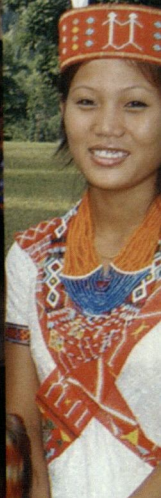




# WOMEN IN NORTH EAST INDIA

Dr. Tanuja Trivedi



Women, as human rights defenders in north east India, work on a range of issues and against various actors both public and private. The status of women in north eastern states remains marginalised due to several factors. Patriarchal values of the society and the ongoing armed conflict have been responsible for restricted mobility, interstate migration and trafficking, lack of resources and livelihood options for women and caused hardship in women's education. In Meghalaya, women run family businesses, dominate the households and take all key family decisions. According to India's National Family Health Survey, Meghalaya is where parents have shown the least interest to have a male child. The present status of women in Assam is satisfactory in terms of those women who are blessed enough to avail each and every opportunity of the modern world and they belong to the middle class or upper middle class.



Dr. Tanuja Trivedi, Ph.D. has been associated with national and international organisations related to human rights and duties education, peace studies, ecology and environment, sustainable development and intellectual property rights. While associated with Jamia Millia Islamia Central University as a Research Scholar for the award of Ph.D., she had widely contributed on researches for new dimensions of interface among human rights, environment and slum dwellers. She has successfully authored many books and monographs on development oriented weltanschauung. Presently she is the Head of the WIBP Observer Group at The Global Open University, Nagaland, established by the Government of Nagaland under the provisions of The Global Open University Nagaland Act 2006. She has visited many countries including France, Germany, The Netherlands, UK and Belgium in connection with signing of MoUs for strengthening the cause of tertiary education.

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Dr. Tanuja Trivedi



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**JNANADA PRAKASHAN (P&D)**

4837/2, 24, Ansari Road, Daryaganj

New Delhi-110002

Phone : 011-23272047

Mobile : 9212137080

Email: jnanadabooksdelhi@yahoo.com

Website: www.jnanadabooks.com; text.ind.in

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## Chapter 1

# INTRODUCTION

Consisting of seven states, the North Eastern part of India is bounded by China in the north, Bangladesh in the south west, Bhutan in the north west and Burma in the east. Isolated from the rest of India, both geographically and economically, this region is tenuously linked to the rest of the country by a narrow corridor running 56 kilometers through the foothills of Bhutan and Sikkim to the state of West Bengal. As the region abruptly descends to the plains of the mainland, cultural, social and economic contrasts are strongly evident.

There is an ongoing struggle by people trying to establish their right to autonomy, in most of the seven North Eastern states, which has led to political instability, strife and outright violence in the region. Strong inter-ethnic rivalries have aggravated the cycle of violence. In Assam, these resulted in the anti-foreigners movement that lasted for six long years, insurgency and of late, the Bodo-Adivasi ethnic violence. In Manipur, as in other states in the North East, the movement for autonomy took violent turns. Army operations intensified the violence. Political unrest has created difficult conditions for the different communities in the region. Traditional community cohesiveness and the ability of rural people to determine their own course has been seriously undermined. The problems of the rural population are further complicated by geographical isolation, deficiencies in the infrastructure, and the lack of economic growth in the area. New opportunities are either not materialising or are getting blocked. The Shukla Commission identified four deficits that confront the NER—a basic needs deficit;

an infrastructural deficit; a resource deficit; and a two-way deficit of understanding with the rest of the country.

### **Status of Women in North East India**

In the North East of India, women enjoy greater mobility and visibility than women of other communities in the country. Practices such as dowry and bride burning are not very prevalent in the region. This is often cited to portray a picture of equity between men and women in the region and has given rise to the presumption that violence against women is not a major concern in the area. Data collected by the North East Network however suggests that violence against women, particularly domestic violence, is on the rise in the North East.

The high rate of domestic violence in Assam is reflected in a study conducted by the Law Research Institute, Guwahati, covering police stations in the 23 districts in Assam which reported 10,423 registered cases of violence against women, including rape, dowry, molestation and kidnapping, over the past ten years.

The ongoing armed-conflict situation prevalent in the North East of India has intensified the violence faced by women, which takes the form of sexual, mental or physical abuse, killings and clashes. Although, all the members of communities are affected by the armed conflict, the impact on women and girls is far greater because of their status in society and their sex. The region, under the shadow of conflict, has witnessed a resurgence of patriarchal values and norms, which have brought with them new restrictions on the movement of women, the dress they wear and more overtly physical violence such as rape, which is systematically used as a tactic against a particular community. All this is compounded by the long social, economic and psychological trauma of armed conflict.

The study on 'Violence against women in North East India' emerged from our concern over the ongoing, low-intensity, silent war within the region, which has seriously compromised social and economic life in the past few decades. The impact of violence and the stress associated with the constant threat and anxieties of living

in an atmosphere of unremitting aggression, particularly on women, has been substantial. We, at NEN, felt that a systematic study was required to look into the trends of violence in Assam and Manipur and to analyse the causes and effects of the same. It was with this in mind that we approached the National Commission for Women situated in New Delhi.

In the study we looked at two important dimensions of violence, which affect women in North East India: Domestic violence and Violence resulting from the situation of armed conflict prevalent in the region.

We based our understanding of domestic violence on the following definition:

Domestic violence has been defined as violence that occurs within the private sphere, generally between individuals who are related through intimacy, blood, or law.

### **UN Special Rapporteur on Violence Against Women, 1996**

Finally, in an attempt to contextualise the study and highlight the strengths and vulnerabilities of women in the region, a brief summary of the social, political, economic and health status of women has been included for both Manipur as well as Assam.

### **Objectives of the Study**

- To highlight the depth and different dimensions of violations/discriminations suffered by women in North East India, specifically Assam and Manipur.
- To analyse the causes and consequences of physical, mental and sexual violence faced by women.
- To analyse the existing support services available for women survivors of violence.
- To highlight the lacuna in the existing system in ensuring justice to women who have been violated and to reiterate the need to ensure gender sensitive justice.
- To recommend strategies to build a gender equitable society—a society which is free of gender-based violence.

## **Methodology**

The study was conducted in the states of Assam and Manipur. Three districts were selected in Assam and four in Manipur for data collection. They were: Cachar, Sibsagar and Sonitpur districts of Assam and Churachandpur, Imphal East, Imphal West and Tamenglong districts of Manipur. The fieldwork for the study took place between December 2003–February 2004. Six members from Assam and Manipur were involved in conducting the study, recording the opinions and concerns raised by the interviewee, as well as the suggestions for possible solutions to resolve emerging issues. Questionnaires were used them to systemise the sequence of questions for interviews. However, the interviews were conducted verbally.

Background information on the three districts under study in Assam:

### ***Cachar District***

Located in the southern region of the State, Cachar district covers 3,786 Sq. Kms in area. It shares borders with Manipur in the east and west, Meghalaya and Bangladesh in the south, N.C. Hills in the north and Karimganj and Hailakandi Districts in the north. The sex ratio for the district is 945 females per 1000 males and the female literacy rate is 59.85 per cent.

### ***Sibsagar District***

With a total of 2668 Sq. Kms, the Sibsagar District of Assam is located in the northern part of the State. It borders Dibrugarh District in the east, Jorhat District in the west, and the states of Nagaland and Arunachal Pradesh in the south. It is bounded by the river Brahmaputra in the north. The sex ratio for the district is 926 females per 1000 males and the female literacy rate is 68 per cent.

### ***Sonitpur District***

Located in the central region of the State, Sonitpur covers 5324 Sq. Kms in area. It is bounded by Lakhimpur District in the east, Darrang District in the west, Bhutan and Arunachal Pradesh in the north and the river Brahmaputra in the south. Sex ratio of the

district is 942 females per 1000 males and the female literacy rate is 52.43 per cent.

Background information on the four districts under study in Manipur:

### ***Tamenglong District***

With a total area of 4,391 Sq. Kms, the Tamenglong District of Manipur makes up the western boundary of the State and is bounded by the Senapati District in the east, Assam in the north and west and Churachandpur District in the south. Tamenglong is entirely composed of hills, ranges and narrow valleys. The population of the district mainly consists of Kuki, Chiru, and Hmar communities. The sex ratio in the district is 922 females per 1000 males. The female literacy rate of the Tamenglong district is 49.88 per cent.

### ***Imphal District***

Located in the Central region of the State, the East Imphal district is situated in two separate valleys of the state namely Central Valley and Jiribam Valley. It borders the Senapati district in the north, east and west; the Thoubal and Bishnupur districts in the south. The population of the district chiefly consists of the Meitei, Naga and Meitei Pangal (Meitei Muslim community) communities. The sex ratio for the district is 992 females per 1000 males. The female literacy rate is 66.32 per cent.

### ***West Imphal District***

With a total area of 558 Sq. Kms, the West Imphal District of Manipur is located in the Central region of the State. West Imphal district has a positive sex ratio of 1007 females per 1000 males. Female literacy is high and stands at 72.12 per cent. With Lamphelpat as its district headquarter, the district borders Senapati district in the east, west and north; Thoubal and Bishnupur districts in the south.

### ***Churachandpur District***

With a total area of 4,570 Sq. Kms, the Churachandpur District of Manipur is located in the south-western part of the State. It

borders Chandel and Bishnupur districts in the east, Assam in the west, Tamenglong district in the north and Mizoram in the south. The population in the district mainly consists of people belonging to the Kuki-Chin group. Meiteis, Meitei Pangals, Nagas and Komrems also live in the area. The district has a sex ratio of 993 females per 1000 males and a female literacy rate of 56.4 per cent.

### **Sources of Data Collection**

Both primary as well as secondary data was collected. Secondary data was mainly collected to try and gain an insight into the incidence and trends of violence in the states of Assam and Manipur. Newspaper articles, data collected from the various police stations on crimes against women and other books and research papers provided the base to begin work on the study. The search for secondary sources of data once again highlighted the dearth of in-depth research done on issues relating to violence against women in the region.

Interviews and group discussions with survivors of violence, organisations and individuals working on VAW, government departments, law enforcement agencies and concerned individuals served as the primary sources of data.

### **WOMEN IN ASSAM**

Assam is situated in the North East corner of India. The total geographical area of the State is 78,438 sq. kms, that is, about 2.4 per cent of country's geographical area. The State has two distinct natural regions, namely, the Brahmaputra Valley and the Barak Valley. The Brahmaputra Valley comprising eighteen plain districts and two hill districts has a total area of 71,516 sq. km, and the Barak Valley comprising three plain districts has a total area of 6,922 sq. km.

According to the provisional result of Census of India, 2001, the population of Assam stood at 26,638,407, the decadal growth being 18.85 per cent during the 1991-2001 decade. As per the 2001 Census the Assam accounts for 2.59 per cent of the total

population of India. Sex ratio is 932 females per 1000 males as against 933 females per 1000 males in the rest of India.

### **Status of Women in Assam**

Women's status depends mainly on their rights and privileges and the roles assigned to them, most often on the basis of gender. Status is determined to a great extent in terms of socio-economic indicators such as income, property, education and skills that open up opportunities of employment, better health and the ability to determine important events in life even when others are opposed to them. These indices are also vitally interlinked with the concepts of power and position. It is widely acknowledged today that one cannot hope for gender equity unless women have a share in the decision-making process in the family and in the public sphere, thus enabling them to access the rights and opportunities provided to them by the state, society and socio-cultural institutions.

### **Education**

Education is a major catalyst in bringing about far-reaching changes in the status of women. The female literacy rate in Assam has increased considerably over the years. It has risen from 43.03 per cent in 1991 to 56.03 per cent in 2001. Further, the gender-gap in literacy (the number of female literates against the male literates) in Assam, which stood at 16 per cent in 1997, is less than the average national gender gap in literacy, which stands at 23 per cent. This reflects that education of women is more positively viewed by communities in Assam.

### **Work Participation**

The impact of the developmental activities on women in Assam in the post-Independence era is considerable. The role and status of women have undergone notable changes even in the rural areas of the state.

Traditionally, the de-husking of paddy, and the rearing of silkworms for silk were done by the village women. The women remain engaged in the sorting of seeds, uprooting of seedlings, transplanting,

harvesting, rearing livestock and poultry. Although, to begin with the village women were not allowed to go outside to seek employment for fear of losing the family prestige, this view has been gradually changing due to the spread of education. Women in rural areas with salaried jobs are now being given an important position in the family and they enjoy a better socio-economic status.

However, a woman who does the household chores and carries out other economic activities for the family, even up to 14 hours a day, is not considered as important as her salaried counterpart. Women are sometimes consulted in the decision-making of important family-matters, such as negotiating a marriage, purchase and sale of land, improvement and construction of a house, matters relating to children's education and health care.

Due to limited control over and access to resources, women are still far from being at an equitable position. Most women in Assam, as in the rest of India, are employed as marginal workers though home based crafts and weaving contribute to a certain degree of earnings. In the urban areas of Assam where the conflict is relatively contained, exposure and education have given women relatively greater flexibility. However, avenues of employment remain limited and often women are forced to work for small remunerations.

### **Political Participation**

Beginning 1921, women from Assam played important and valiant roles in India's freedom movement. They started to organise themselves from 1915 onwards, by forming women's associations called *Manila Samitis*, primarily for the cultural, economic and educational empowerment of women and children. With the formation of the Assam Pradesh Mahila Samiti in 1926, rural women's groups (*Prathomik Mahila Samiti*) came to play a larger role in the national political life. Post independence too, women have played active roles in various social movements in Assam. However despite all these contributions, women's role in decision-making has been minimal. None of the traditional institutions of governance accept women as an integral part.

In the State Assembly, as at the grassroots level, the participation of women is minimal. This is true even in areas where women have played pivotal roles in carrying out combined struggles on various issues. Thus although women have played a major role in the socio-political movements, starting from the Indian freedom movement, their visibility and numbers in active electoral politics has been poor.

In the political arena, the major impediments to free and fair political participation of women in Assam are marginalisation due to economic disempowerment, patriarchy and criminalised politics at all levels. The inadequate representation of women in Assam in decision-making bodies has been a historical reality and a consistent feature of the societal structure, dependent very much on the same factors, which enforce the marginalisation of women in other spheres.

During the last few decades, although a number of legislations have been passed with a view to ensuring equality of status and of opportunity for women, in practice this equality eludes a majority of women. The legal system is very gender insensitive and makes justice inaccessible to many.

## **Health**

A study conducted by NEN in 2000, came out with the following findings. Due to the prevailing conflict in the region, several Primary Health Centres (PHCs) are seen to be dormant while some have been made into makeshift security posts. This has led to the breakdown of existing health services. In conflict areas, even where the infrastructure exists, the PHCs remain unmanned due to the high security risk. In other areas, the doctors run private practices while the PHCs that they have been assigned to remain deserted. Consequently, estimates suggest that more than 50 per cent of the sanctioned posts for doctors are vacant." In other words, doctors do not go to interior centres. They only appear when health camps take place in the area. It is the ANM (Auxiliary Nurse Midwife) who goes around the interior villages and presides over the centres. While the absence of doctors affect both men and women, it is the women who suffer more as they are unable to

access even the healthcare services available in neighbouring towns or villages due to the restrictions on their mobility.

According to the National Family Health Survey II (NFHS II), women in Assam have limited access to health care services. The percentage of women in Assam receiving antenatal checkups is 5 per cent behind the rest of India and 8 per cent behind the other North Eastern states. The number of deliveries assisted by healthcare professionals in Assam, is half of that in the rest of India. The percentage of women suffering from anaemia is also very high. Maternal mortality in Assam is amongst the highest in the country. However, it is important to note that the percentage of women who take decisions regarding their own health care in Assam, is higher than several other states and stands at 65 per cent.

### **Women's Autonomy**

Findings of NFHS-II for the state of Assam were as follows: Only 5 per cent of respondents are not involved in any household decision-making, 88 per cent are involved in decisions about cooking, 65 per cent in decisions about their own health care, 54 per cent in decisions about purchases of jewellery and other such items, and 45 per cent in decisions about going to stay with parents or siblings. Regarding freedom of movement, only 13 per cent of respondents do not need permission to go to the market and 14 per cent do not need permission to visit relatives or friends. Thirty-five per cent of respondents are allowed to have at least some money that they can spend as per their wish.

### **WOMEN IN MANIPUR**

The State of Manipur, is one of the smallest states in India having a total area of 22,372 Sq. km. with a population of 18,37149. Manipur has a very unique mosaic of ethnic and cultural diversity and geographical features. But for the narrow central valley which measures about 2,000 Sq. km. (about 10 per cent), the rest is hilly. It is in this valley that most of the state's population, comprising predominantly of Meiteis and Pangals (locally acquired term for the settled Muslim community), lives. The hill districts comprising

about 90 per cent (20,327 Sq. km) of the state's area are primarily inhabited by the Zomi-Kuki-Chin groups and the Nagas (schedule tribes). According to the provisional Census of India, 2001, the population of Manipur stands at 2,389,000. Sex ratio in Manipur is 978 per 1000 males as against 933 per 1000 males in the rest of India.

### Status of Women in Manipur

The more egalitarian tribal culture of the North East region, coupled with the absence of some rigid practices prevalent in other parts of India, like seclusion (*purdah*) and dowry amongst the non-tribal populace of the region, certainly gives the women of the region an edge over other women, in terms of visibility and mobility. The concept of solidarity amongst women's groups is fairly strong. This is often seen in traditional cooperative systems, women's markets and other forms of cooperative village action, which seem to sustain and perpetuate an order of social cohesiveness. Women's collective work pattern has well been embedded through traditional and conventional value systems, which is often reflected in the functioning of groups and village organisations.

Women's contribution in the economic sphere is great and unlike in other parts of the country, women of some of the communities not just contribute towards the economy but also enjoy considerable economic autonomy. Many of the main market areas of these communities are handled by women. The *Ima Keithal* or Mother's market also referred to as *Keithal Nupi* or Women's Market of Manipur is especially famous. It is one of the largest markets of the country managed exclusively by women. Stalls in this market place are handed down to a daughter or daughter-in-law and women from all strata of society manage these stalls. Wives of well to do engineers and doctors sit in the *Keithal*. Forums of these kind in the region have given women space for interactions and have facilitated dialogue and collective decision-making on crucial issues.

In fact the *Keithal* has been the facilitating space for women's activism in the state of Manipur. The women's movement in Manipur is famous for two 'wars' or agitations called *Nupi-lan* that the women

staged against the British in 1904 and 1939. The first was a revolt against punitive labour levies or civil rights violation and the second was a protest against British interference in the rice trade. The British attempted to strengthen their colonial economic position by destroying the self-sufficiency of the village economy. As they tried to take over the economy traditionally controlled by women, the colonial rulers had to face an extremely tough and at times violent opposition from the women. The focus of the movement gradually shifted from the export policy of the colonial government to the freedom movement.

This great spirit of the women is evident today in the *Meira Paibis* or Torch Bearers' Movement. Started in the 1970s, initially, as a women's movement against alcohol abuse related public disorder, the *Meira Paibis'* focus is the community as a whole. Its genesis has been the impact of crises on women and as such the outreach has gone far beyond the management of alcohol related trauma and abuse. Traditionally, the Meitei women also had women's courts known as *Paja*, where offences against women including domestic violence were heard by women, and justice dispensed. These courts no longer exist but the *Meira Paibis* in a sense have taken over this arbitration role and during the field study, the NEN team found many women reposing greater confidence in them than in the formal legal system.

However, despite this apparent strong position that women in Manipur have, there is a need to look into gender indices to actually determine the status of women.

## Health

The clearest indicator of discrimination against women in Manipur, as in most states in the rest of India, is the skewed sex ratio. According to the 2001 census, though Manipur with a sex ratio of 978 females per 1000 males is much better than the national average of 933, it is still far behind the world average of 990 women per 1000 men.

The overall sex ratio in the state has increased in the last decade. Yet there remains cause for concern. The sex ratio of the 0-6 age

group in Manipur has declined sharply from 973 in 1991 to 961 in 2001. Studies show that one reason for the adverse juvenile sex ratio is the increasing reluctance to have female children. Portable ultrasound machines and sex determination tests have made the detection and abortion of the female foetus possible. Social neglect of women and girls is the other contributing factor.

Girls are likely to be breast fed less and for a shorter duration than boys with the result that they are malnourished from the beginning of their lives. They are subjected to heavy work both within and outside the house at an early age. When ill, they are less likely to receive medical help. Thus, by the age of five, female mortality exceeds that of males by 20 per cent in Manipur.

Although, there are several health centres, especially around the main town centres, health services and access to the same in the interiors is extremely poor. The situation of armed conflict in several areas has also led to the breakdown of health services. Infrastructural facilities in PHCs are very poor and absenteeism among doctors and nurses is high. Mental health is another area wherein there are very few support services available.

The high rate of maternal mortality is another area of concern. Although, there are no official figures available for maternal mortality in Manipur, work at the field level shows that it is indeed high. Maternal mortality is an outcome of a chain of events and disadvantages throughout a woman's life. Poverty, early marriage, malnutrition and lack of health care during pregnancy are the major reasons for both maternal and infant mortality. Every time a woman in the third world becomes pregnant, her risk of dying is 200 times higher than the risk run by a woman in the developed world.

## Education

According to the 2001 Census, the total literacy in Manipur is 68.87 per cent while the female literacy rate is 59.70 per cent. Although, this is relatively higher than the female literacy rate for the rest of the country, among the North Eastern states, Manipur ranks 5th. Looking at the male-female differential of literacy,

Manipur with a 18.19 percentage discrepancy ranks 6th among the North Eastern states.

### **Work Participation**

The high status of women in Manipur notwithstanding, they continue face a heavy workload. Women in the state not only pound rice, fetch water, rear children and look after the needs of the family, they also go out and earn a living in whatever capacity they can. The work participation of women in Manipur has been fairly higher than the national average. Traditionally, women of Manipur were engaged in production activities like handloom and agriculture. Over the years, they have been increasingly marginalised. The traditional handloom industry, which was under the control of the women, is today facing stiff competition from industries that produce machine made clothes.

### **Women's Autonomy**

Women have limited access to decision-making processes, both within the family and in the public. Women often do not have any say when men sit together to decide the affairs of the village, even when the decision involves the future of the woman herself. According to Mr. Ramkung, Editor of DISAM (a local daily of the Tamenglong District), though there are no laws forbidding the inclusion of women in the PEI (Village Council of the Zeiliangrong People), so far women haven't been accepted as members of the committee. Ms Alui Golmei, Vice-President of the Zeiliangrong Women Union revealed that among the Zeiliangrong, women are still not allowed to talk in public or attend the Village Authority meetings. No women have been ordained to serve in the church services.

None of the traditional institutions of governance accept women. Even where women have come in, the roles assigned to them are either peripheral or figurative. A major hurdle to the participation of women in decision-making is the much revered customary laws and practices.

Women have little control over financial matters and so their needs even in the matters of health care are often neglected. While markets like the *The Ima Keithel* provide them an opportunity of earning, they have very little support to enhance their position as traders. No legal status is provided to these women who sell commodities in the market and they have little economic security. Thus, early this year, one of the market areas was pulled down by the police to make way for the construction of a high rise building. The women protested vehemently but they received no support from the administration as they had no official permission or legal status to run their business for the market-place.

According to findings of the NFHS-II for the State of Manipur, although the percentage of women who earn their own livelihood is high, they have limited roles with regard to decision making. Forty three per cent of women are involved in decisions about their own health care, 66 per cent in decisions about purchases of jewelry and other major items, and 63 per cent in decisions about going to stay with parents or siblings. According to the NFHS findings, freedom of movement is limited among married women in Manipur. Only 29 per cent do not need permission to go to the market, and 28 per cent do not need permission to visit relatives or friends.

### **Women in Peace Building Processes**

Although, women's activism in Manipur is extremely strong, women are usually in peace building processes due to their own initiative. Even when the state does involve them, it is to be the go between, to play the role of the healer or the pacifier. There has been no effort either on the side of the state or the non-state agencies to involve women in the actual negotiations. This merely goes to reemphasise the lack of understanding of peace in terms of mutuality and equality and of viewing the peace process as a kind of 'settlement'. Furthermore, the non-participation of women in these processes has resulted in a rather unfocussed fall out of the armed conflict on women and in a marginalisation of women's needs and aspirations.

## **VIOLENCE AGAINST WOMEN IN ASSAM AND MANIPUR**

### **Violence Against Women**

'Violence against women is a manifestation of the historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of women's full advancement'.

### **Platform of Action, 1995, World Women's Conference, Beijing 1995**

Although, both men and women face violence, an overwhelming majority of victims of sexual assault and domestic violence are women. The patriarchal nature of society often limits the space available for women to exercise their rights. It is indeed a matter of concern that the rise in violence against women is complementary to society's indifference to it.

While it is estimated that at least three out of every five women in India face domestic violence, reporting of such cases is extremely low. One of the major factors for this is the "culture of silence" surrounding domestic violence. Domestic violence (DV) is seen as a private matter, not to be interfered with or commented on by others. There are also differences in perceptions among women about what constitutes violence. It is mostly physical violence within the household that is recognised as domestic violence. Sexual and psychological violence are not taken into account by a majority of women. It thus becomes important to build a common understanding on what constitutes violence against women (VAW).

Any act of gender-based violence that results in, or is likely to result in, Violence against women is to be understood as encompassing, but not limited to physical, sexual and psychological violence occurring in the family, within the general community and perpetrated or condoned by the State.

Findings of the National Family Health Survey-2, study suggest that a majority of women do not perceive certain acts as being violent; at times they even justify them. Almost three out of five

women (56 per cent) believe that wife-beating is justified for at least one of the six following reasons: neglecting the house or children (40%), wife going out without telling the husband (37%), wife showing disrespect to in-laws (34%), husband suspecting his wife of infidelity (33%), wife does not cook food properly or natal family does not give expected money or other items.

The past few years have witnessed concerted efforts from various women's rights groups to bring about the recognition that violence against women is a violation of women's human rights. If we are to deal with the root cause of violence against women, there is a need to recognise and address the social prevalence and acceptance of violence against women; violence at the global level; systemic violence perpetrated by the state and authorities and workplace violence.

### **Assam and Manipur: Violence Against Women**

Like the UN Declaration on the Elimination of Violence against Women, 1993, the meaning of violence in this study is not just limited to physical, sexual or psychological abuse but also encompasses those forms of violence that are coercive, threatening and result in the arbitrary deprivation of liberty of women in their public and private lives. As such, this study recognises some values, social norms and traditional beliefs as contributory factors to VAW. Though women's status in North East India is relatively better than their counterparts in other parts of the country, both in the tribal as well as the non-tribal societies of the region, there are very strict gender rules and norms that define the roles, responsibilities and attributes allotted to women. It is these rules that create the sketch of an 'ideal girl' or an 'ideal woman'. It is these rules again that give rise to the rights and privileges that women have. Many of them may remain 'norms' which women are expected to follow; some however get the status of 'customary laws', which have a legal bearing.

Irengbam Arun, in his article 'Between the Lines: Stereotypes and Prejudices', highlights the social taboos and prejudices that women in Manipur face,

The concept of an ideal woman in Manipuri mythology, itself speaks volumes. According to the deity Imoinu, an ideal woman is one who

is faithful to her husband, who regards her husband as divine and worships him, who obeys orders and is submissive to the husband, who eats only when her husband has eaten and so on. The shaping of such an ideal woman begins from childhood, with the active collaboration of the mothers. The daughter is brought up in such a way that she always feels inferior to her brothers. She is made to sacrifice all good things for her brothers. She is taught domestic chores while her brother's play. A girl who is adept at household chores, who devotes her spare time to weaving, who seldom goes beyond her home, who is shy and obedient is considered a good girl by the society.

### **Customary Laws**

While local legal and quasi legal practices in most parts of the country got assimilated into the judicial system of British India, the tribal communities of North East India were by and large left free to be regulated by their own laws and practices. Following Independence, the Indian Constitution too made provisions to protect the customary practices and laws of the tribal communities. This successive policy of non-interference has contributed towards preserving the customs, traditions, way of life and cultural patterns of these communities and till date, among the communities in this region, customary laws are more operational than the Indian Penal Code. However not all customary laws are gender sensitive and there is an urgent need for change in those norms/laws which debar women from participating in the polity, especially in the traditional institutions of governance like the village councils.

### **Assam**

North Cachar Hills and Karbi Anglong are the two districts of Assam wherein customary laws are legally enforceable. Jeuti Barooah, an experienced legal advocate in Assam, in her article 'Property and Women's inheritance rights in the tribal areas of North East', highlights some examples of discriminatory customary laws:

In the entire hill area of Assam, tribal women are not entitled to inherit the father's or husband's property. They are governed by their uncodified customary laws and practices. It is observed that in some

societies tribal women inherit property in absence of a male issue in her family. Sometimes she inherits land as gifted property from her father. Although, there is no provision in the varied customary laws and practices relating to women's right to property and inheritance, daughters and widows receive family support till their marriage or re-marriage."

## Manipur

In Manipur too, discriminatory customary laws and practices are strictly adhered to in many areas. In some communities these laws sanction polygamy and child marriage; in others, land, property rights and custody of children are given only to the males. In addition, women are debarred from taking part in political decision making. Besides, the inherent gender biases of the traditional systems, greater contact and exposure to other cultures have also resulted in acculturation and dilution of some of the positive and women friendly aspects of the indigenous cultures.

For instance, in most tribes, including the Kukis if a woman does not have a son, inheritance is near impossible. In such cases, after the death of her husband, custody of the children as well as property rights are automatically with her in-laws.

Among the Meitei community in Manipur, polygamy is still practised. It is a widely held belief that polygamy was adopted by necessity rather than by design when the loss of men in the Manipuri-Burmese war was significantly high. The unequivocal need for social security gave way to elders sanctioning polygamy as a means of security and protection to women. This has however become an accepted practise now not just among the Meiteis but among the other tribal communities in the region as well.

The following case highlights the discrimination that women have to face in such situations:

Binalakshmi, had been married to Arun for two years and lived in Imphal, Manipur. Right from the day of her marriage, she was taunted by her in-laws and her husband, about her looks.

She said, "thought that things would change after I gave birth to a son. However they did not. Within a couple of months he got married to another woman. Whenever he would get into a fit of anger, he would beat me and lock me out of the house. Unable to bear this any longer, I finally got the courage to leave him and start living on my own."

Binalakshmi has been living away from her husband for a couple of years now. She has been struggling to earn a livelihood and has recently remarried. She has been at the receiving end of a lot of criticism from family members and members of the community about being a 'bad' wife, a 'bad' mother and a 'bad' woman.

(Source: *NEN Field Study*)

When interviewed, Ms Mary Rose, Co-ordinator of the Shalom Women's Home, Churachandpur, was of the opinion that customary laws and age old traditional norms have been insensitive to women. She felt that cultural structures oppress women, affect them physiologically and lead to a loss of self-esteem. There is a need to take up these vital issues on a larger scale, she added.

However, while some customary laws might be discriminatory towards women, there are others which accord them an equal position in society. For instance, in the North Cachar Hills of Assam, for the purpose of inheritance, the property of a Dimasa Kachari is classified into three groups: male property, female property and common property. According to the customary law, male property is inherited by the sons equally and female property is inherited by the daughters equally, although the youngest daughter tends to get the biggest share. If a man dies leaving no son, the male property goes to the man's nearest male relative, the female property goes to the nearest female relative of the mother, not the sons.

Thus, one has to be extremely sensitive to these customary laws and practices as every locality, district and village might have different laws or different interpretations of the same law. While the uniform codification of these laws might tackle some of their discriminatory aspects, it will also result in the death of practices that are non-discriminatory and beneficial to the community as a whole.

## Domestic Violence in Assam and Manipur

Domestic violence is violence that occurs within the private sphere, generally between individuals who are related through intimacy, blood or law. It can take the form of mental, physical or sexual violence. Till recently, practices such as dowry and bride burning were unheard of in the North East. As such domestic violence was considered to be a non-issue in the region. This however is far from the truth.

The gender development indices of Assam and Manipur reflect the unequal treatment meted out to women in the areas of health, education and income. Due to the patriarchal structure of society, women have been relegated to a subordinate position. Consequently, many forms of domestic violence have received public sanction and are as such not considered to be within the ambit of DV. A study conducted by NFHS-II found that, women internalised the domestic violence they faced to a large extent.

When interviewed by NEN, Manashi Dutta and Roshmi Hazarika, members of the Legal Aid Cell, Tezpur District Mahila Samti (TDMS), Assam revealed that during their gender trainings they often ask women whether they feel it is legitimate for their husbands to take them to task under certain circumstances. The answer, according to them, is often. When the same women are asked if it is justifiable for them to reprimand their husbands, they look surprised and say it would be a sin. According to most women it is a husband's privilege to strike the wife, the TDMS members added. The past couple of years have shown increasing local media coverage of domestic violence in different parts of Assam. Police records show an increase in the rates of domestic violence over the past ten years. This may be due to an actual increase in the number of women facing domestic violence, or may be an indication of a greater reporting of such cases. Studies in the above area need to be carried out.

*The Sangai Express*, a local news daily in Manipur reported on January 15, 2004, that since the last few years, crime against women have been on the rise. There were 20 rape cases recorded in 2001,

14 in 2002 and 18 in 2003. Abduction and kidnapping of women and children were recorded as 62 in 2001, 82 in 2002 and 70 in 2003. Domestic Violence by husbands and in-laws accounted for five cases in 2001, 10 in 2002 and six in 2003.

Even though there has been an increase in the official recording of crimes against women, it has been estimated that a majority of the cases still go unreported.

### **Dowry**

Till a couple of decades back, the concept of dowry was practically unknown to the majority of the population in Assam. However, over the past few years there have been increased reports of dowry related cases in the state. The TDMS again revealed that although among the Assamese and tribal communities of Assam dowry related violence was not directly and overtly seen, indirect dowry related violence has grown over the years.

The All India Democratic Women Association (AIDWA) in 2003 conducted a study on dowry in five districts of Assam, namely— Kamrup, Barpeta, Dibrugarh, Dhubri and Sonitpur. 234 unmarried women and 237 guardians were interviewed. According to the results, 20.9 per cent of the respondents believed that dowry, as a system, was common among Assamese people. However, 79 per cent of the respondents felt that they could be married without dowry. The survey also revealed that 20.8 per cent of the unmarried girls expect gifts from their parents at the time of marriage.

An educated, middle class girl from an urban family in Barpeta said, "I'm not asking for a major share of my parents' property which in any case will all go to my brother. Why should my parents discriminate against me? It is their duty to give me some material things for my personal use at the time of my marriage."

The study further revealed that in 19.83 per cent of the cases the parents have to take loan and bear intense pressure at the time of marriage. It also stated that 5.9 per cent of the respondents claimed that dowry is demanded even after marriage.

Dowry has been, a major cause of concern amongst the predominantly Bengali majority areas in Cachar, Hailakandi and Karimganj. In NEN's recent visit to Lumding town which has a strong Bengali majority, the Director of Ghorua, an NGO, reported that dowry deaths have become a scourge in the area. He held an insatiable greed for assets such as consumer items and landed property responsible for this. In Silchar, the district headquarters of Cachar, the District Level Committee on Crimes involving women and Nibedita Nari Sansthan are two organisations that have been actively dealing with cases of violence against women.

However, it should be noted that some areas have remained free of this scourge. The Bodo women of Sonitpur district take along with them all moveable assets that they possess when they leave their homes after marriage.

### **Women Who are Forced Out of Their Homes**

One of the most common forms of domestic violence is driving the victim out of her home. Such women often have nowhere to go to. In many cases, their parents are reluctant to take them back into their house because they are seen as an additional burden on the family. The social stigma that is attached to a married woman, who is separated from her husband, is very high. If there are younger female siblings in the house, then women are actively discouraged from leaving the husband, because it is seen as affecting the chances of the younger siblings getting married. If the couple have young children, women often opt to stay in the abusive relationship, because she feels that the stigma of being a single mother may affect the children.

Thus, women are often denied the right of residence at their marital homes if they are unable to fulfill their husbands dowry or other demands. Many women's activists today feel that the Domestic Violence Bill, 2002 which the Government of India has proposed fails to properly address the issue of the right to residence. The Government Bill fails to declare that women have the right to reside in the shared household. This is the most important right for women who are subjected to domestic violence. Lawmakers need to

understand that by granting the right of residence, one does not decide on the ownership patterns of the property. A woman who marries should have the right to stay in the matrimonial home for as long as she desires. The mandate of a law on domestic violence is not to decide the ownership of property but to end violence in all its forms. Without granting this crucial right to residence, a law on domestic violence will have no meaning at all.

### **Women in Armed Conflict Situations**

Indias North East region has been witness to an ongoing low-intensity conflict for almost three to five decades now. While the entire populace of the region continues to suffer, women living in such conditions are most vulnerable due to the restrictions on their mobility, the limited access to health services and most importantly, the lack of opportunities for education, employment and even leisure. In fact, it has been found that in this region, women regard leisure as synonymous with church gatherings or womens meetings.

Earlier studies conducted by NEN on women in situations of conflict have highlighted that the most critical element of disadvantage suffered by women in such conditions is violence. This violence is different from the violence experienced by them in normal times for here even the state, which is supposed to be a guardian of their lives and rights, poses a threat to them. In ethnic clashes, women and children are easy victims and often the first ones to be killed. Even when they manage to survive direct physical violence, they have to bear heavy economic responsibility. It has been found that the conflict in the North East region has resulted in an increase in female-headed households. Women have had to cope with these situations without any support from either the state or the society.

Findings of the NEN study suggest that a lot of women and womens groups have not been able to fight this violence and articulate their rights because most do not know what these rights are. With the recent introduction of courses on human rights and peace reconstruction there is evidence of regional womens groups calling on larger human rights organisations to address their

grievances and local problems. They have also started reaching out to state agencies for redressal and justice.

Historically, this region has been witness to a strong womens movement and this has given rise to local groups that have successfully changed policies of the past and spoken for the rights and roles of women in strife torn areas. In the case of Manipur, NEN found that strong womens groups like the Meira Paibis are very much at the fore front of civil rights campaigns or agitations. However despite their strong social presence, such organisations are excluded from decision-making bodies. Even human rights organisations don't involve women as equal partners in the final decision-making. As such the victims of the conflict are not involved in resolving either the conflict or the problems that come with it.

Women of Manipur and Assam living under conflict situations have suffer acute mental health problems. The psychological trauma associated with sexual violation and with the loss or disappearance of family members lasts long after peace returns. A case in point is that of Gracie. She has been living in fear since the day two soldiers held her hostage in her very own house and coaxed her to divulge the whereabouts of her husband, whom they suspected to be a militant. During an interview, Gracie told the NEN team. I could not comprehend what they were looking for because they spoke so fast. When I tried to ask them what they wanted they would interrupt[sic] and rudely point the nozzle near my jaw. How can I ever face such an encounter again when I travel alone in the bus or in the fields?

### **Women Managed Households**

The ongoing strife in the region has given rise to many women managed households. This is because the husbands/fathers/brothers have either fled, been killed or joined the ranks of the underground. Thus, women who were till then not allowed to join the formal economic sectors are suddenly left on their own and are forced to eke out a living for themselves and their families. They are however not provided with any kind of support or alternate sources of livelihood. Nor are any avenues of employment made available to

them. This is especially true of the North East where unemployment continues to be a major problem. In Manipur and Assam, several women are forced to depend on their neighbours for work or on their relatives for help and access to the formal economic sector. In the course of their fieldwork, the NEN team found that often women have to resort to selling liquor, drugs or even prostitution to make enough money to run their household. *Ex-gratia* payment or compensation for a woman who loses her husband is seldom made. Even when the *ex-gratia* is given, it is mostly the boys parents who determine the beneficiaries. The bereaved wife is often left without any money or source of income.

### **Sexual Violence in Situations of Armed Conflict**

Sexual violence can be used as a means of inflicting terror upon the population at large and could devastate communities which otherwise live cohesively in the interior villages. Sexual violence has increasingly been used as a tool of war in the North East region. There are two major kinds of conflict taking place in this region: Intra-Ethnic conflicts and conflicts that see the ethnic groups pitted against the state. Non-State armed groups in the region have thus far had very stringent codes of conduct. Hence for a long time, most cases of sexual violence resulting from the armed conflict involved state armed forces. The past couple of years have however seen an increase in the inter-ethnic violence. Rape and sexual assault have been used as a tactic by one ethnic group to attack the honour of another group and to force people to flee their homes and communities in fear.

### **Impact on Womens Land Rights**

In North East India, among many tribal communities, there exists collective ownership of land. This is recognised by the Government of India under its 6th Schedule. According to Anna Pinto, an activist and senior member of CORE (Centre for Organisation, Research and Education), a Manipur-based organisation, displacement in the course of armed conflict means that the community cannot be rebuilt again on the same traditional

lines. The host community on whose lands re-settlement takes place are justifiably unwilling to surrender traditional controls over their land. The natural resources themselves may vary from those to which the displaced community is accustomed. So the intimate knowledge of these new resources and their best use and maintenance may be deficient in the resettled community. If relief or resettlement is provided under government programmes, resources are privatised and usually ownership and control resides with the male head of household exclusively.

Again, in identification of resource loss or relief or re-settlement distribution, the guardianship of lands by tribal or clan heads is misinterpreted as ownership leading to considerable mal-distribution in rehabilitative packages. No attention is paid in re-settlement programmes to developing or restoring collective resources.

As it is, most woman in Assam and Manipur, like their counterparts in the other parts of the country, so not enjoy any inheritance rights. Even in the few communities in the area where woman are given such rights, resettlement due to armed conflict results in the loss of all such property.

### **Mental Health**

The number of people, especially women, who face mental trauma as a result of violence, is high. During the study, Dr. R.K. Lenin, Assistant Professor, Psychiatry Department, Regional Institute of Medical Sciences, Imphal, revealed that 10 per cent of the total population suffers from mental illness, out of which 1 per cent are very severe. He went on to explain that women come for treatment only in extreme cases, when pathological problems manifest themselves in the form of severe headaches, backaches, depression or general ill health. A study conducted by the same Department during the ethnic conflict in Manipur from November 1997 to April 1998 showed that 70 per cent of the people under study were affected with anxiety disorder, 48 per cent with post-traumatic stress disorder, 44 per cent with depression and 20 per cent with psychosomatic disorders.

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