. But I did not easily believe her because I have not seen this with my own naked eyes though I heard from people about my husband's affair. Once I went down to the nearest town for my son's medical treatment and that's when I came to realise of my husband having an affair. So I called him and told him but he refused to own up or accept the truth. I decided to leave him. There was none who supported me.*

*Since I was from a poor family, nobody took interest/ risk to look into my problem. I repeatedly told my husband to change what he was doing but he didn't listen. So I took the decision to leave him with my son. My grandparents didn't take the responsibility to solve my problem. My grandparents asked my husband's family for my bride price i.e khytsu (a pig). However they were yet to pay my bride price so my grandparent didn't take any seriousness in discussing/talking about my problem. After we got divorced during the month of December, he came to meet me and my son. He also bought some new clothes for my son. He tried to reconcile with me saying he has not done anything wrong but I did not accept him again. Even my family told him to stop coming. My mother was not in favour of my going back to him after knowing the problem and what he has done. As my son was with me and though he will not have a father, I, as a mother wanted my son to be with me and I wanted to take care of him throughout his life. My grandparents did not want me to let my son to stay with me. They told my husband's family to come and take my son from me.*

*The first time when they came to take my son I did not give them. I hid along with my son in some other place. But the second time, they came unannounced and I was helpless to stop it, so they took away my son. I told them. "If today I have both parents and have to talk about my problem it will be a big issue where your family will have to pay a fine of may be a lakh. But since there is no one to take my case, at least I want you all to look after my son properly". He was two and half years old then. After they took away my son, I felt sad the whole time. I wished that if my father were alive, I wouldn't be in this situation. I went through a lot of depression and my health deteriorated.*

*My grandparents' main intention of letting go my son was because they felt that I will never think of remarriage if I had my son with me. I was young. They already had a plan for me to remarry with a man from this village T, who was much older than me. I didn't*

*agree to remarry this man, who is now my husband, because he already has seven children from his first wife who died years back. But my grandparents forced me to marry him. My mother didn't want me to remarry with this man but she was also helpless. My mother told me "after you get married with that man, if you go through any problems in the future, come back and tell your grandparents that it was all because of their decision you are going through the problem". Sometimes I wanted to go back home but I didn't go because I was from a poor family and I always have the patience to bear problems.*

*Before I got married to my current husband, some other men proposed to me which I refused. I never wanted to marry again. I only wanted to look after my son and give him good education. My grandparents always thought that if my son is with me I will never plan or think to remarry again. So they had a secret talk with my first husband's family to come and take away my son. My grandparents told me if my son is with me and if anything happens in the future they won't take risk. So I was so helpless since I do not have my father to take the responsibility for me so I have to give up my son. My grandparents even told my ex husband's family that if they don't come to take my son, they will give my son to another family for adoption and send him to Dimapur. So they came to take my son.*

*I married this man who had 7 grown up children with his first wife. My husband is also the son of second mother. The eldest daughter of my current husband was already married when I came to live in the new household. The youngest was seven years old when I came. Since the children were already grown up and not my own, I did not have the opportunity to play the role of a mother. They didn't care nor respected me. They won't listen to me. I tell them though I am not their real mother, I should teach them and they should listen to the advice of parents. Sometimes, if I scold the children, my husband feels bad and instead supports the children and I feel left out. Though we love each other but sometimes because of the children we have misunderstanding. I didn't face any physical discrimination but of course sometimes I face mental torture (one of his son was very wayward and disobedient. He was a problem to his father and demanded money quite often. He would shout at his father if the latter refused.*

*Sometimes I feel like going back to my natal place when there is problem in the family but I never go. I always have the patience to bear the situation. I don't want to bring problems to my natal family even if there are problem, I bear them. I used to tell my husband that if I go from here once, I will never come back. Till today my husband never told me to*



leave. What stops me from going back home is because of the poverty in my family, even if I go back home there will be nothing. Unless my husband tell me anything or ask me to leave, I won't leave. And I feel that it will be a shame for me if I leave and go back to my home. Till now I didn't face any kind of problem or pressure from my husband's family. They love and care for me because in all times of problem in the family, I have the patience to bear all the problems. Some of my husband's relative used to tell me that today the children are not obedient because their mother didn't teach them properly, and didn't restrict them from going out. The children would be out freely and she (mother) herself would work at home. Since we are of big family, sometimes we have financial problem and no enough money to afford for a good dress. I tell the children though we cannot have good facilities like others I tell them to study hard.

Our eldest daughter (step-daughter), after she got married, has been away from the village. Her husband is in the army and they live in Dimapur. So I don't have much to say about our relationship. Just last month her husband passed away and she will be coming back to the family now. I am worried and I fear how I am going to adjust with her as we are of same age group. She is returning back home because her mother-in-law does not have any love and care for her and they didn't have a good relationship. We, women, if our husband's family tell us to leave we will have to leave.

My husband is also the son of a woman who was born of an affair with a married man. He has some plot of land given by his father. We have two lands for terrace cultivation, one was given by his father and one we bought after we got married. We mostly do terrace cultivation. His father gave some land for Jhum cultivation, but I am not aware which side that land is located since I am new to the family. My husband is serving as a village guard. We rear cows and we let the cow plough others fields from which we earn some cash but not much. Whenever I get time, I also do some business of selling clothes and sometimes I sell vegetables. If there are vehicles coming to my village, my sister sends me clothes to sell. I don't weave anymore because we go to work in the fields mostly.

It is almost 3 years that we have been married. I have a 2-year old girl. I wish and plan to have another child again. Though we already have seven children from the first wife but since they are not my own children I feel that they won't look after me or take care of me as their own mother during my sickness and when I get old. So I want to have one more child so that my own two children will be there to support me."<sup>212</sup>

212 As narrated by women from Thsingar village in Kiphire district

Cultural practises such as the bride-price, which is paid by the groom's family to the bride as marriage expense and for setting up her new marital home, often binds a woman to her marital home, even in a violent marital relation. On her own volition if she walks out of her marriage without been asked to leave by her husband, she has to repay back the bride-price. In the absence of economic independence and support of her natal family, women are not able to pay therefore compelled to stay in the marriage.

## **Women's agency**

There is hardly any space for women to exercise her agency. The only support networks which women look out for, when they feel their rights are violated, are the informal women networks such as friends and the other being the natal family. Conflict in marriage is to be first dealt internally within the family unit, as it is a matter of family honour. Only when the conflict becomes very serious matter and unsettled, it is taken forward to larger village level bodies. The social norms itself do not allow women to make choices and decisions, as seen in this case of pre marital pregnancy. She only has to wait for the approval of the men and her family, who makes the decision on her behalf.

*"But the girl will be blamed if she walks out unless she is asked to leave. She will be considered wrong if she walks out of her own, she won't get anything."*<sup>213</sup>

*"If a girl approaches a man for marriage; she is not a respectful woman. It is considered as selling herself out. Since forefathers' time it is practiced that the boy should approach first. Even when a girl is pregnant before marriage, unless the boy takes a decision and approaches the subject, the girl can't do anything but has to keep waiting. It is a shame for a woman to approach first."*<sup>214</sup>

## **Interventions/ Customary and legal**

In all the six study locations, women do not have any knowledge or awareness about other constitutional provisions to claim their rights. Beyond the village justice delivery bodies such the Village councils, Village courts, and the church, men are aware of taking such cases to the District level courts. On the other hand, women are only aware that tribal women organizations also have resolutions to deal with cases such as that of extra marital affairs. Church and the customary laws are the only available mechanisms that are accessible for women to settle marital discords.

<sup>213</sup> As narrated by woman from Thsingar village in Kiphire district

<sup>214</sup> As narrated by women from Ehunnu village in Kohima district

## ***Unmarried motherhood***

The Church sets a hierarchy of sins. Pre-marital sexual relationships are seen as the worst of sins, with pregnancy resulting in ex-communication of both the girl and the boy. Upon discovery of any pre-marital relationship, the family will handle the situation by trying to get them married. The parents of the girl will request/beg if they want the alliance to happen. If they don't like the relationship, then the girl is punished, by the brothers, is beaten and placed under house arrest. Men have a certain amount of impunity, where he is not restricted, while girls don't have that space. The existing dynamic is affecting mobility and the expression of desire for women.

In case of a pre-marital pregnancy, it is desirable that they get married and have the child. If the girl doesn't want to get married, then it is considered "her loss". If the child is a boy, the man will take the child. If it's a daughter, then the mother will look after the child. However in Hudangru village, the norm was found different where a mother can claim the child, be it a boy or a girl, but in such a case, she will not receive support from the father. And the man is freed from paying fine as well. Woman, however, are made to feel guilt and told to atone. Male responsibility is limited to providing material support for the child, if not by himself, then his parents. Sons have to be mandatorily given up after infancy. Property ownership decrees that the boy child goes to the man. Lineage prescribes this.

*"When a girl gets pregnant before getting married, the family members will deal the matter by themselves and will not inform the church or the council. After the incident, even if the boy does not marry the girl, until delivery the boy takes care of the girl. After delivery, till 10 days, the girl is taken care of by the boy in terms of providing eatables to the mother and providing the necessities for the child. According to the customary law, if the father of the child provided the necessities during child birth then the father can claim the child anytime. Usually, the mother looks after the child until he/she is matured enough to take care of himself or herself. As long as the child is with the mother's family, the father of the child will take care of all the expenses of the child like school fees, clothes, and other necessities until the child come to decision taking age."<sup>215</sup>*

## ***Adultery***

On adultery, the customary laws across villages are similar, a married woman caught in adultery is forced to leave her husband's house with only the clothes she is wearing, and imposed

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<sup>215</sup> As narrated by women from Ehunnu village in Kohima district

punishment depending on the gravity of the situation. In case of man committing adultery, he can still live in his house and been forgiven by his wife or if the wife choose to separate, he is bound to pay his wife half the property acquired during their marital life.

*“If my husband deserts me to marry another woman then, since I have borne his children, half of what the husband owns will be given to me. If I go and disturb the marriage life of another woman by enticing the man then I will be caught by the society, my hair will be chopped off and I will be excommunicated from the community and I will not be included in any activity of the society. That kind of law is framed and followed in the society.”<sup>216</sup>*

In the field findings, it was found that the church played a huge role in dealing with cases of adultery. During this study, there were such cases shared, all of which were on cases of men committing adultery. In the villages, It was found that a single law did not prevail but laws made by the church and the customary laws were dually used. However, women in none of the cases were able to access right to property even if they were guaranteed. The cases dealt had the following results: marriage dissolved with the woman leaving the marital home with nothing as promised in the customary laws and marriage reconciled after a long trial. The punishment offered to the offender was ex-communication from the church but the church excommunicated both man and wife, irrespective of who committed the crime on the basis that marriage dissolution is an act of breaking the divine vow. The concept of delivering justice is questionable. Though women are aware of the resolutions of the tribal women tribal organizations to deal with such cases, yet they have not used it.

### **Remarriage:**

*“Unfortunately if the husband dies and the wife is below 50 years of age, she may not yet ready to remain a widow. Other men will view her as a possible suitor and she herself may not want to be alone. Both the natal and marital family will come together and ask her what she wants. If she decides to stay unmarried and live with her children, then no one, not even her husband's family can touch the property that belongs to her husband. It will stay with her and her children. With regard to money, the deceased husband may have brothers, so they may decide to give her a share of it. As it is clearly written in the Bible that, ‘as long as she is married to her husband, she is bounded to her husband. But after her husband's death, she is free to go where she wants to go’. The children and the property also belong to her. The day she decides to walk out and get married, or she gets*

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216 As narrated by women from Thürütsüwü village in Phek district

*involved in any physical relationship while she is in her marital home, she will be chased out, empty handed and only in her clothes she is wearing.”<sup>217</sup>*

The customary laws allow remarriage, however it discourages widow remarriage. The church does allow widow remarriage, but remarrying after having many children and after a certain age is discouraged. The consequence of a widow having relations with another man is the same with the case of adultery, because as long as she remains in the marital home, she is expected to maintain the sanctity of her first marriage.

### **Recommendations**

- Create awareness on constitutional and legal rights of women in the rural areas, to enable women in securing their rights in marriage and family relations.
- Existing customary practice and norms with regard to women's rights need to be reviewed. Identifying and deconstructing those exclusionary barriers will ensure gender justice.
- Family counseling centres to be set up even in rural areas. At such centres, life skills awareness/ education to prevent early marriages, unplanned pregnancies and encourage informed reproductive choices.

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217 As narrated by women from Thsingar village in Kiphire district

# Assets and Ownership

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## Introduction

'Assets' generally refers to the essence of value being conferred to a thing, object or resource. Assets can attain different meanings and can mean different things from region to region, community to community. It is very interesting to understand how certain things, articles and objects used in daily life becomes important assets in a community is a product of socialisation. Therefore symbolism and value are always together while defining 'asset' for the communities in the six villages under this study. Understanding of the community's dependency for survival is integral in defining assets in different communities. In Naga society, land is an important asset because the Naga economy depends on land based resources for survival and all tribal identities are established on the land or territory people occupy. Land even had spiritual significance as connoted in forms of dreams and visions where some places are regarded as sacred land. Apart from land, there are many other moveable assets which establish a close bonding with the Naga identity. Folklores on origin of the Naga tribe signify the concept of assets to identity, beliefs, living traditions and diverse cultural heritage. Land constitutes the most important immovable asset

*Assets strengthens identity,  
beliefs and social milieu*

*Women's space is limited  
within household assets*

to the Nagas, which can be of two types inherited and acquired. Traditionally there are no written documents to establish land ownership. Prior to modernization, livestock, jewellery, agricultural tools and hand woven clothes were considered as important assets for the Nagas. However in the present age, other movable properties such as cars, electronic gadgets and household articles have become important assets apart from land and other artifacts. Ownership in Naga society basically refers to the power to decide over the usage and sale of any moveable and immovable asset. During the course of this study, it was mentioned by women that they may have decision over moveable assets like 'the kitchen articles' while with regard to immovable assets women may be given a piece of land to cultivate, but she can only use it for a limited time and she can never decide to sell it.

*"Jhum Field belongs to the father which will be passed on to the sons. There are clan lands that cannot be privatized but individual's land bought at one's own expense can be given*

*to the daughters also. The private house built by the couple will be jointly owned but the house constructed by parents will belong to the husband's family in case of dispute. Forest as a whole belongs to the village but the land where we plant trees and take care of it for cutting firewood will belong to the individual family. Ancestral property will belong to the clan or the father. Driving license, registration of properties and the like are usually accounted in the name of the father. Traditional basket, ornaments, traditional attires, utensils will belong to the mother or jointly. Domesticated animals, bank accounts, etc, can be possessed by both of them"<sup>218</sup>*

*Women inherit portable assets, Men inherit land and forests*

Land ownership pattern in Naga society is traditionally community owned and clan owned except for terrace fields— where the ownership pattern differs from tribe to tribe and across villages. There are three ways to own assets - Inherited, Acquired and Gifted. However gifted assets may not fully attain the meaning of ownership as gifts are usually durational. The practice of giving gifts to daughters is not common among all the tribes. According to existing

*Education ensures a secured gift to daughters in recent time*

literature, in Chakhesang tradition, gifts can also be sold <sup>219</sup> though this is not the practice in our study locations. Gifts can refer to both immovable and moveable properties such as granaries, jewellery, utensils, shawls, wardrobes etc. The traditional practice of gifts has now become synonymously akin with modern gifting. Originally gifts were given to ensure security for the married daughters- this connotes that in traditional norms, the sense of security coming from ownership was present- indicating that the society did acknowledge the fact that women derive security from owning. Today education has, in some ways, attained that sense of being the 'gift' to daughters- which secures her a status in her conjugal family. For landed properties, some villages in Chakhesang, Pochury and Angami tribes have the conventional practice of gifting paddy fields to a daughter on her marriage especially when families are relatively rich or if they do not have any male heir. In such cases women hold custody of the paddy fields throughout her lifetime and then used by 1 or 2 generations through her daughters, after which it goes back to her natal family. Ironically on occasions when women are offered ownership of lands, usually a woman would deny on grounds of being selfless and considerate towards the brothers (if any) and the family.

*Selfless women does not demand land and property*

<sup>218</sup> Shared by male village leader from Ehunnu village of Kohima District. House has been specifically mentioned and not homestead as the lands are community owned  
<sup>219</sup> Barooh, 2011

## Concept

On ownership status of immoveable assets, women's first response on homestead land was "we jointly own". Amongst 112 Households, 97.2% responded that homestead is jointly owned. However on further probing of what kind of rights a woman has in decision making, women had none, besides the role of maintaining and living in it as long as she lives. The concept of ownership on moveable properties for women limits to only access rights. While on other assets like kitchen wares, livestock and electronics particularly mobile phones, these are considered as the only assets women have sole ownership. This connotes the limitations of woman's space within the household.

In terms of monetary assets in a household, women are entrusted with managerial role but decision making power lies with the men. For availing loans,<sup>220</sup> it is men who decide on its procurement, usage and repayment.

*"Most of the bank accounts are in the husband's name. Women's savings are usually kept in their own hands and not in the bank. Income is taken care of by the wives in majority. Husband's salary is managed by the husband and in some cases by the wife. Some wives take permission from their husbands to use the household income and sometimes the vice versa"*<sup>221</sup>



**Good women are not  
spendthrift**

Even though women have the freedom of choosing how to use her savings, she is bound by the good woman image of not being 'spendthrift'. Buying of assets such as livestock has differences, in its size, as any asset which attains a higher value ultimately belongs to men.

*"When, a man brings 5 kgs of meat home which is supposed to be consumed for 1week some women will consume it for 2 weeks, and that's a good woman. But some women will finish it in 2 days what was meant for a week. This woman thinks as though her husband has easily got it and brought home. How can we call that a good woman?"*<sup>222</sup>

*"Women cannot take decisions on sale or purchase of cows but she can take decisions for animals like pig because she takes the trouble in feeding the pig."*<sup>223</sup>

In all the studied locations, women have never discussed on issues related to inheritance and ownership rights. Given to the traditional practice, women fail to see the importance of having

220 "If necessary arises to take loan then usually the husband takes the decision. And for repaying it the burden is upon the husband. The father takes the decision of buying or selling of things. The final decision to be taken is the head of the family." As narrated by woman from Phekerukriema Bawe Village, Kohima District

221 As shared by women from Ehunnu Village of Kohima District

222 Sharing by male village leader from Thsingar Village in Kiphire district

223 As narrated by women during group discussion in Thsingar village of Kiphire district



*Men own high value  
livestock assets*

ownership rights as well. The discussion process has however triggered the thoughts of women as they started questioning and reasoning why women are denied such rights.

### **Power and Consequences of Power relations**

Though generally land types and ownerships are similar, slight variations exist across tribes and villages. For instance forest is owned by the community in all the areas, there are differences like Thsingar, Phekerükriema Bawe, Ehunnu and Hudangru villages which have less of terrace lands, but have huge areas for Jhum cultivation. While in Ehunnu village, unlike the other villages have common ownership over the homestead lands. The ownership of Jhum and Terrace lands is community, clan and household levels. During the last decade, there had been visible changes in the pattern of transfer of ownership in landed assets- besides the urban areas where sale and transfer of land happens generally. As a matter of fact this has become a practice even in rural areas and in some villages as even other studies<sup>224</sup> have shown. In the six study locations, it was found that out of

*Common assets are sold  
for individual needs*

113 sampled households, 57% of Jhum fields and 69% terrace fields, are owned by individual households which indicates the gradual increase in privatization of land. Growth of farms which indicate settled cultivation especially for cash crops, horticulture produces (oranges, kiwi). Out of 113 HH, 36% has Jhum fields, 14% paddy fields and 23% woodlands which are jointly acquired. Only a few families have the potential of acquiring landed properties. It has been reported that people have started selling off their Jhum and terrace fields for monetary needs. The land was sold to people from within the village itself.

*"My husband's family was not that poor. But because of my father in law's illness, a lot of money was spent for his treatment. All the land, fields and wooda were sold off to people from my own village, to meet my father- in-law's medical expenses. We also ran into huge debts because of transporting him to different places and hospitals. My husband had been very determined to see to the recovery of his father. I also agreed with him that we will try our best to let his father get better but he unfortunately died in the hospital and all our riches and properties passed away with this."<sup>225</sup>*

<sup>224</sup> The commonest Angami method of acquiring land is through purchase. Terrace as well as jhum fields can be bought and marketisation of agricultural land has become a common practice among them. It is bound to reduce women's control over it and over their livelihood. Customary laws in North East India: Impact on women, National Commission for Women New Delhi (year not mentioned)

<sup>225</sup> As narrated by a woman from Matikhru village in Phek district of Nagaland

*"I got married and came to settle here. My husband had already sold some fields before our marriage and kept selling more even after our marriage which worried me a lot. He used the money to buy alcohol and spend it on gambling till he got sick. This happened 10 years back. He developed this drinking habit even before we got married leading to a draining our families' resources. After I came, I tried hard to buy and acquire those properties back, using money which I earned. It was however extremely difficult because the cost of land and property had doubled up"<sup>226</sup>*

Societal norms confer women with the role of custodians of lineage. In our surveyed locations, majority of the families cannot afford to have enough acquired land which does provide space for passing it down to daughters as well. It has to be noted that even amongst acquired properties, land becomes a contentious issue. Here ancestral land being sold off by men did not meet with much opposition as safeguarded by customary laws. These lands however restored by women may belong to male members alone. The threat of a woman becoming completely asset-less compels a woman to reassure her security through acquiring such landed assets for her sons.<sup>227</sup>

*Women restores ancestral land without owning it*

*Customisation of customary practices caters to cultural violation of women's rights*

There are varied reasons for why people sell land, some out of need while others do so recklessly. Customary norms and practices restrict the selling and buying of land.<sup>228</sup> Despite the acclaimed Article 371 (a) of the Indian Constitution which safeguards and protects the traditional and customary laws of the Nagas, there has been loosening of regulations in the society, as indicated in the case mentioned above. There has been a trend of the increased privatization of land. As per data by the National Women Commission Report published 2004, on women's status in land related decisions, considering Jhum lands being community owned, men have the role in choosing land site for cultivation and women's role in deciding the crops to sow, it has quoted Jhum cultivation as a model of gender relations and women's economy.<sup>229</sup> With the increase in cash crop and gradual privatization of land promoted by settled cultivation can lead to women losing out their lone powers of micro decision making. At the rate of women having no

226 As narrated by a woman from Thürütsüswü village in Phek district of Nagaland.

227 As narrated by a woman from Thürütsüswü village in Phek district of Nagaland

228 Women have no right to sell land, except such lands that has been gifted or presented to them by their parents. Gifted things she can sell. A woman has no right of inheritance in the landed property of her father or husband or claim ancestral property (As per the customary law/ tradition values though land can be transferred by inheritance, it is only by the male heirs in the patrilineal society. Customary laws of the Chakhesang Nagas of Nagaland, with Special reference to their land holding system. Barooh Jeuti (2011)

229 Fernades . W et al, Tribal Customary Laws in North East India, National Commission for Women, New Delhi

ownership rights, common resources become important in ensuring economic, social and cultural rights of women.

*Individuals who own land generate much more income than those without. A woman's access and usage of home or homestead gardens have positive effects on the family or children's nutrition. In times of conflict we found most women returning from their field earlier than the normal late afternoon time because of the fear of attacks, cross-firing and house searches by security personnel. Productivity was affected in the early 1990s in conflict torn areas because of this.* (NEN study 1995). In this context, land and space open for homestead gardens act as security and subsistence living for rural women and livelihood. With specific reference to Naga society, women are the major agricultural producers and forest food collectors. Their dependency on land is therefore higher than that of men. With new occupations, jobs and urban employment, there is growing alienation of men and younger generation from land based resources and livelihoods. Women do express their concern about livelihood security and their access rights to land based resources that is provided by customary laws and tradition. The threat of women becoming completely asset less is a glaring reality and if there is no immediate discourse on the current land ownership practices in Nagaland, there might be disastrous consequences on the rural economy and rural women in the long run. In the spell of cash driven agriculture- women will soon lose out their preserved knowledge and the choice or rights of deciding about food crops. There are indicators of an increase in privatization in the surveyed locations such as mass horticulture cultivation, cash crop production and the use of pesticides/fertilizer, the decisions of which are largely taken by men. Homestead gardens have become an important asset for women as it has remained the only space for her to make decisions in securing food for the household and her family. The contributions of women in the family and community go unacknowledged, more often than not. In addition the society as well as planners have not given recognition to women's work nor acknowledged women's perspective in land use and its ownership.

### **Violence Against Women Manifestations**

The customary laws of the particular Naga tribes which are under the purview of this study point that land and other properties cannot be easily sold off, even in cases of land disputes between villages. The Village Councils acts as the main interpreters of laws of the land. Land, being a matter of identity and ancestral pride, gives full advantage to the male heirs. Women are barred from intervening in such issues of land or property, which directly reflects on women being denied the right to full identity as permanent citizens of any tribe. This justifies

the strategic discrimination meted out on Naga women on grounds of social exclusion from positions of power and authority.

When there are deviations happening in traditional land ownership norms in relation to privatisation, women's right to ownership was strongly opposed by the same customary laws (Customary laws of Chakhesang Nagas). On the contrary, women being conditioned by these traditional norms have failed to acknowledge the importance of owning land, with the exception of a few who have talked about it openly.

*"Since the time of our forefathers it has been practiced, so we have to accept. When we get married we will get some share from the husband's side. So we feel alright even if we do not get any share and even if we ask we will not get, there is no such share for a woman in our tradition. We cannot take our parents' property because we get married and go to other family and no property will be left for our brothers if we women take our share of the property."*<sup>230</sup>

*Economic abuse engulfs  
women into a culture of  
silence on violence*

Strongly imbibed in the traditional gender role of men being the bread winner, women have only learned to depend on men's ownership and gratefully accept the access and user rights provision in the laws. However interestingly, women's land access rights are again determined by her conduct/ behavior, in purview of how she abides to the social norms. Access rights are used as a tool to control woman's social conduct and behaviors. If a woman deviates from such norms, she is threatened to become completely asset less. Such threats compel women to be confined to widowhood and violence affected homes.

*"If we women walk out by on our own, then we are blamed for the failure of the marriage. Even if she is not at fault she has to pay back her bride price- that is if she has taken money or pig from the husband's family during marriage then that has to be paid back. But there are women who stay back at home despite the problem just because of their children. Usually divorce happens when a woman is not able to conceive or the husband has affair with other woman. If the woman walks out on her own, then she won't get anything, not even her clothes. But if she has asked for a pig worth Rs. 20,000 during her marriage, then she has to pay back if she walked out without been told to leave. But when a woman is asked to leave, then she will have a share of the things which her parents gave her during her marriage. She cannot walk out unless she is asked to leave if not she will have to pay back the man."*<sup>231</sup>

<sup>230</sup> Responses from women during group discussion at Thsingar village in Kiphire district

<sup>231</sup> As narrated by women from Thsingar Village in Kiphire district

It is also very crucial to mention that in the customary practises of most tribes, a woman walking out of her conjugal home voluntarily do not have the right over any share of both moveable and immovable property, including acquired properties. Though acquired property is an asset which has been verbally acknowledged as a shared ownership with women, the reality is different as women are unable to equally claim over such ownership. Even with acquired properties, woman's ownership right is determined by parameters of her codes of conduct and acceptability by society. Customary laws prohibit women from claiming her share of acquired property if she initiates the breakup in her marriage, and if she is blamed as the cause for her marriage dissolution.

*Customs and assets stifles  
woman's bargaining power  
in a marital discord*

With Christianity, the process of integration between customary laws with Christian values has hugely redefined the norms of marriage in the Naga society. For instance divorce and polygamy are strongly discouraged. Though the laws are applicable to all, irrespective of gender, the rules apply more stringently for women than for men. Should a man be responsible for creating conflict or disharmony in his marriage relationship he is tried with counseling to 'better' himself. But in the case of a woman she will be encouraged to endure the acrimonious behavior of her husband, remain patient and often rewarded with praises of being the strong one in her endurance. If a woman is found at fault in any marital conflict, there is very less space for her to defend herself as adultery committed by women weighs heavier than that committed by men. In the case of Thsingar village, if a woman walks out of marriage on her own volition she has to repay the bride price. In such a situation there are very less chances for a woman to even get a share of acquired property.

Women's right to residence is curtailed in favour of maintaining societal norms and values. Women's access right to Homestead, Terrace and Forest lands also gets limited when she decides to marry outside her community. There are very less chances for a woman to use these resources of her natal family owing to the customary strictures which literally disowns her from her ancestral share since she decided to move out of her village through a marital alliance.

*Customs and assets stifles  
woman's bargaining power  
in a marital discord*

*"As far as I know that there is no inheritance of land for women or daughter of the family. The male is the sole inheritor. An example which I have seen is of my mother in-law's story. They had one son and three daughters in the family. Paternal fore-parents were rich with enough land. But they did not*

*give a share of property to any of the daughters; instead everything was given to the son of the family. The parents knew that my in-law's family was living a hard life and not wealthy, yet the parents did not seek to help her out. It is because they too follow the customary laws or practice that is being followed since ages."*<sup>232</sup>

*"Sometimes I feel like going back to my place when there is problem in the family but I never go. I always have the patience to bear the situation. I do not want to bring problems to my parents. So even if there are family problems I used to bear it."*<sup>233</sup>

*"In our village also, we see so many cases whether the husband ill treats/ beats the wife regarding the issue of child and the woman goes here and there to take shelter. The reason is that she cannot share her issue or problems to her parents. Men think that 'my wife is my property.'" <sup>234</sup>*

With those families with acquired lands there is normally a hint about giving away part of the property to daughters- But once again this does not happen because of the cultural barriers. The mind set does not allow all this 'unusual practice' to take place as many people are insecure and fearful of how other relatives and clan members will react to it. In one village, an elderly man shared that, "*where brothers and male members take sole charge of incurring the cost of sisters or women's marriages, there is a feeling that being able to get women married off well is a huge job done in favour of the woman. This is seen as a significant contribution and the maximum of what women deserve.*"<sup>235</sup> Thus giving away land to a woman, besides contributing to her marriage, is socially not acceptable. There are also fears that the land will ultimately become the property of the in laws- which is a different lineage. Therefore if at all women are to be given land or property, then it has to undergo consultations with consensus of all family & clan members. Further, it is a speculation that the concept of male duty being done during marriage of daughters can lead to less chances of women returning to her natal for support.

### **Role of Institutions**

While most villages, which are in the purview of this study, had common pattern of ownership in terms of clan and community ownership, Ehunnu village of Kohima district was slightly different from the rest. As shared by one of the village leaders, they practice and preserve community ownership of homestead lands.

<sup>232</sup> As narrated by woman from Thsingar village in Kiphire district

<sup>233</sup> As narrated by woman from Thsingar village in Kiphire district

<sup>234</sup> As narrated by women from Phekerukriema Bawe Village in Kohima District

<sup>235</sup> Thsingar village

*"In our village we practice community land ownership and not according to clan wise so there is no issue of private ownership in the village. Anybody who wants to construct and settle in a particular area, they can do so. In the year we have made an alignment that only this much area will be used as a village. There is no objection from anyone if the other wants to construct a house in his garden. There is no such thing as that only this much area is allocated to a person to construct a house or we do not measure in square wise but we are still practicing and following the tradition which our parents have passed it on to us. One good thing which our parents have passed down to us is that in order to expand the village and the population, if a person wants to settle down there should be no objection from anyone. They are free to settle wherever they want to in the village. We do not know what tomorrow holds for us but until now we have been practicing this for a long time."*<sup>236</sup>

In such a setting, given to the interest of the community in enlarging the village the perspective of men in sharing ownership rights with women was seen more viable, as the leader states that marriage to another clan or tribe should not create barriers for giving property rights to women. Single women, which means widowed ones and never married women, in Nagaland, face hardships with them not having property in their name, leaving them to fend for themselves at all times. The rural scenario is slightly different with support coming from women who normally work together in the field and those who are close relatives. The concept of sharing is distinctly higher than what has been experienced by widows living in urban areas where there is absolute privatization. Having said this, the situation for single women, who can be either widowed or never married, can be different from communities and villages, which is strongly determined by ownership patterns of assets. Provisions and support mechanisms of supporting women's access and usage of land differs, based on ownership patterns. In the case of a single woman from Ehunnu village she shares her experience of getting support from the community. Noting that the ownership of homestead lands in this particular village is community owned, the usage rights of single women remains undisputed.

The situation is different for a single woman in another village with lesser commons as seen in the case of Thsingar village

*"Sometimes my grandparents ask my widowed mother to leave home and go to her natal place. We had a small property bought by my father before he died. In order to take away*

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236 As narrated by male village leader from Ehunnu village in Kohima district

*the property they sometimes tell my mother to go away. They want my mother to leave the house and want the children as their domestic helps.”<sup>237</sup>*

However women's position to user rights is guided by factors such as her conduct and the presence of male heir. In situation of singlehood, her security is determined through maintaining a non-confronting and gaining trust of the conjugal family. The presence of a male heir serves as a respite because she can be assured of her user rights as long as she lives.

*“Even in the absence and demise of her husband, if the woman respects her in laws and other family members and has concern for them; if she has children and she is raising them and taking good care of them; If she is helpful to her in laws and pleases them, her in laws and the family will always love and accept her.”<sup>238</sup>*

*“If she has a son she will have the ownership but if she have only daughter child she won't have the ownership.”<sup>239</sup>*

*“If a widow remarries then everything will go to the husband's family except those assets which the woman and her husband had bought together (acquired property)”<sup>240</sup>*

*“If a widowed woman remains unmarried then she can use the fields and assets till her lifetime, but it will not belong to her. But if she decides to remarry or get back to her parents then she will not get any share of it except those which she has bought together with her husband.”<sup>241</sup>*

Access is considered enough for women by the male custodians of law, as stated by village leader (Gaonbura) *“in our custom if a man dies leaving behind his wife then as long as she remains unmarried within the marital home, all that the husband has inherited will remain the same and she can use it throughout her lifetime. If she remarries then all the fields and lands will go to the children and if she does not have any children then it will be taken by the immediate relatives of the dead husband.”* Binding conditions applied to women on usage rights of landed property further curtails her choices.

*“In our society, it is said that boys and girls are treated equally. But in reality even our parents have no big future plans for the girls in the family. They say since you are girls we never know you will belong to whom one day. Women do not get a share of property*

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237 Case study- woman from Thsingar village

238 As narrated by women from Thürutsuswü village in Phek district

239 As narrated by women from Matikhru village in Phek district

240 As narrated by women from Hudangru village in Kiphire district

241 As narrated by women from Hudangru village in Kiphire district



*compared to the men in the family. We are all brought up in such a way. Women also could not expand their understanding beyond what has been practiced since the ages.”<sup>242</sup>*

*“My parents say that since I have been married and already have 3 children, it is a bad behavior to consider separation. Remarrying should not be an option. So you should not follow such bad habit. That is how my parents scold me. Though I never want to go back to my husband's place, I have to because I do not want to remarry.”<sup>243</sup>*

Considering women as ‘the other’ continues to violate and deny women access rights in all aspects of her life which is enforced by the larger community and the family. Patriarchy is so deep rooted that it teaches women not to feel the need to have ownership rights- they themselves justify why it is sufficient to have only access rights so that the societal order of lineage and kinship is maintained. In all the six locations it was commonly expressed by women that in case of divorce, separation, desertion or widowhood, there are chances that the children decide to follow which lineage- paternal or maternal. The lineage the children choose will decide whether they give up the inheritance rights or retain them.

*Children remain asset less when they are with their single mother*

*“If the children do not like the father they leave his lineage title and remain with the mother. Then they will not get to inherit the father's property. But if the children still claims and use the father's title then they have equal rights to the father's property.”<sup>244</sup>*

Men of different age groups have expressed similar fear about ownership rights for women. Older and married men say that in cases of ‘acquired’ property, referring to property being bought jointly, women can also have a share of the property. Younger and unmarried men

*Patriarchy denies a woman equal citizenship*

have the opinion that women should also be given equal ownership rights, but have doubts on inherited/ ancestral lands. The common justification on why women should not be given ownership rights over inherited lands, is because of her transferable citizenship- that a woman will get married with any person from within or outside the community who belongs to a different lineage. Their apprehension of losing out their land to another lineage strongly emerged. Patriarchal norms and the practice of it fail to provide women a sense of citizenship which denies their security over their identity. Women are seen as a transferable member of the family which is reflective

<sup>242</sup> Case study- woman from Phekerükriema Bawe, Kohima District

<sup>243</sup> Case study- woman from Phekerükriema Bawe village, Kohima District

<sup>244</sup> As narrated by women from Thurutsuswümi village in Phek district

of preferential treatment for men/ boys. The latter are expected to be permanent guardians of the lineage and thus, have to be equipped with every security to ensure the continuation of the lineage.

The society has to maintain the patriarchy, in this system every effort is made to ensure that power is balanced. This curtails giving ownership rights to adopted children, reasons being that they are not from the same bloodline. The family being the initial institution of maintaining the power structure, measures begins at this level, where adoption rights itself is denied. *"According to our village rules we do not allow families to adopt children from outside because if any problem happens it will be a problem in the family. Whether it is a male child, we do not allow adoption from outside our village. Suppose I am not married then I can adopt my brother's child. In the past some have paid fine and adopted a child but today adoption from outside has stopped."*<sup>245</sup>

### **Interventions- Laws**

The integration of religion with customary laws has more implications on women with regard to ownership. In addition to the rigid customary law, which denies women ownership rights, idealized notion of church marriage is strengthened through threatening of women's rights over immovable assets as well.

*"If they have tied their knot by holy marriage, the wife would get a share of the household articles. Outside things, she would not get any."*<sup>246</sup>

The possibility of claiming acquired properties for a widowed woman who wishes to remarry but has only a girl child was not heard of in most of the surveyed villages except Matikhrü village. In order to sustain patriarchy, daughters claiming landed properties, even acquired ones can become contentious and multiple barriers are created.

*"It is not acceptable for a woman to ask for landed property. People will say, 'you are not a man so why ask for property?' The society will dislike her."*<sup>247</sup>

Customary laws also provide no option of widow remarriage as she has to foresee the threats of losing usage rights in her conjugal home and with no certainty of being accepted again in her natal home. Religious bodies run parallel in influencing the decisions of women with the enforced notions of good woman image.

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<sup>245</sup> As narrated by women during Group discussion in Thsingar village in Kiphire district

<sup>246</sup> As narrated by woman from Hudangru village in Kiphire district

<sup>247</sup> As narrated by women during Group discussion at Thsingar village

*"If the woman is asked to leave the house then she has no option but to leave. Then the church may inquire on what ground the conflict has happened and try to reconcile. If the woman is forcefully asked to leave the house then she cannot do anything."*<sup>248</sup>

The justice delivery systems in local communities are layered- beginning with the clan with whose consent the case will be taken up by the village council but if not solved at this level, the case is referred to the Doabashi court. Though this process was shared, however no such cases have being brought to the village councils. Cases on ownership related issues have never been taken beyond the customary courts. Also, women remain absent<sup>249</sup> in the justice delivery process. In the process of our discussions in all the six locations women and men alike are not aware of any existing constitutional laws. In addition to financial restraint in accessing these constitutional measures, people refrain from using the local laws and its conventional framework of delivering justice.

### **Recommendations**

- Create public awareness for all stakeholders including, families, religious and community leaders as well as the State about 'women's rights and constitutional law', remedies and enforcement
- Review customary practices and norms to ensure that women have rights to housing, land and inheritance
- Ensure equal inheritance rights for women especially on acquired property

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<sup>248</sup> As narrated by women from Matikhru village in Phek district

<sup>249</sup> A woman is left with no voice although she has the right to claim the property acquired during her married life. Customary laws of the Chakhesang Nagas of Nagaland, with Special reference to their land holding system. Barooah Jeuti (2011)

# Citizenship and Political Participation

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## Introduction

Citizenship is an assertion of identity- basing on the crux of what defines a citizen in the Indian constitution, this component of the study will highlight where women feature within such a framework. The constitutional framework of India ensures every citizen irrespective of sex, caste, tribe and religion a set of values ingrained in the discourse of justice, equality, liberty and democracy which defines the tenets of citizenship. In this regard, political participation of women will also be examined in the context of Nagaland as this is a factor which determines the status of a woman's citizenship.

'Politic' for the purpose of this study is understood as basic human relations, the power relations involved in getting ideas represented at both micro and macro units involving people. The issue of political participation in Nagaland got highlighted with the women led movements demanding women representation in the local assembly. The Nagaland Municipal (First Amendment) Act 2006 (Section 23A) provided for 33% representation of women; however this Act was vehemently opposed by several tribal organizations of Nagaland on grounds that the Act challenges the customary laws and the social fabric of the Nagas. A case in point is that of the Mokokchung Municipal Election of 2008 and suffered the first resistance from the Ao Apex body to 33% reservation for women on grounds of customary laws. Ever since this resistance the elections were postponed indefinitely with the state cabinet decision (December 16<sup>th</sup> 2009), on grounds of ongoing reconciliation and peace process in the state, till date and postponed indefinitely. Despite appeals and protests by different women's groups the elections never took place and were invariably postponed on the stipulated dates.

Article 371A gives customary laws prominence over constitutional rights (of equality), and very often this justification is used in Nagaland to deny inclusion of women in the political and electoral process. Exclusion of a woman legislator over the years has adverse implications on women's voice within Nagaland as well as in larger platform of political, economic and social issues. In general we see the absence of women in decision making bodies, be it Village Councils or the Municipal Authority. Being denied participation in decision making processes within traditional institutions, local municipal bodies and state electoral bodies is of serious concern because the progress of a society is determined by the equitable relationships between men and women and the latter should have a fair share of dealing with governance issues.

## Concept

The understanding of the term 'Political participation' by men and women in the six study locations is based on certain principles of democracy. For instance men state that women are also participating in political processes because they have a recognized body of their own, and it undergoes election process and the agendas of these all women's groups are represented.

*"Right now we have the Mahila Wing which functions at political level, in the sense that the general public elects the office bearers for the Mahila Wing and that way they also involve in political affairs. Like women also have a voting right so they come and discuss what kind of development and improvements they want to see in the village, and basing on this when Ministers visit our village or any other officials come, the women from Mahila will also present their memorandum of demands and requests. Since women do not have much livelihood option so requests for financial assistance to start weaving are made. They even seek financial support and that way they buy yarn and come to distribute to all the women in the village so that each one can at least earn some income. They even look out for different schemes from which they can benefit."*<sup>250</sup>

*Exclusive spaces cannot ensure equality in Political decision-making for women*

Men from another village in Kiphire district also stated that women are given leadership position in student's union, self help groups and women society. It is very distinct and evident that women's political participation is justified with the reason that women are given their own space to represent their ideas. This

creation of a subsidiary body for women of a community based on gender is not holistic, as it reinforces gender stereotypes. Another aspect of men and women's understanding of political participation is based on fund allocation. In all the six study locations, particular to the local body Village Development Board, separate women wings are created on grounds that there is 25% share of fund allocation specifically for women.

*"We call them during the allocation of funds from the government, to get their share of funds"*<sup>251</sup>

This is a general misunderstanding amongst villages on the composition and the structure of Village Development Board. According to the VDB model rules Act 1980 (revised), the Management Committee of the VDB should comprise of at least ¼ of the total number of members.<sup>252</sup> However, women wings are separately created as a para body to collect the share

<sup>250</sup> As narrated by male leader from Matikhru village in Phek district

<sup>251</sup> As narrated by male leader

<sup>252</sup> Angami.Z, Nagaland Village Empowering Laws, 2008

of funds allocated for women specific purposes. Fund allocation alone cannot address the strategic women specific concerns within the larger context of development in a village. Double marginalisation of women takes place in this process where women are allotted exclusive space to handle only those issues which matters to them but excludes them from the larger context of common concerns.

The entire responsibility of social and political participation is ingrained into layers of gendered perception. Just as stated by a woman during this study that, "Being a leader in the society is men's work".<sup>253</sup> Gender stereotyping often assumes that engagement in political process has its masculine traits and leadership is only a male domain. Hence, the bias levelled against women stem from the assumption that femininity inherently produces weak leadership. The concept of political socialisation rests on the concept that, during childhood, women are introduced to socially constructed norms of politics. In other words, gender stereotyping begins at an early age. Therefore, this affects a child's political socialisation. Generally, girls tend to see 'politics as a male domain'. Socialisation agents can include family, school, higher education, mass media and religion. Each of these agents plays an essential role in either fostering a desire to enter politics or dissuading one from doing so.

Naga society had a history of chieftainship, which was inherently decided by men and besides village administration, territorial protection was an important role of the chief. With the coming of modern governance system, the traditional bodies have integrated with modern institutions such as the Village Council. At the same time, traditional values and perceptions continue to curtail women's political participation as the issue of male authoritative figure and representation of clan remains strong. In any process of election, a woman becomes unworthy to be representing clans.

*"Yes there are some women who are doing very good and even better than men in education, but in our village we have not considered allowing women to be in leadership positions."*<sup>254</sup>

*"Village Council Member (VCM) is selected on clan basis so every clan sends a male representative. And we cannot object the decisions of the clan because they also select the person to represent their clan in the Village Council."*<sup>255</sup>

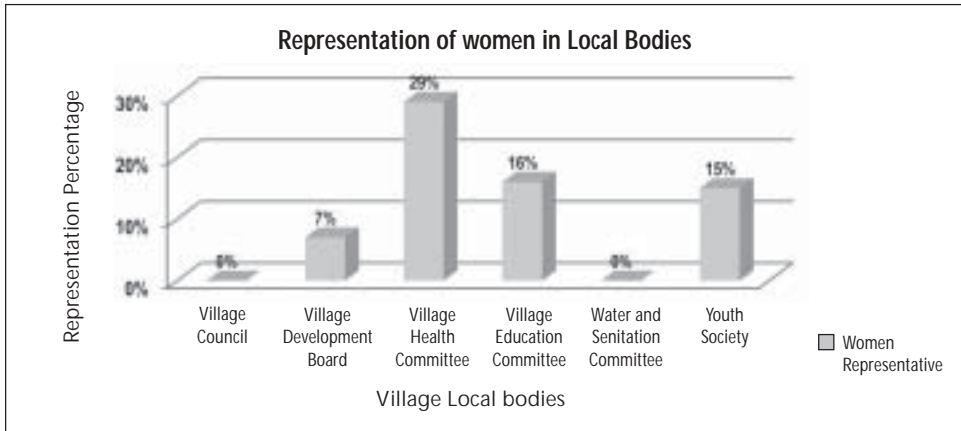
It is important to note that church plays an important role in village administration as undoubtedly it carries a position of power and authority. All village level affairs were henceforth

<sup>253</sup> As narrated by a Woman leader from Hudangru village in Kiphire district

<sup>254</sup> As narrated by male village leader from Thürütusuwu village in Phek district

<sup>255</sup> As narrated by male village leader from Ehunnu village in Phek district

communitised with the Nagaland Communitisation of Public Institutions and Services Act, 2002. Today some of the key decision making bodies in the village are Village council, Village Development Board and the Church. For the purpose of this study, other various communitised bodies were also considered and the representation variations are reflected in the figure below:



Source: Findings of the study

In our six study locations, there was no representation of women in Village Council and 7% representation in Village Development Board (VDB). However, women occupy tokenistic roles in the VDB body. Their roles are limited to care giving and subsidiary positions which further curtails women's right in decision making and politics.

*"In the local bodies, women do not occupy any high post because women do not have enough education as compared to men."*<sup>256</sup>

Even in bodies with mere presence of women, they are not able to be in positions of decision making as they state that lack of education is one barrier for women to be in higher posts. Women are represented the highest 29% in Village Health Committee, and there is no representation of women in water and sanitation committee. Since health is related to care-giving, women are automatically included as a consequence of gender stereotype. While water and sanitation involves technical knowhow and structural engineering which somehow excludes women keeping in mind another gender stereotype of women's lack of physical strength and mobility. Such discrimination is evident with the data presented above.

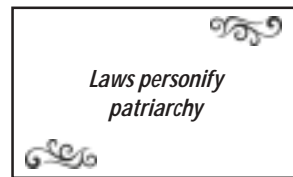
*Women can perform but not take decisions*

256 As narrated by women during group discussion in Hudangru village, Kiphire district

These political structures may be new but they reflect age old attitudes of debarring women from participation. Women considered as inferior to men, is acclaimed to be the reason for barring women's involvement in the olden times. The reason cited in all the villages that capacity gaps mean women are less likely than men to have the education, contacts and resources needed to become effective leaders. Women are taken in because of a requirement and not given any agency. Women might play a role when it comes to performance but not when it comes to decision making.

### Power and Consequences of Power relations

The creation of subsidiary spaces for women's representation serves as a masquerade to prevent power imbalance within the patriarchal set up. It may be important to look into the nature of the bodies, position of power in the community and issues they address. The Village Council has major power share authorized by the Nagaland Village and Area Councils Act 1978, they have the power to decide over administration of village, development projects and justice delivery processes.<sup>257</sup> Though not profoundly spelt that men should be in positions of this body, the act itself hints that the authority figure here should be men as we understand from the terms used 'chairman' 'his' and 'he' in the clauses. It is obvious that village affairs which relates to maintaining power of patriarch, such as matters related to land, human relations are deliberately withhold by men alone. The Village Development Board (VDB) has powers and duties to play major decision making roles in the development issues of the village. According to the VDB model rules for Nagaland, 1/4 of the seats are made mandatory for women representation. However as stated above, the whole perspective of including this provision has been misunderstood and separate women wings have been created. Women's participation in general affairs is curtailed as they are tagged as inferior beings having limited capacities. It is interesting to note that patriarchal notions of enforcing the 'good woman' image is reversely used as a tool of reasoning women's incapability in decision making.



*"Women cannot take quick and tough decisions, not strong, courageous like men"*<sup>258</sup>

*"Because they are soft at heart they are not able to do so, unlike men who are strong. The other reason is because they are scared."*<sup>259</sup>

257 Government of Nagaland, Department of justice and law; *The Nagaland Code; Volume III*, Second edition 1995

258 Opinion by male youths from Hudangru Village in Kiphire district

259 Opinion by male youths from Hudangru Village in Kiphire district



In all the six study locations, women's lack of education is stated as a reason for women's incapability to participate, men further justify this by citing from clauses and criteria set by laws that minimum educational qualifications are required for positions in these bodies. Women also believe that this is the reason for their absence from positions in decision making bodies. The question of who makes the laws arises, as even written laws can be interpreted in favour of men. Male authority is never questioned by the norms of the society, while women's agency is always under constant scrutiny by the all pervading patriarchal structure.

*"For Village Council Chairman, the minimum qualification is matriculation because we cannot compare our standards with others. For a VDB Secretary, the minimum qualification should be P.U/B.A"*<sup>260</sup>

*"In the local bodies, women do not occupy any high post because women do not have enough education as compared to men"*<sup>261</sup>

*"But till now, as far as VC member is concerned, there are people who have not completed even their matriculation and are serving in the Village Council. But because they are men, they are confident. They know how to deal with different situations that is why men are capable of becoming leaders even without having the qualification."*<sup>262</sup>

Men's incapacities are justified by patriarchal notions of being the 'superior being' and the inherent leader. The expected gendered qualities are repeatedly used for de valuing women's capacities.

*"In some areas men may be uneducated but women fail to be courageous and bold. Women fail because they hesitate to say even the right thing out of fear and timidity. In this way by nature women are not as bold as men so they fail. This does not qualify them to be in leadership positions."*<sup>263</sup>

If at all men acknowledge women's capacities, then it is always because women concretely prove their capacities. Women should work harder in proving themselves capable in order to be accepted and recognized. This is very evident from the religious space, the Church opened to women. They have proved themselves efficient enough to earn positions to some extent, but not necessarily decision making positions.

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260 As shared by male village leader from Thürütsüswü village in Phek district

261 As narrated by women from Hudangru village in Kiphire district

262 As shared by male village leader from Matikhrü village in Phek district

263 Opinion Shared by male leader from Thürütsüswü Village in Phek district

*"But one discontent that I want to share is that, women are still not allowed to be involved in decision making, in the village council meeting. Women are kept away and men alone have secret meetings, and not opening the way for women is not a good thing. The church is much more open that way, allowing women to come in."*<sup>264</sup>

*"To be honest when the VC conducts general meetings women are not invited but in the general meetings of the Church women participate and almost all the time we take their decisions. Last year we had the platinum jubilee and during the celebration women took the responsibilities of taking care of the presentations."*<sup>265</sup>

Be it in any kind of decision making structure, women are ultimately eliminated from positions of power. As in the case of Ehunnu village, the church, having an associate woman pastor, was the furthest as women have gone. Mostly they are eliminated owing to systems of controlling women's agency at different levels of institutions.

*"There was one woman who was serving as associate pastor in our church but she got married last year, so after her there is no one."*<sup>266</sup>

While it is acclaimed that women are given spaces of their own to represent their ideas, it is important to understand how far these ideas truly gets represented in the larger bodies or what gets addressed. Despite the glaring fact that women are not or least represented in general village bodies, women having to manage an affair of their own are largely portrayed as equal participation. This reinforcing the gender difference, by creating a safe space for women is not likely to disrupt power and authority of male domain. This is very much evident from exploring the fact that Women Society, an all women space is given the main mandate of banning alcohol and its use. Alcohol use is dominantly used by men as understood from the response of village leaders in one village that 80% of men consume alcohol in the village. Alcoholism continues to be a persistent problem despite Nagaland being a dry state. The question of combating this problem gives rise to a conflict of interest amongst men as they are alcohol consumers themselves. Thus the duty to control it is relegated to women; who are not adequately empowered. Women do not have authority to impose restrictions, or to punish. Since women are the custodians of sanctity, order and purity, they are entrusted this task of alcohol banning which also has moral connotations.

Women are of the view that 'with the increasing cases of alcohol usage in the village, they have had to approach the Village Council to take an initiative and look into the matter. But

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264 As narrated by a woman leader from Thsingar Village in Kiphire district

265 As narrated by a male village leader from Ehuunu village in Kohima district

266 As narrated by a women from Ehunnu village in Kohima district

there are hardly any examples of the VC engaging in this which indicate the lack of political will to control the mindless consumption of alcohol. The reason was that there were some members in the village council who are into drinking. Restriction or banning of alcohol is present in the society and the charge given to check or restricts lies with the women society or the student's union. But, the difficulty arises because the leaders who are in power are the ones who break the rule and power relations takes precedence in all the 6 locations where women actively participate to ban it, but in vain.

Participation is felt necessary by women from the aspect that state's support and any form of village development come through these decision making bodies. However, they fail to comprehend this need in their homes because of the presence of a patriarch who decides within the private sphere. The role which should be played by external decision making bodies in cases related to marriage, divorce, marital conflicts do not outwardly appear because these affairs will firstly be dealt by patriarchs present in the family. Women's participation has been limited by the assumption that women's proper sphere is the "private" sphere. While the "public" domain relates to political authority and mainly points at men, the "private" realm is associated with the family and the home. By relegating women to the private sphere, their ability to enter the political arena is curtailed and even discouraged by society.

### **Role of institutions**

Structural barriers through customary laws and institutions still limit women's options to run for office. Numerous excuses are offered for the lack of visible female political participation. At various levels of the institution, different factors intersect to exclude women from political participation. With one of the most repeated excuse being the lack of time that women have to devote to such activities. Ideally women's representation may be acknowledged, but enabling measures are not created- workload and women spending maximum amount of their time within the house, increased male support in handholding these roles within the home can only enable women to find time in participating.

*"The main thing is time because they are engaged with taking care of their children, household chores and if their husbands are leaders too then it becomes impossible to manage time. Yes for those families where both the husband and wife are free then maybe they can spare time but for the majority it becomes difficult."*<sup>267</sup>

This statement belies the fact that women are kept tied up in housework on purpose with the intention of denying them agency. The system strictly defines roles of women, which is why

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<sup>267</sup> As narrated by male village leader from Matikhru village in Phek district

women's space and scope in moving beyond the affairs of her home becomes impossible. Men continue to uphold the concept of separating personal with political, that they are not willing to share chores and management within the private sphere. Even while women acquire education, it is still not enough to allow their participation. Women are left to juggle social life and household management. In rural Nagaland the work of women is so critical that they have to balance their work life through agriculture work, house work and also earning incomes to fend for their families. Due to the demands of work-life balance, it is assumed that women would choose to delay political aspirations until their children are older. Elected officials are usually required to commute long distances to and from their respective capital cities, which can thus be a deterrent for women seeking political office. Additionally, women face challenges in their private lives seem to be focused on more than their political careers. If they are married and have children, then it becomes a question of how do they balance their work life with taking care of their children, something that a male politician would not be asked about. Village development issues are critical to women who are agriculturists, workers and home makers - their voice surely needs to be represented in customary courts where people go to seek justice. Therefore the failure to appoint women Dobashis lies on the state government.

*"There is a lady in the village who has completed her matriculation though her husband was not as educationally qualified as his wife. The church had nominated and asked her to be the woman pastor. But the husband did not agree based on the reason that she will not be able to give time. He said 'if she goes here and there for preaching tours then should I be looking after the children at home? This is not my duty, I cannot do that. Whatever you say I will not agree and will not allow her to accept'. This is one example. If the husband had encouraged and allowed her then the public would be ready to let women take leadership roles anytime."*<sup>268</sup>

Another reason afforded is the lack of confidence and courage that women exude. Formal education cannot be the only contributing factor in gaining confidence, it is however not acknowledged that women are not allowed proper exposure and experiential training which will give them confidence. The continued constraint of women to remain within the house denies them an opportunity to gain confidence. With societal norms consistently reinforcing women's space within the household and private sphere, expecting women to immediately participate in public domain is not realistic, as with no proper support, training, experience and encouragement women's participation and confidence cannot be anticipated.

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<sup>268</sup> As narrated by male village leader from Matikhrü village, Phek district

*“When it comes to organizing Christmas functions, festivals, receiving official guests (V.I.P), or taking part in cultural activities, be it cultural dance like singing and dance, women are really smart as local dialect is only used. The only challenge is because of less education and not understanding English or Nagamese language.”<sup>269</sup>*

In the six study locations men state convincing claims that equal chances are given to any person for political participation and there will be no disapprovals for any person, men or women to participate. However, the existing election processes reveals a completely different picture. Selection, voting and nomination filing are common processes of election. There is no recognition of the barriers women faces in an open field contestation, which will eliminate women's effort or as found from the study locations that no woman have ever tried to come forward in the decision making positions. The system fails to create supportive measures, and ultimately the issue of women's political participation remains silent and it is never being questioned or raised.

*“Everyone will sit and discuss as to who will become the next VC Chairman. They will choose the person who is capable of taking the responsibility of the village. There are no voting system practices as the villagers know every person in the village. So be it woman or man they decide and appoint the person. If the term is over for one person, we will gather together and take the decision and choose the capable one. There will be different groups to vote and the majority will become the leader.”<sup>270</sup>*

*“The women VDB secretary is now representative to the VCC as there is no VDB wing for women. The main task of the women member is that if any scheme for women comes, she will sign and then withdraw the money. She does not attend meeting. The other members have the discussions among themselves and when required she is informed or she is asked to perform her role.”<sup>271</sup>*

In local politics, agreements are built through informed understanding. But when a certain committee is composed only of a certain kind of people, it automatically eliminates half the populace, the vote is skewed in favour of the men. Women's role is limited to collection of funds alone, she is left with no proper information and any space for male and community's support in addressing their issues.

Religion as an institution also perpetuates discrimination to a huge extent, by creating and enforcing biblical interpretations, women are denied of a space to participate within the religious

269 As narrated by a male village leader from Thsingar village in Kiphire district

270 As narrated by a male village leader from Matikhru village in Phek district

271 As narrated by women from Thsingar village in Kiphire district

institutions and outside. These interpretations have always been made by men and again reinforced by men in positions of power.

*"We do not like a woman to be preaching on the pulpit' because just as Jesus is the head of the Church, in the same way man is the head of the family. So even in worshipping, women should cover their heads with scarf/ clothes and pray. That is one way of worshipping."*<sup>272</sup>

The lack of women representation and participation helps to perpetuate gender stereotypes. While women lacking behind in education was used as an excuse to debar women's participation, the norm is relaxed and compromised in the case of men. Such compromising is based on the subsequent belief practice of men's capacity in leadership. This situation depicts the perfect functioning of patriarchy in normalizing discrimination, to such an extent that discrimination is never questioned nor challenged. The society presents every possible reason and reinterprets the behavior and capacities of women as socially unacceptable. The irony of expecting women to behave and conduct in a certain behavior to be the 'good woman' while at the same time redefining these behavior of women as weaknesses to deny their rights repetitively occurs in political participation and even in other aspects of life.

*"Why I said that women should have the qualification is because women are not confident of themselves. So in my opinion they will not be able to perform well either. Like in the house also, some woman do not even have the idea to teach her children. For others who have studied up to classes 3-6, they are able to teach their children. But till now, as far as VC member is concerned, there are people who have not completed even their matriculation and are serving in the Village Council. But because they are men, they are confident. They know how to deal with different situations so that is why even without having the qualification men are capable of become leaders. When we look at the present situation of women in the village, they are not qualified, they are very short tempered and they don't know how to teach others. Because of these reasons I said that women need to be qualified."*<sup>273</sup>

When there is no participation of women from the grassroot politics, we cannot anticipate women's participation in district, state and national politics. In the process of discussion, youths are of the opinion that amongst the very few women, whom they have heard of, contesting for the district and state level elections, they failed because they were not wealthy enough. Also

<sup>272</sup> As narrated by a male village leader from Matikhrū village in Phek district

<sup>273</sup> As narrated by a male village leader from Thurutsuwsu village in Phek district

justifications that such work- campaigning- may involve travel and a long time away from home, women face limitations. Women, who have no assets, are automatically eliminated because of this and the notion of woman as the sole homemaker deprives her from contesting at such levels. The issue of violence in politics, pre and post elections is a threat to both men and women. It is one of the factors that have dissuaded many women from getting into elections or even approaching the subject of joining the formal political system.

### **Violence Against Women Manifestations**

Violation of women's civil and political rights is absolute. Freedom of expression and the right to live a life free from fear is violated and this is perpetuated by factors of male control and alcoholism. While fear and insecurity is already present within homes, the ability to exert agency is minimal unless there are concrete support mechanisms available for women. In all the study locations, women's political participation is never discussed or challenged. The persisting strong notions of 'vocal and challenging women' considered as 'bad woman' further extinguishes every avenue of women coming forward. Owing to the cultural, structural discriminations, women have never tried

*"Some women will be interested in leadership and they will also want to participate in politics. But due to the husband's control over them, they do not come out. Some husbands will be alcoholic, so out of fear they do not open up. For some women whose husbands are not alcoholics, they will not understand them. It differs from person to person but in my opinion it is mostly because of the fear, women fail to participate."*<sup>274</sup>

*"Yes they can but they have never tried -They should try. Nobody has tried so far to become a member of VDB General!"*<sup>275</sup>

In the process of structural exclusion of women from participation, their basic political rights of voting and electing get violated. The public is never conveyed as woman's sphere which ultimately keeps women out of bay and uninformed.

*"We have our rights to vote but we women never attend the meeting and elections."*<sup>276</sup>

Women's concerns and issues largely remain under-represented. In this process further marginalization of women occurs, where their right to social security gets violated. This similar violation is seen in the case of wage disparity where women felt that with no women

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274 As narrated by youths during group discussion in Hudangru village, Kiphire district

275 As narrated by male village leader from Matikhru village, Phek district

276 As narrated by women during group discussion in Matikhru village, Phek district

representation in the Village Councils, they do not have a space to raise such issues and in the long run their labour rights will be violated and women's labour will get exploited.

*"Even when schemes come into our village, we are not informed about it, so we do not know. Some get old age pensions but not for the widows. The Village Council and Village Development Board took our photos but we did not get the benefits."*<sup>277</sup>

The communitization of all public services was implemented to monitor and achieve greater results in implementation of state services and programmes. The village level designated bodies are supposed to play crucial roles in identifying beneficiaries and making sure that programmes are realistically implemented at ground levels. However, the power structure, exclusive representation and lack of participation marginalizes women.

### **Women's Agency**

Women see larger tribal women's organizations as a space to redress their issues. Specifically on cases of domestic violence and marital discords, women consider these organizations as within their reach to grant support and justice.

*"Even we might need to form a women's group like a society and affiliate the group to the larger women organisation like the tribal women associations. But even there we need to put in women who are strong, confident and have some exposure because I have experienced that being part of the women VDB exposure provides knowledge and skill."*<sup>278</sup>

Within the local politics, there are voices of women questioning the misuse of funds and schemes. In such a situation of challenging the system, women leaders seek out for support from other women and families. Family honour and male authority intersect again to deny the support they sought, as communities are integrally bonded together with family ties and relations. Corruptions gets normalized and silenced within such a set up and every effort of reasoning diminishes with possible threats of insecurities living within the community. The most that women can seek for in such a situation remains with the immediate family support.

*"Women and friends doesn't support me. Some of their husbands are also in the committee (VDB), so they don't say anything. None from my family stops me from doing what I am doing. Any time if we are called for a meeting or training, my husband tells me to go and attend."*<sup>279</sup>

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277 As narrated by a woman from Matikhrú village in Phek district

278 As narrated by a woman leader from Hudangru village in Kiphire district- referring to cases on domestic violence and marital discords where women feel the need for better justice delivery systems

279 As narrated by a woman leader from Kiphire district



These challenges by women however lead to backlashes where every space and openings for women can be shut. From a situation of being poorly informed and included, it can turn into a complete exclusion and denial. Women may receive information but they are unable to challenge as the positions they are in does not imply authority. The lack of proactive choices of citizens movements also add to the unending whirlpool of corruption and exploitation.

*"We get funds for village development, and whenever I am with them in a meeting or in any occasion, if I knew that some funds are missing, I would question them. I tell them 'if we leaders misuse funds and not work properly, what are we going to tell to our public?' They sometimes bring/produce wrong cash memos."*<sup>280</sup>

*"We women VDB members get around Rs. 29,700/- annually. But this time, we got only around 26,000/- and almost Rs. 4000/- was missing and so I questioned them. I question them whenever they are not working properly. Because of that, they don't inform or call me for meeting. When I went for trainings, I was told that we the woman VDB Secretary and members (four), have to attend every meeting, but they never inform us. They say we women don't need to attend the meetings."*<sup>281</sup>

Women may execute the best from her skills in implementing her responsibilities; however the continual exclusion makes it impossible for availing resources. The authority on distribution of resources becomes a divisive strategy to remind public sphere as not a woman's domain. Keeping women uninformed is a way of maintaining the power structure within communities.

*"Right now I am a woman leader in my community and I have been serving for the past three years. I never knew what post I am heading because our village is a small populated one, so we have only one woman body which comprises both the church and women wing of the Village Development Board. It started when I and another woman from the community were first called for a meeting by the Village Council and the VDB. I was confused as why I was to be present in such a meeting because I was not informed for what purpose I was called. During the meeting I stood up and requested to ask a question. I asked them why I and my friend were called for the meeting. -They replied that the Government has ordered for appointment of women too, in the VDB to take charge of the grant which are specifically allotted for women and that I was appointed as the women VDB wing Secretary. With this started and continue to be in this service. I however still do not know what my roles are and how I should manage the funds. Once I distributed all*

280 As narrated by a woman leader from Kiphire district

281 As narrated by a woman leader from Kiphire district

*the women in the village a sum of Rs.1000 each to start any business of their own, like buying yarn with that amount, weave and sell it, keep the profit for themselves and then return the capital back. But some women could not return back the capital on time because they used it up during emergencies. Some women whose husbands are alcoholics had taken away the amount for their drinking. For me I was scared and left with no ideas as to how the funds will be best utilised for the welfare of all the women in the village. Also I was afraid because the VC and VDB would always ask for the funds for borrowing purposes, which they never repaid back. So I had to keep these funds as reserves in case they come asking for borrowing the money. As of now we use these funds to support the Church woman pastor's salary and during village meetings, we also use our money for buying and preparing the refreshments. As for projects that come into the village, I as the woman VDB representative have never been informed of the arrival of new projects. Only when the projects are decided they would read out which societies (local bodies in the village) are in charge of the different projects (like fishery, poultry, piggery, cardamom plantation etc) and we women society are never given the full charge or share of the incoming projects. We are never aware of what is going on with the village development activities except that we receive the sum amount allotted for women. Even recently the Government officials are to hold a meeting for the entire block villages and our village leaders too were preparing to go. During the village meeting I was never called nor informed. I had been thinking that they should call but I never got the invitation. They had gone yesterday for the meeting so I had been thinking this might be wrong for them to not include women.”<sup>282</sup>*

Men might make decisions related to larger economic activities, or of greater societal importance. Women will however seek to make improvements to basic needs. This distinction brings out the importance of having a balanced view on decision making bodies. In every field, the competency of women is proven and they have long been managing household budgets while juggling housework and field work. Giving women decision making roles will create better governance, justice and strengthen the community even while it creates a phase of transition where we will have to re-examine how power structures have been unfair. The sharing of power is superior to the concentration of power within a few hands.

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282 As narrated by woman leader from Kiphire district

## **Recommendations**

- Inclusion of women's participation in public and political affairs through strategic gender inclusive policy and professional mandates for community based institutions and the Government stakeholders.
- Provide temporary special measures such as positive reinforcement, preferential benefits and public recognition to advance women's inclusion in public and political spheres.
- Political education for women through capacity building, exposures, cross-learning and digital literacy should be institutionalised at every level of governance and policy making.

# Violence against Women

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## Introduction

In the context of Nagaland, Violence Against Women (VAW) is always seen from the perspective of the outsider, that the causes of VAW are due to conflict, lack of development, militarization and all other external factors. But that could be a very narrow understanding of VAW, as it penetrates from social, economic, cultural and political spheres during the lifetime of a woman. During the course of this study, the overt forms or striking statistics related to VAW were not available in the study locations. But the multidimensional implications of poverty, social exclusion, migration, disability or lack of recognition of the critical connotations signifying VAW emerged from the field.

## Concept

The perceptions around defining violence against women (VAW) in the context of this study are vague, narrowly acknowledging its existence within the family sphere. Alcohol abuse has been widely acknowledged as an impetus for violence. This limits the scope of defining VAW only to emotional and verbal abuse which happens within the family, while blatantly denying the existence of different forms of violence including sexual violence.

*"In religious sense, people say that Satan is controlling the acts of violence. Under alcohol influence, people commit crimes against women."*<sup>283</sup>

*"Till now we do not have such cases in the village. Yes we have heard about it while we were children of the husband beating the wife. I do not know what is happening between the families but I have not heard of it. Of course as husband and wife there will be fights between them and as human beings we all have our shortcomings. And we do not have such cases so I cannot say about it."*<sup>284</sup>

*"I have not even heard of incidents of a man forcing a girl in the village and by the grace of God we have do not have rape cases in the village."*<sup>285</sup>

**Verbal Violence is not VAW**

There is also a misconception amongst men that verbal violence is fine unless it amounts to physical violence. Though women's mobility is supported by men, it is rigidly allowed only within under the purview of religious spaces.

<sup>283</sup> As narrated by male village leader from Matikhru village in Phek district

<sup>284</sup> As narrated by male village leader from Ehunnu village in Kohima district

<sup>285</sup> As narrated by male village leader from Matikhru village in Phek district

*"No matter what bad words you tell the women it is alright but not beating. A man who restricts women from attending meetings, prayer meetings, doesn't attend church gatherings, suspecting their wife is not good."*<sup>286</sup>

*"Rape case and all these, it is a bad culture coming into our society. It did not breed itself here but from the influences of the internet, television, mobile phones and all these media perhaps. And looking at such media sources men get obsessed through their vision, and breeding these thoughts they get their mentality wrong that all women are like what they see in the media."*<sup>287</sup>

Violence against women is immediately identified with sexual assault alone, and there is less acknowledgement of other form of violence within the home as well as in public. Sexual violence becomes an uncomfortable issue to be discussed and is not overtly acknowledged as existing. Forms of sexual violence such as 'Rape' are looked upon as a 'bad culture', and the society is not willing to acknowledge its existence in its culture. Guided by ethnocentric beliefs and protectionist approaches of the culture and identity, social responsibility over such issues is diminished. The blame and responsibility is shifted to external influences of the media, perpetrators and the victim.

*Culture Protects Internal Perpetrators of rape and accuses external influence*

*"Yes in our society rape happens, though it has not happened in our village. What happens in other areas also reflects on us. The last rape case which happened in the nearby town and the rapist was killed by mob; this town is not far from our village. On one hand, the blame can be on the man but on another hand maybe even the woman was wrong. Why? Because if the woman had not followed him or being in contact with him, then rape will not randomly happen in the open or public space. Rape happened in the forest, so if the woman had not followed the man then there was no chance of rape happening. This is why I say the woman has to be blamed too because even though she was being called by the man she should not have gone. Of course the foremost and real guilt is of the man. The man had wrong intentions in his mind and he was led by the devil, but the woman was not aware of these intentions, and therefore obeyed and followed the man to the forest."*<sup>288</sup>

286 As narrated by male village leader from Thürütsüwü village in Phek district

287 As narrated by male village leader from Matikhru village in Phek district

288 As narrated by male village leader from Matikhru village in Phek district

While the existence of cases of rape in other areas is acknowledged, there is a constant undertone of maintaining its non existence in one's village. This reflects the prioritised approach of protecting the community's honour, at the same time maintaining sympathy over the issue. An instance of shifting responsibility on occurrences of sexual violence can be referred below, where the perpetrator and the victim is made to hold accountable for the crime. While the perpetrator is accused of the crime, at the same time his crime is also justified by reasons of being led astray by 'evil'- connoting some form of impunity. The victim on the other hand is blamed for not being cautious of her decisions- placing her as the deciding factor in either resisting crime or allowing it. This is even more strengthened by the location the crime, which in this case happened in the 'forest'- creating more liability on the woman for reasons of why she followed the accused to the forest. The society fails to acknowledge its role in preventing VAW, and when it does happen, narrow speculations are made on the accused and the victim.

There is also a very shallow understanding of VAW, indicated by notions that 'strangers only rape' and not known persons. This limits the scope of rape which can happen with intimate partners, friends, relatives and neighbors. Evidence for proving the occurrence of VAW is always judged from the prospect of past and familiarity. The society will accept the existence of rape more quickly than they will of domestic violence. Domestic violence is excused as normal fights between husband and wife, making it a personal matter outside the purview of the society.

*"Suppose the woman likes the perpetrator and then a rape occurs, then there is minimal right for the woman to complain. But if the woman is a stranger to him, we will file a case upon man."*<sup>289</sup>

*Unaccounted Domestic  
Violence is a private affair*

While the existence of verbal and emotional violence within families is acknowledged, yet it is justified with notions that it is natural and therefore inevitable. Such concept on understanding violence within homes limits social responsibility, as these becomes exclusively private matter which the society is not supposed to intervene. Thus the process of normalising violence within homes gets a veil of impunity and social acceptance. Existence of VAW is also denied on the basis that a 'civilized society' does not breed violence, therefore justifying the denial based on this notion.

<sup>289</sup> As narrated by women from Matikhru village in Phek district

*"A saying goes, 'there is a war which last long, that's the war between the wife and husband'."*<sup>290</sup>

*"These days we do not have much cases of VAW in our community. Before there were cases of the husband verbally abusing the wife, fights in the family but these days we are all becoming civilized. So people are also beginning to realise that these things are bad. We are a small village but compared to before, it is becoming better."*<sup>291</sup>

Society's concept of rationalising causes of VAW is very narrow, within the home; a woman is often blamed for igniting quarrels which leads to violence. Poor parenting is also blamed as one of the factor causing violence, while noting the norm and practice that moral and value upbringing of a child is always held accountable on mothers. In this aspect, women are blamed for VAW. Younger people also have the opinion on 'media' as a causing factor, from the base that media can influence minds in a big way.

*"Quarrelling at home are mostly due to mother's nagging and big mouth."*<sup>292</sup>

*"The parents have an important role to play in the upbringing of the children. Because the parents have not taught the rapist to respect women, it is because of his own mentality that he has turned out this way."*<sup>293</sup>

*"It is because of the influence of media."*<sup>294</sup>

The stereotypical approach of convicting women as the instigators of VAW overarches the crime itself. Men have the opinion of correlating rape with women's mobility and unconventional dressing. Rape is often excused or justified for men as expressing sexuality and the notion of 'it is natural'. This can be observed from the case below, where the instance of brutal rape and violence inflicted by the army is justified by the same community members who were inflicted as 'men needs sexual gratification'.

*"These days the increase in the crimes and especially rape is because of many factors. One point is women migrating to outside areas, just like I have shared earlier, where they go out in more numbers for education and even business. Number two: women's use of unconventional dress, because of this it is attracting others and so automatically when men approach women, it is like a magnet and creates feelings. If from afar a man sees a*

290 As narrated by women from Ehunnu village in Kohima district

291 As narrated by male village leaders from village in Kohima district

292 As narrated by male youths from Ehunnu village in Kohima district

293 As narrated by male youths from Ehunnu village in Kohima district

294 As narrated by male youths from Ehunnu village in Kohima district

woman in sexy dress then it gives feelings, which is one reason. For the first point, yes now time has come for women to move out of their villages and homes to pursue education and also other things so they become prey of men living outside. One example, before in the 1960's when the army came for operation in our village, there were many people in the village but only the women stood out because it is different to look at a woman's face. Because they (army) did not see for long any women in the army and being far from families, so that sentiment and urge for women aroused them. They did not focus on the men present but only the women. In one case a mother standing behind her husband was chased into the fields by the army and raped. From this example, if men do not see women for long then it is natural for men to have attraction and react like a magnet. Just like this before men were only sent out to cities. But now after being alone with only men for so long, the same this is happening when women started migrating to cities coupled with the second point, the dresses. Then another point is drinking, being out of sense such cases can happen. We never know how it happened but when they regain consciousness, the woman may claim that she is raped and because of this maybe there is an increase of rape cases in my opinion. Before, rape was not heard of. Instead we were shy to be around women too. When I was young and studying in Meluri there were all non local students and there were no girls. So on Sundays we would go to the church only to look at girls. That is not enough for some men, because the moment they see women in the town, they will try to get attracted and maybe get to know them and even try to get along with the woman - take her to the wine shops then partner with her business and through all these activities rape can happen. So how will rape happen in a first time meeting?"<sup>295</sup>

*Impunity of Armed forces in cases of VAW is ensured as an act of desperation*

On the brighter side, young men have begun to move from this stereotypical approach of convicting women. As per the sharing of male youths from one of the study location, they had a different opinion<sup>296</sup> on the cause of VAW, citing on rape cases, they stated that dressing does not justify the cause of igniting a rape case.

The presence of out casting some women on suspicion that she possesses certain power to harm people was acknowledged, however Christianity is seen as a factor in putting an end to

<sup>295</sup> As narrated by male village leader from Matikhru village in Phek district

<sup>296</sup> Opinions of male youths from Hudangru village in Kiphire district: "There are people /men with a different mentality, who do not know how to respect women. If you happen to meet such men then you might be a victim of crime. And even if you dress decently and you happen to meet bad guys then also you will be a victim of crime. So we cannot blame woman for her dressing. Dressing sense is not a factor of VAW"



such practices. Despite this justification, it was however found that people still believe in the existence of humans possessing evil power and inflicting death and harm on other people. Though the society do not want to acknowledge this as 'witch hunting' as described in other societies, it is undeniable that the practice is similar to what other literatures and experiences of other societies have defined. This has been reasoned by women and men alike from all the locations, while a prevailing case was cited to have happened elsewhere near one of the study locations.

*"There is no case as such, at present, of women accused of using poison. In the past, there were few cases where some women would prepare poison and kill other's children. In some case, the whole family, were chased out from the village. But after the coming of Christianity there are no such practices."*<sup>297</sup>

*"And in my opinion, if a person is practicing witchcraft or black magic there is no place for them in the society and these people deserve capital punishment."*<sup>298</sup>

Ex-communication is a common form of punishment for crimes, and the gravity of punishment also depends on what society defines as the severity of crimes. Inflicting poison or black magic on others is considered as severe crime for which even death of the accused is justifiable. While on the other hand the society's definition of justice for VAW suggests its severity on a linear scale, justice is believed to be served with fine or ex-communication for a certain period of years. Killing someone is another crime recognised with punishment of ex-communication for a certain period of years.

*"If a person whether they are men/women, intentionally or unintentionally kill a person(gun), the punishment is the ex-communication of that person for 7 years from the village. But it also depends, sometimes they will be given 5 or even 3 years. After 7 years they can enter the village."*<sup>299</sup>

### **Power and Consequences of Power relations**

At the onset, alcoholism is commonly stated as the cause of violence within families. The unstable mind as a consequence of alcohol intake is an excuse for any abusive behavior which women face at home. However, on a deeper analysis into the reasons which triggers discontentment, the roots are supported with gendered expectations, threats to challenging power and the patriarch. Patriarchal system creates a structure of the oppressor and the

<sup>297</sup> As narrated by male village leader from Thürütsüswü village in Phek district

<sup>298</sup> As narrated by male village leader from Ehunnu village in Kohima district

<sup>299</sup> As narrated by male village leader from Ehunnu village in Kohima district

*Women becomes the agents  
of reinforcing patriarchy*

oppressed, which is repeatedly reinforced through use of power and control of women's agency. Women being the oppressed, have to continually make efforts of putting the patriarch at ease, ensuring his security over power and control. This pattern is explained with the act of feet washing which was found to have been practiced in one of the study locations. As gathered from responses, this particular act of washing the husband's feet is not voluntary but is performed out of fear, and such deed is required to assure and reconfirm woman's respect for her husband. Complying with such tradition of submission on the contrary becomes a tool for avoiding conflicts within families and compels women to remain submissive if they desire to avoid any chances of violence.

*"One of the root causes of domestic violence is alcoholism. When a man drinks and comes home, the wife would not want to please the husband. The husband would never realise his mistake as he thinks wife is his property. Husband under the influence of alcohol gets angry when they are hungry and if no food is being served that leads to conflict. In poor families there arises violence because of heavy load of work, no proper work distribution. If women are involved more in outside work there may be less time for looking into the needs of the children. And that is why violence occurs."*<sup>300</sup>

*"To tell the truth, we women even have to wash the feet of our husbands when they are drunk, because we have to please and keep them calm and also as a sign of respect. Some women do this because they do not want to create or have quarrels with their husbands."*<sup>301</sup>

Being a submissive woman is considered 'a good woman', who is always tolerant; who should adjust and not assert.

*"Society considers a woman to be good when she remains silent and not confront or teaches the man; if she allows the man to be what he wants to be, to do or where he wants to go. Even when he comes home intoxicated, if the wife keeps quiet and not pick up fight with him, she is supposed to be a good woman. But if she reprimands him, then she is looked as a controlling woman who challenges men and is thus considered the bad woman."*<sup>302</sup>

Failing to comply within the expected gendered norms in the family can put women in difficult positions of facing violence. Being considered a 'bad woman' in the society can deprive a

300 As narrated by women from Thsingar village in Kiphire district

301 As narrated by women from Hudangru village in Kiphire district

302 As narrated by women from Thsingar village in Kiphire district

woman of multiple securities- social support and security, deprived of economic securities if she walks out of a marriage and can deprive her of custody over her children. This explains that gendered roles are an assertion of patriarchy, defying which challenges authority and therefore needs to be contained. Mothers are assigned for teaching these values to daughters, if daughters fail to comply then mothers are blamed for such deviance. Therefore it becomes a cycle where women uphold conformity of patriarchal values and become scapegoats when children deviate from such values.

*"If we remain idle or tasks are not done according to their wish they scold us. When a woman is not at home when her husband comes back from outside and children are not cared for properly, she is abused verbally. Sometimes misunderstanding comes out between the husband and wife, when we are not able to finish the work on time and make mistakes. We get verbal abuse like why you are not doing your work properly, you are not fit to be a mother, your are senseless, calling by the name of animals like dog, pig; foolish, you are not taught by your parents; uncivilized daughter".* <sup>303</sup>

In the family institution, women fulfilling the expected reproductive role can secure her status. It is reflective that a woman's status of 'the other' always can create insecurities, therefore the reproductive roles becomes a necessary tool in lessening such feelings of insecurity. In any situation of conflict, it is expected of women to first check oneself or affirm guilt; as such an approach will make women humble and patient.

*"My husband and I used to have a lot of misunderstanding for silly reasons. My husband tells me that I don't love him. Sometimes he asks me to leave home and I will sit outside and cry. Only after I gave birth to a child, did he start to care and understand the pain of a woman. I think I am careless and clumsy, that is why there are problems and misunderstanding between my husband and me."* <sup>304</sup>

*Women within a violent marital relationship want a respite from violence, not the violator*

When women face violence and threat within the conjugal home, the natal home is not an ideal space to seek refuge. Other spaces can be with neighbors and siblings of the men, but the dilemma of keeping half of the truth impends over the possibility of anyone knowing the truth. The norm of maintaining honour of the private realm continues to restrict women in difficult situation to seek any support. The issue of domestic violence can become contentious and can threaten to

<sup>303</sup> As narrated by women from Thsingar village in Kiphire district

<sup>304</sup> As narrated by women from Hudangru village in Kiphire district

jeopardise family relations; therefore women avoid creating such imbalances, rather she chooses to remain passive at all costs to safeguard the family fabric. This orders the silencing of domestic violence cases even amongst the closest circle of the natal family. The support women tend to seek is temporary relief, but they never desire an intervention which can threaten their security in both the natal and conjugal home.

*"In our village also, we see so many cases whether the husband ill treats/ beats the wife regarding the issue of child etc. And the woman goes here and there to take shelter. The reason is that she cannot share her issue or problems with her parents. Men think that women are their property."*<sup>305</sup>

*"If we cannot bear the problem or pain, and if our parents are alive, we go back and share with our parents. Some bear the problem and keep the pain within themselves or some share with their neighbours. If our parents are not there we go and share with our brother and sister. We share our problem but half of it is kept within ourselves. We share what is needed to be shared but not the whole thing. If we say the whole problem or talk about every detail of what happened there will be fight and argument and more problems. It will create more problems for both the family and there will be more issues. We will be considered as a bad woman and woman without patience."*<sup>306</sup>

An expected form of dealing with domestic violence is to counter amicably with the mother-in-law, this being a safe way of redressing her situation. This practice can reflect the expected role of women as peace keepers within the family. The constant pressure of maintaining the family with an image of 'peace and harmony' overrule women's agency to assert justice, and she will be doubly victimised with social stigma and labeled as the bad woman.

*"If our husband misbehaves towards us we feel more comfortable sharing it to our in-laws instead of telling our problems to our own parents."*<sup>307</sup>

*"The reason why we do not approach our own parents is that if we keep telling about our husbands' behavior to our parents, then it is seen that there are misunderstandings or no peace and harmony between the two families. If we tell our parents then they will not be happy with my husband and then problems arise. So our problems or our burdens we share it to our in-laws mostly."*<sup>308</sup>

*"Now if a woman is being beaten or abused by her husband, a real good woman is someone who goes to her parents-in-law for safety and also giving time to husband to*

305 As narrated by women from Phekerükriema Bawe village in Kohima district

306 As narrated by women from Thsingar village in Kiphire district

307 As narrated by women from Phekerükriema Bawe village in Kohima district

308 As narrated by women from Phekerükriema Bawe village in Kohima district

*reflect. I would call that a good woman. Don't you think so? If she has gone to her natal home, she may never be allowed to come back home."*<sup>309</sup>

*Women suffer from the pangs of cultural mix match in the context of marriage induced migration*

Other factors such as migration and economic status can intersect in perpetuating domestic violence. Women besides carrying the above burdens of societal expectations have to manage and conduct herself soberly to gain trust and security within the conjugal home. Women marrying into a different culture/communities face more vulnerabilities of not being accepted as a complete member of the family, and to establish her membership, full adjustment is expected from the woman. The nuances of being from a different culture can spark tensions and conflicts; therefore the woman has to give up her previous identity to blend in with the conjugal family. There also arises the situation of the 'mother-in law and daughter in-law' crisis where a 'test' like situation occurs, and failed relationships between these two women can turn out otherwise. In the process, the lesser member loses out her defined space of seeking support, and her agency to assert in cases of violence can be shut. A new bride's capacities of motherhood is put to test and she has to overlook her needs over the interest of the conjugal family, this becomes a crucial period for a woman to secure her place within the conjugal home. While there are theories of 'territorialism', in the case of a man territory becomes the land and power; in this case of a woman it is reflected in terms of carving spaces for support, asserting identity and membership.

*"Even when she has a problem and requests help from family members they question her a lot. Knowing that I am not from a good family back ground, people do not have any respect and care while interacting with me. But if someone is from a good family background, they will be respected. And just because they respect their parents they will even respect their children.*

*I had problem dealing with my mother-in law because of her behavior being judgmental or accusing me as I am from a different culture. There were times when I used to be tired and with my baby, felt exhausted to work. I had to listen to the words of my mother-in-law. She is getting old and so she keeps complaining a lot about the work and the food as I was not able to cope up with their culture, when I first got settled in this village. At that time she expected me to work more. So even when she complained what I did was to console myself saying that such is the nature of old people. Though I do not work much in*

309 As narrated by women from Thsingar village in Kiphire district

*the field, yet I get tired because of doing household work the whole day and that is why I get exhausted and tired working. As we are not from the same village, I hesitate to speak and my mood goes really bad. Now things have changed because even my husband used to teach his mother. He tells his mother that complaining to her about work and food is not good and he tells her only when I am not around. And so her behavior of complaining has reduced a lot. Culture is very difficult. I too had faced problem in the initial years. There are lots of differences in work and food habit. Because of the difference I need to keep my mouth shut and if feel uncomfortable to tell this and that too. And as I am not able to speak out what is in my mind what I do is I go to my bed and stay there alone without saying anything. When I was not able to adjust to their culture there were times when I was not able to even share my feelings to my husband. As women we need to adjust with others.”<sup>310</sup>*

*“We, women, if our husband’s family tell us to leave we will have to leave. Her mother-in-law doesn’t have any love and care for her and they didn’t have good relation.”<sup>311</sup>*

When there is very limited space for a woman to assert agency at individual level, collective organising amongst women is also discouraged. The stereotypical notions of women being ‘big mouth’ and other risks of sharing issues of domestic violence in public, collective agency also becomes impossible.

*“If we woman get or sit together, they tell us that we gather together not for good purpose.”<sup>312</sup>*

Complexities of women’s risk of assertion in cases of domestic violence arise as she is asset less and never a permanent member of her family. Women at fault or innocent have to bear the brunt of injustice; she is placed at vulnerable positions incapable of making any choices. Patriarchy promoting male chauvinism enforces every law against the risk of the woman. She is threatened to be physically tortured and disowned if she is being accused, and on the other aspect, if men is at fault, she has the choices of either becoming absolutely asset less or compromise, forgive and continue living within the ambit of unending injustice.

*“If it is the woman who walks out, then it is her loss. In our custom, if the woman has committed a crime, like sleeping with other men other than her husband, the husband has the right to break the bones of the woman. She will have no excuse. She will have to*

310 As narrated by women from Ehunnu village in Kohima district

311 As narrated by women from Phekerukriema Bawe village in Kohima district

312 As narrated by male village leaders from Thsingar village in Kiphire district

*leave the husband's home empty handed, and only with her clothes she is wearing. If men are at fault, it is up to the woman to decide if she wants to walk out from her husband or choose to tolerate the incident and forgive him for the sake of their children.”<sup>313</sup>*

*“When we first got married, my husband came home drunk with a friend and they were gambling. Then late at night, the friend came knocking at my bedroom door. Since this was an inappropriate timing, I asked him to go and sit in the kitchen. I was really angry but because if I protested then I am sure to get hurt and therefore I remained quiet.”<sup>314</sup>*

Even though the community members were aware of Rape as a manifestation of VAW, they were hesitant to reveal any such incident which might have taken place in their community context. The society's perspective on understanding of rape as only that is 'forced', limits the scope of identifying other forms of sexual violence.

*“No we have not made any resolutions. But we have for people, who father a child and are not willing to marry the girl. In such cases the boy has to pay fine to the girl. I have not even heard of incidents of a boy forcing a girl in the village and by the grace of God we do not have rape cases in the village.”<sup>315</sup>*

The concept of 'rights for women' is very vague in all the study locations. Women were unsure of what entails 'rights'. Their perception of rights was accorded on the grounds of sympathy personified the concept of a 'good woman'.

*Rights are contextualised as the rewards of tolerance for 'Good Woman'*

*“In cases of rape, for me if he and the family beg forgiveness I'll forgive them but if he doesn't then I will disclose it to public if that is my right.”<sup>316</sup>*

There are incidences of VAW which never get discoursed or reported. The vulnerabilities of girl child also prevail, which is often overlooked as 'bad luck' and never ascertained of the gravity.

*“So I took auto and was going to my house. Before reaching, two men stopped the auto and pulled me, threatened me if I take the auto. I would say my luck was good, because one of my elder brothers was in a nearby shop; I shouted and called out his name. My brother was with two of his friends. They approached me and asked what happened.*

313 As narrated by male village leaders from Thsingar village in Kiphire district

314 As narrated by women from Hudangru village in Kiphire district

315 As narrated by women from Hudangru village in Kiphire district

316 As narrated by women from Hudangru village in Kiphire district

*Then there was a fight between them. My brother ordered me to immediately go to my house. I kept watching them from the shop. I was really terrified, thinking if the fight kills any one of them. It happened when I was in class 6.”<sup>317</sup>*

It is disheartening to understand the changes cited on the decreased assertion of VAW cases even at village levels. While the NCRB report on Nagaland acclaimed Nagaland as ‘the safest state for women’ based on the low reported cases of VAW, 67 cases in 2013, the reality remains unimaginable as one can never possibly understand the magnitude of VAW which can be happening within families as well as in public spheres. The entire notion of ‘honour’ repeatedly perpetuates VAW at different levels, diminishing every scope of addressing the issue in the society. Stigma, shame and safeguarding the society’s honour supersedes women’s well being, therefore the prospect of reporting becomes unrealistic.

*“But now what we see is that the cases do not get reported to the Village Council. Because bringing before the village brings shame to the name of the family.”<sup>318</sup>*

*We want to share but it’s like making ourselves embarrassed in the society. So most of us keep our problems within ourselves because we fear the society will come to know our family weakness.<sup>319</sup>*

## **Role of Institutions**

At the community level, the institution of Family, Church and the Village Council play the major role in delivering justice on VAW. Though customary laws exist to deal with certain forms of VAW such as rape, desertion, but often ‘justice delivered’ by these institutions is not justice at all.

The popular labeling of ‘good woman’ enforced by these institutions continues to uphold the culture of silence. Family plays its role of providing limited choices for women facing violence. The risk of a family losing its honour is too great that, a woman has to adjust with violent relationships through patience and non-confrontation. In breaking marriages, families become susceptible to numerous speculations which can tarnish their reputation and acceptance in the society, therefore dissolving marriages is never considered the option. In such circumstances, reconciliation becomes the desired result, where the woman has to be ready of any decisions which the family takes on behalf of her. Her problems are of lesser importance, while the family’s risk of getting into a problem is greater.

317 As narrated by women from Phekerükriema Bawe village in Kohima district

318 As narrated by male village leader from Matikhru village in Phek district

319 As narrated by women from Matikhru village in Phek district



*"Another way is that the natal parents tell the wife to stay for few days in their house and when the husband realises his mistake then only she goes back to him."*<sup>320</sup>

*"In some families, both the family members come together and discuss about the matter and reconcile them."*<sup>321</sup>

Patience of women is tested to the maximum limit, a woman can forward the case to the in-laws only after her natal family's approval. Till such level has reached, a woman is expected to bear and remain patient giving ample chances for men to change. However a woman is restricted from sharing her problems and violence issues with her natal family, as such will tarnish the conjugal family's honour. In any way the woman is left to be blamed, instead of addressing violence, women are left to continue putting up with violence.

*"Again, here also there are two reasons. If a woman is living with her husband, and the man without any reason keeps scolding her, she will keep listening and will ignore it. Some women will not be able to continue hearing this. So once she gets fed-up, she goes and shares about it to her father and brother-in law, requesting them to handle the son/brother as he is not listening to her and she is finding it difficult to deal with him, then that is alright. But if she goes and share with her natal family, it is taken badly. How can we call that a good woman?"*<sup>322</sup>

The village level bodies and the religious bodies have lesser scope of dealing with cases of domestic violence. They often become silent spectators of violence, unless the situation turns 'extreme' and they are 'invited' to intervene. This reflects the defensive Patriarch control in family institutions, power within the home belongs to the patriarch which cannot be interfered. It is easier for the community and the church to acknowledge violence which occurs with the man being under alcohol influence. However the only intervention these institutions provide is perpetuate violence further on grounds of maintaining social order and norms, violating the woman's right to choose a life free from domestic violence.

*"The village bodies or the churches take up the matter of conflict and violence within families, counseling the couple and warning them. But they cannot force anything on them unless the case is extreme. The Village Council or the church do not interfere or intrude directly into the troubled family but upon the request or invitation only."*<sup>323</sup>

320 As narrated by women from Phekerukriema Bawe village in Kohima district

321 As narrated by women from Matikhru village in Phek district

322 As narrated by male village leader from Matikhru village in Phek district

323 As narrated by male village leader from Ehunnu village in Kohima district

*“Physical violence is present but cases are rare. Our village is very small and compact. So if there are fights between wife and husband, then the immediate neighbours help or get involved in their matters. In our village, there are very less people who consume alcohol. If there are cases then within family members it will be settled. It does not go beyond the family. Church plays a major role in settling the issue between husbands and wives.”<sup>324</sup>*

Religious connotation of alcoholism as evil influences because of which VAW happens eases the social responsibility on the issue of VAW. Alcohol becomes the blame and not the perpetrator. This interpretation in many ways leads to wrong approach of dealing where prayers and moral policing is mostly done to contain alcoholism but never address the issue of VAW. Not abiding with the values and norms of religion can deprive the support of the church, and the alcohol affected families can face social seclusion. Religious identity intersects in marginalising and denying women of equal rights to state and social supports.

*“No one from the church side came forward to pray for my husband. We were ignored in a way during those days. But now we are respected more after he left drinking. He is called to preach or sing in the church. This is one of the great differences I have seen when he was drinking and when he stopped drinking.”<sup>325</sup>*

*“Also the majority of the people in this village are from the Baptist denomination while I belong to the Assembly of God, the minority in the village. So when there are schemes, benefits or any assistance coming in I remain uninformed and unaware. In that way I feel neglected because I belong to the minority. It becomes challenging in this aspect of being a minority since we also feel like we do not have strength or power to share even these grievances.”<sup>326</sup>*

The role of the state in perpetuating violence is also evident when women in difficult situations fail to receive support. When there is poor governance, women in these difficult situations face more vulnerabilities of being socially excluded, depriving them of the social security which they actually deserve.

*“The house and the land where she is living now will be passed over to the villagers after her death. She said, “I am a single woman and living a tough life and I do not receive any financial assistance from the government. I have submitted application for old age pensions but till now I have not received anything so far.”<sup>327</sup>*

324 As narrated by male village leaders from Hudangru village in Kiphire district

325 As narrated by women from Ehunnu village in Kohima district

326 As narrated by women from Thurutsuswü village in Phek district

327 As narrated by women from Ehunnu village in Kohima district

## Violence against Women Manifestations

*Dress defines her dignity*

Violence is manifested in multiple ways- economic, verbal, psychological, sexual and physical violence. Violence is evident in subtle forms of manifestation where control of women's choices extends to her personal choices of what she likes and what she does not. The practice of women expected to be presentable as a 'woman', enforced even in dressing is evident in this case. Her personal choices of likes and dislikes is curtailed, she has to present herself according to how the society and men desires. This is a way of controlling women's sexuality and also violating her personal rights.

*"If a woman doesn't know how to dress herself when she is in a group, the man comments on her, 'you do not know how to dress.'" <sup>328</sup>*

The poor economic condition of the family intensifies violence as a woman has to forgo all her well-being over the economic needs and sustenance of the family. Women's labour is extensively exploited, where she has to toil the entire day to feed and meet the family's needs, and moreover put up with the indifferent and irresponsible attitude of the husband. She is then deprived of the right over her own income and faces verbal abuses which impact her psychologically. This impacts her health and well-being, at the same time she undergoes psychological trauma everyday in putting up with the verbal abuses and emotional threats. It becomes difficult for women to free themselves from such cycle of violence as the structure itself does not permit, she has to keep toiling as there is no support to replace her burden, she has to keep bearing as there is no institution or body to intervene and address her concern. Her marginal socio-economic vulnerability is used as a base to keep her under suppression.

Though physical violence is what the society recognises largely as violence, women draws attention to intensity of emotional violence, described as more painful than physical violence. The scope of asserting is never there as even the slightest hint of assertion is counter-attacked with emotional blackmailing, threatening a woman's right to residence in the conjugal home.

*"My husband come home drunk along with his friends and then drinks with his friends at home and gambles, while I will be working in the fields the whole day with my children who are still very young to help me. And after coming home tired, and seeing all our hard earned income being spent on drinking and gambling. That is the time when I raise my voice. But when I scold my husband for such things, instead he will get angry and threaten*

<sup>328</sup> As narrated by women from Thsingar village in Kiphire district

*me. Such times, the words that my husband utter, it is more harsh and painful than a Dao (machete) being hit. All the things, utensils in my house will be broken and damaged. If I tell him to stop his habits and be a better father then he will reply me back saying "it is my money, so don't talk or I will chase you". Even if I tell him, it is like I have never tried. Being a woman we have to do all these kinds of works, these are 'women's work'. So even if my hands are full, I have to serve. Once or twice he beat me and threatened me that he will throw our child strapped on my back, I pray every night to God and placed my hope on God that he will change. He is doing better now."*<sup>329</sup>

*"We have not come across with any physical abuse and violence but we have all experienced verbal abuse. Words are more painful and hurting than action, it reaches till our veins."*<sup>330</sup>

The extent of women facing economic violence is intense, where poor economic status creates more vulnerability for women to access support and opportunities. Controlling of women's mobility denies women opportunities to gainful livelihoods. The society at large perpetuates this through conventional notions, blaming women and shaming them for taking up livelihoods which the society does not approve for women.

*"After my marriage, since I am not from a good family there was no respect for me from some of our conjugal family members. They will say anything they like to say. Sometimes if we ask and seek for help they question us a lot, why and for what you need money? Why and for what purpose? Where have you spent your money and why you have to suffer? I do some small business sometimes and earn some few thousands so if we talk about our problem they question us a lot. And sometimes when I do some business they talk about me saying that I do business taking the name of society. Before I came here people didn't have much knowledge or were not interested in business. But after I came I started doing small business and my friends became interested to do it and they also followed me. People have bad impression on me because I do business and they think that am leading even the other women in the same way which they think it is a wrong way. They think and suspect that I earn money through wrongful means. But I know that, if we do something in a wrong way even God will not be happy with us, and the money we earn will not be for a good purpose. But even if I do things in a right way they suspect me a lot (doing things in a wrong way)." <sup>331</sup>*

329 As narrated by women from Hudangru village in Kiphire district

330 As narrated by women from Thsingar village in Kiphire district

331 As narrated by women from Thsingar village in Kiphire district

The deteriorative state of women's life when social norms reinforce male chauvinism is evident, an instance where despite restrictions and moral policing made in the state on ban of alcoholism, men remains indifferent to these as these norms never questioned the core inequalities of human relations in the society. Women therefore become the victims of infinite violence within homes and in public spaces. There is hardly any focus made on her right to live with dignity and respect, as she is made to tolerate every form of submissive and oppressed roles.

*"For me all my husband's friends come to gamble and drink at my home, they create such mess in the home that in the end I have to clean up their vomit and wash the bed sheets because it will be all soaked with their urine."*<sup>332</sup>

In the course of interactions with women from the study locations, domestic violence has been cited in either overt or covert forms. It is important to highlight this as according to the Nagaland state record<sup>333</sup> on Violence against women; there were no reported cases on Domestic violence. Though violence within homes exists, women are largely expected to remain tolerant and patient, other power relations and insecurities of women intersect to maintain violence within homes as a private issue. The institutions within the communities remain silent observers unless they are requested for support and intervention. In a society where women are marginalised with no security, but continually oppressed, women do not dare to come forward to articulate nor is there any other party willing to represent her issue for justice. This becomes the cycle of misrepresenting the society as free from VAW; this furthermore leads to apathy of the society and state towards the issue of VAW.

Women are left at the mercy of the patriarch and the conjugal family, where she is helpless but continue to put up with physical, mental and emotional violence. In this case, justice delivery is questionable as the man goes scot-free and the entire violence which woman undergoes becomes a forgotten pain.

*"A man gets drunk and beats his wife badly. His behavior is tolerated by the wife for 5-6 times. After which she runs away from home. After few days, the husband lures the wife and brings her back. Once she comes back he continues with his same old behavior. The children have brought the case before the Council. They took up the case. Though the woman had a hard time, yet no action was taken against the man. The man ran away from the village and the husband and the wife got divorced thereafter."*<sup>334</sup>

332 As narrated by women from Hudangru village in Kiphire district

333 Source: Police Headquarter, Kohima Nagaland, Department record on VAW for the years- 2011 to 2013

334 As narrated by women from Phekerükriema Bawe village in Kohima District

When social norms uphold women's chastity, the norms does not sensitively deal with issues where chastity is violated. Instead all responsibilities and major part of blame are placed on women. When a woman faces stigma and social seclusion, double victimization of sexual violence happens, her career and aspirations are jeopardized and her reproductive rights also get violated. Women becoming victims of rape have no space to decide over her reproductive rights and get forced into unwanted motherhood. Her choices are dictated by social norms which deny equal rights to children born outside marriage, the dilemma of accepting the child into the lineage fold and her own barriers to live a life of dignity.

*"For me as her mother, I will let her abort because it is a rape case. Why will I let my daughter to suffer for nine months?"*<sup>335</sup>

The notion of black magic and using of poison to inflict death and harm is present in all the study locations. The accused of such practices are referred only to women. The notions around identifying such practitioners are based upon family history of the accused woman; the accusations are still vague because there

*Women spell the doom on families with poison and black magic*

are no concrete evidences to support it. The notion is deeply rooted in belief systems of the communities as there is fear and shame attached in discussing this issue. It becomes contentious in discussing this issue, which might explain why such cases are never dealt by the village bodies even when there are customary laws existing for such practices.

*"Suspect is based on family history. The poison can also cause death. Even on the day of the poison holder's death, such a thing will be known."*<sup>336</sup>

With discomfort a case was shared where a woman was punished by the family of another woman who was alleged to have died because of poisoning. The deceased's family chopped off the hands of the accused as punishment. Though this reckless course of action was taken by the deceased family, the Village bodies were not able to intervene, but instead the case got silenced by accepting the revenge as deem fit.

*"We have witnessed a case in the neighboring village, where the case was handled by Area Public Forum to settle. The deceased woman is also from the same village as the woman accused. The deceased woman used to live in Kohima and was visiting the village when she died shortly after the visit, the cause of which was believed to be of poisoning.*

335 As narrated by women from Hudangru village in Kiphire district

336 As narrated by women from Thurutsuswü village in Phek district

*The husband of the deceased woman came and cut off the hands of the accused woman. The village authorities sent her to a hospital for treatment. The Area Public Forum and Town committee chairman were handling but the case could not be followed up. No case was filed. No further complaints were also made from both sides because it was accepted as revenge taken.”<sup>337</sup>*

The absolute denial of existence of VAW contradicts when cases were shared obliquely; this reflects the efforts of protecting society and family's honor. In the case below, the terms used such as 'exactly rape has not happened' and excuses of 'case happened before' also connotes the protective approach. In the case below, while it is clearly a case of rape- migration, identity and impermanency intersected in silencing the case. Apparently the victim being a migrant, the prospect of fighting for justice can create worse scenario for her in the migrated village. Being asset less, without an identity and status, living in an unknown village, asserting justice for sexual violence does not make much difference as there are other equally grave injustices of being a migrant woman. A striking difference to be noted out from the two cases below is on the justice delivery process. When the accused was a man, besides the evidences made by witnesses, the society waited upon the victim to come forward and prove his guilt. In the second case, a woman accused of extra marital affair is brought before the society for questioning. The justice delivery system is such that woman have to either prove the guilt of the accused or prove her innocence.

*Migration, Identity and  
Impermanency intersects to  
silence VAW*

*“It was not exactly a rape, but there was a case before, of a migrant woman and a family in the village had brought her from another place as a maid. That way there was huge conflict in the village on this case. The woman came to the village as a small girl but staying here for long and she grew into a beautiful lady and was studying in standard 7. But the house owner's son was suspected to have raped her, so the girl left the village. The case was not dealt with, because if the girl herself had come forward and declared even to the family members of the owner, the case would have been taken up but since she left on her own will and never came back so it was silenced. Otherwise there was also a witness and everyone knew the truth. But she left saying 'I really do want to stay with my brothers and friends here, I have become so attached with the people of this village but since unfortunate things has happened so it is not proper for me to stay back'. Whether actual rape has happened or not, it is not declared but it is said that the motive was of*

337 As narrated by women from Thürutsüwü village in Phek district

*rape. She herself admitted it and left for her own home, she was from one of the tribes of Eastern Nagaland.”<sup>338</sup>*

*“When a woman have affair with a married man and break their family, she is brought before the village leaders for statement and face some punishment and bad treatment.”<sup>339</sup>*

## Women's Agency

Women's response to VAW is to remain silent. Moreover societal notions which check the possibilities of disturbing power relations curb women to assert agency in VAW. A woman protesting and filing a case is almost impossible as it is not suited for women. Such being the perception, women's only method of assertion are faintly visible, and in most cases violence is accepted without assertion.

*“Being a woman and filing a case like a man”<sup>340</sup>*

*“I will stay calm and bear the trouble myself.”<sup>341</sup>*

Some of the tactics used by women to resist violence is morally advising and influencing the oppressor. In cases of alcoholism, women try to make use of the period when the man is sober and act. A reflective instance on the threat of his own family member is used as a stimulating point of reference, where the woman hopes she can pacify and convince her husband into rethinking his future acts.

*“Once after getting drunk he hit me but he does not remember that he did so. My husband has a sister who also faces violence at home. Once he was sober, I told my husband, if you treat me this way and if you continue to do the same, how can you teach /or correct your sister's husband when he is wrong. Thinking of that you should be embarrassed. If I do the same how can I also teach my sister- in-law.”<sup>342</sup>*

In another case, the woman is compelled to stage a break down physically when she is emotionally harmed by her husband.

*“My husband raised his hand on me saying that I have nothing to feel bad hearing all the rumors of him having affair with another woman. He shouted at me that he has not done anything wrong. I felt so hurt that I once went out behind my house and started crying.*

338 As narrated by male village leader from Matikhrü village in Phek district

339 As narrated by women from Thsingar village in Kiphire district

340 As narrated by women from Matikhrü village in Phek district

341 As narrated by women from Phekerükriema Bawe village in Kohima district

342 As narrated by women from Phekerükriema Bawe village in Kohima district



*He came up to me and tried to convince me but I didn't stop crying. At some point time, I even pretended as though I was losing consciousness and dying, so he started calling my name but I didn't respond. He got so scared that he called his parents while he went to take oil to massage me. I relaxed myself and when he came back I pretended as though my body and hands were stiff and tight again. After that incident till today he has not said anything bad to me and dearly loves me now." 343*

Conjugal family is the first socially accepted support centre for women in distress. Only during cases of unavailability of the in-laws, women seek the support of neighbours. Women friends also acts as a support network, however their role of intervention only limits to subtle efforts of influencing the oppressor. It is also interesting to note on how other women goes on to substitute the oppressed role of washing men's feet, as a method of calming him down and preventing violence.

*"Majority go and approach in-laws for help. If in-laws are not near to us, our immediate neighbors are being approached for help during the times of conflict or violence." 344*

*"Even we feel bad for her and we tell him to let his wife go out more because women will get crazy if they are not exposed to the society outside, but trapped within the home with worries. We tell him to let his wife be as she wants to, sometimes maybe sing and lighten herself. I think that way he is also being more liberal these days. Once when her husband came to our house and since I saw him tired. So I jokingly told him that I will wash his feet. I never said this intentionally and I never knew that she (wife) is compelled to really do this out of fear of her husband since she does not want to quarrel with him." 345*

*"If I can't bear the trouble myself I will share with my friends because it lighten my sorrows and trouble, and I don't want my parents to worry about me by sharing my problem." 346*

Migration intersects domestic violence, woman migrant by marriage have lesser support systems than other women, as she does not have options to seek basic needs of temporary shelter in situations of domestic violence. The aspect pointed out in this case is that violence can occur at any point of time, and this affects women's access to support networks. The issue of shelter for a night becomes prominent as this is the immediate relief women sought when violence happens within the home. The practice of adopting foster parents in a village where

342 As narrated by women from Phekerükriema Bawe village in Kohima district

343 As narrated women from Thsingar village in Kiphire district

344 As narrated by women from Phekerükriema Bawe village in Kohima district

345 As narrated women from Hudangru village in Kiphire district

346 As narrated by woman from Ehunnu village in Kohima district

the woman is a migrant becomes an effective measure in addressing this basic need. This practice was found to be existing in two villages of the study locations, Ehunnu in Kohima district and Thsingar in Kiphire district.

*"If in case there is a fight or quarrel between the husband and the wife and in the middle of the night he asks her to leave the house, then as my parents are not from this village, I need shelter. So for that reason I kept foster parents, so that I can take shelter in their house. My parents tell me we cannot predict the behavior of the men and that's why we should keep a foster parent for security. I can rely on them. Even my husband's family tells me to keep foster parents saying 'It is like a way for you and for us too'."*<sup>347</sup>

The male in laws are seen as good support seeking agents, which is very strategic as the intervention is received from a male family member. The fact that advice and control is coming from another male member of his family, there is likely lesser resistance and backlash. Women confiding with other male members of the family therefore works well in addressing domestic violence.

*"When I have problem and feel unhappy with my husband, I share my problem with my husband's eldest brother. And my brother-in-law would reprimand my husband saying that 'you married her to be with him as his wife and not to raise his hands on her'."*<sup>348</sup>

### **Constitutional and Customary Interventions**

In all the study locations the village bodies which play the role of delivering justice shared on the non-existence of cases on VAW being brought forward. However, the perspective of these bodies on understanding VAW is narrow, where it is only associated with 'rape'. The nature of laws which these bodies might use is also a mixture of customary and religious laws. It is an observation and speculation that the customary laws are losing its significance and relevance when it has to deal with cases of VAW, as it is reflected from few cases where the laws are bended in favor of men. Another aspect is that women were not aware about their own customary laws when asked. This lack of awareness also becomes a factor for women not to access justice in customary laws.

*"Yes, customarily there are laws but I do not know exactly, but for the church we do not have any rules."*<sup>349</sup>

<sup>347</sup> As narrated by woman from Ehunnu village in Kohima district

<sup>348</sup> As narrated by women from Thsingar village in Kiphire district

<sup>349</sup> As narrated by women from Matikhru village in Phek district

The loss of relevance of customary laws is also reflected in the case below. Rape happening within the home, where the perpetrator is from one's own family fold can never access justice. The first information by the victim will be shared with the mother. Aggrieved women's opinion is never considered, nor the family rises above injustice but remains content with the silence maintained with the mother who in turn is bound by patriarchal mindset to hush the matter.

*"If a girl is raped or molested or abused, by own family members the information will first be told to mother. Many parents keep the matter silent for fear of disgrace or stigma related to it. Some would talk of forgiveness, but cases can also be taken to the Village Council."*<sup>350</sup>

The opinion of male village leaders on how to go on with justice delivery processes is to first enquire the woman in cases of rape. The stereotypical approach of investigating the woman's moral conduct to prove her innocence is present. The prior notion of the blame placed on women, she being enticer of sexual drives of men directs the justice delivery processes to only speculate the victim's moral conduct and past relation with the perpetrator. There is no sensitive approach of dealing with the aggrieved women's case.

*"First we will enquire from her and ask the woman how it happened. Did you know each other from before or you are stranger to him? Did he get attracted to you at once and committed the crime? And if the woman says he is new then only we will go to him."*<sup>351</sup>

Tribal women's organisations also act as a subsidiary body in delivering justice. Women have shared their awareness about its presence and the rules, however women have never accessed these bodies. The approach of these organizations in delivering justice is also limited to payment of fine, shame parading which is understood as justice.

*"No cases have been addressed in our village but in our society we have our tribal women organisation. If there is any problem in the family we approach the organisation and they take up the matter. There is representative from every village to this organisation. If there is any problem in the family, will report the matter to the village representative and she will report to the office bearers. The office bearers will reason and look into the matter. The case must go in written, but such instances have not happened. So we cannot say. If these tribal women's organisation cannot handle the case, it is forwarded to be dealt in the larger general body of the tribe."*<sup>352</sup>

350 As narrated by women from Ehunnu village in Kohima district

351 As narrated by male village leader from Matikhru village in Phek district

352 As narrated by women from Thsingar village in Kiphire district

*“Rs 5000/- is imposed as a fine and given to the mothers association. If money is not paid, the case is further taken to Tribes Mothers Association and stringent action is taken against the culprit.”<sup>353</sup>*

*“According to the resolution of the women association, in cases of rape, if a man from our own community violates another woman from a different tribe, then he will be stripped naked and paraded. Other organisations may also interfere in punishing him and he will be imposed a fine.”<sup>354</sup>*

The justice delivered at village levels also remains similar as fine payment is understood as justice served. Punishment for rape and consensual sex leading to impregnating a woman outside marriage is the same. Even in this system, the compensation in the form of fine is either paid to the Village council/ tribal organization or to the family of the victim. The victim does not get the share of the compensation directly.

*“Impregnating a girl and not marrying her will get him to bear the burden of paying the fine of 7 fields, some 4 fields. If one cannot give the field, then money or other materials can be accepted. The field is given to the girl's family, to the immediate family. If she remarries again, the field will remain with the father and brothers. Whatever the case maybe, whether becoming pregnant through rape or consensual act, the fine is same.”<sup>355</sup>*

The manipulation of customary norms in favour of men is clearly evidenced in the two cases below. Customary laws provide that an aggrieved woman also a share of the acquired property of her husband if the man is convicted of an extra-marital affair. However, when an incident happens in reality, the woman is advised to remain within the marriage and doesn't favour the option of walking out of marriage with the share of acquired property. In the second case, when the accused is a woman, the issue was grave and therefore the other accused man will pay heavy fine to the husband of the woman. The woman in this case will also lose her status as the wife and will be left assetless if the husband choose to.

*“They talk, discuss and come to common understanding and that is how the cases are being solved. Mostly the decision taken is to make the man and the woman stay together.”<sup>356</sup>*

*“My father married a girl but someone came and wooed that woman away. Therefore*

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353 As narrated by women from Ehunnu village in Kohima district

354 As narrated by women from Hudangru village in Kiphire district

355 As narrated by male village leader from Ehunnu village in Kohima district

356 As narrated by male village leader from Ehunnu village in Kohima district

*after the case hearing that man had to give 4 fields as fine to my father, which we are still cultivating in it.”<sup>357</sup>*

On issues of domestic violence, though there are existing cases of women being abused physically and also coerced to leave her conjugal home, there are no interventions from the justice delivery bodies in the village. This reflects the apathy of these bodies, which are not willing to pro-actively intervene but be silent spectators unless the woman files a written complaint. When lack of education has been cited by women in accessing justice, the structural barrier becomes a reality at both village level bodies and at constitutional bodies.

*“There are cases in our village where the husband drinks, beats his wife and chases her from home. But it was never brought to the Village Council for settlement. If the wife writes a complaint to the Village Council then only they can intervene in such cases.”<sup>358</sup>*

*“For us, verbally approaching us is not enough because the customary courts are not the final places for justice delivery. If such cases are to be taken forward in other constitutional courts then the written documents will become important. And even for us it is risky and not appropriate to just take up a case, which is filed verbally. Even me as a Gaonbura, I might get trapped if I do not have written proof. So it is best to have it in written form.”<sup>359</sup>*

There is slight awareness amongst women on the existence of constitutional bodies such as the police and the district courts which provides justice for VAW. However structural barriers in accessing the constitutional laws exist, women firstly are not aware of the laws and provisions. Another aspect is that women don't have faith in the constitutional justice delivery bodies.

*“We do not have information about such laws and we are not educated.”<sup>360</sup>*

*“If the victim is not satisfied with the judgment passed by the Council, along with its decisions, then she can take forward the case to the police. Before taking it to the police, it will be first taken care of by the Council. It depends whether the victim will accept the decisions taken by the council or not.”<sup>361</sup>*

*“Then if a man from our own tribe violates a woman belonging to the same tribe then he will be fined Rs. 50,000, and his native village will impose other actions on him. This is because when accused persons are taken to police, usually they are let off easily without*

357 As narrated by male village leader from Ehunnu village in Kohima district

358 As narrated by women from Phekerukriema Bawe village in Kohima district

359 As narrated by male village leaders from Matikhru village in Phek district

360 As narrated by women from Hudangru village in Kiphire district

361 As narrated by women from Hudangru village in Kiphire district

*...serving proper justice to the victim. This is probably because the cases are negotiated man to man.”<sup>362</sup>*

It is true that structural barriers do curtail women's access to justice, however social norms of unequal power relations is even intense which further complicate women's access to justice. When culture grant impunity to men, the prospect of women raising the issue of violence becomes near to impossible. In domestic violence cases, women raising such issues in the public can instead worsen the situation, as it will threaten the man's image. Male leaders trivialize domestic violence by saying 'making small issues public'. Women's assertion can backlash on them through social exclusion of facing shaming and stigma.

Village council decides whether violence cases can be taken forward in other constitutional bodies or not. However based on all the responses of protecting honour of the village and family, it is doubtful as how far can the decisions be just. Patriarchy in its function of monopolising power structure creates barriers for women in accessing justice as well.

*“If the woman has done no wrong and yet the drunk husband has beaten her without any reason, then that may be shared because the man may face some embarrassment and he may change. But like said earlier, the quarrels and conflicts happen in the family quite often. And if the woman makes it public then the woman has done wrong and the man may get annoyed with the woman it public. Thus instead of creating a good impact, the man will become worse, which is bad.”<sup>363</sup>*

*“People will criticise and mock at women if they file cases. In our village we don't have police. But she should disclose it to her parents. For fear of shame and dishonouring family name, the parents may close the matter.”<sup>364</sup>*

*“For the safety of the girl, the cases should be handed to the Council which can decide whether to let the administration or different organisations take up the case.”<sup>365</sup>*

## Recommendations:

- Create public awareness on violence against women and the various forms at the state, institutional and community levels in both public and domestic spheres.

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<sup>362</sup> As narrated by women from Hudangru village in Kiphire district

<sup>363</sup> As narrated by male village leader from Matikhru village in Phek district

<sup>364</sup> As narrated by male village leader from Matikhru village in Phek district

<sup>365</sup> As narrated by male village leader from Matikhru village in Phek district

- Gender sensitisation training for all law enforcing agencies, such as the customary courts, village councils, police, and judiciary.
- Awareness on constitutional and legal rights of women at large, and the women agencies/ organizations in particular, needs to be prioritised.
- The State must ensure the effective implementation of pro-women laws such as that of the Protection of Women from Domestic Violence Act 2005, to enable aggrieved women to access justice. Support services for survivors of violence must be provided.
- Impunity of VAW perpetrators should be condemned and survivors should be compensated through the State Women Commissions and other related human rights and law enforcing bodies apart from the police and customary institutions.

## Conclusion

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Addressing an issue like gender based discrimination and violence against women in the context of a Naga village in the 6 study locations was a daunting and arduous task. Since the thematic scope of the study was very sensitive, involving a closed community to respond openly on such issues was critical. This study has captured the multiple narratives of gender based discriminatory practices which challenges the commonly accepted single narrative on the equal status of Naga women. The rich data generated from the field reflects the denial of various forms of social, economic and cultural rights to women. Community's commitment to solely protect cultural identity might jeopardise the tenets of gender justice, empowerment and social inclusion. The study is an effort to break the culture of silence around the issues of GBD and VAW in the Naga society. This process has flagged off key interventions needed from multiple stakeholders.

Following an action research process during this study and use of feminist social work research as a method, the communities of women were mobilised to be more conscious of their ground realities primarily on concerns of women's rights and become aware of their own personal and political spheres of agency.

### Way Forward

- We are hopeful that this research process will expedite policy shift interventions by different stakeholders to improve the lives of women in particular and community at large.
- Community mobilisation and awareness on the specific issues of GBD and VAW, capacity building of women and youth leaders in the communities to enable them to be the change makers is urgently needed.
- This study is expected to add value to existing literature on women's rights issues.
- It leaves the scope for further research on similar or conflicting topics.



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## APPENDIX-I

### Demographic Profile of Study Locations

District/Village	House-holds	Population		Total	Number of Children between 0-6 years		Total
		Male	Female		Male	Female	
<b>Kohima District</b> <sup>366</sup>	54,391	138966	129022	267988	18279	18007	36286
Phekerükriema Bawe Bawe village <sup>367</sup>	108	302	314	616	48	30	78
Ehunnu village <sup>368</sup>	192	558	581	1,139	53	53	106
<b>Phek District</b> <sup>369</sup>	36,639	83743	79675	163418	14505	13247	27752
Thürütsüswü village <sup>370</sup>	131	502	525	1027	37	32	69
Matikhrü village <sup>371</sup>	107	310	307	617	73	59	132
<b>Kiphire District</b> <sup>372</sup>	14,771	37,830	36,174	74,004	7550	7161	14711
Hudangru village <sup>373</sup>	69	215	235	450	12	15	27
Thsingar village <sup>374</sup>	159	420	436	856	13	15	28

<sup>366</sup> Census of India , 2011, "*Disrict Census Handbook Kohima*", Directorate of census operations Nagaland

<sup>367</sup> Source: Village Authority, Primary Data collected during the study

<sup>368</sup> Census of India , 2011, "*Disrict Census Handbook Kohima*", Directorate of census operations Nagaland

<sup>369</sup> Census of India , 2011, "*Disrict Census Handbook Phek*", Directorate of census operations Nagaland

<sup>370</sup> Source: Village Authority, Primary Data collected during the study

<sup>371</sup> Source: Village Authority, Primary Data collected during the study

<sup>372</sup> Census of India , 2011, "*Disrict Census Handbook Kiphire*", Directorate of census operations Nagaland

<sup>373</sup> Source: Village Authority, Primary Data collected during the study

<sup>374</sup> Source: Village Authority, Primary Data collected during the study

## APPENDIX-II

### Village Profile

Name of Village: .....

District and Block: .....

Demographic details							
Population	Male		Female		Total		
Households	No of Households of majority tribe/ community		No. of households other communities (List which communities/ tribes)		Total No. of HH		
Number of children between 0 to 6 years	Male		Female		Total		
Education							
No. of schools in the village	Government schools:			Private schools:			
(If no schools within village) distance of nearest schools where children are sent							
Number of students enrolled in the schools	Male	Female	Male	Female			
Number of teachers in the schools:							
Head of schools:							
No. of students studying outside the village (in the year 2014)	Graduate/ Post Graduate level		Higher Secondary		High school		
	Male	Female	Male	Female	Male	Female	
Government							
Private							
Number of dropouts (in the year 2013 latest)							
Work Participation							
No. of persons working in Service Sector	Government			Private			
	Male	Female	Male	Female			
No. of gazetted officers							
No. of persons engaged in the following activities	Artisan (weaving, handicrafts etc)	Construction worker	Agriculture worker	Agriculture labourers	Vendors/ Traders	Unemployed	Others
	Male						
	Female						
Health							
Availability/ accessibility to health care services	Government (SHC/ PHC /CHC)		Distance from the village		Private hospitals/ health centres		Distance from the village
Number of maternal deaths during delivery in the years	2011		2012		2013		
Number of Infant deaths (0 to 3 years) in the years							
Diseases most prevalent	Male			Female			



amongst children 1 to 14 years (latest data)		
Disease most prevalent amongst women (18 years and above) latest data		
Diseases most prevalent amongst men (18 years and above) latest data		

**Gender disaggregated data of representation in local bodies (formal/ Informal)**

Village Local bodies	Representation		
	Total no. of Seats	Men	Women
Village Council (VC)			
Village Development Board (VDB) –General			
Village Health Committee (VHC)			
Village Education Committee (VEC)			
SHG Federation			
Village Water & Sanitation Committee (WATSAN)			
Village Biodiversity Management Committee			
Village Anganwadi Board			
Village Marketing Committee			
Youth Society/ Organisations			
Students' Union			
Forest Rights Committee			
Other Committee (If any)			

Informed by (Name and Designation):

contact numbers:

1. ....
2. ....
3. ....

- .....
- .....
- .....

## APPENDIX- III

### Woman Respondent- Profile Sheet

- Name of respondent: \_\_\_\_\_
- Tribes: \_\_\_\_\_
- Religion: Christian \_\_\_\_\_ (Specify denomination): \_\_\_\_\_  
Others (Specify) \_\_\_\_\_
- Current Place of residence: Natal/ Marital / Other(Tick)
  - Khet \_\_\_\_\_
  - Village \_\_\_\_\_
  - Block \_\_\_\_\_
  - District \_\_\_\_\_
- Current Marital Status: Married/ Unmarried/ Widowed/ Divorced/ Separated (Tick)
- Current household Profile: [List respondent as first, children's information and spouse if any]- can be used for marital home and natal home

Sl. No	Name	Sex	Relation with respondent	Dead/ Alive	Age	Marital Status	Education	Occupation (if 2-3 occupation, note all)	Residing in the village/Migrant	Annual income from paid work (if 2-3 occupation, note all)

(\*Note: Occupation please specify as what: Agriculture labour/wage work/home based/farming/ poultry/livestock/ Govt or Pvt. service/Para-worker (AWW, ASHA, etc), micro-enterprise/ vending/ weaving/ any other)

#### 2. Ownership of land and other assets (where currently residing)

Type of landed assets	Ownership Patterns				
	Household level (Inherited/ Acquired)	Clan/ Khet (Inherited/ Acquired)	Community (Inherited/ Acquired)	Respondent owning (Inherited/ Acquired)	Acres (Approx)
Residential House					
Commercial Buildings/ Houses in towns					
Terrace fields					
Jhum lands					
Woodlands					
Homestead gardens					
Forest					
<b>Moveable Assets</b>					
Bank Account					
Livestock					
Jewellery					
Household items					
Car					

## APPENDIX- IV

### Focused Group Discussion with women: Schedule Guideline

Name of the village/khel Interviewed: .....Date:.....

Location of meeting.....Starting time of discussion.....Time ended.....

Participant summary:

Number of women.....Age group.....Tribe.....

Name of facilitator and recorders:

#### SECTION 1: GENERAL UNDERSTANDING AND PERSPECTIVE

1. What do you think of the status of women in your community in the present day? Better than before (20-30 years back)? Note how or in which aspects...  
(Check out if there are migrants/ citizen by marriage or everyone's natal home....What has changed in your village since you came here? Ask older women...about different aspects. What has changed for the women in your village? What are the problems faced by women in your village today? What about women in the family...have it changed?) Same as before or worse than before? In which aspects
2. Are women and men treated equally- When you were young, were you treated differently with your brother by your parents/ relatives/ community members? How many agree and does not agree? In which areas? Is this an issue? Yes/ No. If yes, how? (What forms...which is evident, practised) areas? If no, how? Which areas?

#### SECTION 2- BIRTH

1. In your village/ community, when babies are born, are there rituals, celebration and other customary practices (naming of child, announcing the birth of a child etc)?
2. Preference for sons and daughters- Is there a difference in ritual/celebration for a boy child and girl child? If yes, what are they and why? Preference
3. Do you have households in your village / community that only have girl child/ girl children?
4. If yes, what are the advantageous or challenges faced by such families in regard to: inheritance, lineage, kinship, what happens in such cases?
5. Similarly, if there are households which have only male child/ male children? How is it advantageous or challenging?
6. Where do women usually have their babies?

Natal home/ Conjugal home/ Hospital /Others (midwifery)

- a. Why? Where does she feel most comfortable? Who supports you during delivery? How long do they get care (rest after delivery, special diets etc)? Who does housework, cooking, cleaning? For how long? Is it different when a girl is born or a boy is born? Do communities help (neighbours, relatives etc)? In which way?
  - b. What is the role of the father at this time? What about other male family members? (\*\*Note any variances in responses and reasons)
  - c. Is there a change in these practices? Who is expected to care for the new born and the new mother at this time? Is there a difference in the care and treatment of mothers at the birth of a girl child/boy child? (in nutrition, in cultural celebration, in care, in workload etc)
7. Morbidity- most common illness/ health problems women have and men have
  8. Where would women be taken for health care should the need arise? What about men? Would there be any distinction between the health care a woman would receive and a man would receive in the natal family? In the marital family?

### **SECTION 3- CHILD CARE PRACTICES/ SOCIALIZATION**

1. Till what age are children breast-fed? Is there a difference (in duration/ frequency/ quantity) for boys and girls and what may be the reasons?
2. What are the other child rearing practices to prevent disease and illness? Is there any difference region wise or gender wise? Are there any celebratory functions for birth of children and how are they done? Difference boys and girls? Difference across class/ clan/community?
3. What are the roles and responsibilities of the mother and the father in child care and upbringing practices (feeding, clothing, healthcare, education, choices of subjects, moral and spiritual learning and values, careers/jobs, etc)? From birth till they are grown up as adults? Please elaborate. Have you observed any changes in these roles over the past two decades?(you can do this in sub groups)
4. Any rituals/ practices that celebrates/ restricts women during menstruation or first time menstruating? any changes past few decades? Any taboos?
5. What do boys do at leisure time? What do girls do at that time? What is the nature of response from families and communities if boys or girls do not adhere to normative expectations of interests or occupations?
6. What kind of toys will you buy for your boy child and girl child? What are the skills that are taught to boys for catering to household needs? And what skills are taught to girls? What change is

observed in recent times? Why? Why do you think this is happening? Do you think this is right? What if girls or boys want to learn other skills than those expected or normative?

7. How much leisure time do you have and what do you do in that time? How much leisure time do men in your family have and why? What do men do in their leisure time? (Season) is leisure an activity that is acceptable? For men and women? What happens if a woman rests in the middle of the day or watches TV?

## **FOOD AND NUTRITION**

8. How many meals are generally had in your family? Is it the same for everyone? Tea without milk? What about in between meals? Who cooks or makes and who cleans? What kind of food do you eat in your family...do you observe any difference (Eg: reserving best portions for the father/ the boy child) for boys and girls (children, adults) and what are the reasons (Have you been told any beliefs?).
9. What happens when both the boy and girl children wants a good meat piece? (Note the conflict situation and who gets it and how does he/she get it?) What happens when there is little meat in the family, who gets the preference? Write in order of priority. What happens if a woman consumes a better piece or a girl takes a better portion?
10. What are the most valued diets in the community? Who gets the priority to eat? What if a boy asks for more of his share? What if the girl asks for more of his share (ask in relation to the valued diet?) how will it be perceived in context of boys and girls? Why is this? What should be the practice? How can we change?
11. What about alcohol? Do men and women consume? What are the beliefs and practices? How is it sourced? Who produces and buys? Who consumes?
12. What is the impact of alcohol consumption on the family? (Who is denied?) Why does this happen, in your view? Is this fair? Do we need to change it? How?
13. Inquire about women's agency and change in nutrition practices. (We should include questions that acknowledge women's agency, because even in circumstances of adhering to social norms, some women and men do realize the injustice and try to change it, but they meet a backlash from society)

## **SECTION 4 - GENDER DIVISION OF LABOUR**

1. As the child grows up, what kind of responsibilities are assigned to children? Who assigns these roles and why? At what age do girls and boys start working/ engaging in different activities? Is there a distinction between roles assigned to boys and girls of your community? Why is this so?

Do you think this is a good practice? (Note the positive and negative comments offered by the group) What needs to change? What happens if the roles are not assigned in the normative way? Who can decide to change these norms?

2. What if we train our boys to do household work? What will happen? (eg: fetching water, taking care of sibling, household work); caring for the sick, giving respect to mother sister etc
3. What if our daughters start working outside the home? Do you think it will be a positive change? (Note both the positive and negative aspects)

### **Mobility**

4. Where do women go for work? What are women spheres of engagement, exposure and travel outside the village? Where do you go and for what purposes? (Check out dependency level of women in her mobility)
5. What are the restrictions placed on women's mobility is it always due to work or for other reasons too? What if she does not adhere to boundaries or restrictions to social interactions? What are the risks if she ventures forth without the family sanction? What risks does she face in society? How does family and community respond to incidents of violence or harassment or molestation

### **SECTION 5- EDUCATION**

1. Where do you send your children for education? Which school do most of the boys go to? Is it different for the girls? Why? Why do you think education is important for girls? And for boys?
2. Quality education (private and government); If there is more preference for families to send their children to private institutions and send daughters to public institutions, what may be the reasons?
3. At what age do children usually go to school (then and now)? Is it the same for boys and girls? Till what class have you and your brothers studied? Why? (Did they have equal opportunity as their brothers? What were the barriers?)
4. Till what class do your daughters and sons study?  
For daughters..... (Note the range and how many have achieved the highest level mentioned)  
For sons..... (Note the range and how many have achieved the highest level mentioned)
5. Why do they send their children for education?
6. Are there any children who do not go to school in your community? If yes, who are the children who do not go to school and why? (Be careful to note any class and gender distinctions).
7. If girls/ boys are mostly not going to schools...Ask how many girls/ boys are not going to school from your community/hamlet in your knowledge? (note not enrolled and average age of drop outs)

8. What are the constraints to go to school? (note the difference between boys and girls)
9. What aspirations did they have when they were young and were they able to fulfil it? What are the barriers faced by them. How is her situation from that of her brother? What changes do they think need to bring about?
10. What is your expectation from/ aspirations for your children when you educate them. Is it the same for boys and girls?

Note for boys.....For girls..... (Ask reason for gendered difference if it emerges)

11. In what ways have the conditions for their children changed? For their sons? ..... For their daughters? .....

### **SECTION 6- WORK & EMPLOYMENT**

1. According to you what does 'work' mean? (If the response is only of paid work/job, then suggest other kinds of unpaid work like bringing food in the house, household work, care work, child rearing etc)
2. What is considered work in your community? is there a difference between 'men's work and women's work' in your community? Have they observed changes/ shift from when they were young and now? What are they? Why have these changes occurred in your opinion? What is the situation in households where there is no male adult and women are widowed or deserted? Does society allow single women to manage their households independently? What about single men? With or without children? Are such women given assets to manage by either natal or marital family? Is this an equal share? Why? Is maintenance given for her to live independently?
3. Current Status of work/ employment of men and women in your community? Who is mostly employed and in which sector? In your community, what kind of job/ work do men and women engage in or seek for (all kinds of job)? Any changes have you observed? If yes, why do you think?
4. "A women is respected more when she when earns/brings income for the family" do you agree with the statement? Yes/ no. if yes, how is she respected? if no, why.(community and society perspective)

Or

If women get into jobs/ works have that changed the status of women in the family/ society? (Mobility, control over assets, respect, in Decision making, choice of partner, inheritance, sale and purchase of land, in the gender division of labour)

Or

Has this work outside the home made life easier or tougher for women? (Discuss and note observations)

5. What about the unpaid work like household, nurturing, field work etc. Are these works considered/ regarded equally like those of paid work (are women respected for their care work )
6. Average wages for men and women for work;
 

In the fields;	men.....	women.....
In wage and construction labour	men.....	women.....
In casual employment	men.....	women.....
In offices		
Others		
7. If they observe distinctions between work that men and women perform in household/ in outside work spaces (casual work/market/ offices/ fields etc)? Why is there a difference? Has the difference changed/reduced? Why is this so? What should be done?
8. Is there much migration? Who migrates mostly? How do households manage a) if the male members migrate? IF the female members migrate?
9. What happens to men's income? Do women have any say in the use of such income? In acquisition of assets? What happens to family income from farming, home based economic activity?
10. What happens to women's income? What happens if women do not have an income – how do they manage household needs? What about women's incomes from wages/salaried work etc?
11. Is the status of such women who earn an income different from those who do not earn an income and work on family farm or home based activities? How? Why do you think this happens?

## **SECTION 7- MARRIAGE & FAMILY**

1. What is considered marriageable age in your community? For boys and for girls?
2. What is the basis of determining that one is ready to get married? What is considered a good man and a good woman in your community? What are the attributes you look for a man when you consider giving away your daughter in marriage to a man? Or attributes you look for in a woman when you give away your son in marriage to a woman? What are the expectations from a new bride? And from a new groom? How are these expectations changing?
3. In your community, what is the nature of family? (Does the girl come to grooms home? Does groom go to girls home? Do they set up a house separately or live in joint family with parents – whose parents? Why? Was it always so?) What is the nature and frequency of interaction and dependency with the natal family for girls? What does society respond to couples who live with natal family after marriage?



4. Why is marriage important? Has marriage and its norms changed in past few decades? How? What type of marriages exists in your community now? ...elopement, holy marriages, arranged, exogamous, younger women marrying older men, older woman marrying younger men, widow/ divorcee remarriage. What is considered acceptable and what is not? What about couples who do not get married and live together- is that acceptable to society? How are such boys viewed? How are such girls viewed? Are they accepted for future social relations?
5. Who decides over the choice of partners (the men/ women themselves / parents/ relatives/ collective decision? Who makes the first move and why so? Bride price is there any...if so, what are they? Any exchange or giving of money? What changes then and now? How does this impact on the status of girls? Or boys? What attributes are sought in a boy? In a girl?
6. Are there men and women who remain unmarried. Under what circumstances do people remain unmarried? How easy/ difficult for men and women who marry very late or decide not to marry... how does society looks upon those women or men? How women deal with it?
7. Is remarriage acceptable for men and women?
8. What about relationships outside marriage? Are there any restrictions on girls? On boys? How does view boys or girls who are in relationships? What is the attitude towards a girl who has been in a relationship? Is it different towards boys? Why is this so?

### **Bigamy/ Polygamy (having more than one wife)**

1. Does it happen in your community? What are the consequences on the lives of women? Under what circumstances does this happen? Is this socially sanctioned? Do women protest ? what happens if they protest?
2. What rights does each wife/ wives have in this situation? (Discuss if there are such cases. Document the rest of the details based on a discussion of the case and then add generic details)
3. What are the power dynamics between the women and with the man/ husband) .
4. How are housing arrangements made? How is property and expenditure shared? How are family needs met? What is the social standing of the wives in such marriage arrangements?
5. What about the rights of girls and boys from such marriage arrangements?
6. Should this be allowed and why? Who benefits? Why pays the cost in such arrangements?
7. Are there any instances where women have challenged such arrangements in your knowledge? what was the response of the community leaders/elders/ women? Is there a role on this issue for women's association?

### **Family size, women's reproductive health**

1. What is the average size of a family in your community? Then and now
2. What is the ideal size of a family now? No. of girls and no. of boys? Why?
3. What if there are only daughters or sons? What happens to women who conceive only sons or daughters? What happens to the children?
4. What happens to women who are not able to conceive at all? And to their husbands?
5. If a husband and wife disagree on the size of family, who takes the final decision? What happens if a woman takes a decision?
6. What is average time of child spacing practised in your community? Do women decide on the spacing? If not, what are the barriers for her to decide? What happens if she decides to use barrier methods?
7. Is abortion common? In what circumstances? Is there a gender dimension?
8. Do people practice contraception? Who does? Who decides?

### **Separation/ desertion/ divorce**

1. On what grounds does separation/ desertion/ divorce takes place? Who usually initiates?
2. If cases of extra marital affairs are stated- What happens to men and women? Are punishments imposed? Is there a difference between men and women (if yes, why)? Other nuances of what happens if there are no male heirs or no children? Any other?
3. Is divorce common? Who sanctions it? (What is the role of the church, customary laws, village/ clan elders etc).
4. Can a woman leave or seek divorce from her husband if he is being abusive and violent with her? If no, what are the barriers? If yes, does she face any backlash...if any? What support can she expect from natal family and husbands family? From clan and community? From church?
5. Are instances of women deserting husbands common? In what circumstances? And men leaving or deserting women? Usually what circumstances? Are open relationships accepted for men and women? Why /not? What sanctions and reprimands for men /women? Can such a person expect to occupy a place of dignity or position of respect in the community after being in such a relationship or after deserting the spouse? Is it different for men and women? What happens to kids?
6. Is there a difference if the man or the woman deserts/ divorce her husband/wife? What happens when the husband seeks for divorce/ separation/ deserts the woman? What happens to the woman in the same case?

7. What is the process of conflict resolution/ settlement? (Is it settled among the family members or is the case taken /brought before the village council/elders etc. Describe how. When the decision is taken among the family members, what is the role of the women and men members of the family)? Do women participate in the proceedings? Are both given a fair hearing?
8. In cases of separation/ desertion/ divorce, what rights does the woman have in her marital and natal property? (What about bride price).

### **Custody of children**

9. In cases of separation/ desertion/ divorce, what about custody over the children (is there difference for boys and girls)? How and who decides? (If the custody of the children goes to the husband, is there any support/role/service that the wife has to provide for the children and till when. Vice-versa) what rights are given to the woman or man in such situation? Why?
10. Can the children decide for themselves-with whom they would like to stay...with the mother or the father? Is it different for boys and girls?

### **Widowhood**

1. What rights do widows have in the marital home? How are they treated?
2. What happens to her (property, custody of children etc) if the widow (young and elderly) is with children , without children, with only daughters, with only sons, with daughters and sons
3. What happens to her rights in her marital home if the woman decides to get married again? What rights does she have in her natal home? And what rights to children from first marriage?
4. Does any woman appeal beyond the customary law (constitutional redress)? How do village council/ community look at it? If not, what are the barriers?
5. What constitutional provisions of the laws are they aware of? Have they or anyone they know used them in their community? What are the consequences? What are the constraints/ barriers in accessing the laws?

### **SECTION 8- VIOLENCE AGAINST WOMEN**

1. What are the various forms of abuse or VAW (Both in Private and Public spheres and covering all forms of violence- physical, social, economic, psychological/emotional violence) in your community?
2. Do you know of anyone who had faced violence? (Please get as much details as possible)
3. Under what circumstances do these forms of VAW occur?
4. What happens to women when violence occurs within the home (if it was her natal home) or (if it was her marital home)? Where does she go to for help? Women groups, neighbours, police

station? How do families deal with such cases? How does she deal with it? If she doesn't seek/ get help or support, why so? What are the barriers?

5. Similarly, what happens to women when violence against women occurs in the public sphere? Where does she go to for help? Women groups, neighbours, police station? How do families deal with such cases? How does she deal with it? If she doesn't seek/ get help or support, why so? What are the barriers?
6. Do you know of any case of witch-hunting practise in your community (or cultural practise of any form where women are targeted for practising some magic, use of poison, etc)? If yes, what happens to such women? How are such cases dealt with by the community?

#### **Community responses to Violence against Women:**

7. Community response to VAW- Domestic violence or violence in the public sphere? How do they deal with it? Who adjudicates on cases related to various forms of VAW (*community, village leaders, relatives, families*)? Are women present in the proceedings and what role do they play?
8. What is the nature of the law used in delivering justice to women facing domestic violence/ rape/ assault in the public sphere? (*Note if there is any other form of violence against women tried by the local laws*)
9. What is done to prevent violence against women
10. What is done to help the victim/ survivor
11. Do women support networks exist to help survivors
12. What social and legal services exists to help address problems associated with violence: E.g.: health, police, legal counselling and social counselling
13. Who provides these services? How these efforts could be improved.

#### **SECTION 9- ASSETS AND OWNERSHIP**

1. What are the institutions that determine the rights to forest, grasslands, common lands etc? How is property distributed? Who has rights? What about women and daughters and sons?
2. What are the cultural practices related to inheritance in your community?
3. What are the issues on which conflict occurs in families/ within families?
4. What happens if a man/woman leaves the house? Has this happened? How do families manage? How are such situations resolved? What is the role of the community? Extended family? (Explore gender dimensions to examine who intervenes, who determines rights. what are the spaces for

men and women to appeal? Who adjudicates? Are women allowed a say in decision making etc? Do they get a fair hearing? What should be done?

5. What are the issues on which conflict occurs in the community or between communities? Who decides? Who arbitrates? How are decisions taken? Whose opinion and decisions? Do women have a say? Are they represented? What should be done?

### **Decision making in households: Ownership of assets**

1. Control of income and Ownership of assets: agricultural land , grazing lands, forests, non fixed assets like mobile, vehicle, tractor/plough , etc
2. Who has more access to financial assets and taking loans, men or women? On what conditions, who repays?
3. How are assets managed? Who takes decisions? Who goes to buy and sell?
4. What rights women have to inherit (as compared to men) individual property (as married daughters, as unmarried daughters, as widows, etc)?
5. What assets do women have rights to? What are the rights? - User rights, custodian rights, trusteeship rights, ownership rights, rights from the state (land distribution schemes)
6. Do you know if women have been allotted lands by village councils/ clans for collective use? Under what circumstances does land get allocated to women as individuals?
7. How do society treats a woman if she asks for her share of property?
8. How is the inheritance of property decided in case of conflict between siblings? Is the sisters' rights considered and how much and to what extent.
9. Do you think the inheritance norms are fair/ unfair for women? If yes/No. why?
10. Do you or has anyone in your community approached the civil courts on a property disputes? What happened then? What happened to women's rights?
11. Have women taken up any discussion on the issue of women's property and inheritance?
12. What is the difference between over rights to self-acquired property and family inherited property?
13. Who decided regarding selling and purchase of assets - agricultural land, woodlands, vehicle, livestock and house?
14. Do you think forests rights/ rights to commons are important for women? Do you have such rights? If yes, what rights do you have in comparison to men in your natal and marital family? Are you aware of any laws that give women rights to forest and common lands? Has anyone claimed? What happens?

## SECTION 10- CITIZENSHIP AND POLITICAL PARTICIPATION

1. What are the different local institutions/bodies that make decision in your community? How is it composed (how are they selected, the criteria)? Are women represented? If yes- what kind of roles they perform /position does she holds. If few or none/, why do you think there are no/few women in the different bodies/institutions? If no, why and what are the barriers?
2. Do you think it is important for women to be present in local institutions/bodies (tribal councils, VDB, etc).if yes or no, Why?
3. What are the services available in the village from the state/government? From the church? Others? Do women have any interface with these services and service providers? Who monitors these services? What is the forum to determine the quality and nature of such services? Are women represented? What kind of roles do they perform? Are they in decision making or financial management roles? What should be done? What are the barriers?
4. What are the other local institutions that women interface with- church/tribal council/state/women's groups? What have their interventions been towards addressing women's roles? Have they played a positive role?

## APPENDIX-V

### Interview Schedule for Village Leaders

<ul style="list-style-type: none"><li>● Name of the person/s Interviewed:.....Date:.....</li><li>● Place and district.....</li><li>● Designation /institution/other details on significance.....</li><li>● Tenure as community leader.....</li><li>● Is the position hereditary/appointed / elected..... (note if position can or has ever been held by women and how they were appointed, if ever)</li><li>● Name of facilitator:.....Starting time.....Time ended.....</li></ul>
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#### 1. First section

1.1 *What are the problems in your village that you are dealing with at present? What problems are women in particular facing?*

1.2 What do you think about the situation of women today? What are the most significant changes that you have seen regarding women's situation in your society and community in the past two decade or so? (Brainstorm on the nature of changes, and ask which are the most significant)

Focus on three or four changes that they consider most significant and ask- how do you think these changes have impacted your society (probe for positive and negative views) have these changes addressed attitudes towards women positively or negatively

1.3 Do you believe there is discrimination/ gender inequality or VAW in your society/community?

A. If response is denial, ask probing question about what they feel about instances of violence and household work burden and denial of women's role in political participation

B. If there is acknowledgement, ask about whether it has increased and reasons for the same

1.4 Why do you think there is incidence of violence or discrimination in workload, in giving opportunities for education, in political participation or public role for women? If response is yes there is equality: ask prodding questions like: what about selection of streams in studies, drop out, health, career choice, inheritance, decision making

#### 2. Second section

2.1 In what ways do they think that women in your community are now treated with equality and respect? In what ways are they discriminated? Does this need to change?

2.2 What are the gaps? What are the barriers? What should be done?

- 2.3 What aspirations do you have for your daughters and also for your sons? Why is there a difference? (If there is a difference in their response?) Is this fair/just?
- 2.4 Has there been a change with regard to roles of men and women in the community? Should men share more work in the household for caring? What will happen if they do?
- 2.5 Should women be allowed greater rights in decision making in the household? In ownership of property? How would this impact your society? What will happen?
- 2.6 How do you deal with instances of discrimination and violence against women in your society? Have there been any recent cases that you have dealt with?
- 2.7 What are the expectations from a good man in your society?
- 2.8 Would you call a man who restricts his wife from going to the market or does not give his income to the household, or beats his wife once in a while? Why?
- 2.7 Who are considered to be good or bad women in your society?
- 2.8 Would you call a woman who insists on sharing of household work, or wants to work outside the home or visit her natal home or protests in public against her husband beating her or abusing her a good or a bad woman? Why?

### 3. Third section

- 3.1 What kinds of cases are brought to the village council or the customary court?
- 3.2 Are cases related to women also brought to them? What are they? Record incidence of such cases in past two years:
  - Cases pertaining to breakdown or dispute in marriage: .....
  - Seeking divorce, allegations of extra-marital affairs: .....
  - Custody of children: .....
  - Inheritance, Property distribution & disputes: .....
  - Violence against women cases – DV, Violence in the public sphere, Sexual assault or rape
  - Witch craft: .....
  - Any other.....
- 3.3 How do they deal with such cases? (Giving examples from above or other narrated incidents of violence or discrimination) why are these problems occurring?
- 3.4 What other local institutions are there in their community? Do women participate in them? What kind of decisions do these institutions make? Do they intervene in such issues of discord or dispute? (Youth clubs ,women associations, church groups etc) What has been their role (positive/negative)



- 3.5 what are the social norms regarding Custody of children, inheritance, crimes, divorce, remarriage, extra marital affairs, unmarried motherhood, how are these norms formulated and communicated? What happens to those who challenge these norms? Do you think these norms are fair to men and to women? What should be done?
- 3.6 In what ways does the role of the state intervene in the social relations in your community? (e.g. provision of services, law and order, governance council, recording rights and entitlements etc) How does that impact women's status? What more needs to be done?
- 3.7 In what ways does the church intervene to inform opinions and actions in social relations in your community? What is the impact on women's status? What happens and what action is taken against someone violating the dictate by these institutions? How can things be improved?
- 3.8 Does the tribal council play a role in addressing the issues of social relations and discord on issues of rights of women or settlement of conflict between men and women, or laying down the rules of conduct for men and women in your society? Who is represented on the council? Do women get a fair hearing? Are they represented equally on the council? Are they given a fair and just hearing?
- 3.9 What happens and what action is taken against someone violating the dictat by these institutions? Have there been recent instances or cases of gender based discrimination or VAW or women's rights that came up in any of these institutions and what happened? Do you think the decisions were gender just? What should happen in your opinion?
- 3.10 How can these institutions change or improve to in address the issues regarding equality of women and girls and to address gender based discrimination and violence?
- a. Church;
  - b. Traditional tribal forum
  - c. Youth clubs
  - d. Women's associations

