

**NAGA CUSTOMARY AND TRADITIONAL LAWS  
AFFECTING NAGA WOMEN IN DECISION MAKING**

**A DISSERTATION PRESENTED BY  
IMTILEMLA JAMIR**

**UNDER THE GUIDANCE OF  
DR.MANIK SONAWANE**

**IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE  
AWARD OF**

**MASTER OF PHILOSOPHY (POLITICAL SCIENCE)**

**THE YEAR OF SUBMISSION 2018**

**TO TILAK MAHARASTHRA VIDYAPEETH PUNE**

## DECLARATION

I hereby declare that the research work presented in the thesis dissertation entitled “**Naga Customary and Traditional Laws Affecting Naga Women In Decision Making**” has been carried out by me. Submitted for the fulfillment of M.PHIL degree, this dissertation is an authentic work carried out under the guidance of Dr. Manik Sonawane, Head, Dpt. of Political Science Tilak Maharashtra Vidyapeeth, Pune.

I also declare that the matter embodied in the dissertation has not been submitted to any other academic institution or University for the award of any degree.

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**Place: Pune**

**Date: 5<sup>th</sup> Sept. 2018**



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## CERTIFICATE BY GUIDE

Certified that the work incorporated in her 'M.Phil' dissertation "**Naga Customary and Traditional Laws Affecting Naga Women In Decision Making**", submitted by **Ms Imtilemla Jamir**, was carried out by the candidate under my supervision.

Such material as obtained from other sources has been duly acknowledged in the dissertation.

Date: 5<sup>th</sup> Sept. 2018  
Place: Pune

Dr. Manik Sonawane

Research Guide

## ACKNOWLEDGEMENT

First and foremost I would like to thank the Lord Almighty for guiding and bestowing knowledge, understanding and the ability to complete my work with dedication and courage. Without his will, I will not be here today completing my degree.

I am equally gratefully to my guide Dr. Manik Sonawane Head, Dpt. of Political Science, Tilak Maharashtra Vidyapeeth, Pune for helping me plan my research program systematically and for constantly encouraging me to work harder. He has not only been my guide, he has also been my mentor and my counselor, and he has been my backbone throughout my research paper. He has always been encouraging and understanding in every possible way. His guidance and constructive criticism pushed me to do better every day. I remain highly indebted to him for making my research rewarding and successful. I shall be forever grateful for his guidance and patience that encouraged me to strive for the better.

My sincere gratitude and appreciation to all the faculty members of the Political Science Department for always being kind and helpful and also for constant encouragement, intellectual thoughts which has immensely supported my research paper. I am also grateful to all the librarians of my Department, for all the help I received during the research study and making it easier to find related books and information.

I am also exceptionally grateful to Dr. Temsula Ao, chairperson and member of Nagaland State Commission for women, Dr. Anungla Aier Principal Kohima Science College, Dr. Lanusangla Tzudir, Village council and Watsu Organisation of Chuchuyimlang village, Mr. Chuba Ozukum

President of Naga Hoho, Mrs. Mongya Konyak KNSK vice president, Mr. Imlisunep Asst.Prof Kohima Science College, Mr. Neingulo Krome-Naga Peoples Movement for Human Rights (NPMHR)

for their valuable time and sharing their knowledge throughout this research and last but not the least to all my respondents and key informants who got involved and were a part of my research study. Without them I would not have been able to complete my work.

I am also immensely grateful to my family especially my parents Mr. S.Wati Jamir and Mrs. Bendangla Pongen for their constant support, prayers, for always being there for me and accompanying me during all my field visits and for all the encouragement I received while pursuing the study.

Finally I would like to express my gratitude to all my friends and relatives for their continuous support and sharing their views and inputs to this study and also to all those people who have helped me directly or indirectly for the successful completion of this dissertation.

Imtilemla Jamir

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## LIST OF ABBREVIATIONS USED

NMA	Naga Mother's Association
NPMHR	Naga People's Movement for Human Rights
VDB	Village Development Board
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
AFSPA	Armed Force Special Power ACT



## *Chapter 1*

### *Introduction*

Every society is defined by its unique customs and traditions. Customs are the norms which the society follows without any obligations as it has been integrated firmly into the institution and has been molded generation after generation. Every individual is defined and rooted by certain customary and tradition

The detailed study of the evolution of modern day customary laws can be found in the study of the constitutional history of England and practices which is prevalent in the present day British Royal practices such as accession, inheritance and procedures followed by royal family on important occasions. In general the evolution of customary practices starts with oral tradition passing from generation to the other and also during the ancient times customary practices were even transferred from one place to another by the conqueror to the conquered or from superior community to the inferior community and therefore its origins were at shrouded in obscurity by compulsion or plain indifference.

When a particular customary practice is codified or put into written form it becomes either statutory law or procedural code but unless otherwise it is considered as customary practice. In the early days of primitive lifestyles human being adopt certain procedure to bind their day to day activities to promote orders and peace among themselves. With the passage of time, human intelligence improved somewhat in rudimentary form and that subsequently led to the belief of unseeing forces or spirits perhaps directing the life of an individual to his destiny. This higher form of psyche influenced the humankind to practice witchcraft or either plain superstition that led a particular community into the belief that his or that action may displease or please a higher

being which guide their destiny and taboo was born. The first is 5<sup>th</sup> and 6<sup>th</sup> century of the medieval period was considered as the dark ages of human history due to non availability of written records of that particular period, division of churches, crusade, the practice of black magic and witchcraft which espouse superstitions and human instinct rather than basing their principles on reason and logic which we called science. The middle ages also saw the first sign of prosperity and development which later on lay the foundation of modern period, some writers even disagree that it is a dark age.

All over the world women faces different kind of injustice and discrimination on various levels. The issues of women in general were highly discussed and brought to the attention of international bodies. Feminism became popular in the 20<sup>th</sup> century, prior to feminist movements, many women and activist talked about equality and women speaking of equality and rights were often labeled as profeminist. In the 18<sup>th</sup> century, Jeremy Bentham a classical liberal philosopher and an English Utilitarian spoke about equality between women and men including voting rights and in government. In the 19<sup>th</sup> and 20<sup>th</sup> century Feminism was first started it mainly focused on women's suffrage, it gained its popularity all over the world. The General assembly adopted the Convention on the elimination of All Forms of Discrimination against Women (CEDAW) in 1979, it was seen as the International Bill of Rights for women, the convention targeted traditional and cultural influence. Women were not only discriminated but were also abused and deprived of their rights. Women's liberation became more and more popular across the Nations. New Zealand was the first ever country to allow women to vote in 1983. In India, after its Independence from United Kingdom in 1947, India granted both men and women for equal voting. The first wave of feminism was roughly around 1830's – 1990's, women realized that they need political power to empower themselves which is the first step towards

developing themselves, leading towards expanding the issues like sexual abuse, economic matters like right to own property. And realized that they can do what men can do in every aspect with equal rights and opportunity. The second wave feminism centered around the issue of sexuality, workplace etc. Feminist were of the view that by raising gender equality issues their voice will be heard and through this women can be ensures of their rights and equality which is the basic need for their development. Post 1990's till today the work progress is still on which has been planted by the previous waves. Many people misunderstand the term feminism and their work, feminism is not about standing against men or to so say to oppress men but in general term, feminism is all about women working towards uplifting themselves and fighting against injustice and inequality. The main goal is to achieve equality in all spheres without any discrimination. Extreme feminism is not healthy, is goes against the main goal and its ideology. The idea of feminism is to provide women a better living with equal opportunity and equal rights.

Feminism in India is divided into three phase, first phase 1850-1915, second phase 1915-1947, and third phase was post 1947. The drive to empower women grew bigger and bigger and gained massed popularity. Fighting all odds Savitribai Phule was the first women to establish schools for girls in India; Tarabhi Shinde was the first women in India who wrote a feminist text. With the advancement and modernity many social reforms were taken up, especially related to caste and gender relations. Many states were ruled by women for example- Rani Laxmibai(Jhansi), Jind Kaur(Punjab). After the Indian Independence Indira Ghandi became the first women Prime Minister and ruled for 3 consecutive terms. Pratibha Patil became the first women Prime Minister of India on 2007. Women's conditions were improvised but not in the larger aspect, in villages and also in cities women were tied by patriarchal, caste, traditions and

customary system. The psychological manner in which a girl child is brought is different from that of male child and this is highly responsible for the thought that women cannot compete with man. Women are judged upon every move she makes to the extent of her clothing's, for example in the Muslim community both men and women are to be dressed with modesty, women are to cover their face and body besides her eyes known as the *hijab*. In some parts of India widowed women were looked down upon and she had no freedom of her own. The Sati prevention act 1987 allowed widowed to breath and protected women from the evil social practice of Sati. Child marriage was practiced and it was threatening the lives of girl child, often a girl was married off to a much older men before even hitting puberty of the girl. In some cases the girl and male are both underage without both having no idea of how it will be effecting their lives later on as it was a cultural and traditional practice. The constitution of India ruled out the act of prohibition of child marriage on 2006 banning the practice of child marriage but in remote areas there is still prevalence of child marriage as it is considered as traditional practice. There has always been the issue for equal payment for both men and women. Women were not paid equally with that of men for the same work. Women were paid less, Equal Remuneration act 1976 was passed in order to achieve equal payment for both men and women for the same work without any distinction and to prevent gender discrimination relating to employment opportunities. Never the less, distinction is very much seen. Giving an example will be that of Bollywood, actresses were demanding for equal pay with the male counterparts, they believed that equal hard work, time and energy is given like that of male. Gender should not be the reason for unequal payment. Men has always been seen as superior being and believed that men's labour cannot be comprehended with that of female labour. Most of the time the society believes that, family is protecting women by embarking certain rules as of what to do and what not to do including dress codes without

realizing the fact that it is hampering the growth of women in so many areas which leads to isolation, depression and lack of self confidence. Besides all these women are breaking barriers and waded their ways in so many areas.

Women were generally looked down upon in the society, one of the major customary traditional practices in India is that, women were not allowed to enter temples, kitchen etc during their menstrual cycle. . It is a natural phenomenon as a women but it was treated as a taboo in many society, it was considered as unhygienic, unclean and dirty. The stigma around this issue is still prevalent in some society without understanding the fact that it is through this process women are able to bore child and without which women cannot bear a child. Many women social reformers has taken up this issue and protested that women should not be judged or discriminated because of natural process.

In every household, the father is considered as the head of the family, incase in the absence of the father the male child takes over his place, this kind of patriarchal system is not only found in India but in almost every country. The father has the authority over his children and wife. In some society polygamy marriages are common it is seen as a traditional and customary practices, it is where the husband can marry more than one women without divorcing the other wife, sometimes women are married off due to her poverty and women has no saying in this, sometimes she is married off without her will and often the wife will be years and years younger to the man she is marrying, she must live under the rule of the husband and must accept the fact that she has no rights to stop her husband for another marriage, it is popular in countries like Iran, Afghanistan etc. In India in a village called parched village Danganmal, in western India just outside of Mumbai, a man married 3 wives in order to fetch water and also do other household work. The village has no proper water facilities and has to walk miles and miles to

fetch water, marrying 3 wives provide enough water to family, women are often seen as objects or to fulfill labour works. Polyandry is another form of practice where a women can marry more than one husband but this practice is not common like that of polygamy as women has the authority and can marry whoever she wants which gives limited power to men and this practice is not popular. Crime and discrimination against women is seen all over the world, it has become an international problem. The international bodies are trying to fight against all this injustice. Women in Kyrgyzstan are kidnapped for brides, the lives of women in Kyrgyzstan are threatening as often they are kidnapped in the streets and from anywhere and once they are kidnapped for brides they cannot do anything but they must accept their fate and marry the man who has kidnapped them old or young they have to get married, laws are being tightened yet the practice is still prevalent, often women end up committing suicide. The rights of women is neglected. She has no right to go against the practice and deny the marriage.

Women's involvement in different decision making is low, often the decision on their personal matter is also regulated by men. The political domain is dominated by men and often women are neglected and are excluded besides casting their votes. Women's political participation differs from country to country and from state to state.

Nagaland became the 16<sup>th</sup> State of India on 1<sup>st</sup> Dec 1963, Kohima as its capital, situated on the easternmost region of India, shares its borders to the state of Assam to the west, Arunachal pradesh and part of Assam to the north, Burma to th east and Manipur to the south. Nagaland has 11 districts: Kohima, Dimapur, Phek, Wokha, Mokokchung, Tuensang, Mon, Zunheboto, Longleng, Peren and Kiphre. The state is inhabited by 16 majot tribes – Ao, Angami, Chang,

Konyak, Lotha, Sumi, Chakhesang, Khiamniungan, Bodo-Kachari, Phom, Rengma, Sangtam, Yimchunger, Thadou, Zeme-Liangmai(Zeliang) and Pochury as well as a number of sub tribes. Each tribe has its own unique customs, language and dress. The Nagas were famously of infamously known for “head-hunting” practice before the arrival of Christianity, this practice came to an end during the 19<sup>th</sup> century. The culture of headhunting was one of the most dreaded culture, practice among Nagas. The mention of the word “headhunting” throws a sort of consternation to the foreign invaders like British people which at one time pose a serious problem to the neighboring non- Naga people particularly Assam. The reason for practicing head hunting is generally confined to the times of war and rivalry between villages, in times of war the person bringing the head of person from the rival village by man himself is considered as a trophy. Killing a man without reason either intention or accident is considered as a serious crime in the society. During the period of headhunting women plays an important role and it is the goal of the head of the family (father)to procreate as much offspring as possible for self protection and security, during this period people usually lives in constant fear and therefore the obligation for recruiting the male members as warriors to guard the village and its people become an absolute necessity. The women were entrusted with domestic chores, such as protecting the children and bear many children and even while going to the field the responsibility of guarding the womenfolk from being hunted by the enemies falls on men, to this day many of the customary practices had its roots from the bygone days of the head hunting time. Serious effort had been imposed by the British administration and Missionaries to put a stop to this dreaded culture and it had its impact and subsequently a complete cessation of headhunting culture .

The Nagas does not have any kind of written form preserved regarding this practices as it was in the form of oral tradition. This practice was recorded by various British administrators and anthropologist. Naga life revolves around cultivation, observing certain rituals, praying to gods for healthy crops and thanksgiving for plentiful harvest. Each tribe celebrates their respective events at different times. Nagas loves songs, stories and traditional dances and each tribe preserve their identify through this activities and this activities are alive even today. Naga women are expert weavers and each tribe has their own unique style in patterns and colors. Naga men besides being cultivators, they were known for their bravery and being fierce warriors in the past. They enjoy crafting like bamboo craft, wood craft and stone work etc. Every village has their unique gates incurved with variety of symbols which has a meaning to it. Naga society is a classless and casteless society.

The Naga society has always been proud and took pride in its rich culture and traditions which has been passed down from generation to generation. The Nagas give importance and the highest respect to customary law, they believe that if one follows and obey the customary law an individual can achieve its best. Many of the laws are in the form of oral tradition which has been passed down by their forefathers. Each tribe has their own form of unwritten customary laws and functions accordingly; there are similarities in very tribal customary law. The Naga women were always treated with love, respect and care. During the head hunting practices, women were not allowed to go to the warfare; she was kept hidden in their respective house. In the primitive Naga society, the Nagas were indulged in agriculture, hunting and rearing livestock which has been an integral part of their livelihood, where the work division was clearly seen in respect to the activities involved. Women's work was centered on cooking, cleaning, weaving, fetching



water and taking care of the family and manual works. Naga men did not pressure of hard manual labor on women and just confined women for household work. Naga women enjoyed the protection from men for their well-being as Naga men were protective towards women on many grounds.

The traditional institutions or customary law and practices upheld by various Naga communities are inspired by the belief in male dominance inspired by folk lore's and myths which mainly talks about male dominance and bravery of men while women are often depicted as weak and needs to be protected by men.

<sup>1</sup>”Naga origin myth are essentially mythological and describe as a supernatural origin and points to a time when human and animals were believed to have co-existed. One such origin myth is the story of men, tiger and spirit who all descended from ancestral mother and lived together as brothers. Though different versions are found in different tribes, one common theme that emerges in this myth is that Nagas clearly demarcates the universe into three parts: one part is controlled by men, the other by wild animal usually symbolized by the strength of the tiger and the third part by spirits. The story is situated at a time when day and night was not separated; humans and animals lived as one and communicating with one another. The story depicts that women as the mother who gave life to them all, but she is always depicted as a weak, sickly women who was constantly under the threat of the tiger unless under the care and protection of the man. Eventually she dies and is buried under the hearth to protect the body from being devoured by the tiger.”

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1. <sup>1</sup> Anungla Aier, “folklore, folk ideas and gender among the Nagas”, Eastern Quarterly, vol.5, Issue II & III, pg.no 88-89.

The construction of gender identity in Naga society is derived from folk lore's and myth in terms of oral narratives. Such instance can be seen though folk lore's of various tribes on how man came into existence as the first being. Ao tribe believes that six men first originated from six stones (*Long Terok*) , and became the ancestors of the major clans of Ao tibe. The Angami origin started with two brothers who came out the earth. The descendants of the elder are called *Pepoma* and the descendants of the younger are called *Pepfuma*.

The Naga society is a patriarchal society where women have always been subordinate to men. Customary and traditional laws play the vital role in decision making. The Nagas maintain that they are different from the other fellow Indians in terms of politics, economy, and language and historically. Article 371 (A) gives special provision to the state of Nagaland, under this Act. Naga existing customary law and procedure and administration of civil and criminal justice involving decisions according to Naga customary law have special sanctity. The Naga society believes in democracy and follows the democratic norms but side by side they follow the customary and traditional law. Besides the governmental subjects most of the laws are carried out in accordance to the customary and traditional norms. But when such laws are carried out, women are often neglected and are deprived of their rights and are subjugated by men. Male chauvinism is always present in the context, women are believed to be home makers and they are not allowed to attain any kinds of meetings and the decision for various issues were taken up by men. The customary laws are 'Rigid'. The father and husband are always considered as the highest being of all and women cannot go against the will of them, they are treated with much respect and obey the rules given by them. Women were not aware of their rights but they left that to live in peace with their family and spouse and to look after her family was her most important duty of being women and continued to live the cycle of life. Since childhood women were taught

to be disciplined and not to argue with men, they were taught that men have always been superior to them and that they can only be protected by men. Women were brought up in certain ways on how to talk, behave, and conduct themselves. Opportunities and the luxury to take part in decision making were not given to women as they were considered weak and not capable of leading the crowd. Women were not included in village panchayats and still women are not included in the present context. The freedom of life was not bestowed upon women as she needs to seek permission from her father or husband to do anything. Women were not given any opportunity to prove their strength as they were tagged as weak. Women's role are strictly confined and defined by traditions, it is only men who can be decision makers for important matters both in public and private life. When education became popular among Nagas, it was the male child who got the first opportunity, for female it was different, she was allowed to study up to the stage where she could read the bible and the song sheet. It was considered more than enough for a girl child. Most girls attained till primary school so that their brothers could go to towns like Kohima, Dimapur to continue their higher education. The girl had to stay back to help her parents in the field to support her brothers for his education. It was considered as a duty and not as a sacrifice by the girl child even if she was academically better than her brothers. <sup>2</sup>“Merit was never the decider, being male was’. Men have always been stronger than women in physical strength. The hard work of clearing the jungle, building the house and difficult task was done by men as women lacked the physical ability to do the work as that of men. Protection from wild animals and enemies was done by men, they were the protectors and so the men assumed the superior status. Through all this instances, it can be seen that men have always been dominant towards women”. <sup>3</sup>“The socially constructed self of the women in the past was so thoroughly

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<sup>2</sup> Temsula Ao, 'On Being a Naga', Heritage Publishing House, 2014, Pg.no 47.

<sup>3</sup> Temsula AO,'On Being a Naga.' Heritage Publishing House , 2004, Pg.no 50.

subordinated to the male that in time she too accepted it as the definition of her ontological selfhood”.

The Naga women consider themselves weak and not capable of competing with men folks as they were raised in such an environment. In the traditional Naga society it was considered as a taboo for men to weave or touch weaving tools. Women were not looked down in Naga society but her role was limited. Being born as a male child is an honor in the patriarchal society, being born as a female is also celebrated and welcomed in the Naga society. Though caste system is not present in the Naga society yet the customary and patriarchal system is very much strong and this system is being followed by every Naga citizen with full dedication. The Naga society has always treated women with respect and crime against women is very low in Nagaland. Rape cases are not common in the state, when such incidents happen the support from the men is always seen, organizing rally's and protest along with women organization demanding for justice and mend out server punishment to the culprit. Men has always been considered as the bread winner in the family, if the husband or the son is unemployed and without education qualification he would support the family through daily wages which includes labor works in construction areas etc. women are not seen doing such kind of jobs instead she would opt for handicrafts to support the family, women carrying out labor jobs is seen as odd and often the husband, brother, son is criticized for letting a women do such kind of jobs. When it comes to family decisions, it is the tradition that the family agrees and do what the male says. The husband or the father is considered as the family decision makers. Example: the progression and decision of the child in education is often decided by the father like choosing their streams or career, often the Childs interest is put behind. Often it is said by Naga men that women are treated equally and when questions them on certain issues as why women are not included, they believe that certain

issues are not for women to be involved and indicates that it is for the betterment of women. In decision making it is often said that including women creates unnecessary havoc and finding solutions takes time as they believe that women cannot come in terms with one another and the discussion becomes haywire but when only men are accumulated for decision making it does not include any kind haywire discussions and only makes valid points.

Women in decision making were very poor but it has slowly changed in last decades yet not in an impressive manner. Both in public and private life women have less saying in decision making process. In public life women who often take part in decision making and also in political life has education, sense of awareness, family support and also from political background. Often women are unable to give time in public sphere is due to their time limit because of the gendered division domestic labor, women does not enjoy the luxury like that of men in domestic arena because the society constructed the idea that women must take care of the household work, duty to provide food in the table etc which gives limited time to participate in public life and without fulfilling the domestic duties if she is to take part in public domain her character is judged upon and criticize upon not fulfilling the needs of the family and labeled as irresponsible wife/mother.

Women in public domain working towards women upliftment has less resources and the reluctant of other women to join in with the mass for their development is another downfall. Complete change in decision making process will not happen between night and day shift, but must seize every opportunity and must make every possible opportunity to enable women to take part in decision making process. Women should understand that equal opportunity to women will

not be served in a platter but they must work together to in order achieve the goal and start working together with men without women distinguishing themselves from men.

## *Chapter 2*

### *Review of Literature*

A number of studies have been undertaken on the status of women in Nagaland but very little effort has been made to discuss the downfall affecting women through customary and traditional laws.

**Lanusashi Longkumer and Toshimenla Jamir (2017)** give an insight about Human Rights in Nagaland. The struggle of Naga women within the ambivalent patriarchal structures and militarization. This book takes back to the grass root level on how it was all started and mentioned some detailed incidents and the effects on the society, gives light on the role of women in the Naga struggle for self-determination.

**Benjongkumba (2015)** in his book talks about the need for empowering women and how the customary laws are affecting the rights of women. This book not only focuses on the past but it connects to the past and present. It gives a reality check and argues as to why women needs to be discriminated clinging on the traditional norms when the Naga society believes in democracy but room for the term equality is narrow.

**I. Bendangmenla (2015)** she points out the role of women in the changing world in her article. She mentions about how women are paving their ways for development in different fields. She questions the society as to why only men are allowed to take decisions which involves not only men but also women. She gives a view on how men

can support women in different levels. She talks about how women cannot enjoy full-fledged freedom and how the society demoralizes women.

**L Sosang Jamir (2012)** his book gives a detailed background on AO Naga tribe from head hunting to civil society, he focuses only on the importance of the customary law and how it needs to be preserved by the upcoming generation. He ignores the practicality in its true sense. His book does not give an insight of the bleak reality affected by the traditional norms.

**DR. Lucy Zehol (1998)** she writes about the status of women of each tribe and the social problems faced by women. The Naga women of each tribe are similar to each other. The rules are similar to each other. She does not mention about the impact of women in the society. She talks about the problems faced by the women and rights being deprived but does not mention as to how women can work about establishing and empowering themselves.

**NeinguloKrome (2003)** in his book he gives details on violation of human rights by AFSPA on Nagas, the disturbing details of the situation is mentioned on his book. He talks about how Nagas are deprived of their basic human rights and how Nagas have to even fight for their natural basic rights. He talks about the heart breaking reality of the Naga women and the inhuman torture they have to go through. Clear and detailed



incidents can be known through this book, it gives a glimpse of the dark reality of the Naga society under the AFSPA act.

**Temsula Ao (2014)** in her book she talks about the traditional Naga society and its evolution from the primitive society. Her book is a journey of folk lore's and myths of the Naga society. It gives a glimpse of the Naga women in traditional and modern times. Through her book the researcher accumulated the knowledge on how the folk lore's and myth effected and played the role in shaping the society and the thoughts upon the Naga people. She also mentions the myths centered around women and not just on men.

**Anungla Aier (2008)** her article talks about different folk lore are leading to the construction of gender identity in the patriarchal Naga society. She talks about the inspiration driven out from the folk lore's and its influence in the gender division. The writer discusses about the changing time and its impact on women through education and the access to various modern resources and through all these women were able to contribute in their development and their social status were improved.

**Moamenla Amer (2012)** the writer talks about the women's political status and condition of Naga women, this books gives insight to the political structure and electoral pattern in Nagaland. Through this book the researcher was able to see the bleak and deem condition of women in

political affairs. The writer talks not only about political status but gives an overall view on education and socio-economic condition about Naga women. This book has examined the dimension of knowledge about women in voting, political interest and their engagement political affairs.

**Phejin Konyak (2017)** this book talks about the Konyak tribe, through this book the researcher could avail all the information about the Konyak tribe and its history. The writer takes back to the ancient Konyak existence like the famous head hunting practices, tattooing, socio economic condition of the tribe. This book can be used as a guideline on understanding the Konyak tribe from its grass root level and all traditional practices and norms till date.

**Temjensosang, Athungo Ovung, A. Lanungsang Ao (2015)** this book talks about gender issues in various fields in regard to women. It not only talks about Naga Women but also in relation to the North east women. It talks about the status of women in the male dominated society and their role in politics, economic, education and social strata. This book highlights women and their participation in peace making process of the Northeast. This book hints about the condition of women and various social reasons leading to the hindrance of women in various areas for their development.

**Eyingbeni Humtsoe-Nienu, Paul Pimomo, Venusa Tunyi (2012)** this book is about bringing change and the changing nature of the Naga society. This book talks about the Nagas as a whole and its status and condition in the fast changing world and its progress in various fields. It talks

about women's equality and the urgent urge for equality between men and women in the society with reference to biblical context.

**Khala Khatoli (2012)** this book talks about women, children and AFSPA in Nagaland. It talks about how this act has affected the society in a bizarre way. Through this act many innocent life's has been perished and the constant abuse of Human Rights through this act. Life of the Nagas was never at peace under this act and they have been alienated from their own land. Women and children have been the victims of physical abuse and rape. Men have also been the victim of physical abuse randomly.

**S.S Rosemeyer (2012)** this book talks about women's Right and empowerment, the dimension of women is expanded through this book. Its talk about how women should be and can be emancipated in various fields and the need to empower women not only for their self benefit but also for the rest of the society. It talks about how women are searching for their identity and also reaching out to the women in rural areas through various activities.

## *Chapter 3*

### **Research Methodology**

#### **3.1 Introduction**

Research methodology means explaining the methods on how the research will be carried out, describing and explaining about the researchers work. It is the search for knowledge, truth and exploring the unknown. It is to understand as to why certain phenomena are happening in the society, the reason, the cause and the result. Research is only confined to science but research can be taken up in any field like history, economics, politics, geography etc. Research is taken up in order to find answers, solutions through systematic and scientific analysis. Research contributes new knowledge to the existing knowledge; it can be done through observation, journals, books and the phenomena around, experiment. Much research is carried out of curiosity, to know the truth, to understand certain issues, to solve and find answers to certain problems, for some it maybe for their degree and status, to explore new things etc. It is through research the human civilization expanded. It is believed that, through research the ultimate truth will be known but the ultimate truth cannot be known as the society keeps changing and the mindset of the people differs from another. But through research new theories, ideas will be evolved. One can see certain situations from different perspective through research and conclusions and findings can be accumulated by following the certain criteria of research. Inquisitive nature of men often leads to research and exploring the unknown. It is basically gaining more knowledge and adding new knowledge to the existing knowledge. One can also take inspiration from the past work and giving new light to the past work. There is no limit to

find new answers; it depends on the researcher as to how he/she looks upon certain situations.

Research can be carried out in different types:-

1. Descriptive vs. Analytical: descriptive research includes fact –findings and survey. Here the researcher has no control over variables and he/she can only report as to what has happened or happening. Whereas on the other hand analytical research has to use the already available resources and information and make a critical analysis based on the information avail to the researcher.
2. Applied vs. Fundamental: applied research aims at finding immediate solutions for the problems facing the society like economic, political problems etc. Fundamental research is collecting knowledge just for knowledge sake and generalizing and formulation of theory.
3. Quantitative vs. Qualitative: quantitative is based on quantitative terms with the measurements of some characteristic, whereas qualitative is explanatory for different variables. It is important is behavioral science s to study the human behavior.
4. Conceptual vs. Empirical: conceptual research is often used by philosophers and thinkers to come up with new ideas and concepts. Empirical research is mostly based on observation or experience and evidence.

It depends on the researcher as to how she/he wants to approach the research and in what system. The researcher should keep in mind that the research should be systematic and give new light to the study with valid data and reasoning's and the purpose of research. New study and research is more alluring and it helps the mass to study and gain knowledge from the research.

### **3.2 Formulation of Research questions**

Every research needs to formulate question in order to come about new theories or new knowledge. Without formulating questions one cannot go about doing his/her research. Formulating questions is an integral part of research, most questions comes about after observation or studying earlier researches, as to WHY? WHEN? HOW? Certain situation arises and how can one solve the problems or find answers leading to the problems. Questions leads to answers, one cannot formulate questions or question a certain situations without observation and analyzing.

In this research, the researcher opted for more practical questions relating women in decision making process. After carefully examining and observing the nature of decision of making process in Naga society the researcher formulated question as to why women are excluded from decision making process, why male chauvinism is still prevalent in the Naga society, even while embracing modernity why there is gender distinction. After studying the historical facts, practices and analyzing the current scenario of the society, the researcher formulated questions according to the situation and phenomena around the Naga society. The research questions are all related to the society and the happenings around the society. After examining and studying the problems and situations, questions were formulated to learn and understand deeper of the issues revolving around the society. New questions were put forward for new reasoning's and findings. The questions were not formulated out of the context but clearly related to research topic. The questions were formulated to gain new insight and information of the nature of the decision making in Nagaland. Practical questions were formulated in order to achieve answers in its true form. Questions were formulated for different people and organization in order to understand their perspective in the wider area. Questions

were put up in order to achieve new understanding, to gain more knowledge of the practices, most importantly to analyze the view of women in decision making process and their limited role in customary and traditional practices. The research questions were formulated to study and critically examine the process of decision making and the impact of customary law on women. The questions were formulated not only confining to women alone but also includes men in order to understand their views and perspective on customary law and decision making. The questionnaires enhanced more to the study and also widen the perspective of the researcher's research. The questions were formulated in order to understand the reality of the society and its functioning's, as to why, how certain situations and problems were created and also to seek answers for the problems. The Naga society is a very diverse and complex due to the presence of many tribes with different customs n traditions but the common ground in all this tribe is that customary law is the highest law and men are the law makers, the researcher sought to two tribes for comparative study. Formulating questions helps in understanding the view of various people, groups, associations, individuals etc and can extract answers through their thoughts and views.

### **3.3 Importance and relevance of the study**

1. This study helps in re-evaluating the patriarchal society from an insight.
2. The study helps in studying how women does not enjoy freedom of speech, right to life , right to take part in election etc. in its true form.
3. This study helps in understanding the functioning of the customary laws sidelined with the Indian constitutional laws and how it differs from each other. The vacuum is clearly seen in the functioning of customary laws.
4. This study helps in understanding women and their fight for liberation, equality and their rights. It helps in understanding how women are starving for their rights and women being able to accept new challenges.
5. It helps to understand how women are standing up and raising their voices against injustice mended out towards them through customary laws and the inequality of representation in decision making.
6. It gives a new light into the reality of customary laws curbing the rights of women directly or indirectly.
7. This study helps in understanding the political condition of Naga women.
8. Understanding the gender division in Naga society.

This study is relevant to because firstly customary laws does not go hand in hand with democracy. Nagaland as a state adopted democracy but in reality customary laws are superior which is affecting the society in so many areas especially affecting women and their rights. This



study is relevant because it has been practicing from generation after generation and nothing much has been done in order to eradicate the problems under the customary laws. It is also relevant because the decision making process is solely centered around men, when women is also a part of the society and women should be included in decision making process as the problems and development is not confined to men alone. It is important to know why women in different states and countries are progressing while Naga women are under the shadow of men. Giving quality education and being employed should not be the only freedom enjoyed by women but taking part in every matter like that of men is important. This study is relevant because it not about past practices or functioning's but it is still very much present in the 21<sup>st</sup> century. Modernity and advancement is not only about changing clothing pattern, food habits or lifestyle it is mostly about giving equal opportunity to all without any discrimination and enjoying equal freedom. The importance of study is to understand on how the people of Nagaland try to incorporate customary law into the democratic system. This study is taken up in order examine if customary laws provide justice and equality to all without any gender division. This study helps in understanding the role of women in the society and how it differs from other women of different states and countries. The importance of the study elevates the research on different ground levels from history to present and understanding the vacuum between gender roles. This study is relevant and important because most women are more educated than men but their role is limited and through this studies the reasons and answers is achieved as to why they are not initiating the mass women for their progress. This study helps in understanding the problems from the grassroots level and its impact till today. This study also shows that different tribes have their own practices and customary laws. This study is important because it delivers the downhill of the customary laws and how women are not educated enough to understand their rights and

not utilizing the freedom bestowed upon them by the Indian constitution for their full development. This study is also relevant because it shows how women are dependent on men from ancient times. This study indicates the relevance and importance of the customary law and how women are more inclined in preserving the traditional and customary laws.

### **3.4 Objectives**

Every researcher has their own respective interest and objectives regarding their research work. Every research has to have objectives in order to find answers and as to why one is taking up a particular topic or research.

1. To study the status of women in politics with relation to customary laws.
2. To examine on how mobilization among Naga women is affecting and challenging the customary laws.
3. To understand as to why there is a need for the emphasis on customary laws are so much needed when clearly Nagas have adopted democracy.
4. To identify the gap between women and their role in decision making.
5. To study as to why Naga men are reluctant to involve women in hoho.
6. To study as to why Naga women are not raising their voice against the abuse of their rights and the fear of men when there is a court of justice to deliver justice.
7. To study as to why women themselves does not come forward in supporting women towards their development.
8. To understand as to why Naga women are yet to break the customary nutshell and being more inclined towards the customary and traditional laws.

### **3.5 Limitations of the study:**

Every study has its limitations and problems. A research is limited to a certain aspect in order to find concrete answers and develop proper research. Sometimes it becomes difficult for a researcher to accumulate data's and information. It becomes challenging for a researcher with limited access to information and data's.

1. The study is limited to customary and traditional laws and political field without covering other spheres.
2. The study does not highlight religious background.
3. The study is limited to only two Naga tribe (Ao tribe and Konyak tribe) for comparative study.
4. The researcher resorted to data collection through in depth interviews as not much books were available for this research besides journals.
5. Since the Naga customary laws are based on oral traditions the researcher had to move about more or less like that of field work for detailed guidelines and study.
6. The difficulty in accumulating information from the hoho as they are male dominant institution.
7. The study is more in term of studying the practical nature of the Naga society.

### 3.6 Hypothesis

The purpose of hypothesis is to find answer to a question or assumptions made for the research.

1. Naga society has been deeply rooted in its traditional and customary law that they are unable to see the drawbacks of the law
2. The emphasis on the importance of customary law is valued so much since time immemorial that Naga women themselves think it's a part of their life and fears to voice out the inequality meted out towards them.
3. Naga women ignore and give a blind eye towards not being able to take part in decision making is because they feel that they are too weak to break down the patriarchal system as it has been standing strong from generation to generation.
4. Naga women are considered to have all the qualities of being a true feminine and they feel that speaking against men, inequality, injustice, fighting for their rights, taking part in decision making would be considered as disrespectful towards men and lose their identity and dignity of being Naga women.
5. Too much focus on traditional values lead to women adapt themselves to the norms leading to ignorance towards democratic process and they do not realize nor enjoy the fruit of real democracy and the freedom and rights attached to it.
6. With the coming of modernization and education more and more educated Naga women rose and realized the abusive nature of the customary laws and the need to fight back the patriarchal system became important
7. Awareness programs, education and influence from the other society, more and more Naga women stepped forward in raising their voice on the continuous denial of their rights and freedom and the unequal status between men and women in the political field.

### **3.7 Data collection and methods of data collection**

The *primary source of data collection* includes detailed documents and reports, field work, interviews and observation method. Formal discussions with hoho presidents, women wing organizations, academicians, independent women leaders.

*Secondary data* will be collected from books in the libraries, research articles from journals/magazines, articles from various sources, print media, and e-resources from the internet.

Sampling design will be based on *Purposive sampling design* Respondents will be given a set of questionnaires to be answered by both men and women, to assess the value and importance of customary law and also to assess the view on women in decision making roles. For selecting the individuals from different groups, simple random sampling method will be used. As a sample, a total of 100 respondents will be selected between the age 25 and above. The respondents were not only female but consisted of both male and female and were divided among working and non working women and vice-versa, and also included students to study their perspective on the present context of Naga decision making process.

Lack of women preventatives in politics in Nagaland is common. Women in general and women organizations play an in important role in other political activities; the political candidates seek help from different women to gather female voters from every section of the society. Women are active voters in the state but the participation and representation does not match with the voting behavior. Women do not get support from the party, women are often pushed to traditional roles, like cooking meals for the party meetings and supporters, campaigns, door to door home visitations to accumulate votes, and women do not hold any important post in the party groups.

The state is habituated by both men and women yet when it comes to decision making and participation women are sidelined and ignored. So in order to examine all these aspects data's and information's were collected to provide more information to the research.

### **3.8 Research method**

The research method included both quantitative and qualitative method. Through quantitative the researcher achieved data's and used it to analyze and understand the number of male and female voting behavior, representatives etc. and could lay out the tables for the research which enhanced the research more. This research is mostly defined by qualitative research as this research was based on observation and the behavioral system of the society. It is more in terms of explanatory aspect, defining the problems of the society. It is more inclined towards elaborated nature of explanation of facts and problems.

### 3.9 Data Presentation and Analysis

**Table 1**

**Men/Female candidates in Nagaland State Assembly Elections (1964-2013)**

Year of Election	Total number of seats	No of male candidates	No of women candidates	No of women elected
1964	40	73	Nil	Nil
1969	40	144	2	Nil
1974	60	207	Nil	Nil
1977	60	303	Nil	Nil
1982	60	245	Nil	Nil
1987	60	214	3	Nil
1989	60	140	Nil	Nil
1993	60	178	1	Nil
2003	60	225	3	Nil
2008	60	214	4	Nil
2013	60	187	2	Nil

Source- Nagaland State Election Commission.

Through this table we see that number of seats was increased with additional 20 seats from 1974, no doubt male representative is much higher than women, number or women candidate is so much low the highest number of women candidate was in the year 2008 with 4 women

candidates while men had 214 candidates in the same year. No women have been elected so far. The dark reality of women representatives in politics is seen through this table. This clearly shows that the Naga electorates do not favor women as legislators in the state. Not a single woman has been voted to the state legislators. The poor results and representation of women is not encouraging, women often take a back seat in politics due to the failures and negative results. In the year 2008 the number of women candidates was the highest but none was elected.



**Table 2**

Year	Voters			Voters who Voted			% of Votes	
	M	F	TOTAL	M	F	TOTAL	Male	Female
1969	93829	83102	176931	72196	67132	139328	76.94	80.78
1974	221223	173847	395070	161164	136484	297648	72.85	78.50
1977	214812	183223	398035	176666	154795	331461	82.24	84.48
1962	330290	266163	596453	240422	203500	443922	72.79	76.45
1987	319529	262772	582301	266033	225891	491924	83.25	85.96
1988- 1989	320611	261805	582416	273574	225248	498822	85.32	86.03
1993	427450	387355	814805	387448	347494	734942	90.64	89.70
2003	529519	485363	1014880	387448	417316	734942	89.54	89.70
2008	666391	635875	1302266	573021	549363	1122383	85.98	48.94
2013	603831	5895531	589553	541919	538968	1080887	50.13	49.86

Source- Nagaland State Election Commission

Through this table it can be seen that women are active in voting pattern, there is not much difference between man and women in voting behavior, quite a number of times women has been the highest voters, this also indicates that women are not barred from voting and they are able to

exercise their rights in voting. This number of women is able to exercise their rights to vote yet the number of women representatives is very low. Majority of women voters are often manipulated by men and families. They vote according to the advice of men, only few women cast their votes in accordance to her preference.

Elections in Nagaland is very expensive, monetary power plays a prominent role in the electoral activity, women are unable to afford the political cost and cope with the monetary trends with men, monetary support from political parties does not reach women and thus leading to the failure of women in politics nor the public in general supports women in politics.

When it comes to customary law, 72% of women is of the view that there is a need for customary law in Nagaland, 86% of men is also of the view that customary laws are needed. 28% female and 13 % male thinks that there is no need for customary laws in Nagaland. It can be seen that the impact of customary laws are strong in the society and people are willing with the continuity of traditional customary laws.

61% of female believes that customary law does not impart equality while 63% men believe that customary laws impart equality. Women realize the biased nature of customary law.

Regarding 33% reservation for women, the respondents were mostly youths, as the researcher believes that changes can be brought through the acceptance of modern ideologies and ideas and today's youths are the future designers of the society ,63% of male respondents support the 33% reservation while 83% of female supports the reservation. The current men youths are willing to accept women in political field. 86% of women is of the view that women does not have the access to equal opportunity like that of men however, 45% of men also believes that women does

not have equal opportunity like that of men, 54% of men believes that women are given equal opportunity.

When it comes to women representation in politics 87% of women states that women does not have equal representation in politics, 56% of male believes that women are given equal representation.

71% of women believe that Naga men are dominant towards women while male respondents are 50-50 towards this idea.

48% of male respondents are of the view that women are not capable of competing with men in politics but 88% of female assures that women can compete with men.

When it comes to constitutional rights which is given to all men, 88% of female express that women does not enjoy all the rights as per given the Indian constitution, 47% of male states that women enjoys all the constitutional rights.

93% of women strongly agree that women should be included in the village councils and be a part of decision making bodies, 88% of men also supports the idea of inclusion of women in village councils.

71% women choose constitutional laws over customary laws and 76% of women are of the view that customary laws should be flexible enough to bring changes. 71% of women are of the view that they cannot obtain maximum freedom through customary laws.

Through this survey, it can be seen that women are aware of the fact that their rights are being abused by the customary laws, women are willing to bring changes not only for themselves but to bring changes to the society, the desire to involve in decision making is clearly visible. With the

changing time more and more women realizes that they cannot develop fully if they do not have a saying in decision making bodies. They also believe that the elected representatives do not address women socio-political problems. If a women is elected as a legislator, women issues will be brought to light and both men and women will have equal status because the women issue are often looked upon by different NGO's and women organizations which is not sufficient enough to achieve equality within the state or country. If women are elected to political office it can generate interest in politics among women. Burn et al argues that "visible women in politics might function as role models and carry a kind of symbolic significance – sending the message to women citizens that politics is an inclusive domain, open to them."

Many women are of the view that women representatives can represent women in general and address women issues.

**Table 3**

**Are certain changes required in the social custom as regards to inheritance?**

Age groups	Yes, changes are required	No, status quo be maintained	Cannot comment
20- 35 years	72	22	6
36-55 years	67	33	--
56years & above	69	31	

According to 72% in 20-35years age group, 67% in the 36-55 years category and 69 in 56 years and above are adamant that changes of some kind must be brought. Though they have different suggestions ranging from drastic to more balanced ones, yet change is what majority of women want in aspect of inheritance. Some strongly feel women must be allotted ancestral property. While some suggest that radical changes being impractical so at least 1/4<sup>th</sup> or 1/3<sup>rd</sup> property be given to women: all movable objects like cars, household contents should be inherited by daughters, leaving aside community held properties. They all opine that women should not be overlooked in distribution.

But some women (225 in the 20-25 years category, 33% in the 36-55 years year's group and 331% in 56 years and above years) are content with the present way of things and state the status quo should be maintained.

This particular question was raised because often when one claims over properties often claims some kind of power, respect and dominance over someone. Women are often not

acknowledged when it comes to property, and from we can see that women need some kind of property holdings in order to sustain herself and achieve independence.

**Table 4**

**Does customary law safeguards and protects the rights of women in it's entirely?**

Age group	Customary laws do not assure the full protection of women	Customary law provides better safeguards	Cannot say
20-35 years	65	35	--
36-55years	61.90	38	--
56 years & above	46	40	12

The above table shows that 65% in the age group of 20-35 years; 61.90% in 36-55 years category and 46% in the category of 56 years and above think customary laws do not assure proper protection of rights as regard to right of inheritance, right to participation in the community matter. Besides customary laws do not concretely encompass crimes against women, rape, spousal abuse, molestation etc or rehabilitation in such cases. Customary laws according to some are not in favor of women.

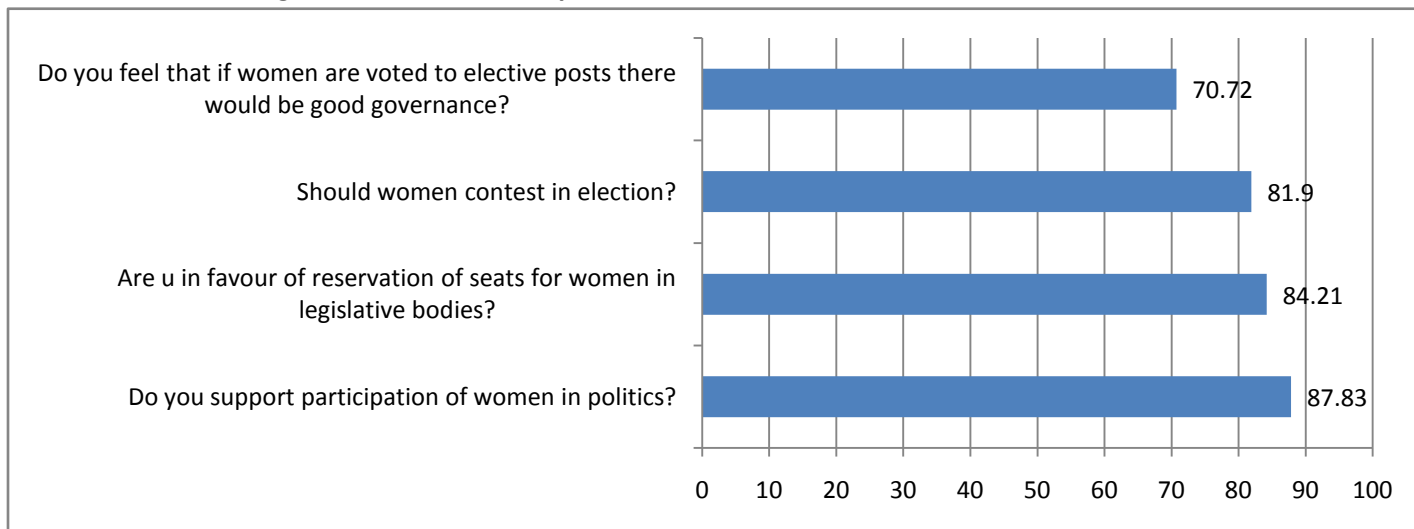
Some respondents 40/5 in the 20-35 years group, 385 in the category of 36-55years and 35% in 56 years and above age feels customary laws give better safeguards to women since they are treated fairly, though there are certain disadvantages to women in some areas, and also there is

quick disposal of cases. When pointed out that customary laws do look concretely into matters of crimes like rape, molestation etc, they feel the loophole could be because such crimes were not heard of earlier or it was very rare incidents.

Another practice of the political party which marginalizes women from politics is that, those few women aspirants they nominate are given ticket in the constituencies where the party has less chance of winning. The NFP( Naga People’s Front) party in the Assembly Election of 2003 has nominated its lone women candidate to contest against a seasoned politician like S.C.Jamir.

Despite their low political profile women have expressed a desire to be part of the decision-making process and to be visible in public life, breaking stereotypes that politics in Nagaland is for men only. This is sustained by the optimistic views given by the respondents about women’s role in the political arena and women’s future political prospects.

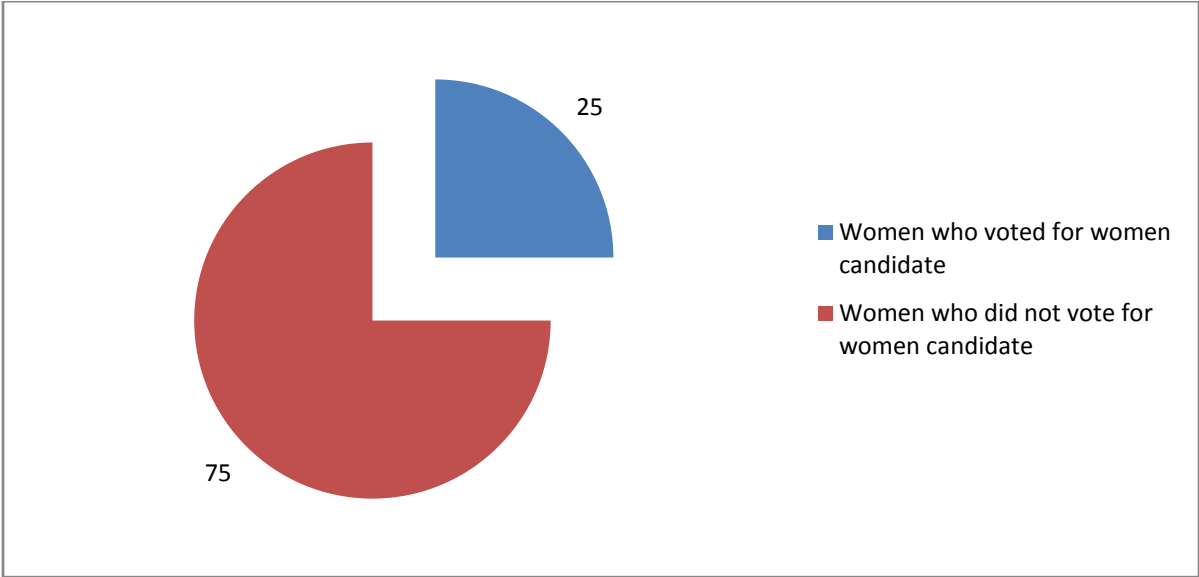
**Figure 1. Women’s Perception of their Political Role**



As summarized in Fig 1, about 81.9 percent of them said that women should contest in elections. Around 84.21 percent of them are in favour of reservation of seats for women in legislative bodies. Some (70.72%) feel that if women are voted into elective post there would be

accountability and transparency, good governance and implementation of promises made to the electorate. Around 87.83 percent of the support participation of women respondents recognizes that women have an important contribution to make to political life of the state

**Figure 2. Women who voted/not voted for women candidate in Assembly election 2008**

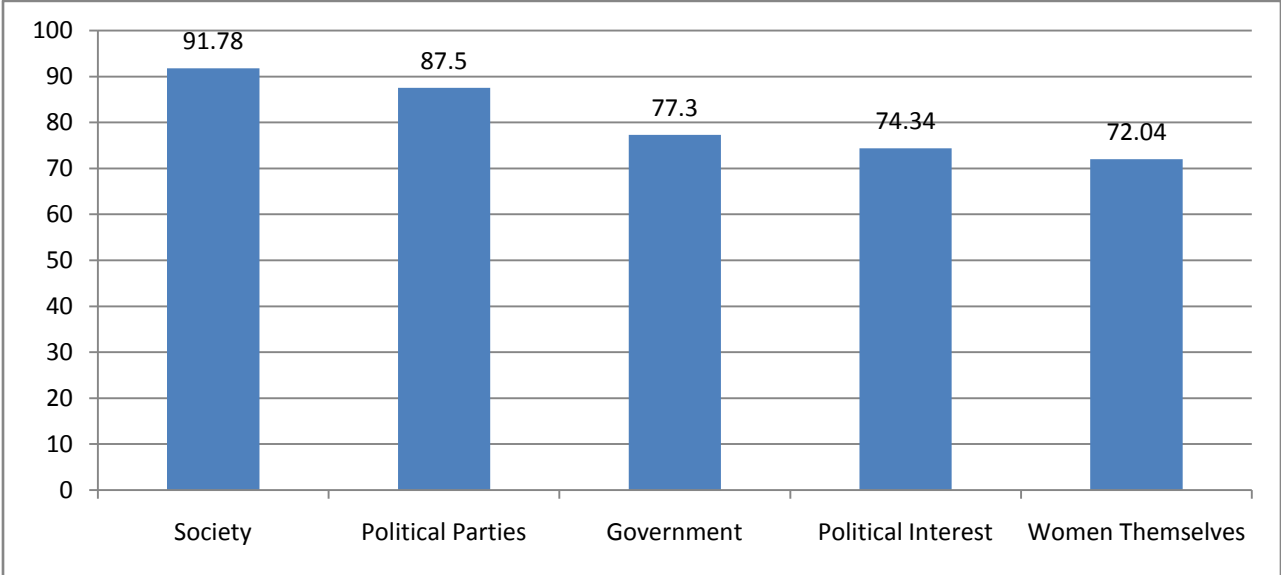


An overwhelming number of women did not vote for women candidates, this reflects the fact that women candidates in Nagaland are yet to win the approval of not just the electorate as a whole, but also from the women voters as well. Taking into consideration the above data, women respondents were asked as to why women did not vote for women? Some said that the “male candidates were better than the female candidates”. This view can be partly be explained by the fact that, voters in patriarchal societies are more likely to perceive women as less qualified than men to run for public office. Since the 1960s many scholars have advanced the view that women are influenced by the stereotypical notion that ‘politics is a man’s world’ and more recent studies have also confirmed the view that women still suffer from a self-perception of being unsuitable to compete in the political environment.



The respondents also indentified a range of structural and attitudinal measures in order to enhance the number of women in politics. As reflected in Fig 3. The respondents identifies the society (91.78%), Political parties (87.52%), Government (77.04), as measures to enhance women’s visibility in politics in the state.

**Figure 3**



Basing on the responses given by the respondents, it can be interpreted to mean that barriers to women gaining entry into elective office lie not so much with the electorate, but on how society as a whole perceive women in public role. In fact, systematic cross national evidence has shown that egalitarian attitudes towards women as political leaders are strongly related to the proportion of women as political leaders are strongly related to the proportion of women elected in public office.

## *Chapter 4*

### ***Political Condition and Participation of Naga Women***

Like every Indian state, the state Nagaland also follows the democratic norms and believes in democracy. Like any other state Nagaland believes in Universal Adult Franchise. Like mentioned earlier, the Constitution of India gives a special provision to the state of Nagaland under the article 371( A), through this article the state can exercise its customary law. But the nature of the Indian constitution and the customary laws are contradictory, the Indian constitution impart equality, freedom, justice, equal rights. While customary and traditional laws are biased in nature. Naga women are binded by the customary laws since time immoral and are strictly followed by every tribe of the Naga society. Customary law is the highest law of the society where one needs to obey and follow the norms according to the customary law. Many generations have gone by but the customary laws are still intake and highly valued.

Besides the villages even in town areas, the customary and traditional laws are highly valued. Each tribe has their own set of village union(Hoho) in different towns and rules to follow, defaulters of the law will be dealt according to the customary court of law. The highest post in the Hoho is taken up by men, and the decision maker revolves around men alone, it has become a tradition that only men can fill the highest post in the Hoho and women cannot rebuke this as they feel that one cannot go against the traditions and customs of the society. There are many women many officers in government sector yet none of them hold any high post when it comes to tribal organization, as according to the customs, only men has the ultimate power, capable and the only rational being to make decisions. For hundreds of years women have accepted the fact

that they have no saying in decision making and they cannot interfere in the functioning of the Hoho. Most Hoho's are exclusively male dominated institutions. According to the Nagaland village council Act, 1978, the number of women members to be included in the Management committee of the Village Development Board (VDB) should not be less than  $\frac{1}{4}$  of the total number of the members of the management committee of the VDB's. Every village has implemented this act, but as a matter of fact they include women just for the sake of the act because if they do not implement this act, funds will not be allotted to the particular village. In some villages the women member of the VDB's does not involve in its true sense, she is just a mere puppet and her role becomes to serving tea and other manual work, just her physical presence is the main role.

The present Naga society is a blend of modernism and traditionalism. The political activities are strong like any other Indian state. Each village of their respective tribe has their own independent political unit and till today each village has a certain degree of autonomy and the power to exercise legal authority through the customary court of law. There are many women who are active in the political spheres yet their role is minimal, there is no equal representation of women as that of men. Women wings of different political party is enlisted to sum up and work for the collection of votes of women, cook meal for the party, canvassing, campaigns for the representatives is the major role of women. They have no saying in the real political life of the state. It is clearly seen that there is gender division in the work in the political sphere. Political parties in Nagaland is also male dominated party, women are mobilized to support the party of men. Democracy embarks equal representation of men and women in electoral process, while looking into the actual function of the political process in Nagaland, it is seen that women has always been the victim of denial in rights and equality. Naga women have progressed and

evolved in different fields but yet to progress in the political field. The role and status of Naga women in the political arena has always been questioned widely. The political parties do not develop women in the political life. The Naga political parties are yet to accept the fact that women can be representatives, can become leaders and is so much equal with men, without the support of the male counterparts women cannot enter the political arena. Women's low participation in the electoral activities is because of the assumptions that they are not interested in the politics. Women have been brought up in such an environment that they have seen only men participating and contesting the elections and are inflicted by the thoughts that as women they can never win against men in election, voters will cast their votes only to men. Women's views and ideas will be sidelined without giving much importance as only men's ideas are believed to be the real deal for the betterment of the society. The role of women in the society is very traditional and the mind-set is narrow. Women's participation is low because she is engaged looking after the well being of her family, even as an employed working woman her responsibilities are to look after her family which gives her little time to fully participate in the political affairs. Her life is centered and revolves around those areas. Monalisa Chagkija quoted that "keeping the peace within the home and the tribes becomes more important and imperative than gender justice."<sup>1</sup> "For women to be elected to the state legislature, they have to go through many barriers. First of all they have to decide to run for elective office. This itself will be a difficult decision for many women, conditioned by years of patriarchy. The decision to contest in election will be influenced by many factors like personal ambition, availability of resources, prevailing societal attitude, and the political environment. Secondly, they have to be nominated by a political party as a candidate to run for political office. Generally nomination is determined

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<sup>1</sup> Moamenla Amer. "Women's Political Status And Engagement A study of Nagaland", Akansha Publishing House, 2012, Pg.no 15.

by the party leaders who are usually male. Even if women are selected by the party, their chances of getting nominated in winning constituencies are difficult. This could be the biggest hurdle for women getting entry to the legislature. And lastly they have to be selected by the voters to become legislators". Women's participation in politics is not encouraged as they have been seen and projected to respect the decisions taken up by men and to support and listen to the views of men and function accordingly. Democracy allows every person for equal representation and predication but in the Naga political context women are often excluded and they are not treated equally as political subjects. The traditional institutions do not recognize the rights and participation of women in decision making and this practice evolved and influenced the political arena. Other state politics is much more democratized in terms of inclusion of women in politics, Agatha K. Sangma was a member of Parliament of India, MuktaTilak is the mayor of Pune(2017), Mamata Banerjee the chief Minister of West Bengal. The participation and representation of women in politics is much stronger and wider whereas, Naga women are bonded by the customary laws and are unable to come to the surface. The acceptance of women in politics is clearly seen in the other state which enhances the development of women and allows women to be decision makers as democracy is not instituted to men alone but instituted to every section of the society where women are also included.

In the state of Nagaland women are active voters but never enjoyed the fruit as elected representatives. How can a state be called as a democratic state when half of the population is kept out of political structures? The Naga women's political status still remains an open debate and question. The unsupportive nature of the society towards women's representatives is also another reason behind absence of women in Legislature, unlike the male counterparts women does not receive equal support and exposure. In Naga society it is often cited that women are

treated equally, equal rights are given and treated with respect and crime against women is very low but when it comes to political system, women are not treated as equal political subjects.

**Naga Hoho** which is considered as the apex decision making body of Nagaland and it is represented by every Naga tribe; each tribe has their representative in the Hoho. However, till date there is no women representative. Respondents were asked if the exclusion of women in Naga hoho was an amicable decision by the Nagas as a whole. It is said that it is not in written form that women will not be included but it goes back to customary law where only men is allowed to participate in decision making so it has become a tradition of excluding women representative when all the important decision regarding Nagas are made by the Naga hoho. Some members of the Naga hoho have discussed about inclusion of women as its members but majority of men are against the idea of including women as it is not in accordance to the customary law. They believe that women is not as rational as men to come together and make a joint decision as women often have conflicts with one another.

Each tribe has their own respective tribal organization such as Ao Senden, Konyak Union, Sumi Hoho, Angami Public organisation, Yimchunger Tribal Council etc. The inclusion of women is nil in such higher organisations and women have their own separate organisation such as Watsu Mongdang, Konyak Nyupuh Sheko Khong, Lotha Eloi Hoho etc. which is monitored by their respective tribal male dominated organizations, and the overall decision making is done by the male dominated organization. At the village level, each clan groups has their representative, at the tribal level each village has their representative and this organization is all male forum.

Women voices are not represented in all the tribes, women are excluded from the decision making process.

### **Hierarchy of Representation**

<b>Inter- tribal level</b> - All tribal groups representatives constitute at this level
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<b>Tribal level</b> - All villages representatives constitute at this level
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<b>Village level</b> - Each Clan groups constitute at this level
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At the village level, the village council is considered as the highest decision making body but women are still not allowed to take part in the decision making process of the village council and women are still not included in such an important body. These institutions are considered to be modern as well as traditional and also democratic bodies yet equal representation is nowhere to be seen. The status of Naga women in politics is low but they enjoy their voting right. Women themselves are not aware of their rights; they do not understand the drawbacks of the customary law which is hampering their development in so many areas. Women blindly follows the customary law as it the tradition of the society to follow and obey the customary law. They are deeply rooted within the society and in the minds of the people.

The Naga People's Movement for Human Rights (NPMHR) was formed on 9<sup>th</sup> September 1978 in response to the abusive nature by AFSPA on Human Rights(HR) which curbed the rights and life of the Naga people. NPMHR is based on the Universal belief that violation of human

rights in any part of the world is a threat to the human race as a whole. It was initially conceived at Kaveri Hostel of Jawaharlal Nehru University (JNU), New Delhi in the year 1977 by a group of research scholars in the University. Human Rights understanding and awareness is very poor in Nagaland but through NPMHR, activities were expanded and initiated a platform to the Naga people in achieving respect and protecting the rights of the Naga people. NPMHR was formed to curb down the AFSPA act as it was affecting the Naga society in a cruel way, the NPMHR played a significant role in Naga national movements. Through the AFSPA act women have been the main victim of cruel treatment, not only their rights were abused but they were raped, women were dragged out of their homes and they were raped and molested in a very horrifying manner. The general public held rally and protest against this inhuman act and for the removal of AFSPA. However, NPMHR tool all these issues in a general format and never really focused the issue of women rights. This organization solely focused on the Naga nationalist movement and the issues regarding the rights of women was not highlighted.

Naga women established women organizations such as Naga Mother's Association, Eastern Naga Women's Organization and Naga women's Hoho and each tribe has their respective women organizations. These organizations were established as they were excluded from the main decision making bodies. They felt the need to raise their concerns regarding various issues. This organizations were set up in order to challenge the male dominated decision making bodies, to bring all the women in a common platform with men and to be a part of the decision making body. These organizations visibly play important roles in politics but they cannot to the same strata with men as these women organizations are controlled by the male dominated organizations and is interfered often by the tribal male dominated organizations. These women organizations do not function freely like that of men. They do not



have the liberty to make their own decisions regarding various issues as it will be reviewed by the male organizations. They are portrayed as an independent body yet the internal scenario is different from reality. This is a continuing struggle against the patriarchal system as women have always been under the control of men. Women cannot take their own respective decisions. Such instances can be drawn from the Ao tribe women's organization (Watsu Mungdang), a girl was raped in Mokokchung town on 10<sup>th</sup> October 2011, the culprit was identified and confessed his crime to a women local group. The Watsu organisation called for a public meeting without notifying the Ao Senden (Apex decision making body of the Ao tribe) in the centre of Mokokchung town, where the culprit was paraded and was made to confess of his crime publicly. After few days, the women's organization was summoned by the Ao senden and they were reprimanded for summoning a public meeting without the consent of them. The women's organization was suspended by Ao senden but the women's organization boldly resisted the suspension and continued to function and their office remained opened which angered the apex tribal organization and from then they were disfavored by the apex tribal organization.

Another incidence was of Naga Mother's association, this organization organized a state-wide 'Black Day' on 1<sup>st</sup> October 2012 protesting against the government of Nagaland for failing to implement a bill, the bill prescribed that one third of the seats is to be reserved for women in the state's municipal council. In Mokokchung town the 'Black Day' could not be observed because the Ao senden declared that no such protest will be held nor will allow such kind of protest in the town. When the media enquired as to why Ao women were not participating in the protest, the women organization (Watsu Mondang) said that Ao senden forbidden them to participate in the protest and were unable to observe the 'Black Day' though they support and extended their solidarity with the protest. Again the women organization was called upon by the Ao senden for

such comments as they were pictured in the negative light and pressured the women organization to take back their comments in the media. Through these incidences, it is observed that the women organizations cannot function as in independent body and they need to seek for permission time and again for every activity. Women enjoy liberty in domestic affairs to some extent and some women are the decision makers and control the family affairs but when it comes to public sphere women are not given the liberty to exercise their rights nor the freedom to express their opinions and does not get equal representation in politics nor the exposure like that of men and no recognition in political sphere. The subordination of women by men is clearly seen in the decision making process.

**The Naga Mother's Association (NMA)** was formed in response to the abusive nature towards women by AFSPA. NMA along with NPMHR worked together towards the support for Naga Nationalist Movement. NMA's main aim was for peace movement and to fight back against the torturous treatment towards women by AFSPA, as they could seat back and watch the injustice mended out towards women and the internal political dynamics between the groups of Naga Nationalist Movement as the conflicts among different groups results in brutal arm conflicts which results in the killing of innocent citizens of the state. NMA was working towards the peace movement in Nagaland, their famous slogan was 'Shed No More Blood'. With the changing time NMA started to work for the development of women both socially and politically. They became a strong body in the state of Nagaland and raised their voice against the inequality and injustice towards women, they were the first organization who openly challenged the biased Naga customary law and asked as to why only men are the sole decision makers in every field. In general they became the voice of Naga women. They are against the idea that every important decision making body is male dominated institutions, they are of the view that both men and

women should be equally represented and that women should also take part in decision making process. NMA is the key instrument for Naga women to raise their voice against various issues concerning women's right and equality, they are the path way for women to fight for their rights. NMA organizes rallies and awareness programs for women. They are the backbone of Naga women and work relentlessly for the development and for a better tomorrow for the women of Nagaland. They play an important role with other tribal women's organization in pressuring the state government for the establishment of Women's commission in the state which came into being on 30<sup>th</sup> November 2006 as Nagaland State Commission for women. This women commission works towards for women development and empowering women in different areas, they deal with every aspect of women issues creating awareness among the women folks like HIV/AIDS, domestic violence against women, women's rights, women sanitations etc to name a few. NMA strongly supports the 33% reservation for women in the state of Nagaland. The Nagaland Legislative Assembly (NLA) refuses to adopt the Indian-wide provision requiring 33% reservation of women in state municipal bodies. The NMA responded by putting their claim before the judiciary to resolve this impasses. This strong move by NMA did not go down well in many sections of the Naga society as they were stepping out of the traditional norms of the patriarchal Naga society. They were criticized in every possible aspect. The Naga Hoho and the Eastern Naga people's Organization (ENPO) pressed the Nagaland state government to reject the women's legal demand.

The Convention on the Elimination of all forms of Discrimination against Women (CEDAW) was adopted in 1979 by the United Nations General Assembly, which came into force on 3<sup>rd</sup> September 1981. This was the result for the failure of protecting and preventing the violation of

women's human rights by the International Human Rights regime. <sup>2</sup>“CEDAW has been set up to address and enable members of the states to change and remove any barriers that maybe embedded in cultural practices of their own administration”. NMA has drawn its reference from CEDAW as India being a member of UN and a signatory to CEDAW, they demanded that involving and including women in decision making bodies and participation in political activity in Nagaland is their fundamental rights and is fundamental for women's equality.

Nagaland have not seen any women MLA's, only Rano M Shiaza have so far have only been the women who was elected as its representative in the Lok Sabha in 1977, it was largely because of her privileged and political background.

**Communitised Sector:** Since 2003, Nagaland government has initiated the “communitization of Public Institutions and Services Act” which promoted a strategic partnership between the government and the communities. It provides for ownership of public resources and assets and control over service delivery being transferred to the community directly. The public is entrusted management responsibilities as stakeholders in essential services such as health, primary education, power and natural water supply. In every village, the village council nominates a committee to each department to administer and work for the uplift of the villagers. Each committee must have at least one woman representative. It gives an opportunity to women to participate in community programmes. The move has in many ways become an effective instrument to ensure that the institutions and services set up for the benefit of the community

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<sup>2</sup> Lanusashi Longkmer, Toshimenla Jamir, “Human Rights in Nagaland Emerging Paradigms”, Heritage Publishing House, 2017, Pg.no 96.

operate efficiently and the authorities are accountable to the beneficiaries and not only to government

Customary law thus includes those rules which are acknowledged and approved by the public opinion in the society and sanctioned by the will of the community. It is complied with the social customs of that particular tribe, which are derived from ancestral traditions. It is thus apparent that customary law existed prior to the emergence of the nation or the state and which continue to exist along with the change of time.

The primacy of the customary laws and practices is to maintain social order prescribing rules of conduct for each individual, age- and- sex wise. In tribal societies it can be said that there is no well defined division between civil and criminal offences. The offences are primarily considered to be directed at individual, group or the society as a whole. The customarily law regulate the day today life of the tribal people in both the socio- cultural and eco- religious aspects. Harmony and disharmony, co-operation and conflict, conformity, observance of social norms and their occasional violence are easily observable in the functioning of social cultural unit. Violation of the standing customs generates indignation among the law abiding neighbor. Should nay disturbance occur due to non observance of the customary rules and practices society has some socio-cultural mechanism for the maintenance of equilibrium, social order, tranquility and peace.

Anthropology has given specific attention to the roles played by women folks, and their behavior pattern in the perspective of diversified social phenomena. Though each society women are regarded as indispensable partners of men, their importance differs from society. It is taken for granted by all the concerned that women have been playing substantive role in society. Naga society being a patriarchal society, does not consider women equal to men. Some of the customs

and traditions that were followed or practiced were for the benefit of women but such traditions sometimes were the cause of discrimination against them. Traditions and customs were based on myths and belief. The consequences of disobeying such law were met with heavy penalties, sometimes to the extent of being ostracized from the society. Taboo was supposed to be protective or preventive especially for women. The harmonious coexistence of the people also depended mainly on women as can be seen in various laws made where the morality of the people was concerned at every step of their life, women are controlled, not by law but by custom. These customs were passed down from the mother to her daughters and the younger women. Women's role and status were determined by social institution and norms, ideology and taboo.

Women form an important part of traditional tribal social, which can be seen right from the monograph of the British writers to the present, Hutton has shown that the status of Naga women is high but they are not free from the influences of traditional customary laws. Mills has also expressed similar ideas about the life of Naga women in his monographs stating that traditional laws bind the life of both men and women in every aspect of life. Even when men and women cooperate in occupation, the work is often divided along the sex lines. Women and men are hired as daily wage labour and there is marked inequality in wages given to them. Basing on the case study, Nikita Mehrotra has stated; most of the village women seem to be quite satisfied with their life style as they take life to be culturally sanctioned routine, for which they prepared from the very beginning.

Basically and biologically women are weaker sex but psychologically it is the women who control the entire facet of the society. To suppress the rights of women is to suppress the virtue and customary norms of the community. The degree of the child characters depends largely on the women who look after the domestic affairs during the absence of men. The mothers are under

obligation to discipline their male children to adopt the virtue of their father or forefathers or discipline her female sibling to adopt her good character.

The only disparity comes when men started to think that women are equal with them when biologically it was not and as long as this attitude has not change women will always be suppressed, for instance is it possible that man can play a football game against women as her opponent/ or is it possible that a women can a volley ball game or tennis against men on equal footing?, in fact it is possible with man but it is not possible for a women. On the other hand, it is possible that a women as a mother can set into motion the start of a good society or an irresponsible society therefore for a men to do such a job including his own obligations he had to bear a lot of responsibility and as such he had to share his work with the fair sex and because of that the women customary rights are basically reserved and the women had moral obligation to exercise them in a responsible manner for fear of being looked down upon by the society.

Real identity id traced to the roots- prior to being a Naga, come the tribal identity: before it, the village and before which the distinctiveness of being a man and women comes above everything else, come the uniqueness of being a ‘ human being’. The identity of being a ‘human being’ is esteemed above the identity of being a daughter, wife, son or father, which at all cost must be kept intact. Men and women can call themselves as individuals and equal.

The customary practice of the Nagas can only be defined in a nutshell due to lack of written records as to how or when a particular customary practice started. Any known sources of customary practices available are from the day to day practice of the immediate grandfathers and folk tales.

#### **4.1 Present Scenario of Naga Women**

Naga women have always enjoyed the love, protection, respect from men and freedom to some extent unlike the caste based society. With the changing time, Naga women have moved towards self development and molded themselves into strong independent women. Not much have been changed in regard to customary and traditional laws, women are still excluded from decision making bodies and still women are not included in village councils and other higher decision making bodies. Women are constantly fighting and demanding for their political rights and to do away with the customary laws which excludes women and to include them in decision making bodies. There are highly qualified women to become leaders yet they are shunt down to handle their family affairs, manage their career and to get married by the age of 25-30 (socially constructed age for women to be married). Women are realizing the need to demand for their rights and the need to exercise their fundamental rights, educated women are coming forward with different books and articles talking about the issues of Naga women and their rights and the need for equality in the society. To some extent men are also coming forward in support for empowering women in political spheres and to include women in decision making. With access to higher education women's realization of their suppression, inequality and injustice becomes clearer and the issues are put forward yet the patriarchal norms often comes in between as women are expected to behave in a certain way, if they speak or go against the customary norms they are judged by the society, they are often hold back by their village, family, clan groups. Disciplinary actions are taken if women are not behaved accordingly. Double standard of the society is very much relevant in the Naga society. When women talks of their rights and the need to be equally represented, they are often set back as they society still maintains that it is the duty of men to lead the society, to take decisions for the society and that women can never compete



with men. Their traditional and customary cycle still continues in the Naga society. Women are still brought up in traditional norms in the sense, they are often taught that women should present herself in a certain way, not to speak harshly or randomly, learn to cook and take care of the house hold works etc.

The issue regarding 33% women for women in the municipal council is the main issue relating to many other issues. This issue ignited heavily for the rights of women. Article 243, and part IX A of the Indian constitution by the 74<sup>th</sup> amendment, from the year 1992 providing 33% reservation for a period of 10 years which was extended for another 10 years in the year 2012 and Nagaland was not left out from the enforcement of this Act. The Central government directed the state government to implement this Act, the Nagaland state government passed the Nagaland Municipal Act (NMA) in 2001, but the 33% reservation was left out from the Act. In 2004 the state Municipal election was conducted throughout the state besides Mokokchung district but the 33% reservation was left out as it was not passed in the Nagaland Municipal Act 2001. PIL was filed in the Gauhati High court Kohima Bench and the single Bench of the Gauhati High Court directed the state government to implement the 33% reservation and the state government implemented the 33% reservation for women in 2006 NMA. In 2008 it is seen that the office of the District Commissioner in the Mokokchung District was barricaded to prevent women from filling for nomination. Naga Hoho and other tribal organizations opposed the 33% reservation for women and therefore in 2009 the government could not hold the election. Several oppositions are mended out towards the 33% as it is considered to be going against the customary law which the state enjoys under the Article 371 (A). The Naga Mothers Association filed a written petition in the Gauhati High Court Kohima and later in 2012 the Naga Mothers Association moved to supreme Court for the implementation of 33% reservation for women like any other states. In

2016, the Supreme Court ruled in favor of the Associations, and so the state cabinet decided to go ahead with the election with 33% reservation for women for the first time and the election was scheduled to be held on 1<sup>st</sup> February 2017. This is when the violent protest erupted and the Tribal bodies boycotted the election. The violence was so severe that many were injured and two people were killed, many bands were activated, rallies and protests were held from both the women and male dominated organizations. Naga Hoho was of the view that the 33% reservation for women would infringe upon Naga customary laws which is being protected under the Article 371(A). It is nothing but a conflict between the Naga customary law and the Constitutional law as they are contradictory in nature. Most of the public are in support of the Naga hoho and other tribal bodies to boycott the election, as they are of the view that women cannot come in the political sphere and is against the idea of women being included in the decision making bodies as for hundreds of years men ruled and governed the state without women and most of the men cannot accept the fact that it is the right of the women to participate in the decision making process. Many Naga men are against the 33% reservation as they are afraid of losing their identity of being the dominant being and are of the view that women are not needed in the decision making as it would not make any difference or impact on the political spheres. Men are not willing to let women take up the high post as it will be an insult to men and customary laws since they have retained the highest post from generation to generation. They do not welcome any changes in the customary law. Even some women are against the 33% reservation because of the orthodox mentality. The Ao women Organization (Wastu Mongdang) also did not support the 33 % reservation but this does not mean the entire Ao women were against the idea. The public in general protested and demanded the Chief Minister of the State to step down from his position. Chief Minister TR Zeliang stated that “33% reservation for women doesn’t infringe

upon Naga customary laws because town and municipalities are new concepts and have nothing to do with tradition and customary practices of the Nagas”, and this did not go down well with the opposing party. The Naga mother’s association believes that through this reservation women can elevate the status, it will be the key ingredient and factor to deal with gender equality and the platform for women to start taking part in decision making bodies and curb down the orthodoxy of customary law which only gives opportunity to men in every important aspect.

Some of the women respondents responded in support of 33% reservation as:

“Yes, I support because it is extremely vital to have views of both the gender and give equal representation in decision making bodies. Women must be given a chance to come up and improve the current situation of women in our state/ country”.

“Women deserves to be treated equally with men, they not only deserve 33% but 50% reservation”.

“It is not fight for 33% reservation but demanding equal rights in politics and why does it have to specify 33% reservation when the constitution clearly mentions the equality between men and women. It is just the demand for women’s basic rights”.

Male respondents in support of 33% reservation:

“Reservation for women will elevate their socio-political status and also ensure participation in decision making process for holistic developments”.

“Women can play a vital role in building and developing our society. They are sensitive to the needs of the society and hence play a active role in changing the society”.

“In today’s world women are not far behind men in any fields because women are capable of doing what actually men can do. So equal respect and opportunity must be given to women instead of considering them as weaker section of the society”.

“More than men, women are thriving for higher education which is a positive aspect, women should be given a chance to stand for their rights and become leaders and be a part of the decision making body for a positive change”.

Female respondents against 33% reservation:

“It is not fair for men if women are given 33% reservation, this cannot be termed equality, if women are to talk about equality men should also be given 33% reservation and the rest of the percentage can be filled by both men and women without any hindrance”.

“Why need for 33% reservation or for that matter what is the need for women to participate in election when women and the society have been living in peace under the smooth leadership of men. Women have always enjoyed their freedom without being hurt by men”.

“It is against the idea of Naga customary law; it is only men who are brave enough to protect the state, women and children from any danger. Women cannot compare themselves with men and men have always been the chosen one for smooth decision and so far the state has come a long way under the leadership of men”.

Male respondents against 33% reservation:

“Because in India we follow democracy, every man and women have the rights to do anything and in Naga society we treat women as equal to men in every field”.

“Naga women are given equal opportunity as that of men so there is no reservation needed. If they want to acquire the position, they should work hard like men to achieve it but not by the means of reservation”.

“Women always proclaim that they can do the same thing as men does, so why the reservation to prove their ability? They should compete with men fairly in every field”.

“Reservations are only for backward and weaker section of the people, so I don't think any women will consider themselves as backward or weak, so the question of reservation does not arise”.

Reservation for women has sparked many issues relating to women's right and equality. Gender division is clearly seen through this issue and the mindset of the people in general. Most of the people are happy and contented with the traditional customary law practices. Women issues have become more and more prominent in the 21<sup>st</sup> century especially in the Naga society, the idea of women empowerment and the need to develop women in political participation has become popular. The media took keen interest in highlighting the issues of women through this 33% issues.

Compared to other Indian states, crime against women and discrimination against women has been very low in Nagaland and the other North Eastern states. But the patriarchy system in Nagaland is very much prevalent in the state till today. Women cannot acquire ancestral property, in towns it depends on the parents for the division of property but if there is only limited property it is inherited to the male child. If a married women commits adultery she is to leave the house with just her belongings and often the male gets the custody of the children, and but the case for men is different from that of women, if he is caught with another women, he is to give away half of his property which has been obtained after his marriage and often women are advised to forgive her husband and continue to live with him for the well being of the children and family as divorced women have less chance for second marriage and often male gets the custody for the children even if he is the reason behind the divorce. If women cannot conceive after marriage, it often leads to divorce. Nagas being Christian, it is mandatory to give 10% tide from the earning to the respective church (thanksgiving to God), in a household if the women is the breadwinner her 10% tide will not be addressed in her name to the church but it will be in the name of her husband no matter how big she earns.

Women are still strongly grounded by the customary norms; she is yet to enjoy the real freedom and liberty. Women who understand the discriminative nature of customary laws and the norms of patriarchy, they feel suffocated to be living under such practices as women cannot bring out the best in themselves due to the restrictions inflicted upon them. Women have always depended on man for their needs, physical assistance etc. Naga women are trying to break this cycle, the need to come out of the cocoons and to do away with the constructed habit of dependence. The mindset of the Naga people is not much broadened when it come to equality of women, they often refers to the bible when talking about subjugation of women as the Nagas believe that women are not discriminated nor subjugated but enjoys everything like that of men. The bible says that, God created men first and women were created through the ribs of men, this indicates that the society extracted the idea that women are second to men and that men are the protector of women. The societal construct of various ideas regarding women is very much prevalent and strong and has been these ideas have been strongly induced in the minds of the people.

Naga women have developed and molded themselves into strong independent career oriented women and understood the idea of education power. The society encourages in educating women and to develop them in every possible fields. Women are not lacking behind in job opportunities and formal business, they contribute enough for the family. Women cannot be sidelined in the society as they have equal contribution like that of men in the society but often the contribution of women is not recognized.

Women in village areas are contended with her limits roles, she believes that under the guidance of men, women can enjoy her life without any difficulties; they are yet to understand that women can live her life without being dependent on men.

On the contrary of the Naga Society or so to say from the other parts of the Indian state, the Khasi tribe of Meghalaya gives immense power to women. The property is owned by the female and not male and the children takes up the mothers title and not the fathers title. It is interesting to see the complete opposite of typical patriarchal system.

<sup>3</sup> “It is also important to consider the possibility, indeed probability, that the nature of political environment in Nagaland maybe an important factor for the disengagement of women in electoral activities. Over the years electoral competition in Nagaland has deteriorated in terms of ethics and values. Elections are often accompanied by violence, corruption, manipulation and other election irregularities. These phenomena persist as a reminder of the continuing deficits of democracy in Nagaland. Many women may not be prepared to be involved in a political environment, which supports an aggressive and a combative culture. These phenomena may contribute to a situation where women may reject, dissociate or may be reluctant to become a part of male dominated politics. For many women, these are probably among the most difficult barrier to overcome. Such a culture may undermine the willingness enthusiasm of not just women but also men to engage in electoral activities. This kind of political environment maybe be limiting, constraining or excluding women from participation in politics.”

One of the most significant developments in legal system has been aimed at promoting and protecting the rights of women. Time and again, laws- international laws and national- are formulated to protect women and confer o them equal rights. Since the adoption of the United Nations Charter (1945), and convention on the Elimination of Discrimination against Woman (1979), the equality between women and men are accepted fundamental human rights. Further, in

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<sup>3</sup> Temjensosang, Athungo Ovung, A. Lanunungsang Ao, “Women And Gender- Emerging Voices from North-East India”. Heritage Publishing house, Pg.no 43.



the platform for action adopted at the United Nation Fourth World Conference on women, held in Beijing in 1995, a worldwide policy was recognized whereby the concept of 'gender equality' was to be pursued as the prime objectives in all areas of political, social and economic development. Countries have been urged ardently take on crimes and discriminatory practices against women and remedy thereof. In addition to the international laws, even national laws have emphasized on equality article 14 of the Indian Constitution endows equal rights and opportunities to both men and women, whether political, economic or social.

Notwithstanding, the universal concept of equality and relevant laws, and Naga women's realization that they are just as equal as men, it is understood that drastic or radical changes is not feasible since customs have been deeply rooted and it does take time to bring even minimal changes. Abolition of biased customs and practices towards women cannot be imposed in totality and radical changes can be less expected in the Naga society. All the same, elimination of discrimination against women and acceleration of women's actual equality in society is necessitated. Transformation is indeed required in order to bring about evenhandedness in the society. Thus, changes could be brought in 'stages' or in 'phases'.

In 2005, the Hindu Succession Act of 1956 was amended where daughters could also inherit ancestral properties and have the same rights and same liabilities as the son. The coparcenaries properties which are liable to be portioned are unflinchingly apportioned to the daughter. It is interesting to note that the Hindus who as deeply entrenched in tradition, could be so liberal in their attitude to allot daughters with equal share in ancestral properties. With the amendment of Succession Act, which marked a new era of social legislation in India, now Hindu women are benefitted and equal opportunity allotted to them. If they could set the trend and initiate such good practice, why not the Naga people who are known to respect and treat women

well, save in matters of inheritance and some other issues. Why could not the Naga learn from them? Is it not time for change?

Freedom is integral to the concept of equality: women as equals must be given right and the freedom to decide for themselves according to their unique interest and needs. A society based on dogmatic tradition is not helping matters for women, who have been long deprived of their rights. They want more direct involvement in the sphere of decision making while reasoning that men alone cannot decide for women. Participation of women in decision making and policy implementation ensure their effective input: having opportunities to lead productive and dignified lives and enable to render valuable assistance to other women. Naga society can claim to be democratic in nature but real democracy can only prevail when a system is devoid of unfairness based on gender, class or intellect. Tradition should not be the sole reason to hinder the women to participate effectively, rather it must be broadened and an inclusive attitude initiated. It should not hindrance to women's political career. Empowerment includes not only economic self-sufficiency, educational opportunities, social participation but also meaningful political participation without which the concept of women empowerment would be meaningless.

<sup>4c</sup>Unlike their male counterparts, women do not receive positive reinforcement from the society at large for participation in politics. Naga women live with an identity of being marginal especially in politics. Men dictate if not control the public spaces for women and this becomes quiet prominent when the subject is politics. The dominance of power in dictating who

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<sup>4</sup> Moamenla Amer, "Women's Political Status And Engagement", Akansha Publishing House, Pg. no 17

participates in politics is clearly evident by the opposition to the 33% reservation of seats for women in local bodies – Municipal and Town Councils- on grounds of cultural rationales and unexamined assumption. The ongoing opposition to the bill is only one example to illustrate the extent to which women’s right to participate in politics is often abused if not sterilized by the so called ‘cultural guards’ of our society. This indicates the existence of biases against women taking part in electoral activities.” Respecting and protecting women does mean not letting her do what she wants, keeping women on grounded rules does not mean protection and respect but giving the full freedom like that of man, working together along with men means that women are actually respected and gives the confidence of trust and equality. Every set of laws and rules must be equally equipped to both men and women and the customary laws does limits women’s rights and equality. Often people are of the view that 33% reservation is not equality but what many people do not understand is that, for hundreds of years women in general were subjugated, deprived of their rights, so in order to settle the gap between men and women reservation is needed. Women need a platform in order to elevate themselves. No dramatic changes can happen in a blink of an eye nor will be given in a platter, so women need windows and opportunities so that can do something for themselves in order to fill the gap.

<sup>5</sup>“ The Naga women in recent decades have successfully pushed for increased participation in many fields of activities. However, one area where Naga women’s participation is conspicuously missing in the political arena. The context of the political status and role of the Naga women continuous to be an open question. Relative to their share in the population, they remain outsiders in politics. Even after more than four decades of statehood, there has been no woman member in State Legislative Assembly. This reinforces the perception that electoral politics in

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<sup>5</sup> Moamenla Amer, “Women’s Political Status And Engagement”, Akansha Publishing House, Pg. no14

Nagaland continue to be dominated by men. A domination that should not really be, because of the almost equal proportion of the two genders in the population. If half of the states enfranchised populations kept out of political structures of the state, one cannot talk of democracy. The Naga women's ongoing demand to participate equally in decision making is based on the ground that representative democracy means equal opportunities for participation in politics of all citizens regardless of their sex the parity representation of women is also indicative of justice and equality of the society.”

Women are more likely to emerge as candidates in states that established as early pattern of electing women to the state legislature, support women's participation in public affairs, and do not have a tradition of se-discrimination in income, or gender disparities in educational achievement. Therefore, a more egalitarian public portrayal relating to women's political participation may plausibly influence both whether women in Nagaland are willing to come forward as candidates for elective office and whether they can win.

The political parties too have an important role to play in bringing about a change in the political status of women. The first responsibility of political parties is to accept and then support the idea that women have a significant role to play in the party as leaders, candidates and ultimately, as elected representatives.

In assessing women's minimal participation in electoral activities, one must examine the inter-connection between the socio-cultural values and practices that are firmly entrenched in the systems and structures of society. This is because the culture of the society determines the level of women's participation in the public sphere. In a traditional society like the Naga society, by traditional norms, women are usually expected to stay at home and take up the responsibility for

the caring of the family and household needs. It is not uncommon to see Naga women managing the household work along with her job. This leaves very little time for engagement in other activities.

On the other hand, women's low participation in electoral activities is often explained by the stereotype of their being uninterested in politics. There might be some degree of disinterest among women to take part in electoral activities, but the reality that is often overlooked is that, their struggle to handle dual roles, limit their time and energy for political activities. For many women, with their primary roles as mothers and wives, they are left with little time to engage in electoral activities. In Nagaland, despite major changes in gender roles in recent decades, women are usually expected to take care of their household and related responsibilities and at the same time, for some, to handle a full-time job and a career. As a result, the basic responsibilities and patterns of their lives, with more focus on family, and related responsibilities, make it impossible for them to sustain their electoral participation beyond voting.

The major drawback for many women is that the relationship that exist in the domestic arena, with male household member as the head, is translated to what is generally perceived as the public. This becomes quiet prominent when the subject is politics. Typically political is viewed in terms of activities, which takes place in a public arena. The cultural limitation has pushed women to traditional roles, which does not bode well for women's role in the public arena. This is not uncommon position for Naga women generally.

Therefore, the association of women with the private sphere leads to their total marginalization from political life. It appears that women themselves are aware of such gender specific roles. Some of the women interviewed have explicitly referred to the traditional conceptions of

gender roles to explain why they participate less in electoral activities. One of the respondents said:

“There is a sequence in what we should do as women: we go to school, then get married, have children, get them married and so on”.

Another woman expressed a similar view:

“I feel the women’s place is in the home bringing up the children”.

These comments highlight the fact that traditional gender role stereotypes are still present in our society, leading women to conceptualize their roles in the political arena differently. It seems clear that the separation between the private and the public spaces is still accepted as a natural division between the genders in Nagaland. Therefore, the societal understanding of what constitutes the private and public space may lie at the heart of some of the difficulties faced by the women in taking part in electoral activities..

Some of the women interviewed reflected their psychological barrier to participation in electoral activities. The reason for this can be traced both historically and contemporaneously. One of the reasons could be historical exclusion of women from politics and political leadership. Men’s dominance of leadership in almost all institutions of power may be sending a message that only men can take part in the electoral process. This entrenched belief that politics is inherently a masculine domain has impacted negatively on women’s involvement in electoral politics. Gender disparity in politics is still a problem in Nagaland. Much commentary on electoral participation assumes that, if women believe that gender equality in politics have not yet been achieved: they might not be motivated to take part in the political process. However, it is equally plausible to

assume that individuals who believe that gender equality has not been achieved might be motivated toward political status.

It is also important to consider the possibility, indeed probability, that the nature of political environment in Nagaland may be an important factor for the disengagement of women in electoral activities. Taking into consideration the nature of the contemporary political culture that exists in present day Nagaland, it is not surprising that women dissociate themselves from politics. Over the years electoral competition in Nagaland has deteriorated in terms of ethics and values. Some of the women described hesitation or discomfort with taking on political and especially public roles. According to them, it feels uncomfortable or inappropriate for them to engage in political activities. This could possibly be due to the reason that women and men are conditioned by society to play different roles. Only certain patterns of behavior are suitable for women and that politics is not included in these behavior patterns. This may be another reason why women perceive participating in electoral activities as unsuitable for them.

It is clear that a number of factors combine to define the functional boundaries of women's mobility, freedom and choice to engage in electoral activities. Their minimal participation in many modes of electoral activities is due to a number of factors: political, socio-cultural and psychological constraints, all of which appear to be too binding for them to overcome. Women's choice to overcome marginalization in politics would probably depend on whether they identify themselves with perception that society hold about them or to assert an identity in opposition to their wider societal image.

#### *4.2 Comparative study between the Ao tribe and the Konyak tribe customary law*

The **Ao tribe** is known as the one the most advanced and developed tribe among the Naga tribes. Women are treated with highest respect and love, there are many educated Ao women and also many women officers but at the same time they are also deprived of many basic human rights when it comes down to important practical terms. Women of this tribe are highly advanced but the sad reality is that they are binded by the customary practices on several grounds. In Ao customary law, a man and a woman belonging to same clan (title) cannot be married. If they break this law, they are exiled from the village with imposed fine, both the man and woman are not allowed to take part in any kind of social activities, only during the deaths of their close relatives, they are allowed to enter the village for 2 days. The customary laws of the Ao tribes is very strict and regid.

The highest authority in the Ao community is known as *Putu Menden* it is the core power structure of the Ao tribe, every Ao villages have their respective *Putu Menden*. This power structure is formed by the respresentatives of various clans. Putu menden of the Ao community derives its structure and power from customary laws and is still relevant in Ao society. The word '*putu*' refers to generation that consists of thirty years in Ao term and '*menden*' means seats. Most of the Ao villages follows the the five established Putus (generation) namely,



1. *MedemsangerPutu*
2. *MejensangerPutu*
3. *MopungsangerPutu*
4. *KosasangerPutu*
5. *RionsangerPutu*

Each putu consists of ten age/peer groups units, and this unit consists of people born with a three year period and this forms the order of precedence with each putu. Each unit rules, governs and administer for thirty years and when one unit seats on the generation to rule is known as *Tatar Putu Mende*, the cycle continues within the 5 units. Every recognized village in Nagaland is required to have a village council with members chosen in accordance with the prevailing customary practices and usages and as approved by the State Government. While the putumeden continues to be the supreme authority in the village, the designated chairman of the ‘village council’ represents the community in all interactions with the government and other agencies. Though Tatars are responsible for administration and executing judicial powers, they do not have the inherent power of making law. The consent and approval of village assembly is necessary to legislate laws, regulate and discuss all financial and planning matters. This is unit exclude women representatives; it is purely male dominated institution. They do not welcome the idea of inclusion of women as it has been functioning that way since time immemorial and the men folks are not willing to bring changes and follow the rules as given to them by their forefathers, and also they do not find the need to include women in the unit as there has always functioned smoothly without the help of women.

Women are restricted in many areas of political and social aspects particularly relating to customary laws.

In towns women can inherit properties depending upon the decision of her parents. Since Ao women themselves is a strong believer in the customary law they do not object the idea of the Putu Menden as it has been followed from generation after generation and it is the duty of women to respect the Putu Menden and the decision taken by this unit.

### **New political developments**

**Dobashi:** In order to deal with customary laws and its implementation, every district has its own Dobashi court which is a recognized court. Initially, the unique post of the of Dobashi was founded by the British to act as translators or interpreters and to assist them in administration. Besides their primary responsibility, the Dobashi has the added function as interpreters of customary law. Thus, being conversant with traditional rules and regulations, they acted as advisors in the settlement of cases. Later it was elevated and institutionalized to that of Dobashi courts. It tried cases as per traditional standards and practices of the land as well as by the existing laws. The Dobashi courts hence are the transition courts between the codified and unmodified legal systems in the state. The institution of Dobashi is still sustained today and is considered the Backbone of district administration. However, since its inception, no women had been allotted the post of Dobashi in AO areas. There is no record of women Dobashis.

**Gaon Buras:** The advent of British rule witnessed the creation of the Goanburas or village elders through whose assistance the government managed their administration. They were village elders normally selected by the clan and nominated by the putu mnden and authorized by the government to act as assistants to the Deputy Commissioners in the village administration.

Goanburas (G.B.) were very significant functionaries of the village and were directly involved with the administration of the village. In the governance and administrative system of the villages, they were indispensable who were generally considered the spokesmen of their community, and also agents of the government. All governmental businesses were executed by the Gaonuras. Here lies the difference between Goanburas- government representatives and Tatar or putu menden representatives of the village people. In cases when certain government orders were perceived as detrimental to the interest of the village, the tatars made efforts to negotiate with the government. Unlike the Goanburas, the tatars were not subservient to the government.

**Village Council (VC):** A recent development in the village administrative system is the village council; the village being an independent democratic republic had its own system of governance founded on customary law. It led to the enactment of Nagaland Village Councils Act 1978 for local self government. Under the act, due recognition is given to traditional village institutions like the Putu Menden in Ao areas. Hence, village councils function according to the prevailing custom and usage of one particular community. The members of the village council are elected by the villager in accordance with the prevailing customary practices and usages and as approved by the state Government. The chairman is either the Head of the putu menden or is nominated from amongst the members by unanimous decision of the putu menden, though there are certain variations in different villages. No doubt supreme authority in the village continues to be then putu menden, but representatives for the whole community in all communications with the government and other agencies is the chairman of the “Village Council”. The size of the village council depends on the size of the village- smaller villages have few members while larger villages have more members. The village council has the power to administer justice through settlement of cases within the villages and also maintaining law and order in accordance

with the customary laws and practices and as accepted by the government. Their task is to ensure that both the traditional and modern forms of governance work in harmony. Justice is delivered by the Village Councils with the assistance of Goanburas or other elders of the village.

Conventionally, women did not have any role in the official functioning of traditional institutions. As good as the institution of Village Councils are built upon the traditional values and practices, certain challenges need to be overcome to ensure just and participatory governance. Given the present day context however, Village Councils do not provide liberty for women to participate in the process of decision making in any way. Women therefore cannot aspire for roles or positions of leaderships as they continue to be denied entry into such traditional councils.

**The Village Development Board:** A separate Village Development Board, without displacing the traditional Village Council was established in 1980. It is the developmental agency for the village. The Board, with 3 years tenure, reconciled the traditional male dominated Village Council with the demands of modern inclusive development. Depending on the population or composition of the village, a VDB Management Committee may vary from five to twenty-five members of which one third must be women. The members may include members of the village council or any other eligible member of the community. This provision particularly provides opportunities for the active participation of the youth and women, who otherwise do not get much opportunity to directly participate in planning and decision making for the community. Expulsion of any members or dissolution of the VDB is the prerogative concerned Village Council. Women feel that the VDB Act needs to be effectively implemented to guarantee representation of women in significant members. Training on leadership skills and capacity building must be imparted to women VDB members.

### **Rights, discrimination and Ao women:**

An ao woman's status was dependent on man. She had no separate identity of her own in public matters and did not possess any land rights or property rights, right to equality was lacking; was deprived of right of expression and opinions in the public community; had no right of representation nor any right to participate in decision making of the village; whatever rights and privileges she exercised was personal and mostly within the confines of her home. In public matters she has no voice, it was the man who represented and decided for her. The practice is more or less the same even now with only slight modifications. Women still are deprived of basic political and inheritance rights as a rule.

EQUALITY IS CLAIMED TO BE THE CORNERSTONE OF THE Ao society, where men and women are treated as equals: at the same time enabled to avail and enjoy freedom and opportunities in equal measures. According to the accepted belief, unlike other societies, the fairer sex in Naga society are independent and equal with men and has never been discriminated against.

Treated analytically, the term discrimination in this context would connote any differential treatment in deed or judgment on the basis of gender which intentionally or unintentionally disadvantage women. And that which prevents women from exercising the fundamental liberties to which they are entitled as individual human –beings.

Daughters are regarded as subordinate members of the family; they do not become co-owners with sons and do not inherit property of the family. in ao patriarchal family therefore, women is always in an inferior position than of the man. But she enjoys considerable privileges in other rights such as:

1. Ao women inherit from her mother, sister and aunt. On death of her husband, she inherits with other heirs in respect of movable properties.
2. She has right to possess, increase her property and dispose her separate property in the manner she desires: she carries nontrade to increase her property. On her marriage, her separate property does not merge with that of her husband.
3. On her husbands' death leaving behind minor children, she becomes the owner of the family property till her son's attain maturity. She can trade to earn for the family.
4. She gets immovable property by the will of her parents, relatives and husbands.
5. She can sue or be sued: she can adduce evidence on oath.
6. She can take customary oath for settlement for her dispute.

The limitation of ao women are;

1. She cannot become a member of Putu Menden ( highest traditional decision making body)
2. She cannot become Putir ( Village councilor) though she maybe the oldest person in the village. Thus she s debarred from performing religious rites and sacrifices. She can assist her husband in worship.
3. She cannot participate in debate and discussion of public interest
4. She is not entitled to get honor, title and fame. However, in sons sung in fest of merit perform by her and her husband, her name maybe be mentioned, which is highly esteemed.

5. She cannot inherit landed property; she is also is also not liable for debt of her ancestor or her heirs. If she is allowed to inherit, her share will go to her sons who are members of other clans.

According to folklore there had been many Ao women who had wise, capable, and bold and just they had been known to be good counselors to men, foresighted and judicious in the perspective. Ongangla in Chungliyimti village, soothsayer gifted with divine powers, she held an esteemed position as an advisor, guide and counselor. It is believed that she was the one who advocated nature worship. Once there was sever famine and scarcity in chungliyimti village; to reverse the famine, she advised the people to appease god through worship. The people heeded the advice. Their fortune reversed, the harvest became good and the people became prosperous. It marked the origination of the celebration of Moatsu festival, a major festival of the AO tribe.

**Watsu Mungdang :** Taking the contemporary, there is a growing trend of activism. Ao women have become active in many fields of public life, advocating for the benefit of women and the society as a whole. One organization in particular is the Watsu Mungdang- Ao women's apex organization established in 1982 headquartered in mokochung town. The focal goal of the organization is to preserve culture, to uplift socio-economic conditions, education and importantly empowerment of women. With the purpose set, the Watsu Mondang has been relentlessly initiating and activating for concerns pertaining to the uplift of women.

Time and again it has been disseminating awareness and education through seminars, workshops, and campaigns on matters relating to the rights of women or development of women

in all areas- economic, social or political. Assistance is provided to form women self help groups, have been concerning crimes against women and children and most importantly campaigned for and still fighting representation of women in Municipal Councils, though representations in Village Development Boards have already been successfully campaigned for. Women are included in the VDB Management committee with 1/3<sup>rd</sup> representation.

One significant issue, among many, Watsu is uncompromisingly fighting for is against the crime of rape. Realizing that customary laws do not assure proper protection and that it does not concertedly encompass crimes against women like rape, it has resolved to demand the incorporation of certain counteractive and stringent measures/actions against the perpetrators. It stipulates: “ the culprit should be given rigorous imprisonment till death, no bail whatsoever should be allowed to the rapist and importantly, no compromise between the families should come on way of punishing the culprit.” And further, for the enactment of an explicit ‘common Naga law’ on rape.





**Traditional housing style of the AO tribe before modernization.**

The **Konyak tribe** is considered as one of the backward tribe among Naga tribes and the development among this tribe is low and slow. The Konyak Nagas were known for the longest practice of head hunting and the last tribe to put an end to its practice. With the arrival of Christianity the practice came to an end, the new religion and arrival of education, they were encouraged to adopt the modern functions and lifestyles. The Konyak Nagas are famous as they still live under the rule of Angh (King). Every Konyak village has their respective Angh governing the village. The significant feature of longwa village of the Konyak tribe is that it shares the boundary with Myanmar and what striking is that the boundary is in the middle of the common hall of the king so it build on land with one side to Myanmar and the other half belonging to Nagaland, and for hundreds of years the king and the village lives without any harm and shares cordial relation with the few people of Myanmar living in the border area. Even with the advent of democracy the Konyak Nagas still follow the old orthodox traditional customary rule without many changes in its nature. The Angh holds the highest post in decision making and the people have sole trust upon the king. Since time immortal the people of the Konyak tribe had full confident over the king and upon his role in ruling the people. No laws and decisions can be passed without the consent of the Angh as his last saying is the highest and no one can go against his decision. It is based on hierarchy. The Angh has the liberty to have many wives according to his wishes and they live under the same roof. But the first wife is the Queen. The limitation of his marriage is that his first wife should not belong to the same village of his as he cannot marry his subordinates and so his first wife is chosen from different Village to become the queen. For his second marriage and so on he can choose women from his village as well as from the other villages. The queen enjoys certain powers; she takes over the place of the Angh if he cannot attain certain meetings. She can become the head of the village till her sons attain

maturity if the Angh dies leaving behind minor boy. She enjoys the full status of being a queen and receives equal respect as that of the Angh, the house hold chores and other manual works are done by the other wives of the Angh. If the queen cannot bear a male child it is the law that the Angh has to marry other women for the fulfillment of the male child. The right and freedom is not given to women to say no to the Angh proposal even if she is not ready to marry him, once she is called by the Angh, she has to join as one of the concubines. She is not given the right to refuse the marriage nor the freedom to express herself as to why she is not willing to marry him, but was obliged to marry him whether he was young or old. The Angh was regarded as representative of god and the people had to respect and honor him

As far as the customary law is concerned commoners were usually not permitted to have more than one wife. But there some men who had two wives because he had wealth and power and therefore was able to bend the laws according to his wished. Polygamy was confined to a few section of the people and not to all as misunderstood by the other Nagas.

The women are not allowed to take part in the decision making nor allowed in the court of Angh unless she is called upon by him. Even with the prevalence of such practices women are included in the VDB's in accordance to the Nagaland village council Act, 1978. The village matter under the Angh governance even the VDB's or any organization in the village cannot go about without the consent of the Angh

The Konyak women were not recognized in the village administration or in politics and decision making. Except for those women who professed in the art of black magic or as traditional doctors were allowed to take part. They has some proverbial sayings to justify that women folks were not suited for politics and administration some of them as they believed that

women cannot make decision, for she invited foolishness and chaos. The entire village administration revolved around their chief i.e. the Angh. Women had no say in the affairs of the village. Politics was considered as above domestic affairs and was exclusively the domain of men folk. The role of women was confined to her kitchen and she had no other roles. It can also be observed that the purpose of having a number of concubines by an Angh served the purpose of diplomacy between different villages.

The advent of Christianity brought lots of changes in the Konyak society. Many traditional practices, rituals, taboos etc. were done away with; for instance "ywo"(the traditional Konyak village had female dormitories known as 'ywo', it served as an important social institution for girls. A girl joins the ywo when she reaches the stage of adolescence, and sleep in the ywo with other girls from the same clan and it continues till the girl gets married. This the place where a girl learns how to sing, dance, weave, education etc) declined with the passage of time which had earlier played an important function in the life of a women. Religious practices and rituals have undergone changes and have been replaced by Christian practices such as prayer. Dresses and ornaments were also replaced by the western brand of clothes. We also find the Konyak women taking active part in the religious, government and nongovernmental organizations. The arrival of Christianity and modernization had also brought awareness on the significance of education and as such, the number of school going girls is increasing with the passage of time. With such impacts in the Konyak society, the belief that a girl must stay back with her mother and do the household chores has given the seat back seat. . the practice of shaving the head of women is also no more seen in today's time.

However, despite the above changes and progress in the Konyak tribal society, the image of the konyak society has always been a male dominated society. Even today, we find the rigid

dichotomy of the public and domestic affairs particularly in rural villages. As such, differences do exist, so do inequalities in the society. The customs still expect the women to carry out the house hold chores. Even today the participation of women in administration of village affairs is almost nil as their demanding roles at homes make it hard for them to be an active in public life.

The KNSK( Konyak Nyuyong Sheko Khong) is a welfare organization for women. Konyak Nyuyong Sheko Khong( KNSK ) is under the umbrella of KU (Konyak union). The KU does not take the sole decision for any matters without having a discussion with KNSK. They work in co-operation and mutual consent. The KU members are constituted by men but in reality they do not function as that of the advanced tribe. The KU support KNSK to uplift the status of women in both village and town areas, as they are much behind in terms of development and education. In the state political affairs the Konya's have established themselves in securing cabinet ministers and so on. There is no denial of the fact that in the yester years status of women was pathetic in every aspect but with the coming of modernization they evolved themselves and the need to re-establish women status became important. The KU does not limit women to exercise their rights. The KNSK plays an important role in banning liquor in Konyak areas especially in Mon District, keeping the town clean, creating awareness programs for women in different areas. The Konyak tribe does not hold back women in accumulating properties. Besides KNSK, the local church women organization also plays an important role in the upliftment of women of women and children and they work together with KNSK to achieve those goals. Many Konyak women are achieving higher education and recruiting themselves in various governmental and nongovernmental jobs. The women of this tribe realized that women can do so much more besides the four corner of the wall and wants to improve the status of not only their tribe but especially the status of women.



**The House of ANGH (KONYAK TRIBE)**

The Present King of Longwa Village in the picture



Human heads preserved from the headhunting era.

## *Chapter 5*

### **Conclusions and Findings**

No doubt the status and condition of women has been a remarkable changed, along with the advancement of the society, the advancement of women in different fields has been noticed. Feminist thinking is the key for redefining the status of women. The customary laws are still biased towards men. If one had to closely look into the status of women, it is nothing but indirectly seeking the status of women from the primitive society, in the sense, women had always been independent and did not depend on men for her existence. Women cultivated food for the family, weaved clothes and was sold in the market, Naga women was known as expert weavers, ornaments and jewelry for both men and women was made by women, the family depended on her. Slowly, white collar jobs started to flourish in the state. Women wanted to settle in towns and marrying a man with white collar jobs gives her the opportunity to move to the town areas and it was considered as a privilege for her as no longer she will be working in the fields but the consequences was that she has to depend on the salary of men even for her basic needs thus giving the man a upper hand. When women began to work, the dominant culture of men had already sipped in the society. Women cannot fully blame and criticize the men folks for its dominance as she is also partially responsible because women cannot overcome the fear to speak for her rights, she cannot gather up the courage to stand for herself. Naga women have deeply absorbed the cultural laws. They feel that speaking against those laws and seeking their rights is not important as women have survived generation after generation with those laws. Most of the women feel that customary laws should be protected as they are the essence of the traditional and ethnic set up of the Naga society. Maybe, they do not have the time to meditate on the rules and norms around them



that affect their wellbeing. Customary laws should be flexible enough to adapt changes, and must change those laws which hamper the rights of women. While women's improvement in education, economic and professional status maybe prompt, this alone is not sufficient to win elected office. Political mobilization for women is needed to be in equilibrium with men in political arena. The absence of women in state legislature clearly indicates the gender makeup by the society and women has always been unrepresented in the decision making process. The Nagas should truly understand the meaning of democracy as the present scenario does not indicate true democracy and does not function in a pure democratic form. When Nagaland has adopted democracy why cling on to the customary laws which are not healthy for the society. Customary laws do not have any features which are similar to that of democracy and HR. Customary laws abuse HR. Moreover NPMHR is involved only in Naga Nationalist Movement without looking into the other matters concerning the abuse of human rights. Women are the main victim under the abuse of HR. Naga Women should be educated on HR as the main tool to fight against patriarchy is HR. Human Rights is the answer for women to fight against discrimination, injustice, inequality and to re-establish their status and to be treated equally. HR and democracy advocates equal rights, equal status and equal participation in decision making for both men and women. But the male dominant institution rejects and denies the rights for women. Equality and freedom in broader sense is limited to women and cannot enjoy like that of men equally. But men alone are not to be blamed alone for the inequality but women themselves are partially responsible as they do not try to come out of the cocoon. Besides some women, most of the women does not talk about their denial of rights and discrimination in public, the discussions are carried out within themselves and bury them without carrying out the discussions to the outer atmosphere.

The findings are that the foremost factor that had hindered women might have been the ignorance of their political and other rights as members of the village. Wellbeing of the family was their main concern. Life had fewer complexities then: work revolved around the household and the fields, dawn to dusk. Perhaps she hardly had the time to ponder on her rights, or to attend meeting in order to build social set –up or to participate in decision making to voice out her concerns or interests. Community and village affairs were left to men. Another factor could be their conformist attitude towards traditions and customs. They had been brought up in an environment deeply entrenched in tradition ingraining in them the foremost belief that nothing is above the people’s hallowed Scio- customary law. Men’s prejudice can be another factor as to why women are not included in decision making, the preconceived notion of the men branding women’s intellect as immature and incapable of managing community affairs is also at the core of the issues.

There are Naga men who support women in achieving their rights and criticize the abusive nature of customary laws. They are of the view that women are equally important like men to take part in decision making as men are not only the living being living in the society. These men are often criticized by their male counter parts. The rational men believe that including women in decision making with their rightful rights can bring changes in many fields. Men alone cannot bring changes without the co-operation of women folks. Not all men are conservative; there are liberal thinkers among Naga men. Often these men are rebuked and teased for standing with women and being the voice for women as according to

social construct a man is always above women. There is a need to question the existing customary laws of the Nagas which remains static rather than evolving with the changing needs and requirements of the present era. Instead of changing the laws for the betterment of the society, it is still static and insists on preserving the customary laws. The Nagas in general believes that with the arrival of modernization, the customs and traditions are slowly withering away and it is only through customary laws the citizens are binded together and it is only through this kind of customary institutions the cultural values are preserved.

Public awareness that address gender equality in public life must be taken up. The media can be one of the key players in raising public consciousness about gender equality. The media, besides highlighting issues relating to women, should more importantly make visible the aspiring women politicians. This can have a positive impact on the society in general and the women in particular by generating significant interest in political activity among them. Networking amongst various women NGO's must be developed, so that they can share information and experiences that will enhance active participation of women in politics. There should be a change in mindset of the people at large towards women's participation in politics. If such a positive change of attitude towards women's involvement is brought about, it can socialize women into democratic participatory citizens.

The findings from this study shows the conservative patriarchal system of the Naga society, it has been observed that married women are more active in political activates than unmarried women. They are influenced by their husbands; often the choice to vote is determined and influenced by the father or husband. Women often do not choose as to whom she is casting the vote or the candidate she is in support of. It is often determined by the male in the family. It has also been observed that just a handful of women come forward in working for the

progress of women the society, and these women talks about the downfall of the patriarchal system, criticize the male dominated institutions, talks about the need to include women in decision making bodies and often this women are criticized by the society as they have stepped out from the customary norms. Due to this reason women take a back seat and remain silent because a women speaking up for her rights is viewed harshly, criticized heavily for her behavior and her morality is judged upon. Expressing one's own view is not considered right and portrays women as not being decent. The change of mind set among women in needed in order to overcome the marginal position of women in politics. Another finding through this study is that political awareness among women is moderate and limited, lack of interest in politics, media coverage is low on women rights and issues. Women cannot expect sudden and dramatic changes, the process is slow. Women in general should be willing to voice out their problems and to play a prominent role as political participants. Women NGO's should be the support base for women and promote women's participation in politics.

It has also been observed that, female upbringing from her childhood must also be revised. A girl child is always taught that she is weaker than a boy; the upbringing is so tight that women does not get the opportunity to fully develop themselves and explore their capabilities in wide range. The orthodox customary teachings have a huge impact in the psychology of a person and gender equal culture should be taught to both men and women not only in the family but should be educated in schools as well and should impart the knowledge that women can also become strong leaders as that of men.

If one understands the meaning of democracy, such kind of exclusion and denial of rights will not exist in fact the society will elevate the status of both men and women equally if the existing society follows true democracy.

The idea of feminism is becoming popular among Naga women due to global trends and issues, the study on women issues as been growing in the recent years, and time and again it has been discussed and justified that patriarchy ignore women in decision making process, many scholars have come forward with the view that women remain silent and voiceless because of the oppressive nature of patriarchy. The Naga society as a whole is yet to understand the fact that men and women can work together and the idea of liberty is yet to be digested. Development cannot be brought about by ignoring certain section of the people nor can be called as a democratic state. To benefit the idea of development and advancement in the both men and women should have equal opportunity in every aspect.

The findings through this study shows that even women themselves differ from each other on the context of decision making and customary laws and not all men is against the idea of including women in decision making and they do support the upliftment of women and does remain a blind eye to the injustice faced my women in the society.

Women should not be effected by the psychological manipulation of the society and the patriarchal norms, they should understand the fact that to bring new changes they have to overcome obstacles and their self esteem should not weaver if she is working for her upliftment and for better status of women in general.

Naga women should be inspired by the other women in different states and countries and they should have the zeal to achieve much more in life instead of being laid back and being contented of the little things they have.

Naga women should not have the negative vibe of men and they should utilize the learning's and fill the gap which men lack. Women must take the step to educate men and make them understand the need for women and their involvement in decision making which will not result in bitter situations but for the betterment of the society.

The fact remains; women's basic right of determining their political status is disregarded in the customary practices. They do not have the right and opportunity to take part in the conduct of community affairs. As was from before women are neither permitted to become member of the hallowed traditional system of decision making body, yet men deny it is discrimination. the practice of leaving out women from important matters of the village such as in administration or decision making bodies is pursued resolutely till now, mainly for the reason that it is a 'time tested culture' and has been in vogue since time immemorial.

The conception of administrative organizations has the purposeful intent of protection and security of the village, of its women children and old ones. The men naturally assumed control of the sphere of administration and decision – making, while the women assumed a secondary role. They gladly accepted their role as daughters, wives, and mothers, willingly confined themselves to homes and the fields.

The custom was thus born where both the men and the women were satisfied with their respective positions and ungrudgingly fitted themselves to their own roles. Such an arrangement met with no conflict, merely for the reason that during the headhunting days,

only the fittest and the strongest the women being physically less strong were rendered security, the men assuming the role of protectors as well as claimed the right to administration. The patriarchal standards that dictate that women should be protected by men can be a source of the inequality to prevent women from realizing their full potential. Since women tend to be complacent and dependent on the men for making choices for them thus become less independent, as regards the decisions in public space.

It cannot be ascertained, without reasonable doubt women aspire for leadership all along or it is a recent awakening. Men are of the view that women's aspiration for political participation is rather a new concept, a product of the gradual insemination of western pro-women philosophy and not the least, as edified by law. But being human, perhaps she had the desire for participation in political life of the village and so involve in community matters. Or perhaps it being not feasible the idea was not pursued further..

However, it cannot be denied that education and constitutional regulations have played a pivotal role in enlightening women while inculcating the need to pursue their rights I realms formerly reserved solely for men. Education ignited what was already in rumination, awakening them to seek the rights long denied, while remaining ever indebted to a tradition that has sheltered and nurtured their unequivocal standing in a professed male dominated social order. Education is the foundation of change: unwavering device of hope that can help confront a society doggedly holding on to its proud culture a legacy which unconsciously enforced inequality between sexes. It can also enhance their participation in decision making with rational analysis.

Feasible solution has to be found in order to bring about the democratic development. Democracy is all quality of life crucially depending on the character of civil society and how well it abides by democratic principles and concept of gender justice. A lot of support is required from the male counterpart in the effort to implement Women Reservation. Some might consider it as a direct challenge to the existing practices, norms, culture or tradition; he argument based on long-standing cultural values. It is thus one of the most difficult areas to penetrate and one of the most resistant to change. To put it simply, much sensitization is needed, particularly to enhance the status of women in the public sphere.

The dawn of modern system of governance brought with it the right for women to participate directly or indirectly in political affairs, a taboo in the traditional system of administration, y exercising her franchise to vote and contesting in assembly elections as well. Since the first assembly elections began in 1964 women has been conferred the right to determine their political aspiration. Women have as much as much right to contest as she has the right to vote, and they do participate in elections and often some of them are seen in the front a leader, if not the candidate themselves, during election. The rights has been conferred due to the growing awareness around the world that policies and actions affect women and men in different ways and one need to implement unique measures to ensure a full recognition of women's and men's interests and needs by allowing equal participation and representation.

The present set-up is such that the dominance of men in the political arena is so deeply entrenched it would be difficult for a woman to race and win against a man in an election. In principle, men and women are intended to be equals yet in the sphere of tradition, exercise of leadership and authority; men naturally dictate thus women have been rarely exposed to a political environment conducive for their active involvement present politics being a different



area altogether, where money, might and crime can be determinative factor, women cannot compete with men and stand out unless a collective effort is initiated in support of women representation. To be fair to men, besides men's dominance over the realm of political governance, it cannot be without truth to state that the reason for some women's reluctance to participate can be attributed to their accepting attitude and the mentality that only men can do justice to the role of administration. Both men and women ought to awaken to the potentialities inherent in women.

It is time everyone awakens to the fact that unless political and civil rights are guaranteed, the enjoyment of other rights becomes meaningless and renders 'equality' as claimed, a farce. Globally, political representation of women has seen a drastic increase since the 1980's and 1990's, notably so because of the growing activism of women in politics as well as socio-cultural organizations, who have been dynamically working to augment women's representation. Quotas or reservation are a positive or affirmative policy of the government which have been and will improve the status of women.

It is implicit that 33% reservation, a policy already enacted through legislation, which is a temporary special measure or preferential treatment to advance women be amalgamated into administration and decision making bodies. It is not a permanent step which may create separate standards for women and men: rather these special measures should be used or promoted to simply speed up the achievement of the real equality for women.

Further, affirmative action is required to enhance the position of women for a long time women have been brought up in culture, consciously or unconsciously, under the domination of men. There are 927 females for every 1000 males in the district (according to the provisional

2011 census). Still women participation is dismal. No doubt there are few women who have stood out solely by virtue of merit but such instances are negligible so to speak. With women representing almost half of the population and their contribution to social development immense, reservation is desirable to give a push to enhance their participation in decision making in order to bring out gender sensitive policies. Women need encouragement and support. Given their population and input to society it is only fair that some definite share be allotted them.

Many youths are of the view that women should be given equal opportunities in the society, the researcher has observed that many youths are active in social media and point out their views through social media, as social media plays an important role in the 21<sup>st</sup> century. It has been noted that many youths are seen as so called 'keyboard warriors' in the sense they scream of all the inequality and injustice which is happening in the society but the sad reality is that people speak up only through social media and not in practical sense. The discussions and debates are heavy yet none interprets them in reality. The influence of social is heavy in the society; it is a platform where one can express their views and opinions, if this screams are taken out in the public sphere many changes will be seen instead of hiding behind the social media. Many women express their views on inequality through various kinds of social medias, if all these women come together in the surface many changes can be taken place. The modern Naga women are not afraid to speak their mind and express their views especially on social media and they receive mix views, some support their views and encourage women to speak their mind and some criticize them as it is against the etiquette of being a women. Many women are trashed in social media just because they speak against the inequality mended out to women.

Many women believe in customary law is because, crimes against women is very low, no dowry system, emphasis on girls education and as compared to other states in India the living condition

is much more better. Naga women have lived under the protection of men for a very long time so most of the Naga women feels that it is ok to go on with the same system. The village life of women is all about bringing food to the table, taking care of the house, family and harvesting. Not much of a difference is there between women living in towns and villages besides going to the fields. Most of the village women's mentality is orthodox and strongly believes in traditional and customary laws while on the other hand most of the women living in towns with a generation gap believes that women are not solely born to do duties of the household and that both men and women should take equal responsibilities.

A change in mindset is the call o the hour that will eventually allow women to engage in decision making by virtue of being citizens. Men are basically in denial of the true state of women's status men refuse to accept that women are not equally treated and that there is a certain amount of apathy on the part of men in considering the special needs of women given that some practice are not favorable towards women discrimination in the area of inheritance and policy making should be honestly admitted, which would be a concrete step towards its eradication. It would be right step towards shaping and achieving a policy which aims at boosting the status of women . women must be given key leadership role and be included in planning and implementation of policies for the whole community at the same time, encouragement and assistance from men will enhance their development.

But changes should not be confined only to men, rather women themselves need to be aware of their rights and boldly take a stand. Few of them do not desire for changes feeling there will be more social repressions. They feel there will be many obstacles and hindrances and so it is better to continue will the way things are existing now. Hey have fatalistic approach towards custom saying it being the identity binds of the people together and cannot be changed.

Women should awaken the potentialities inherent in them. Change of social attitudes of both men and women is vital and an overhauling of the value system within the communities essential. Social custom will change only when mindsets will change thus, creating an atmosphere conducive for a gradual and subtle loosening of the rigid customary structure. Though changing attitude, structures, laws within communities are often more complex and slow, yet with perseverance and sincerity, the task is not possible.

The Naga society have embraced modernity and so also the life style has been changed in the few decades, yet still in tacked with traditional and customary laws. No doubts some changes in the customary laws has been undergone but it is still rigid in nature. While embracing modernity and accepting changes, why not willing to change the customary practices which are hampering certain sections of the society? One can keep the good laws which benefit the society as a whole and do away with the laws which is hampering the growth of people.

In the 21<sup>st</sup> century of science and technology, it won't be proper to stick to one's culture or traditional customary practice which is improper and irrelevant to the present world but it will be too foolish to forget one's customary practices which are valuable and virtuous.

It is relevant to state here that the modern period started with the reformation, counter reformation, revolutions, practice of using technologies and machinery rather than manual, this period starts with the invention of advance machinery such as printing press, steam engine, advance weapon, trading, discovering and colonizing new areas, scientific study such as physics, mathematics, medicines and astronomy were major contributions which propels the human society to new level of understanding and also contributing new problems which cannot be dealt with customary rules alone. This period follows with economic upheavals, social

upheavals, religious upheavals and political upheavals which in turn induce new thinking and new approaches to the social problems and subsequently the disappearances of various customary practices and its impact was felt in every area of human life in the European and western countries. This upheaval shocks the very foundation of human thinking and practice.

***Suggestions:***

- Customary laws must be codified as a common legal framework, as there is no substitute for a comprehensive law to promote a consistency of practice. But it must be done with some modification which will recognize women as a special group as they have long been denied their basic and most important rights i.e. the rights of participation in policy and decision making process. the codification should be in gradual stages and followed with endorsement by law, so that there can be legally entrenched, uniform and reliable law to fall back on, with less inconsistencies.
- Naga hoho should include women, and must encourage each tribe to include women as a representatives, and must make a written document to include women.
- In order to bring change in the Naga society, the outlook of the people requires transformation. The factors that contribute to discriminate women in the society need to be assessed and changes in order to uplift the condition of women. It can be brought through dissemination of women's rights. The target should not only be men in power but everyone including youth and women themselves. Moreover, home is where women have some semblance of power, so education should be spread at the home front. Here the role

of mothers, sisters, in-laws etc can be effective in propagating the values of women's rights and the obligations upon others.

- Women representation in Village Development Board must be strengthened and more concrete responsibilities be allotted to them. The VDB Act needs to be effectively implemented to assure representation of women in considerable numbers. Besides, training on leadership skills and capacity building should be imparted to women in VDB members so that they can productively do justice to their work. Women must clam in their rights and in return sincerely perform the responsibilities.
- In every village, each committee in every communitised department has at least one women representative which administers and work for the uplift of the villagers. However, participation of women being less substantial, there is need for an overhaul of the work allotted to them and membership be increased so women could take more active participation.
- Women should be given membership in the village council and to ensure practical implementation, at first one third membership should be apportioned to them only with such participation in the policy making will bring remedy to women's interest.
- Regular programs on empowering women must be held not only in towns but in village level as well.
- Educated men should come forward and encourage other men in public forum to support women.

## **5.1 Testing of Hypothesis**

The status of Naga women is the result of the patriarchal socio-cultural values and ethos of the society. As for generation after generation women are used to of living under the guidance and instructions of men, they became dependent on men and this dependency cycle is still prevalent. Naga women ignores and gives a blind eye towards not being able to take part in decision making is because they feel that they are too weak to break down the patriarchal system as it has been standing strong from generation to generation. The researcher has observed that, mentality of the Nagas are narrow towards women inclusion in decision making, gender division started way back from head hunting eras, women did not participate during wars as they were considered weak and not brave enough to be in the battle field with male, hunting was also done by men alone and this gender division of work followed in every aspect and it is the result of the modern day Naga patriarchal society. Women from her childhood are trained on how to be women and are taught that men and women are different and both have different roles to play in the society. It has been observed that Naga society gives so much of importance to the customary law is because through this their identity of being different is being maintained and the fear from the unknown is visible if they disobey the traditional laws. Nagas deeply believes in folk lore's and have superstitious beliefs.

It has been observed that Naga women lack self confidence in challenging the patriarchal system not only that, they are not confident enough to stand up for their rights and speak of the bleak reality of the society. Women are habituated being dependent on men. Women seeking changes have realized the downfall of the customary laws and its effect on the rights of women. Often women are taunted if they speak or go against the wishes of the traditional norms. They are judged by the society, because of all these women hesitate to stand for their rights. It is

often said that politics are for men and not for women, this idea holds strong in the minds of the people. It has been mentioned that most of the customary laws are in the form of oral tradition yet it is difficult to come out of it because every day to day life is based on it. Women from early stage is taught on how to conduct herself. Naga women are considered to have all the qualities of being a true feminine and they feel that speaking up against men, inequality, injustice, fighting for their rights, taking part in decision making would be considered as disrespectful towards men and lose their identity and dignity of being true women. Too much focus on traditional values lead to women adapt themselves to the norms leading to ignorance towards democratic process and they do not realize nor enjoy the fruit of real democracy and the freedoms and rights attached to it.

Women are more inclined towards men in voting behavior is because it has been observed that women has more confident in men rather than supporting women, women votes for men because they are taught that men are born leaders and women cannot bring changes or work like that of men and also the ability of women is not certain, this happens due to the lack of exposure of women in socio-political area and public affairs. Women are not given the right platform to socialize with the people and political affairs thus leading to no confidence in women as decision makers. Family and clan groups are the key factor determining the voting system, women are often made to compromise their choices and vote in favor of her family or clan groups. Often election includes violence, corruption, money power and women tends to avoid such kind of activities and all these reasons make her reluctant to participate in election like that of men, nor she is supported by the political party in terms of campaigns, money and exposure. When a women decides to contest election she is often scrutinized from her character down to her family generations. She is often discouraged with the views that women were not born to



compete with men or to take part in decision making. These kinds of thoughts are poured upon women who effect the psychology and the confidence level drops down. Gender-role stereotyping is still accepted in the society, it has been observed that society perceive women as less qualified than men to run the state and so women are pushed down to traditional work. Partially women themselves are to be blamed for the poor results in political sphere as women themselves are not ready to elect women as their leaders, they do not voice out their issues and demand their rightful rights. If the number of women voters for men votes for women then women can run the public office but it is only seen that women do not have confidence in women. The idea of women being the followers of men, as men being the leader in both domestic and public life is still very convenient in the patriarchal society. Morality is guarded at the highest level than protecting the rights of the citizen.

It has been observed that women are reluctant to come out of their comfort zones and challenge the existing system, they are blissful in the space given out to them by the cultural traditions, women are of the view that her ideas and participation would not have any impact nor her involvement in the decision making would bring any changes. They accept the socially constructed idea of being women without any questions and continue to pass the same idea to the next generations. Men often feels ha women come up with pity issues and the involvement of women in decision making would make it more complicated as women are always critical about another women. It has been witnessed that some women do not support the idea of inclusion of women in decision making is because the cultural teachings does not teach women to compete with men or to interfere in the works of men, women themselves believe that it is better to live under the male dominated institutions rather than fighting and creating havocs in the society. Women are often dragged down by women and the mind set of oneself.

The problems of women is often not brought up in the surface, like domestic violence and abuse, molestation, family feud etc because the morality of a women will be judged and not men. In the decision making hierarchy, low women involvement is clearly visible reflecting the prejudice and the conservative mind set when it comes to the notion of gender equity. All political parties in the state have their respective women wings such as Mahila Congress of the INC, NPF( Naga People's Front) women wings etc, this political women wings are denied to enter the main arena of the politics. Most of the political parties deny tickets to women because of the non winning condition. The emphasis on the importance of customary law is valued so much since time immemorial that Naga women themselves think it's a part of life and fears to voice out the inequality meted out towards them. With the coming of modernization and education more and more educated Naga women rose and realized the abusive nature of the customary laws and the need to fight back the patriarchal system is strong. Awareness programs, education led to more and more Naga women stepping forward raising their voice on the continuous denial of their rights and the unequal status between men and women in political field. Women who have understood the real meaning of democracy and the need to uplift women in paving the way for changes in the society influencing other women in the society to get hold of their rights and principles in its truest form.

In the Naga society, though men and women enjoy equal status, the norms and attitudes regarding a women's role in society is traditional. Leadership role is still conceptualized as a preserve of men and women's role is largely deemed to be in the household. As women are socialized in terms of their gender roles in society, they become more or less conscious of their role in the public political arena. such cultural learning, partly explains why women perceive women candidates as less qualified than men to run for public office, leading women's success in

election depends not so much on the electorate at large, but on how society as a whole perceives women in public political role. Naga women's participation is confined more to voting, the result is conclusive. Despite the fact that Naga women are very active as voters, they are much harder to enlist in other modes of electoral activities. Voting is no doubt one of the most basic forms of electoral activity in a participatory democracy. However, electoral politics being multidimensional, the scope of electoral activities extends beyond voting. The urban-rural differences on participation in various forms of electoral activities show mixed results. Women residing in urban areas are more exposed to various channels of urbanization like the mass media and better educational facilities, factors which are believed to facilitate participation in political activities. Surprisingly, urbanization does not seem to have any impact on the urban dwellers, by way of enhancing their participation level in campaigning, attending election meetings and party membership. In these activities, women from the rural areas seem to outpace women from urban areas. However, compared to women from rural areas, the urban residents engage more in political discussion. Women's participation in voting is quite high. It is possible that there exists different social prescription for women's participation in different electoral activities. Therefore, it is safe to assume that, positive encouragement from the society would facilitate women's participation in all forms of political public activity.

Majority of women opines that, in order to enhance the number of women in politics, the initiative should come from the society. This observation made by the respondents show how much impact social structure have on women's involvement in politics. Therefore, the societal prescription of what constitute the private and public space may be at the heart of some of the limitations and difficulties faced by women in taking part in electoral process.

## **5.2 Scope of future study**

There is wider scope for this study, the researcher only focused on the decision making process in the political area, whereas there is lots to be studied about Naga women in economic, religious, employment and education area. The society keeps on developing so as the role of women in different areas with the changing nature of time. There is shift in gender roles, the orthodox mentality of men being the bread winner of the family is changing. More and more women are stepping up and becoming the sole bread winner of the family, women are becoming aware of their need to participate in decision making process and so the impact of the shift in gender role is to be examined and see if there is any changes in the patriarchal system. The scope will be wider in the future study because if the 33% reservation is imitated and takes place there is a need to study if there is any changes in the role of women in political field and if women are utilizing the reservation to its full extend and to study if there is any wide positive changes in the customary laws in the later years to come. It can also study and examine the current researches and compare if there is any changes or still the development of women remain static. The study of women in different areas are becoming more popular around this time so with the passing time and changes a researcher can view and analyses all the premature studies which has been undertaken previously and come with up with more facts, data and information. The current issues of women which are being undertaken can be studied with more documented information's. Women academicians are coming forward and articles are being written on the status of women. The status of Naga women might or might not be the same in the future, it can become worse or highly developed, so it needs to be recorded and carefully observe the changes in the society. The current work for the development of women in various fields is still under

growing, it is still in its premature state so the study will be more relevant in the years to come to study the impact of the current works which is in the process. The study of women is not only limited to women alone to research but some men are coming forward in the study of women and their status and their study can be studied from the men perspective. The future study can examine if there are any changes in the rural life of women as they are still backward and does not have any idea of what their rights are. It is to see with the development in towns and other states, it is to see if the rural life of women had made progress or not. What is their living standard and to study if the empowerment of women reaches the rural life or not. There is a wide scope to fill in the gap of the present studies with the changing nature of the society and the mentality of the people.

There is much greater study to Naga women in politics, society is not static in nature, like wise Naga society keeps changing with time. There can be more elaborated studies with the changing time and the changing nature of the Naga society. Studies can be carried out as to how different institutions are involved in the participation of women in politics.

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**Other resource**

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## Questionnaires

- Male
- Female
- Age

### **1. Is there a need for customary law in Nagaland?**

- Yes
- No

### **2. Do customary laws impart EQUALITY?**

- Yes
- No

### **3. Do you support the 33% reservation for women?**

- If yes, Why?
- If no, Why

### **4. Are Naga women given equal opportunity as that of men?**

- Yes
- No

### **5. What are the benefits of customary law?**

### **6. Do women have equal representation in Politics?**

- Yes
- No

**7. Is Naga men dominant towards Naga women?**

- Yes
- No

**8. Does customary laws holds back Naga women in decision making?**

- Yes
- No

**9. Are Naga women capable of competing with Naga men in political field?**

- Yes
- No

**10. Do Naga women enjoy all the RIGHTS as per given by the Indian Constitution?**

- Yes
- No

**11. Should women be included in village councils?**

- Yes
- No

**12. What is the biggest challenge of the Naga women in today's changing world?**

**13. Does elected representatives cooperate in addressing women problems?**

- Yes
- No
- Not sure

**14. Should customary laws be flexible enough to adapt changes?**

- Yes

- No

**15. Do u prefer customary laws or Indian constitutional laws?**

- Customary laws
- Indian constitutional laws

**16. Can u obtain maximum freedom through customary laws?**

- Yes
- No

**17. Should women contest election?**

- Yes
- No

**18. Are certain changed required in the social custom as regards to inheritance?**

- Yes
- No
- Not sure

**19. Does customary law safeguards and protects the rights of women in it's entirely?**

- Yes
- No
- Not sure

**20. Do you support women taking part in politics?**

- Yes
- No

## **In-depth Questionnaires**

1. Why is customary law still prevalent in the Naga society?
2. What is the major role of women in the society?
3. Why are women excluded from the decision making process?
4. What is the reason behind women not taking part in the electoral process?
5. Why is it difficult to implement the 33% reservation?
6. Why are women reluctant to stand for themselves?
7. Why are some men against the idea of inclusion of women in decision making?
8. Why the village panchayats are constitutes of men alone?
9. Are there any chances for women to be included in the village panchayats?
10. Naga hoho being the apex body, why does it not include women in its body?
11. What are the challenges faced by women organizations?
12. Why are women themselves against the idea of 33% reservations?
13. What are the positive changes that can be brought about with the inclusion of women in decision making?
14. What are the obstacles that women have to face in the changing time?
15. Can Naga women say that they enjoy full freedom?
16. Are Naga women happy with their present status?
17. Will there be change in the near future? or still remain static?



18. Why are educated women not standing up for their rights?
19. Why are women afraid to speak up in the public platform?
20. Are Naga women willing to face Naga men and compete with them?
21. Do Naga women really understand the need for change in the customary law?
22. What are the roles of men in uplifting women?