

# **Raisunriang**

**(Newslink)**

**4<sup>TH</sup>Issue,**

**1998**

**Naga Women's Union, Manipur**

# **Newslink – Raisunriang**

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## **Our Gratitude To Our Sponsors.**

*We are extremely grateful to the International Work Group for Indigenous Affairs (IWGIA) for arranging the sponsorship of Conference Cum Seminar Of our Union held on October 3-5, 1998 and also for the financial assistance in bringing out this fourth issue of “RAISUNRIANG” (Newslink).*

*We are grateful to those who are the source of this sponsorship.  
May God bless them even more abundantly to help more and needier  
people in the days to come.*

**Naga Women’s Union, Manipur.**

## **A Brief Report of the Naga Women's Union, Manipur. (NWUM)**

The Naga Women Union of Manipur organised the first meeting for its forming into a Union on the 7<sup>th</sup> January, 1994. The Union comprises of all the women of Naga Tribes of the state. It is the Apex body of all Women Organisation of the Naga Tribes of Manipur. The Union became effective on the 5<sup>th</sup> Oct. '94 with the approval and adoption of its Constitution during the First Assembly cum Seminar held from October 4 & 5, 1994 at Ukhrul.

The Union stands for the rights and dignity of women and chosen "Strength and Prosperity" as its motto.

The Union has adopted a GOURD as its emblem symbolising the container and carrier of the life force of the intrinsic Naga life and culture.

A rainbow under the blue sky is adopted as the flag of the Union as a symbol of colourful Naga life and unity of beauty in diversity.

The activities of the Union since its inception till date are in the following areas:

### **1. Awareness Building:**

Attempts were made to bring about awareness among the women members themselves of their position, problems, responsibilities etc. and to instil encourage on discharging their obligations and duties through meetings, seminars, workshops etc. Empowerment of women is the need of the hour and helping them fight their own fears and feelings of inadequacy and inferiority.

### **2. Peace Efforts:**

To bring about peace and create congenial atmosphere for peace and understanding among different groups within and without, the Union gave efforts to that end and working hand in hand with other NGOs, People Movements and Churches bodies. The principle on which the Union stands on any conflict resolution is to resolve it through non-violent means and good will. To bring about this awareness the Union undertook peace campaigns by conducting seminars/meetings on peace and harmonious co-existence in different localities. The mobilization for peace need to be extended in many more areas.

### **3. Award Scheme:**

With the objectives to motivate girls to achieve excellence in academics the Union has instituted an Award Scheme to be given to outstanding performers as an incentive

for their higher achievements. For the first time in its history, the Union awarded Rs. 5,000/- each to five outstanding students of the academic year 1996 during the 3<sup>rd</sup> Annual Assembly at Chandel. The Union takes pride of their achievements and they are our promising leaders in the days to come.

#### **4. Raisunriang (Newslink):**

The name of the Newslink of the Union is called RAISUNRIANG coined out of some Naga words. It is intended to serve as a link in sharing ideas and views on various issues as its name itself denotes and also to link up people and bind them for unity and strength. It is also a means to encourage writing skill among Naga society in the lack of writing and exposure of issues, problems or aspiration of people, whether they be good or bad to the outside world.

#### **5. Support For Women:**

5.1. Women Candidates in Lok Sabha Election :- For the cause of women, for the first time in the history of Manipur election it is worth noting that as an adventurous efforts the Union issued a press statement seeking support for women candidates in the Lok Sabha Election 1996. Its intention was to uphold the stand the Union has taken for uploading the rights, dignity and status of women and for equality.

5.2. Women in Administration: The political body of the Naga Community is the village Council where its citizens participate in every decision making directly or through representatives. By custom whether it is the General Administration of the village or in the administration of justice, there is nothing which denies women's participation in the Village Council. The Union took a decision claiming that this custom of the Nagas should be made to be seen.

5.3. Property Inheritance: Inheritance of parental properties is given to the male children only. The Naga Women's Union feels that the same right must be extended to the female children too.

5.4. Equal Wages: There is disparity in wages between male and female workers in the Naga society. The Union feels that this should be corrected.

5.5. Marriage: It is the desire of the Union that in order to strengthen and perpetuate the bond love among the clans in the Naga community, the valuable custom of exogamy (marriage outside one's clan) must be continued to maintain.

5.6. Divorce: It has been observed that whenever divorce takes place, it is the woman who is in the disadvantage. The Union feels that justice must be the guiding principle and not to base on the patriarchal system.

## **6. Participation of Representatives:**

Representatives of the Union participated in different programmes in the state, National and International level:-

6.1. The 4<sup>th</sup> U.N. World Conference Women on, Beijing, China: Ms. Valley Rose H. Hungyo, Ms. Ayo Jajo and Ms. Nandita Haksar Hongray attended the Conference in the NGO Forum from August 30 – September 15, 1995 and shared with the problems of women living under Arms conflict and human rights violations as a result of the imposition of Armed Forces (Special Power) Act, 1958 and its counterproductive insurgency activities.

6.2. ACHAN 15<sup>th</sup> Anniversary Symposium for People's Action in Health:  
Bangkok, Thailand:

Ms. Grace Shatsang participated in this symposium and shared with the NEI Socio-political scenario where the people suffered as a result of Armed Forces (Special Powers) Act and insurgency activities.

6.3. National Consultation on Mainstreaming Women's Agenda in Electoral policies as an outcomes of Beijing World Women's Conference.

Ms. Valley Rose Hungyo participated at the consultation from March 20-22, 1996 in New Delhi.

6.4. The 3<sup>rd</sup> International Conference of the Indigenous International Alliance of the Indigenous and Tribal People of the Tropical Forests, Nagpur:

Dr. Gina Shangkham Participated at the Conference from March 3-8, 1997 on the theme of Water, Land and Forest.

6.5. International Development Leadership Course, Japan:

Ms. Grace Shatsang participated in the one month Training on International Development Leadership from May – June, 1997, Japan and exchanged ideas from NEI with Japanese.

6.6. National Assembly of Voluntary Organisation, New Delhi: Ms. Grace Shatsang attended at the National Assembly of Voluntary Organisation 50 years After Freedom. It was first proposed to from Regional Networking under the Networking of National NGOs.

6.7. Workshop on Women's Rights and Human Rights, Shillong: Dr. Gina Shangkham and Ms. Grace Shatsang participated at the workshop from November 18-22, 1997. They shared on gender discrimination of customary laws especially

on inheritance to properties and violation of Human Rights under Armed Forces (Special Power) Act and the need to women members representation to National Human Rights Commission.

6.8. Workshop on the Rights of the Child, Shillong, Nov. 23. 24, '97

Dr. Gina Shangkham participated at the workshop and shared that mother and child facilities are not available in the tribal areas particularly in the Villages.

6.9. National Conference on National Building and Clean Polity, New Delhi Ms. Valley Rose participated at the National Conference on National Building and Clean Polity through transformation of politics and good governance from November 23, 25, 1997.

6.10. 6<sup>th</sup> National Women's Conference, Ranchi:

Dr. Gina Shangkham with 9 other representatives namely; Ms. P. Varonica Zingkhai, Ms. S.W. Yangmila, Ms. Lily A. Shimray, Ms. Ninglumla Jajo, Ms. R.N. Khanmungla, Ms. Nemi Charanga, Ms. Anina Kamei, Ms. Moikham Khaling, Ms. Shangpem Tholung, from our Units participated at the Conference from December 28-30, 1997.

6.11. National Tribal/Indigenous Women's Conference, Dehradun: Ms. Valley Rose H. Hungyo and Ms. Ng. Chanbini attended this conference from March 15-17, 1998. They shared the problems and issues that is faced by the Tribal women in NEI.

6.12. National Convention on Repealment of Armed Forces (Special Powers) Act, Guwahati:

Dr. Gina Shangkham, Ms. Grace Shatsang and Dr. RD. Samery participated at this Convention from May 21-24, 1998. It took decisions for follow up work.

6.13. The 16<sup>th</sup> Session of the UN working Group on Indigenous Population: Geneva:

Dr. Gina Shangkham attended the 16<sup>th</sup> Session of the UN Working Group on Indigenous Population and made a submission on the Principal theme: Education and Language.

6.14. Seminar on Child Rights, Shillong:

Ms. Valley Rose H. Hungyo participated at the One Day Seminar on Child Rights held on 31<sup>st</sup> July, 1998 organized by the UNICEF. She chaired a session and made a submission/comments on the plight of the girl child in NEI.



6.15. Public Meeting at Nungba and Oinamlong, Tamenglong District: Ms. Aram Pamei participated at the Public Meeting organised by the seven organisations, UNC, ZU, ANSAM, NPMHR, NWUM, ZBCC and RNBA held at Nungba Village on 31<sup>st</sup> July and at Oinamlong village on August 1, 1998 to bring understanding of differences among the villages in the areas over the issue of killing 9 persons in their feuds.

**CONCLUSION:**

This, being my last report as the secretary of the Union, I would like to take this opportunity to thank all the members of the Union for electing me as the Secretary. I extend my heartfelt thanks to all the members of the Executive Committee for their kind co-operation and support in the work. It is also worth mentioning that the president Dr. Gina Shangkham and former Vice President and President Advisor Ms. Valley Rose Hungyo have demonstrated a thrilling experience of the spirit of working together and they have invested their valuable time and their intellect in shaping the Union in this way. I did enjoy working with them. I also extend my sincere thanks to the vice President Grace Shatsang and other colleague for their kind co-operation and sharing the joy of working together during the tenure.

I wish the Union to grow from strength and continue to grow higher ground.

14-09-1998

Respectfully Submitted,  
Aram Pamei  
Secretary, NWUM

## **Naga Women and Human Rights**

By: K.S. Paul Leo, Former Convenor  
Naga Peoples' Movement for Human Rights

I am going to share some of my personal experience as a Human Rights activist how our society view about the changes being taken place in various fields particularly women's position vis-à-vis the differences between the traditional systems and the prevailing local systems in regards to issues such as women participation in the decision making, inheritance equal opportunity guardianship of children, divorce, armed conflict etc.

Before venturing into the critical phase of our discussion, let me bring out certain facts which everyone of us has been confronting by the same question: what Human Rights are all about, their genesis and the eventual development to our age.

Human Rights are considered as inherent rights of a person which are indivisible, inalienable and non-negotiable. In ancient and medieval periods, the concepts of Human Rights as we understand today was unknown to the autocratic Kings and Nobles. The entire property of a country belonged to the despotic King and nobody, dared to question his authority over his subjects. Often a good and benevolent ruler granted, out of grace some privileges to his people or a section of them.

The first major of such rights, which we may call Human Rights, by a ruler was 'Magna Carta' which the nobles forced the King of England to sign in 1215 A.D. and a milestone on the road to liberties of the people of England. But the demand for more and more rights in favour of the enslaved people against the ruler was carried on all over the civilised world.

Then came the BILL OF RIGHTS (1689) which was considered to be a landmark in the history of progress towards Human Rights which is 'Magna Carta' failed to secure the rights of the common people. Both the BILL OF RIGHTS AND ACT OF SETTLEMENT (1701) established the independence of judiciary in England and thereby completed the process of people's freedom from tyranny.

After about 600 years of the 'Magna Carta' Abraham Lincoln, the President of America, formally abolished slavery from the soil of America and granted freedom to the Black from bondage to the wretched slaves. In his famous speech Lincoln, inter alia proclaimed in 1863:

“Our fathers brought forth on this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal. We here highly resolve that this nation under God will have a new birth of freedom and a government of the people, by the people for all people”

Then, came the French Declaration of the RIGHTS OF MAN 1789. It proclaimed certain rights as imprescriptibly and natural to human kind for his/her dignified living. In the later Declaration of 1793 more rights such as the right to resist oppression and freedom of the press and other civil and political rights were added.

In this way the struggles continued till Human Rights as is perceived in modern sense were recognised by all civilised nations. The contemporary search for general international norms of Human Rights and their legal protection began in the mid-1940s, with the defeat of the fascist regime in the second world war. The desire to safeguard was therefore a natural response to the horrors of the holocaust and other gruesome atrocities of Hitlerite Germany and its allies and lay in the recognition that denial of Human Rights was potent cause of injustice and wars.

The Universal Declaration of Human Rights On December 10, 1948 an impressive evidence of the consensus on and commitment to Human Rights on the part of the nations of the world. The Preamble to the Universal Declaration contains some of the justification the protection of Human Rights: the inherent dignity and equal and inalienable rights of all human family are the foundations of freedom, justice and peace in the world; the disregard and contempt for Human Rights have resulted in barbarous acts which have outraged the conscience of mankind; it is essential, if man or women is not to be compelled to have recourse to rebellion against tyranny and oppression, that Human Rights should be protected by the rule of law; and that the protection of Human Rights is essential to promote the development of friendly relations between nations. The purpose of the declaration was to establish a common understanding of the rights and freedoms to which the member states of the U.N. had committed.

To give legal form to the provisions of the declaration the United Nations has adopted two international covenants which are legally binding upon every nation which becomes a party to them.

These are: (i) The International Covenant on Economic, Social and Cultural Rights 1966 (ICESCR),

(ii) The International Covenant on Civil and Political Rights 1966 (ICCPR).

The Covenant on Civil and Political Rights is completed by an Optional Protocol which provides individuals with the possibility for making complaints if they believe these rights have been violated.

The ICCPR 1966, while recognising the need for creating conditions whereby one may enjoy his civil and political rights enunciate a wide range of civil and political rights including the right to self-determination of all people (Article 1).

The next important component of the International Bill of Human Rights is ICESCR 1966 which recognise that everyone enjoy his/her 'economic, social and cultural rights' as his/her political rights.

### **MOVEMENT OF HUMAN RIGHTS:**

Each violation of Human Rights, wherever it occurs, is a threat to the welfare and dignity of the entire human family. The protection of human rights therefore is a worldwide responsibility which transcends all racial, ideological and geographical boundaries. This is the fundamental belief which has given birth to the international struggle for human rights.

To put it into more elaborately, all human being who have protested, struggled and resisted economic injustices, political subjugation and cultural domination, workers who fight against exploitation, peasants who struggle for minimum wages, indigenou/tribal peoples who demand restoration and protection of their ancestral land and forests, women who raise their voice against social oppression and gender inequalities and anyone who protests against injustice, inequality and domination are fundamental duties of protection of Human Rights from being ruthless exploitation of human beings against the other human beings.

Therefore the main concern of the human rights movements has been to make people aware of the violations of any wrongs and injustice being perpetuated by the state through its machineries guardians of law or the men in uniform are most responsible for breaking every statute, rule, by-law with impunity. In fact, the human rights movements have also exposed the fact that the greatest number of crimes, the most heinous and violent crimes are committed by the state against its own people.

Indian society and economy are also founded on violence and oppression. The Indigenous tribal peoples have been systematically exploited culturally and politically, their ancestral lands have been deprived of forcibly. The Indian state machineries were designed to silence the voice of the economic justice, political subjugation and cultural domination. The application of military solution to the five decades old of Naga political issue is a clear case of naked suppression of Naga nationhood. In the last 50 (fifty) years of Nagas resistance movement against the occupational forces of India, over 1.50 Lakhs of Nagas were brutally

massacred, thousands have been rendered disabled or maimed due to brutal tortures, hundreds of women were raped or molested, properties worth several lakhs were looted or destroyed, several villages were burnt or bombed, churches and educational institutions were desecrated or forcibly occupied, imposed heavy fines individually or collectively, wages were never paid for the labours forcibly utilised, illegally detained or disappeared from the custody of the Indian Army and many more.

The enactment of the draconian laws such as Armed forces (Special Power) Act, 1958 (amended in 1972) has further legitimised the commission of such barbaric acts by the Indian army. The Act has given unfettered powers and licence to the Indian Army to shoot and kill; to enter and search and arrest without warrant. The Act, therefore, not only facilitate violation of Human Rights but in fact encourages violation of every conceivable human rights because the Indian army need not fear for being held responsible for any action taken under its provisions. At present, the so called black law has been enforced in the states of Assam, Nagaland, Manipur, Tripura and sizeable portion of both Arunachal and Meghalaya where reports of violation of human rights by the Indian army are so rampant. Similar Act is also enforced in some parts of Punjab since 1983 and some parts of Jammu & Kashmir since 1990. In the words of Mr. Francisco Jose Aguilar Urbino, an expert member of the UN Commission of Human Rights from Costa Rica on Armed Forces (Special Power) Act, 1958 “these laws greatly concern me because when we give a person powers, and for very subjective reasons, powers to be able to deny the lives of citizens that is far too much power, I think it is excessive, particularly when the person is immune and act with impunity because he or she will not be punished”.

The Amnesty International, London based world-wide human rights organisation have called for immediate repealment of the Act because “The Act is not only unconstitutional, it is also in clear violation of negation of the International Bill of Human Rights”.

In a bid to cover up the pathetic records of violation of human rights in Indian by the Indian security forces/armies and also to suit the criterions of the IMF/World bank to get financial aids the Indian Government has hurriedly established its National Human Rights Commission in 1994. The irony of the National Human Rights Acts, 1993, the commission is not accountable to take any action against violation of human rights by Indian security forces/armies whereas the Indian security forces/armies are solely responsible for trampling of human rights in North East, Jammu & Kashmir, Punjab and elsewhere in the country.

Therefore, the firm stand of Human Rights movements is that even dreaded criminal or a Nazi must not be tortured or excused. They must be given the protection of the law and the

law must be just and fair. One exception to this rule means that anyone of us can be also become victims of such exceptions.

### **VIOLATION OF WOMAN'S RIGHTS:**

Violation of woman's rights has been a world-wide phenomenon and almost all the countries of the world, irrespective of their advanced or backward socio-economic conditions, have not been free from this crime. In India with the backdrop of the woman's celebrated and privileged position as referred to by the ancient texts during the Vedic age and gradual erosion of the same in the later Vedic period, the dispensation of MANU the law giver with severe restrictions on women's and privileges even at the cost of their life in certain cases had been a tell-tale account of women's predicament. The practice of Sati completed their woe-be-gone story. Alexander's invasion of India in 320 BC, that of the Huns in the 5<sup>th</sup> century BC, the invasion by the Arabs and the Turks in the 11<sup>th</sup> Century respectively reduced further woman's position to that of the 'war prizes'. In Jewish law a woman was not a person, but a thing. She had no legal rights whatsoever she was absolutely in her husband's possession to do with as he willed. Even in the morning worship or prayer, a Jewish man gave thanks that God had not made him gentile, a slave or a woman. The ancient scorn of women is well known. Plato, the great teacher of Alexander believed that the soul is both imprisoned in the body and released only to be reincarnated ...and he went on to suggest that a bad man's fate would be reincarnated as a woman.

Such were the culture where women world over have been habitually despised and demeaned by men. There is no part of the world where women enjoy equality or gender justice.

The feudal social order of the medieval period leading to the crystallation of the patriarchal system, sanctioning of several social evils like child marriage, female infanticide, emergence of dowry system, prohibition of inter-cast marriage and widow remarriage presented a gloomy picture of women's position.

Women in INDIAN society were most degraded before the British rule in India. The modern education stressed upon the reformers that the women's cause is man's: they rise and sink together dwarf or godlike, bound or free. It was in the context that Swami Vivekananda said;

“That country and that nation which do not respect women have never become great nor will ever be in future. The principle reason why your race is so much degraded is that you have no respect for those living images of Shakti. If you do not raise the women who are living embodiments of the divine other, don't think that you have any other way to rise”.

The cause of women was first forcefully raised by Raja Rammohan Roy. He founded Brahma Samaj to create public opinion in favour of improving the position of women in the society. It was mainly due to his selfless efforts that William Bentick could successfully introduced social reforms in India. In 1896, the Indian National Social Conference proclaimed that “the permanent progress of our society is not possible without the spread of female education”.

The freedom struggle of India opened up new vistas for women of India since it was fought on the synthesis of western philosophy of scientific humanism and liberalism with varied objectives. The freedom struggle not only provided scope for fighting against imperialism and foreign oppression, but also did include issues for creation awareness of women at all levels.

Since the II World War and the Independence of India in 1947, women have been granted equality in every sphere of life. This is guaranteed at least in the Indian constitution, yet the position of women in the post-independence era, has not improved as expected. Equal opportunities in economic, social, religious and dignity are cherished goals which would perhaps take long years to achieve.

Let us now examine briefly about the status/position of Naga women in our Naga society. As I had indicated earlier, the attempt of this paper would be confining in the following heads among others: 1) Position of Naga women in the decision making body; 2) Status of Naga women relating ti inheritance laws; 3) Equal wages for equal labour; 4) Guardianship of children; 5) Laws relating to divorce and 6) Position of Naga women during armed conflict.

I feel that it is better to remind ourselves where we are heading for and how our society treats the fairer sex in particular before embarking upon critical discussion on the given topic.

Naga society like many others is patriarchal and its traditional and customary practices overwhelmingly give more importance to males. Thus, it is essentially a male dominated society where women are looked down and considered fit to do only household chores and for procreation. Wide spread discrimination against women store right from their birth and ends with death. A girl child is thus expected to do the household tasks from her tender age whereas a boy of her age is given more freedom. Gender inequality armed by blind customs and preference of son to daughter compounded further to the woes of women in the Naga society.

## **POLITICAL ROLE OF WOMEN**

Participation of women in the decision making body has been a taboo for women since time immemorial and it continue even to this day particularly in the village. International convention on the Elimination of all forms of discrimination against women 1979 under the

article I prohibits: any distinction, exclusion, or restriction made on the basis of sex which has the effect, on purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, civil or other field. The commonwealth Heads of Government Communiqué, London 1977 asserted thus “Heads of Government recognised that unless women are active participants both in contributing to the process of development and as beneficiaries, the goal of social and economic growth would not be fully realised”. The constitution of India also empowered equality of both sexes and thus enable the women to exercise her franchise and the rights to choose their representatives to both the state Assembly and the Parliament. Resolution No.4, October 1994 of NWUM which calls upon to all the Naga tribes that women should be included in the village, Administration is in the right direction in empowerment of women. The significance of the resolution of Naga women has found a place in the recommendations of the 4<sup>th</sup> world conference on women at Beijing in 1995.

As Swami Vivekananda said; ‘That country and that nation which do not respect women have never become great nor will ever be in future ...should be the guiding factors to concede this inherent rights to women in order to build a vibrant society where gender discrimination does not reign supreme’.

#### **WOMEN RELATING TO INHERITANCE LAWS:**

Till the early parts of twentieth Century, Hindu females have no place in the law of inheritance, succession and ownership of property. The Hindu Law of inheritance (Amendment) Act, 1929, first recognised the inheritance of certain properties by female members of the family. After that the Hindu women’s Rights to Property Act, 1937 introduced momentous changes in the law of succession. Then finally, the enactment to Hindu Succession Act, 1956 recognised the right of a Hindu widow in the property left her father and full ownership of Hindu widow in the property left by her husband.

Similarly under the Muslim Law, both wife and daughter are entitled to get share of husband’s as well as father’s property.

Resolution No. 3, October 1994 resolved to demand equal right of inheritance of family/parental moveable or immovable properties for both male and female. The resolution sounds very logical but implementation of the same requires social sanction. Requires elaboration on Naga traditional of inheritance.



### **EQUAL OPPORTUNITY FOR ALL:**

By tradition, women are considered to be weaker than man, yet they are expected to do all the household chores including to till the paddy field and others too. The concept of women being weaker and, therefore given less wages is incompatible with the spirit of the Universal Declaration of Human Rights, Article 16 of the Indian Constitution guaranteed equality of opportunity in matters of public employment. The Article reads thus:

There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the state. No citizen shall, on grounds only of religion race, caste, sex, descent, place of birth, residence or any of them be ineligible for, or discriminated against in respect of any employment or office under the state. International Covenant on economic, Social & Cultural Rights clearly upholds that there should not be any discrimination between men and women and ensure the equal rights of men and women to the enjoyment of all economic, social and cultural rights set forth in the aforesaid Covenant = (Article -3).

### **GUARDIANSHIP OF CHILDREN:**

Under the Hindu Law, the guardianship of the minor children tilt in favour of his/her natural mother. And the same position holds even in the case of Muslim Law in regards to the possession of the minor children in the event of family bonds and ties collapse due to divorce. The Resolution No. 2, October 1994 however maintained a silence in regards to the possession of the children when a divorce takes place in a family. By and large the traditional practices rest heavily on the side of the father.

### **LAWS RELATING TO DIVORCE:**

Hindu Marriage Act, 1955 had, brought about a sensational change in Hindu society by recognising, for the first time, can right of divorce by women Under the Act, the Hindu women can now divorce her husband under the following grounds: a) Desertion. b) Cruelty, c) Adultery, d) Insanity, e) Leprosy, f) Veneral Disease, g) Conversation, h) Renunciation of world and i) Presumption of death. Under the Act, a woman is entitled to get maintenance form her husband during the pendency of the suit and expenses of proceeding till she enters into re-marriage under the Sec. 125 Criminal Procedure Code.

Naga women is still a loser when divorce takes place. Even though majority of the Naga have converted into Christianity, the Christian Marriage Act is yet to take shape in the Naga society till date. In some community, a man is permitted to marry more than one wife and in this case, the first wife has to accept the second women/wife to divorce her husband, and it can thus be said that equal right is given in that respect. However, when a man divorce his

wife, she is made to leave her children and the house and goes away with the bride price or whatever she brought on her marriage day and some share of the property which are acquired through their common sweat and tears. She divorces her husband at her own risk whereas the man loses nothing except the bride price. Thus the divorce of any kind is disadvantageous to the Naga women.

### **POSITION OF NAGA WOMEN DURING THE ARMED CONFLICT:**

In Salvador in 1989, Ms Maria Juana Medina, one of the 64 trade unionists was severely tortured for 3 (three) days during detention and subsequently she was released without charges. The atrocities committee on her included raping, kicking in the abdomen and hanging by the feet, she was threatened with immersion in an electrified pool and having her teeth pulled out unless she confessed of being a member of a guerrilla group of Salvador.

In 1986 during the conflict in the Peruvian Andes that took place between the Government forces and the insurrectionist guerrilla the Government forces resorted to mass rape in different parts of that region.

An easy method of violating women's Human Rights has been outraging their modesty including sexual assault. By this act, severe mental and physical torture is inflicted on the women prisoners. Whenever army rule has been imposed, widespread violation of women's rights has been resorted to by the government forces.

In Naga areas, the aftermath of combing operation being carried out by the Indian security forces/army only resulted into rape and molestation of both young girls and women. Some of the more publicised cases are:

- a) A Lotha girl was raped by the Army and then hung upside down.
- b) Another pregnant woman was shot in her leg and then she was dragged with a rope tied around her neck.
- c) Torture and rape of four young girls below 18 years inside Yankeli Baptist Church on July 11, 1971 by a contingent of 1<sup>st</sup> Maratha Regiment.
- d) Miss Rose of Ngapurum was raped by officers of 95 BSF on March 4, 1974 in front of the members of village council, she committed suicide the next day.
- e) A rifleman of 99 BSF raped a woman near her paddy field in Kohima village in May 1979.
- f) In January 1986, Miss Luingamla Muivah (19) of Ngaimu was shot dead at her house by two army officers while resisting rape.

The list of sexual assault being committed on the Naga women by the Indian Army is endless. Rape and other forms of sexual assault on the Naga women is often used as a part of the repression to crush the Naga National Movement by the Indian state.

Here is an attempt to explain relevant provisions of the present law on sexual offences against women and highlights the recommendation of the law Commission for the renovation of the law on rape to make it more sensitive and responsive to the cry for justice of the women of our society in particular and women world in general.

Q. What constitute the crime of rape?

A. Section 375 of the IPC defines rape. According to this definition rape is committed when a man has sexual intercourse with a woman; 1. against her will, or 2. without her consent, or 3. With her consent when her consent has been obtained by putting her or any person in whom she is interested, in fear of death, or of hurt, or 4. With her consent, when he by deception , make her believe that he is her lawful husband, or 5. With her consent, given on account of her unsoundness of mind, or intoxication, when she is incapable of understanding the consequence of her consent, or 6. With or without her consent, when she is under 16 years of age.

Q. When does sexual intercourse by a man with his own wife considered rape?

A. According to Section 375 of IPC, sexual intercourse by a man with his wife below 15 years of age in considered rape. Here the policy of the law is to protect children of immature age against sexual intercourse.

Q. What must be proved by the prosecution in a case of rape?

A. The prosecution must prove that : (1) The accused had sexual intercourse with the women; (2) the man accused of rape was the one who committed the offence; (3) the act of sexual intercourse was done without her consent or the consent obtained by threat, deception, intoxication, etc. (4) the accused had sexual intercourse with a girl below 16 years of age; (5) the husband who has accused of rape, had sexual intercourse with his wife below 15 years of age; (6) there was penetration.

Q. What must you do, if you are a victim of rape?

A. 1. Immediately rush to the nearest doctor (any registered medical practitioner) and get yourself examined. The doctor does not have to be a doctor of a government hospital.  
2. File a First Information Report (FIR) in the nearest police station as early as possible. Make sure that the FIR is properly recorded (You have legal right to get to copyof the FIR recorded free of cost. Section 154 2 Cr. P.C)

3. If necessary ask your lawyer to accompany you to the police station. You have a Fundamental Right to consult a lawyer of your choice.
4. Demand that the person who has raped you be medically examine immediately. This will help to find evidence on the person of the accused.
5. Do not change your clothes or take a bath till the completion of the medical examination.
6. Keep the articles (clothing, slippers, spectacles etc.) obtained from the accused in the custody of the police.
7. Preserve the condition of the place where the offence has taken place till the police officer prepares the reports of the spot. The report made after the inspection of the place can provide circumstantial evidence regarding the commission of the offence.
8. Go to the police station accompanied by a male relative or friend.

**THE FOLLOWING POINTS SHOULD BE NOTED CAREFULLY:**

- ❖ Delay in reporting the offence to the police officer would cast doubt on the story of the victim, while promptness on her part would lend credibility.
- ❖ Delay can also lead to disappearance of medical evidence.
- ❖ If the police officer does not record the FIR or take any action on your complaint; you have a right to inform the superior police officer or to make a private complaint in a Magistrate's Court.
- ❖ The complaint and the FIR can be lodged by everyone who has the knowledge of the offence.

**WHAT YOU SHOULD DO**

Search of a place by police or army:

1. Police must keep 2 (two) independent witnesses (Panchas) present from the beginning to the end of the search.
2. You may call two witness (not from your family) to watch the whole search.
3. Insist that the list of things seized by the police is correctly taken down. You are entitled to a copy of the list immediately.

**ARREST**

1. Ask the police to inform your lawyer, relative or friend immediately.
2. Ask to use the telephone immediately.
3. Insist to give arrest memo (grounds of arrest be informed).
4. Police have a duty to produce you before the nearest Magistrate within a period of 24 hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of Magistrate.

## **WOMEN**

1. You cannot be arrested or called to the police station after sunset and before sunrise.
2. Search only by a women police officer.
3. Medical examination only by a lady doctor.

## **IN THE POLICE LOCK-UP**

1. You must be kept only in a separate lock-up or room never with men.
2. You must be questioned only in the presence of women police officer.

The studies of the history of legal rights of women in India elsewhere made with the purpose of upliftment of women-folk makes it crystal clear that as a result of persistent demand from a progressive circle of our society as well as various women-welfare organisation women's legal rights have been established very firmly.

We talk of gender inequality, preference of son to daughter, wife beating, male dominated society, anti-women laws, blind customs, which forbid women to participate in the decision making body of society and many others. Nevertheless, I firmly believe that unless we give a serious thought to what Henry George proclaimed...

“Social reform is not be secured by noise and shouting but by the awakening of thought and the progress of ideas” and march forward in a corporate efforts to overcome all these socially permitted taboos to our total liberation.

Wish the NAGA WOMEN'S UNION, MANIPUR to be a true torch bearer of our society in their efforts to bring down the curtain/social injustice, gender discrimination, etc.

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**NOTE: This article was presented by the author in a Seminar session during the 4<sup>th</sup> Annual Assembly of NWUM held at Tamenglong in Oct. '97.**

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# **Christian Women and Suffrage In New Zealand**

**By: Dianer M Strevens**

(Courtesy From- Vashtis Voice May – July 1985, In God's Image,  
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On the 19<sup>th</sup> September 1993 New Zealand women will celebrate the 100 anniversary of women's suffrage. New Zealand was the first national state in the world to enfranchise women, although two America states Wyoming and Utah had granted women the franchise in 1869 and 1870 respectively.

When reading the calendar of events that have been planned to mark this centenary, it is easy to ever look the fact that the motivating factor for the majority of women who campaigned for the vote in New Zealand last century was their Christian faith.

The direct inspiration for New Zealand women came from the Women's Christian Temperance Union founded in Ohio, USA in 1874, approximately 20 years before New Zealand women were allowed to vote. The Union was founded in response to a very real problem. Alcohol was an accepted part of nineteenth century life and alcohol abuse, while a panacea for the appalling conditions in which the poor of the world lived, was particularly prevalent in colonial societies such as the western states of America, Australian and New Zealand. Alcohol was more available and "safer" than much of the water, it was an accepted part of the medical treatment, and in colonies in which the men substantially outnumbered the women. Saloons often provided the only recreation.

Women tended to suffer disproportionately from alcohol abuse. Physical violence and financial hardship were common consequences, and since women had few legal rights they had no way of protecting themselves. Under law they had no claim to their own wages and certainly no claim on their husbands' earnings. Since drink was seen to present a threat to the home, and the accepted nineteenth century role of women was "the guardian of the home", both men and women perceived temperance as an issue with which women could be legitimately involved. The temperance campaign began as a moral crusade which sought the personal conversion of drunkards. As these "good" Christian women came face to face with the appalling living conditions of many people affected by alcohol abuse, they began to recognise that poverty was a cause as well as a result of intemperance. While the women's Christian Temperance Union never abandoned their "gospel temperance" approach, they came to appreciate that political action was essential and with this widening of the perspective there was a growing commitment to improving the situation of women.

Frances Willard, President of the WCTU and “Queen of Temperance” recognised that the most effective way for women to bring about change was through the vote indirect influences was too easily ignored! However she was very careful to emphasise that the women of the WCTU were asking for the vote only in the interests of the home. Home Protection became the slogan of the WCTU suffragists.

The missionary zeal with which the WTCU campaigned was not confined to America. International links were forged and in 1884 Mary Clement Leavitt arrived in New Zealand from America on a round the world trip to found Unions in other countries. Although little was known about her before she arrived and she toured the country at the same time as three other overseas temperance lecturers, her impact was such that ten branches of the WTCU were founded in New Zealand between February and August and approximately 600 women had joined by early 1886. As in America, the leaders come from the non-conformist churches who were beginning to allow women to participate in church councils and preach from the pulpit, Congregationalists, Baptist and Methodists predominated. Kate Sheppard, the astute, literal and, hard-working strategist behind the New Zealand suffrage campaign was a Congregationalist.

The Christian values which both informed and inspired these women to campaign for the vote are issues, especially those concerning women and children, was considerable. Perhaps one of its greatest, if immeasurable, achievements was the consciousness raising of thousands of New Zealand women and the emergence of capable leaders from their ranks. They benefitted from the organisational structure which they inherited from their American WCTU sisters, who in their founding year decided that only founded in their understanding of women’s special God-given role. It was clearly understood by both those who supported and those who opposed votes for women that women and men had quite different, if complementary roles. The women’s role had two significant aspects. Basically her sphere was the home where she could rear the next generation “in the way of Truth, Peace and Purity”. She was “the guardian angel of the young”. Secondly, women were believed to be naturally morally purer than men the evangelical churches made a special connection between women and religion. “Women’s emotional perspicacity was the source of peculiar spiritual and moral power”. Hence it was a women’s vocation to restrain and refine the baser instincts of men.

The evangelical movement, with its intense sense of civic responsibility frequently expressed in reform movements, was also significant influence on Christian women. For the evangelicals the true purpose of government was to bring about God’s kingdom. Women, with their peculiar female values, would be moral and disinterested votes who would reform

politics by restoring the moral purpose of government. They would ensure that only good legislation was passed and that only clean living men were returned to parliament. (Not even the most ardent supporters of votes for women seriously considered female members of parliament). With the women's vote the state would become an agency of God's purpose. Such high expectations may seem unrealistic in the late twentieth century with the hindsight of experience, but they accurately reflected the beliefs of the nineteenth century.

The emphasis on suffrage in the 1993 centenary celebrations in New Zealand also obscures the fact that the campaign for the vote was part of a concerted effort to clean up the country and make it a fit place for Christian living. This Social Purity campaign embraced many areas of which votes for women represented one of the means of bringing about change. Temperance issues continued to be the rationale behind the suffrage campaign, but these involved more than the reform of drunkards. WCTU members worked to stop the sale of liquor to minors and children, sought to prevent the exploitation of barmaids and set up alternatives to bars at public fairs and in towns.

Union members' practical experience with temperance work also alerted them to other humanitarian and social issues. Night shelters and soup kitchens were organised for the poor, coffee meetings, temporary accommodation and employment were provided for "fallen" women; prisons were visited and newly released prisoners, especially women, were met at the prison gates and cared for until they were settled. As a member became increasingly concerned with the welfare of women and children they recognised the potential of education. Lessons in nutrition, cooking and sewing were given to those in need and healthy clothing for women was promoted. The kindergarten movement, which began as a crèche for working mothers at which pre-school education was gradually introduced, flourished and became firmly established in New Zealand.

As well as being involved in practical work, members petitioned parliament for specific reforms, notably raising the age consent for girls and repealing the Contagious Diseases Act. Annie Schnackenberg, an evangelical Methodist and indefatigable campaigner for temperance and social purity, indignantly described the latter as "interfering with the rights and liberties of women to make it safe for men to sin a disgrace to a community calling itself Christian"!

The WCTU can fairly claim to have been largely responsible for winning the vote for women in New Zealand. Its effect on social and humanitarian issues, especially those concerning women and children, was considerable. Perhaps one of its greatest, if immeasurable achievements was the consciousness raising of thousands of New Zealand women and the



emergence of capable leaders from their ranks. They benefitted from the organisational structure which they inherited from their American WCTU sisters, who in their founding year decided that only women could take part in debates, vote and hold office a decision which encouraged and empowered women to develop organisational and public speaking skills.

The Christian Temperance nature of the organisation made it safe for many women who would otherwise never have stepped into the public arena, and it was therefore an important politicising and awareness raising vehicle for “ordinary” women. Although the Union members regarded votes for women as a means of building a better society, and not so much a matter of justice, as they became politicised they certainly recognised the injustice of the drunkard, the ignorant labourer and improvident husband and father being allowed a vote which was refused to educated, decent-living women. So men women also claimed that the equal dignity of all human beings preached in the gospel entitled them to vote. Harriet Morrison, Chairwoman of the Unitarian & Church Committee, Vice-President of the Tailoress’s Union, and temperance advocate, quoting Galatians 3: 28, named Jesus Christ as the first head of the women’s franchise movement.

The practical involvement of Christian women in temperance related issue resulted in the gradual broadening of the Union from a one issue group (although temperance remained the central focus) to a group which became concerned with many areas concerning women and children.

Finally the ecumenical stance taken by these women in what was very sectarian age certainly enhanced cooperation at a local level a cooperation which continues to be reflected in the National Council for women.

One hundred years of women’s franchise in New Zealand is certainly worth celebrating. It is also worth recalling that it was the Christian faith of many of these nineteenth century suffragists that inspired them to look beyond their homes and families, to risk ridicule and to speak out confidently on behalf of all women.

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(DIANE STREVENSON is co-ordinator of the Continuing Faith Education Programme for the Auckland Catholic Diocese. She has recently completed a B. Theol, as a mature student and is currently working on a thesis for an M. Theol).

## FOLK TALES OF POUMAI

### TOPIC: Land (Based story of Khe (Mr) Ngaonii and Lou (Miss) Saniiru

Khe Nagonii and Lou Saniiru were born to a rich family – lou Saniiru was the older and Khe Ngaonii was the younger of the two. But unfortunately they lost their beloved parents when they were not mature yet or able to stand by their feet. Their paternal uncle adopted them but he was a man who loved more wealth than mankind. One day he let the pretty girl (Lou Saniiru) put on her best clothes and took her for a far journey crossing several ranges of mountains and reached a village which was very far away from their native land. There, he sold Lou Saniiru in exchange of cattle.

Similarly, after some years later the same uncle took the younger brother Khe Ngaonii and reached the same Village where Saniiru was sold. Fortunately or unfortunately, Khe Ngaonii was bought by the same rich man. But the brother and the sister could not recognise each other as they were separated from their very young age. Lou Saniiru ill-treated the boy (her own brother) as she didn't know him. She called the boy as servant and ordered him every work to do by himself like cleaning the dungs of the cattle, pounding rice, or even ordered him to search her head lice. Hearing the scolding the boy obeyed in everything she ordered. One day when Khe Ngaonii was searching head lice on Lou Saniiru's heads, he could recognise a mark on Saniiru's head resembles my sister Saniiru who was sold by my uncle like me. She had that mark which was hit by my aunty by her weaving stick when she was a baby.

Hearing that Lou Saniiru asked the name of his parents, village etc. But the boy innocently replied that the only thing he could understand his family background was that he had lost his beloved parents when he was very young and could not recognise them. He when on saying that he had one elder sister Lou Saniiru by name who was sold by his cruel uncle. He further said that he forgot his villages's name and could not remember which way they came.

As Lou Saniiru was older than Khe Ngaonii knew something better than Khe Ngaonii. She could understand that the boy was none but her beloved brother Khe Ngaonii. She burst out to cry embraced him and apologised for her ill-treatment. She cried and said "My boy, I am your elder sister Lou Saniiru sold by our uncle. Now, my boy, take out your old clothes and put on all these new clothes. Take the best rice bear and food now. Don't do all the dirty works now. So my boy, go out and sit with the elders and learn from them stories, way of administration in the village affairs, power of Authority and tactics to defend oneself etc.

From that day onwards, Lou Saniiru prepared for the boy the best food, drink for his physical building and narrated to him their origin, family background, native village and encouraged him to go back to their land which their forefathers had left for them which they, in exchange of their life had defended the land from foreign exploitation. The boy was well fed physically, well taught mentally and prepared with defensive and offensive weapons. She advised him saying, be brave, alert and confident as a man. My prayer and my blessings will always go with you. She remained in that village prayed and performed all necessary rituals for her brothers journey.

Thus Khe Ngaonii could defeat all the enemies and reached his native village, settled there and looked after the land of his fore-fathers.

CONCLUSION: Now the time has come for each and every Naga Women to be intelligent, informative, alert and concern for our land as Lou Saniiru.

Let us prove ourselves to be the spirit behind the power and forces that defend the land of our forefathers for our future, so that we will live in our land for ever free and prosperous.

Narrated by: Ms Ng. Elizabeth (Poumai)

During folk tale Competition In the 4<sup>th</sup> Assembly of NWUM  
at Tamenglong 1997 and won the first prize.

## First Among Poumai Women

Sl. No	Name in Full	Edn. Qlfn	Village	Year
1.	Modoli Ngaoleru	1 <sup>st</sup> Matriculate	Tunggam	1965
2.	Modoli Salle	1 <sup>st</sup> B. A., B T.	Tunggam	1973-1978
3.	Rao Solomi	1 <sup>st</sup> M. A. (Eco)	Oinam Hill	1995
4.	Pani Solomi	1 <sup>st</sup> B. Sc.	Liyai	1996

Sl. No	Name	Profession	Village	Year
1	D. Heshoru	1 <sup>st</sup> Lower Primary (L.P) Teacher	Purul	1958
2.	Modoli Ngaoleru	1 <sup>st</sup> B. Sc. (Nursing)	Tunggam	1970
3.	Thao Baoru	1 <sup>st</sup> MBBS (Doctor)	Tunggam	1987
4.	Seikho Ronai	1 <sup>st</sup> (Nun) Sister	Liyai	1992
5.	L.T. Veisiirou	1 <sup>st</sup> LL.B	Khamsom	1996
6.	R. Ruth	1 <sup>st</sup> Section Officer (Hort)	Purul	1997

Sl. No	Name	Religion (Establishment of Churches in Poumai Area)	Village	Year
1.	Ms. Th. Reiheru	1 <sup>st</sup> Converts into Baptist Church	Maiba	1938
	Ms. M. H. Pokhoru			
	Late Ms. Th. Pokhoru			
	Late Ms. S. Vairu			
2.	Ms. Krokha	1 <sup>st</sup> Convert into Catholic Church	Saranamai	1957
	Ms. M. Bane			

Sl. No	Name	Degree in Theology	Village	Year
1.	Salle Dosong	1 <sup>st</sup> B. Th.	Tunggam	1973
2.	Thiping Sonela	1 <sup>st</sup> B. D.	Oinam	1997

Submitted by: Ms. K. S. Priscilla Pani  
President, Poumai Naotumai Me [PNM]  
H Q. Karong

## First Among the Monsang Women

1. **Religion:**
  1. First Nun (Sister) : K. Shangkhir Elizabeth, 1978.  
Monsang Pantha Village.
  2. First Theologian : Ts. Thumdin 1987, Heibunglok Village
  3. First Women Promotor (SEMBA): Ng. Rita, 1978,  
Japhou Village
2. **Academic:**
  1. First Matriculate : (L) Ts. Flowrence 1965,  
Monsang Pantha Village
  2. First Graduate : Mrs. (L) Ts. Flowrence, M/Pantha.
  3. First M. A. (Sociology) :Ms. W. Paulina, 1992  
Monsang Pantha Village.
  4. First M.A (Pol. Sc.) : Ms. K. Shangkham, 1993.  
Japhou Village
  5. First MBBS : Ms. Romie Ngoruh, 1979,  
Liwa Changning Village.
3. **Profession:**
  1. 1<sup>st</sup> Graduate Trained Teacher- Ms (L) Ts. Flowrence
  2. 1<sup>st</sup> Gazetted Officer – Dr. Romie Ngoruh L/Changning.
  3. 1<sup>st</sup> Youth Co-ordinator Officer – Ms. W Paulina  
Monsang Pantha
  4. 1<sup>st</sup> C.D.P.O.- Ms. Ts. Nirmala, Liwa Khullen.
  5. 1<sup>st</sup> Accountancy Trained – Ms. W. Rebecca, Japhou.
  6. 1<sup>st</sup> Trained Nurse – Sh. Cicila, Japhou Village.
  7. 1<sup>st</sup> Metron –JS. Nonie, [Nurse] Liwa Changning Village.
  8. 1<sup>st</sup> Women Police – TS. Rodia, Liwa Sarei.
  9. 1<sup>st</sup> A.A.O (Agri) – TS. Gladny, Japhou Bazar (Hnatham).
  10. 1<sup>st</sup> Economy Surveyer – Th. Jeksha Liwa Changning.
  11. 1<sup>st</sup> Contractor – Th. Tonu (Dungha) Liwa Sarei & also 1<sup>st</sup> class  
Contractor 1997.
4. **Fashion & Model:** 1<sup>st</sup> Miss Luingai-Ni:Ms. W. Chancila, Japhou, at Senapati in 1996.
5. **Social Organisation:**
  1. 1<sup>st</sup> President Monsang Women Union:  
(L) Ms. TS. Flowrence
  2. 1<sup>st</sup> President (MNBCA) women work Commt.:  
Ms.TS. Changninglei, Japhou Bazar

6. **Political Affairs:** 1. 1<sup>st</sup> M.D.C. 9 Pantha contested at TPL. (Chandel) –

Ms. TS. Shelvi, Liwa Khullen, 1972

7. **International Participation:** 1. 1<sup>st</sup> Woman to participation in “Build Bridge for World Friendship” to Foreign Countries

Viz:- Japan, Singapore, Seychilles, Kenya, Jordan, Oman etc. Ms. W. Paulina, Monsang Panyha, 1997.

2. 1<sup>st</sup> Women NGO to participate in Foreign Country, [Philippine] –

Ms. Ng. Nirotin, Liwa changing, 1998.

Submitted by

Ts. Phamdung President

Monsang Woman Union, Manipur.

## **Women And AIDS/HIV Infection**

By:- Dr. [Ms] Serthani Serbum,

M.O. Dist. Hospital Chandel

AIDS [Acquired Immuno Deficiency Syndrom] is an infections and incurable disease caused by HIV [Human Immuno Deficiency Virus]. It is found in the healing syringe and needle of a doctor, in the life saving transfusions, in the embrace of a lover, in the ultimate human passion of a mother giving birth to a baby and it has been found to be possible to be transmitted in the nourishing milk of an infected mother's breast.

For a decade, the world has struggled to come to terms with AIDS. Most of the human faces of this epidemic are of young people and children. As many as 2/3 of all HIV infection occur in young people before their 25<sup>th</sup> birthday. The rate of infection is 2-3 times in young women compared to young men of the same age group. The cultural values and status of girls and women in society are the root of AIDS problems in many countries. In India and many South East Asian countries 80-90 % of the HIV infection result from heterosexual sex. More than the biological reality, it is the social inequality between men and women that is most responsible for the spread of the disease. The specific behaviour of many men having unprotected sex and having it with multiple casual partners in the rate of transmitting HIV to women who then can pass it on their unborn children but women, especially those in our sub-continent, do women have the power to set the terms of sexual relationship? The powerlessness combined with the fact that women are more likely to become infected with HIV during sex, leaves them further vulnerable.

Women are more at risk of HIV infection compared either on a per contact or per partnership basis. On the population level, the risk of HIV infection for women will be a result of the sexual behaviour of those women and the behaviour of their sexual partners. The age mixing i.e. the tendency for males to choose younger female as a spouse (and also a casual sexual partner), results in the tendency for HIV infection level in young women to be higher than men in the same age group. Initial study in India suggested a higher prevalence in men, the ratio is now progressively reversing over the months and greater number of women are now being found to be positive.

Women who cannot achieve economic and social self-sufficiency tend to be unequal partners in marital or sexual relationship. Lower levels of women education limit their knowledge of health care, disease prevention and reduce receptivity to public health



interventions. Women with repeated pregnancies, with poor reproductive hygiene and men with multiple partner puts them at higher risk of STDs (Sexually transmitted disease) and leads to vaginal discharges and backaches for which traditionally they do not have access to health care. To discuss such medical problem with other family members and elders is considered a taboo and as such many women suffer silently and eventually become vulnerable to HIV infection.

Against this background, due to difference in reproductive physiology and decreased status of women in India, women are at a special risk. Normal labour and operative procedures like episiotomy, forceps application, caesarean section and suction evacuation for incomplete or induced abortion in women increased the risks for transmission of HIV to and from women.

Even without the new threat faced by HIV, many women conceive and bear children in conditions far from ideal. Nearly 1, 00,000 women die every year for cause related to pregnancy. Though the barrier contraception would prevent pregnancy and infection, women have less opportunity to protect themselves either form the risk of infection or an unwanted pregnancy. In our sub-continent, considerable importance is given to the role of childbearing and motherhood especially the bearing of sons which is indeed the decisive factor in determining a women's status.

Given the level of care and access to services in a majority of rural situations, more efforts have to be directed towards increasing the number of centres providing maternity services to women. The available manpower in the health programmes i.e. medical doctors, nurses, health workers and traditional birth attendants have to be trained to observe universal precautions to protect themselves as well as prevent transmission of infection from one patient to another.

In conclusion, in order to reduce the effects of HIV/AIDs epidemic amongst women, several strategies have to be adopted. These include those that are directed at reduction of the incidence of HIV/AIDs infection in women, reduction of social and personal impact of HIV on women, as well as increase the emphasis on women's health as a priority issue for development.

## **A Folk Tale on Gourd of the Kharam Tribe**

Narrated by:- Ms. S.P. Toneiyang Kharam

Secretary

Kharam Women Society

Once upon a time there was a man of Raangla clan (Kharam tribe has seven exogamous clans. Raangla is one of the clans). It so happened that once the Crop was a complete failure for the man. He was however not discouraged as he was a man of faith. He therefore prayed to the goddess of paddy for wealth. His prayer was heard and granted by the deity. One day, he heard a voice telling him that all what he asked for, had been granted in the gourds. So, he sowed the gourd seed. It grew and bore plenty of fruits. He took them to his granary when he broke them, he found full of paddy inside which filled his granary. Since then he lived a life of prosperity. From then onwards, the Raangla clansmen considered the gourds as a gift from God. Thus, they consider eating of any kind of gourd, cutting the stem or causing any damage to the gourd creeper as taboo to this day.

The Kharams use the gourds for different purposes such as fetching and keeping water in the house, for travelling, keeping rice bear for offering to the deities or performing different customary acts. When a child is born the placenta is buried along with a piece of gourd. It is therefore an important and indispensable item for the Kharams.

## **The need to Modify and Codify Customary Laws.**

By: Ms. Valley Rose H. Hungyo

Social activist.

For every race/people, big or small, since time immemorial, it has been compulsory to govern its people with certain set norms known as “customary laws”. The first Human race on earth, who were God’s direct creation, as Christians believe, lived directly under the laws of God. Later, the Israelites were given the “Ten Commandment” by God through Moses, written on a slab of stones. Thus become the basis to every law to govern the Israelites. In another word, it became the basis of customary laws of the Israelites.

Today, there are unnumbered tribes and groups of people with their own distinct costumes, culture and customary practices. In most of the developed and advance countries and societies, the so called customary laws and practices do not have much impact in their day to day life. They go mostly by the convention or the modern set rules and laws. But in most of the backward societies, especially the tribal, the customary laws still takes very important places in everyday life.

The customary laws do have many good points and positive standing for the people. Yet, it cannot be ignored that there are also many negative aspects which does more harm than good in today’s modern society specially concerning women and children.

The tribal societies in the present era, though very backward in terms of development and other areas in comparison with many advanced western societies, no longer live in the same old standard and lifestyle of our forefathers. We have come a long way in terms of civilization, education, science and technology and almost every walk of life. At the first glance, the lifestyle of a westerner and a tribal, specially from the North East India do not show much differences. Their educational status living standard, social activities, fashion knowledge etc. are nothing less than any civilised people. The only difference is that back home, within our society, there is still a very strong bond of customary laws which binds every individual of the particular tribe be called their own fold. In many aspects, it helps us to identify who we are and our culture is also our pride and honour within and without our own community.

The Naga peoples are one such groups of peoples who consider customary laws as sacred and binding which I think is very important for a healthy society. It is because

of the similarities in our customary laws and practices that helps the Naga people to identify ourselves as one group of people or one Nation. Otherwise, we would not have been able to call ourselves a Nation. So, in the broader view, it is the customary laws that help us to Identify who we are and who our brothers are.

#### **ADVANTAGE OF CUSTOMARY LAWS:**

Every nation, group of people, a tribe or tribes, who are governed by the set norms of their customary laws, live in a well knitted society. Mutual respect for each other is very high. Any kind of social crimes/evils are dealt with severely, hence, less instances of any such incidence. Even if someone commits crime against others knowingly or unknowingly, truth has to be admitted and thus the wrong doer is penalised and justice met for the victim.

It is the customary laws and practices that helps the particular tribes to hold up their heads high with dignity among other groups of people. In another word, the customary laws and practices of each tribe/nation are the pride of the people/nation concerned. Let us take the Nagas example who boast high for the strict customary laws and practices that we have which keep the people well under control and attached to one another. Customary laws often reminds the people of unity and co-operation among their group of people specially at the time of crisis. This feeling of oneness make the people work and fight unitedly for any common cause and interest of the people.

Customary laws becomes even more significant when disputes are to be settled. Any kinds of disputes whether it be of land, properties, marriages or any other kind, it usually is safe and just if settled according to the customary laws. There are still many more points of customary laws which are not able to mention everything on these pages.

#### **DISADVANTAGES OF CUSTOMARY LAWS:**

Inspite of the many good points and advantages of the customary laws, there are also areas of disadvantage in the practice of customary laws. For transparent and effective deliberations, we may list down few areas which are prominently seen as obstacles in our day to day life.

##### **Discrimination against women:**

The customary laws are not documented and are discriminatory to women, as proved by the conventional practices. For example, women were considered secondary citizen in the society. Head counts are made only on the male members, women are

not allowed to speak out for herself in front of the male folks (specially elders). Women are not allowed to represent in the grass root administration, i.e. Village Authority or Council. Male folk have the freedom to practice polygamy whereas women are charged and judged with adultery if she is found to be having extra marital affairs with another man. Equal wage is not given for the equal work done by women. Women/daughters do not have the right to inherit parents' properties. In case of divorce, it is always the women who is victimised. Birth of the girl child is never a joy to the family as it used to be with the birth of a boy. Education and other privileges are always given secondary options for girls in most of our traditional society due to the patriarchal system. The unwritten customary laws becomes a good tool to victimise a female by those male egoistic individuals without any justification. These are just few examples of disadvantages of our good customary laws. There are many more areas which create problems in our everyday living due to interpretation of customary laws to suit themselves.

#### **WHY CODIFY CUSTOMARY LAWS:**

In spite of the fact that customary laws play such a great and important role in our everyday life, there is little or no recognition of the same by any government. Whenever a case or a dispute is settled under the customary laws, there is always a chance to be discarded or rejected by any authority or individual. Because, the so called customary laws of the particular tribes or group of people are not in any written form, they are not recognised by any other authorities. Thus, the great potential of good and just governance through customary laws becomes meaningless. If the customary laws are to put down into writing (codified) and are recognised by the government, the tribal gain higher status in the eyes of law and it holds better credit legally.

#### **WHAT AND HOW TO CODIFY:**

As discussed above, there are many positive and negative aspects of customary laws. Proper study and minute examination are required before codifying the customary laws. Because, once it is codified, accepted and recognised by the concerned tribes and government, it is going to be compulsorily applicable to all. It is also going to remain permanently unless amendment is made. Amendment of any law is not very simple. It takes lot of time and deliberation. So, in order to avoid any kinds of regret later, it needs utmost care before it is finally codified. If codified wrongly, it will further damage the beauty of the customary laws.

We can cite example of Tripura and Arunachal Pradesh, the states of which have started codification of the customary laws of the tribal living in the states. While the Tripura Govt. codified all the good points of the customary laws with some modification of those which are biased and of discriminatory nature, the Arunachal Pradesh Govt. codified more discriminating specially against women. As a result, most of the tribal people specially women of Tripura are happy with the progress and outcome of the codification of their customary laws while the Arunachal women blamed the state Govt. for discriminating women resulting to women protesting against the Govt.

So, the right step to codify any customary laws should be, first modify those which are of discriminating in nature and gender bias and then codify the customary laws so that any Govt. or legal institutions should recognise the customary laws and honour the judgements made under it. This, I believe, will help the tribal people to live more balanced social life while preserving all the good customary laws and practices which we have inherited from our fore fathers and which we will pass down to generations to come. If we do not codify all our good customary laws even in today's most advance society, it is quite likely that our beautiful and democratic customary laws will be forgotten and be superseded by other laws which are alien to us. In the olden days, our forefathers did not know how to read and write. So, their only means to preserve the beautiful customary laws were through folk tales and folk songs. But today, our society is fortunately very highly educated. We live in the computer age, and why should we not easily document our customary laws for all times to come? In order to safeguard and preserve and for practices purposes, our age old beauty, MODIFICATION and CODIFICATION of our customary laws have become the need of the hour.

# Laughter the best Medicine

Collected & Contributed by:

Ms. Valley Rose

## 1. SAME AS LAST YEAR.

It was right after the year's harvest. An elderly man had a visitor. The visitor wanted to know about his friend's harvest, so he asked, "my friend much is your harvest this year? The man answered, "not much, my friend, same as last year". The visiting friend again queried, "How much was last year?" the first man answered "My friend, it's just the same as this year". The visitor remained wondering as to how much his friend's harvest was.

## 2. IF YOU KNOW WHY DO YOU ASK?

A courteous Naga fellow met a man of a neighbouring non-Naga village on the way to the field with his spade on his shoulder. The first man asked "Uncle, where are you going to? The man answered" can't you see the way I'm going? The Naga fellow went away surprised.

Next time, they met again in the same manner. So the young Naga fellow politely asked, "Uncle, are you going to the field?" the elderly man replied, "If you know where I'm going, why did you ask?"

## 3. RASGULLA SEED:

A man came to Imphal for the first time in his life. He found everything so different from that of his village. He went to a tea hotel and asked for the best item of the hotel. He was served with a plate of rasgulla. He ate the rasgulla and found it so tasty. He wished to have it every time even when he goes home. So he had an idea that he will plant it. So he went to the hotel manager and asked, "Manager shaheb, please give me some seeds of the fruit I ate. Let me plant it in my garden in my village". The manager replied, "I can't give you its seed". The man said, "Greedy fellow, only you want to own sweet fruit; you will be cursed for being selfish" and went away angrily.

## 4. "MOST AMAZING THING"

A group of people were chatting and sharing as to what they found most wonderful and impressive in their life. Some said, it is the aeroplane flying in the sky, some said it is the vehicle running, others said it is ships sailing in the sea and so on. But one of them said, "To me all these planes, vehicles, ships, rockets etc.

are no wonder, all these run with engine. But the most wonderful thing is to find cooked potatoes inside the Singhara (Samosa), it amazed me most” he said.

#### **5. BIBLE PETER IS GOOD.**

Two Neighbouring Villages had crisis very often. Sometimes on land, sometimes on field and sometimes on many other issues. Most of the time, the chief of the Vaiphei Village was on the loose. He became very disappointed but was helpless to fight against his rival. So he passed a remark, “Peter in the Bible was very good; but this Kangkum Peter is very bad”.

#### **6. SMALL JEEP FOR KANGKUM.**

Some funds were sanctioned from the office of the block Development officer for constructing a jeepable I. V. road.

When the Vaiphei Villagers were working, the Kangkum headman compelled them to make the road wide. After his work the vaiphei chief went over to the Kangkum side and saw that the road was much narrower.

One day, co-incidentally the Vaiphei chief and the headman of the Kangkum met in the office of the BDO/SDO. So, the Vaiphei chief asked “BDO Shaheb, is there a smaller size jeep available for Kangkum Village?”

#### **7. YOU ARE HEAD, I AM NECK**

A modern couple very often argue on gender equality. As usual, the husband often dominated the argument that as a man, he is the head of the house, and so he is the boss of the family. To this, one day, the wife politely answered, “Ok, you are the head and I am the neck, unless I move, you can’t turn to where you want”. The husband was stunned and stiff.

#### **8. IT’S 4 O’CLOCK**

A couple had some bitter differences and were not in talking terms. One evening, the husband came home late and again, he had to go for an urgent work the next morning at 4:30 am. He needed someone to help him wake up. But, since he was not in talking terms with his wife and there was no other person in the house, he thought of a safe idea. He wrote in a piece of paper “please wake me up at 4 o’clock”. He signed and placed it on his wife’s pillow. When the wife came to sleep, she saw the slip.

Early next morning, the wife neatly wrote on a piece of paper “it is 4 O’clock, please get up” and placed it next to her husband’s pillow and went to sleep again.



### **WHY CALL A DOCTOR.**

When Horam was conferred with Doctorate honour, his people were so happy. When he came home after some time, everybody came and greeted him and congratulated him. Among them, an elderly women came and asked, “Doctor, I am suffering from a serious disease. Please give me some medicine”. The Dr. Horam answered, “I am not a doctor who gives medicine”. The women replied, “if you don’t know how to prescribe medicine why do you call yourself a doctor?”

### **ELECTRIC TAX COLLECTION**

An employee of the Electricity Department went to a village to collect tax.

Collector: Uncle, please clear your electric bills/tax.

Villager: Is it for the night or for the day?

Collector: (After a brief pause) Whatever it is, day or night, just pay off.

Villager: (Got up from his seat) At night, no electric comes, in the day time, we don’t use light. So, nothing to pay, (and walked inside the house).

**The End**