

INTRODUCTION

Background of North East India

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 (1997) 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 10 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.

Background to the study:

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, 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 , 1996¹

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

¹ 'Integration of the Human Rights of Women and the Gender Perspective,' a report by the Special Rapporteur on Violence Against Women, its causes and consequences, Radhika Coomaraswamy available with the United Nations Economic and Social Council.

- 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 NEN 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 systemize the sequence of questions for interviews. However, the interviews were conducted verbally.

Background information on the three districts under study in Assam:

Cachar District²:

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%.

Sibsagar District³:

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 per1000 males and the female literacy rate is 68 %.

Sonitpur District⁴: 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%.

² Data: Census of India, 2001 (Provisional)

³ ibid

⁴ ibid

Background information on the four districts under study in Manipur:

Tamenglong District⁵:

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 %.

Imphal District⁶:

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%.

West Imphal District⁷:

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%. 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 District⁸:

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 %.

⁵ Data: Census of India, 2001 (Provisional)

⁶ ibid

⁷ ibid

⁸ ibid

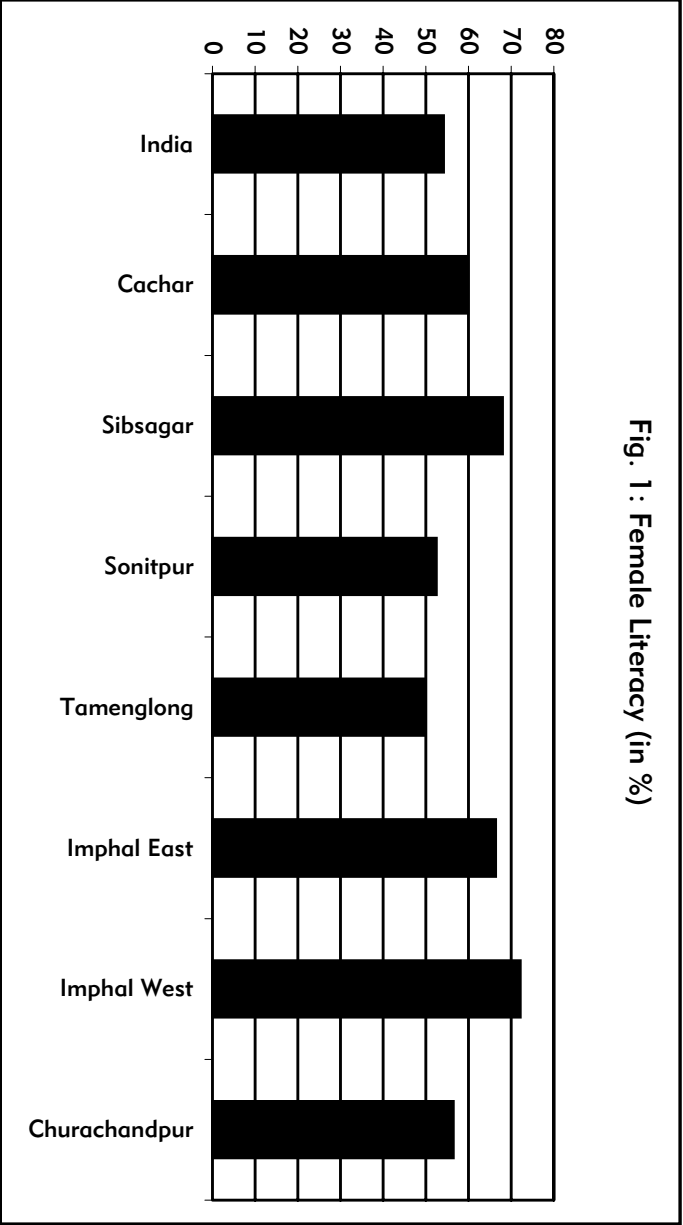


Fig. 1 : Female Literacy (in %)

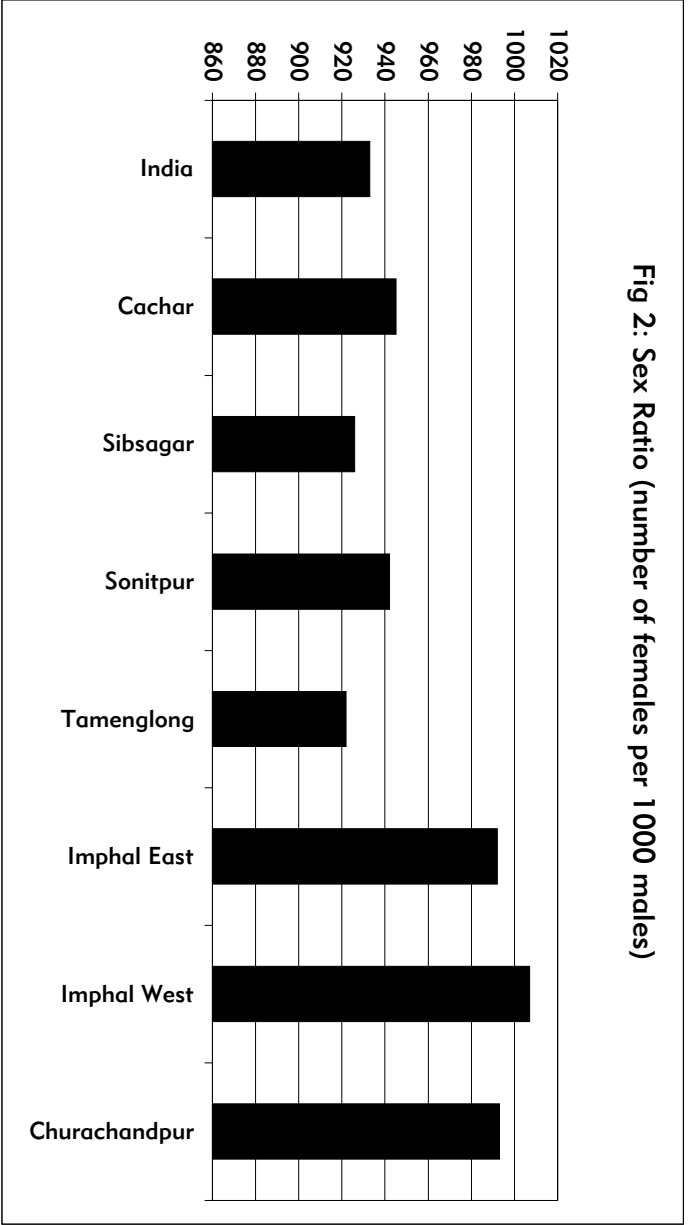


Fig 2: Sex Ratio (number of females per 1000 males)

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

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.⁹

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. The following section examines the status of women in Assam in view of the above indicators.

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% in 1991 to 56.03% in 2001. Further, the gender-gap in literacy (the number of female literates against the male literates) in Assam, which stood at 16% in 1997, is less than the average national gender gap in literacy, which stands at 23%.¹⁰

⁹ Data: *Census of India, 2001 (Provisional)*

¹⁰ <http://www.censusindia.net/results/provindia3.html>

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 silk-worms for silk, (*Paat, Eri and Muga*) 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 *Mahila 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 criminalized 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 % of the sanctioned posts for doctors are vacant.¹¹ 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)¹², women in Assam have limited access to health care services. The percentage of women in Assam receiving antenatal checkups is 5% behind the rest of India and 8% 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%.

Women's Autonomy

Findings of NFHS-II for the state of Assam were as follows: Only 5 percent of respondents are not involved in any household decision-making, 88 percent are involved in decisions about cooking, 65

¹¹ Interviews with Jt. Directors of Health Services in Dhemaji, Lakhimpur, Cachar and Karimganj conducted by NEN during the course of the study in 2000.

¹² NFHS-II study conducted by the International Institute for Population Sciences, Mumbai, in collaboration with USAID and UNICEP in 1998-99. <http://www.usaid.gov/in/UsaidInIndia/Articles15.htm>

percent in decisions about their own health care, 54 percent in decisions about purchases of jewellery and other such items, and 45 percent in decisions about going to stay with parents or siblings. Regarding freedom of movement, only 13 percent of respondents do not need permission to go to the market and 14 percent do not need permission to visit relatives or friends. Thirty-five percent of respondents are allowed to have at least some money that they can spend as per their wish.¹³

¹³ *ibid*

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%), 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% (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.¹⁴

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 organizations.

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.

¹⁴ Provisional Census of India, 2001

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.



NEN member with a Merira Paibi from Manipur.

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.¹⁵ Thus, by the age of five, female mortality exceeds that of males by 20 percent 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% while the female literacy rate is 59.70%. 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.¹⁶

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

¹⁵ UNICEF: *The Lesser Child*, UNICEF, New York, USA, 1990.

¹⁶ Provisional Census of India, 2001

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 marginalized. 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.¹⁷ 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.¹⁸

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 neglected¹⁹. 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. 43 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 percent do not need permission to go to the market, and 28 percent do not need permission to visit relatives or friends.²⁰

¹⁷ Interview conducted by Esther Chinnu, in Tamenglong, Jan 2004

¹⁸ Interview conducted by Esther Chinnu, in Tamenglong, Jan 2004

¹⁹ NFHS – 2 (1998-99) findings for the state of Manipur

²⁰ *ibid*

In general, the study found that participation in decision-making, freedom of movement, and access to money increase with age. There is not much variation in women's involvement in any household decision-making by employment status, education, or caste/tribe. Women who are employed by someone else enjoy the greatest freedom of movement and access to money. Illiterate and literate women have comparable access to money. Women from other backward classes have the greatest access to money, whereas scheduled-tribe women have the greatest freedom of movement.²¹

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 re-emphasise 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 unfocused fall out of the armed conflict on women and in a marginalisation of women's needs and aspirations.

²¹ ibid

VIOLENCE AGAINST WOMEN IN ASSAM AND MANIPUR

Violence Against Women – A Conceptual Note

'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 3 out of every 5 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 recognized 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 State²².

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 percent) 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.

²² UN Declaration on the Elimination of Violence against Women, 1993

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, 1993²³, 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 society²⁴.

I. 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

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²⁴ Arun Irengbam, 'Between the Lines: Stereotypes and Prejudices' Opinion-1, Article published in Manipur Update-January Issue (Volume I Issue II, January 2000)

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 un-codified 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.*²⁵

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.²⁶

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.

²⁵ Jeuti Barooah, 'Property and Women's Inheritance Rights in the Tribal Areas of the North East', in Walter Fernandes and Sanjoy Barborah ed., *Changing Women's Status in India: Focus on the Northeast*. North Eastern Social Research Centre, Guwahati, 2002, p.99-113

²⁶ NEN Research on VAW in Tamenglong district of Manipur in January 2004).

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

Binalakshmi,²⁷ 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, *"I 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.²⁸

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.

II. 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 northeast. As

²⁷ Name and address of victim has been changed to maintain confidentiality

²⁸ Barooah, Jeuti, 'Property and Women's Inheritance Rights in the Tribal Areas of the North East', in Walter Fernandes and Sanjoy Barborá ed., *Changing Women's Status in India: Focus on the Northeast*. North Eastern Social Research Centre, Guwahati, 2002, p.99 -113

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.²⁹

When interviewed by NEN, Manashi Dutta and Roshmi Hazarika, members of the Legal Aid Cell, Tezpur District Mahila Samiti (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 'yes'. 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. (See Appendix). 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.



NEN volunteer (with child) with survivors of Domestic Violence, at Nirmal Ashray, a short stay home in Assam. Pictures courtesy ASHI (Association for Social Health in India)

²⁹ NFHS-II study conducted by the International Institute for Population Sciences, Mumbai, in collaboration with USAID and UNICEP in 1998-99

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.

a. 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.³⁰

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 unsatiable 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.

The following are some dowry related cases

³⁰ AIDWA study, 2003

Milli Prasad³¹ a Bengali girl from Digboi, married a Bihari man, who stayed in their house (a tenant), against her parents wishes. Two months after the marriage, problems began to crop up. He wanted her to get a motorcycle and other things as a dowry. After undergoing a lot of torment and torture, she returned to her parents house and along with her mother and neighbours approached the Mahila Samiti.

(Source: NEN Field Study)

Malati Dev's³² in-laws started demanding dowry and physically torturing her within fifteen days of marriage. She bore everything silently because she was new to that family. Later when they hit her, she took her neighbour into confidence. The neighbour arranged a Panchayat meeting and the Panchayat ordered Narayan's [her husband's] family not to torture her. But his family did not heed the order and the torture continued. When she could not bear it, she went to her sister's house. When her husband did not come to take back her, her sister persuaded Malati to go back to his home. One day, Malati's sister came to their house and called her. When she did not get any answer, she entered the house and found Malati under a bed. Her condition was serious and she had to be admitted to the Silchar Medical College. Malati's sister approached Narayan's family for money for the treatment, but they refused.

Later, Malati told her sister that her father-in-law had, in a fit of anger, strangled her, because she had been unable to go for work for a few days due to fever. She had fainted because of this. Meanwhile Narayan's family began planning a second marriage for their son.

The police sought the Panchayat's help to investigate the case. The Panchayat advised Narayan to stay separately with Malati. Narayan told Malati that they would stay in a rented house, but he did not bring Malati back from her sister's house. Till date Malati lives in her sister's house. She does not want a divorce as she is afraid of living alone.

(Source: NEN Field Study)

Mafusa Begam³³ of Silchar married Basiruddin in 2001. At the wedding, her brother gave a huge sum of money as dowry. After the marriage, Mafusa discovered that her husband had a relationship with another girl. When she protested against it, her husband physically assaulted her. A few days later Basiruddin married the other girl in court. With the help of her brother Mafusa got the marriage annulled. Following this, her husband, mother-in-law and father-in-law began to physically torture her and demanded a scooter and Rs. 50,000 from her family.

Mafusa finally approached the District Level Committee for Crimes Involving Women, a woman's organisation in Silchar. The organisation issued a notice to Basiruddin, following which the torture increased. Basiruddin threatened to remarry. In September 2003, he married his uncle's daughter. Mufasa approached the Sonai Police Station but till date no action has been taken by the police.

(Source: NEN Field Study)

³¹ Name and address of victim has been changed to maintain confidentiality

³² Name and address of victim has been changed to maintain confidentiality

³³ Name and address of victim has been changed to maintain confidentiality

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. (Assets here would mean items such as their woven products, goats, pigs and all their earnings)³⁴

b. 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.



A survivor of violence. This lady was thrown out of her home at a young age and after moving around from place to place finally found her way to a shelter home in Assam.

³⁴ Independent research by Monisha Behal in *Village Chapaguri, Ghoramari, Sonitpur District*

It is because of the threat of being thrown out and without viable options that millions of women today continue to silently bear extreme violence — sometimes till the point of death — at the hands of their relatives.

The following cases illustrate how parents often force their daughters to go back to their abusive husband and resist taking legal action, even after the husband or his family members have tried to murder her.

Maya³⁵ and her husband Shantanu lived with their three children in Silchar. Right after the marriage, Shantanu began physically and mentally abusing his wife and accused her of having extra-marital affairs with several other men. He would often throw her and the children out of the house, sometimes in the middle of the night. She would then take refuge in her mother's house. Within a couple of days he would come, beg her to forgive him and promise not to behave in this manner again. His promises however were short lived and he would again throw his wife and children out. In November 2002, tired of the abuse and physical humiliation, Maya finally approached the 'Nivedita Nari Sangsthan,' a women's organisation based in Silchar. Shantanu recently informed her that he was preparing to divorce her. His parents did not interfere or discourage him on this move either.

(Source: NEN Field Study)

One year after Makon³⁶ Thakur's marriage, her mother-in-law and husband both started torturing her physically and mentally. He would wipe out her *sindoor* from her forehead and tell her to leave home. He would get drunk at night and beat her. Once he made her forcibly write a suicide note with red ink. A year after her wedding, her mother-in-law took away all the jewelry that she had received from her family in the wedding.

One day, after being thrown out of the house, she went to her parent's house. Her parents brought her back to her in laws. Her mother-in-law then kicked her out, and abused her parents. It was then that she approached the Dibrugarh, Tisukia and Digboi Mahila Samiti for security. The case is still on.

(Source: NEN Field Study)

Thus, women are often denied the right of residence at their marital homes if they are unable to fulfill their husband's 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.

When contacted, Lawyers Collective, a Delhi based NGO was of the opinion that,

"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

³⁵ Name and address of victim has been changed to maintain confidentiality

³⁶ Name and address of victim has been changed to maintain confidentiality

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.'

III. Women in armed conflict situations:

India's 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 women's meetings.

Earlier studies conducted by NEN on women in situations of conflict ³⁷ 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.³⁸ 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 women's 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 women's groups calling on larger human rights organizations 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 women's 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 women's 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 organizations 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.

³⁷ " Women in Armed Conflict Situations- Facilitating the Fulfilment of Government Obligation to Women's Equality" A baseline study by North East Network, 1999-2000. (Under Publication)

³⁸ *ibid.*

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.³⁹ 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?"*⁴⁰

a. 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 boy's parents who determine the beneficiaries. The bereaved wife is often left without any money or source of income.

When Joyce's⁴¹ husband was shot dead, supposedly by militants, 3 years back in Churachandpur, she got a rude shock to find that not only had her brother-in-law made claims to her dead husband's pension but that he kept her 4 children in his custody to gain legitimacy of claiming the pension. Her appeal to the court went unheeded and she seems to be fighting a losing battle.

Source: NEN interview at Imphal, Manipur January 2004.

b. 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

³⁹ Name changed to protect the identity of the sufferer.

⁴⁰ NEN Interview at Churachandpur, February 2004.

⁴¹ Names of victims have been changed to maintain confidentiality

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.

The following case studies illustrate the use of sexual violence in armed conflict scenarios.

Krishna Devi, a 30 year old woman, lived with her husband and three children in Lingsiphai, Churachandpur. She looked after cows and did the agricultural work. One morning while she was tending to cows in the jungle, two men from the Indian Reserve Battalion, who were undergoing training in the nearby BSF camp caught her, beat her up severely and then raped her till she fainted. She was admitted to the hospital in an unconscious state and was only released after a month of treatment. Women's organisations in Manipur took up the case and put pressure on the police to arrest the culprits. When nothing was done, they themselves caught the perpetrators and handed them over to the police. The rapists are now in jail. There has been increased pressure to let the perpetrators go free. Non-governmental organisations in Manipur, have however, stood by Krishna and her family and have managed to counter all such moves.

(Source: NEN Field Study)⁴²

In Churachandpur a constable driver belonging to the paramilitary forces, named Rajendra Prasad had proposed marriage to 18-year-old Nengneihoi Zou of Sangaikot village. On her refusal, Rajendra Prasad was so infuriated that he used his service rifle to shoot the girl as well as an infant baby of one year, which the girl was holding on her lap. Rajendra then shot himself. The bodies were brought to the District Hospital for post mortem and kept in the morgue.

(Source: NEN Field Study)

An eye-witness when interviewed, said, "The next day there was a procession on the street by the Zou Students Organisation, but few people joined i to protest against such atrocities. Further inquiry into the case revealed that the victim's family was given Rs. 1,000 by the Commanding Officer with a promise of more later on. This incident is only a tip of the iceberg. Many women's groups in Manipur express their helplessness in dealing with cases of violence against women, especially when it involves the state armed forces.'

Here, it should be mentioned that a couple of years back the Assam police started a project called PRAHARI to work in villages which are: i) criminal/terrorist prone ii) communally sensitive iii) Backward and isolated, inhabited primarily by the socially under- privileged classes. Another initiative AASHWAS is an Assam Police Project (Supported by UNICEF), to help the child survivors of violence in the state. The project seeks to create and develop a humane attitude towards children in general

⁴² All names and addresses have been changed to maintain confidentiality.

and those in a conflict situation, in particular. Ashwas holds sensitisation programmes for the police on social issues. Both the projects have also conducted trainings for the youth and facilitated income-generating projects for the women and the unemployed.⁴³

While the above is a welcome trend being introduced in Assam, it has been found that it is a common practice among the security forces (including the police) engaging in counter insurgency operations, to do away with the safeguards accorded to a woman by the Criminal Procedure Code when dealing with 'suspects'. Arrests by male security personnel, interrogation in army camps and police stations, torture and sexual abuse (including rape) by male security personnel in custody seems to be almost routine.

The following is one such case, which appeared in the January 2000 issue of the Manipur Update⁴⁴

Two sisters Laishram Bimola (32 years) and Laishram Manishang (29 years) of Pukhao Ahallup Awang Leikai, Imphal East were picked up by the CRPF on 14 January 1999 at around 11.00 am, on charges of giving shelter to the underground activists. The all-male team of CRPF took the sisters to their camp at Pangei, stripped them naked and inhumanely beat them with iron rods and sticks on their hips, buttocks, thighs, calves and feet. They were released at 7.30 pm. on the same day as nothing incriminating was found against them. The sisters were hospitalised for the next two weeks. A case was filed with the Manipur Human Rights Commission (MHRC), which was further referred to the National Human Rights Commission (NHRC). Nothing was heard on the case thereafter.

There have also been cases of men sexually assaulting women, by stating that they are part of non-state armed groups. In one such case, on October 20th, 2002, a mother of five was raped by 26 year old Ningthouren, at Kangchup, Imphal (West) District. He claimed he was part of a banned non-state armed group. On January 9th, members of the group caught him and handed him over to the police.⁴⁵

c. Women as part of internally displaced families

The armed conflict in the North East has led to the wide-scale displacement of people. Figures released by the US Committee for Refugees show that there were between 170,000 and 230,000 displaced people in the Northeast in 1998. According to a report by the Asia-Pacific Human Rights Network, over 200,000 IDPs now live in 78 relief camps in Kokrajhar and Bongaigaon districts of Assam. Conditions are very poor. Shelters consist of rows of temporary sheds made of polythene and aluminium sheets. People sleep on the ground on makeshift beds of bamboo and there is a lack of clean drinking water. Diseases such as malaria, jaundice, dysentery, diarrhoea and influenza pose a

⁴³ Discussion with Kula Saikia, IPS, DIG, CID, Assam, December 2003

⁴⁴ Manipur Update, January 2000 Issue, Volume I Issue II, Feature 3, Women in Armed Conflict : The Manipur Experience

⁴⁵ The Telegraph January 9, 2004

serious threat. Groups of five to six people are forced to share essentials. To supplement food rations, which are adequate for at most 10 days a month, they are compelled to consume snails, insects and wild plants. Pregnant women, children, and the elderly suffer the highest health risks in the camps.

According to the Norwegian Refugee Council reports for Manipur (2000-2001)⁴⁶

- Violence between Kukis and Paites and friction between Nagas and Meiteis has reportedly left 50,000 people homeless
- USCR says 130,000 have been displaced at least temporarily since 1992
- Kukis say that more than 40,000 Kukis were displaced, primarily between 1992 and 1996. Most have now resettled in other Kuki communities
- Naga sources claim that the Naga/Kuki conflict has displaced as many as 90,000 Nagas in Manipur and another 5,000 in Nagaland, of whom only some 20,000 to 25,000 remained displaced as of mid-1998
- Violence in Manipur since June 2001 has displaced some 50,000 Nagas



Women trying to make ends meet at a refugee camp in Kokrajhar

Ethnic clashes in Manipur have resulted in mass scale displacement of families. Many of these families are settled in relief camps. Basic infrastructural facilities like food, safe drinking and medicines are lacking in these camps. In such cramped, makeshift quarters, it is usually the women who have to sustain their families by gathering firewood, and ensuring the availability of enough food and

⁴⁶ Norwegian Refugee Council, Database on the 'Global Displacement Figures: 2000-2003'.

clothing. Apart from the direct impact of the conflict in terms of violence, loss of property and livelihoods; displacement, trauma and patriarchal controls on women seem to have increased.

According to Bibhu Prasad Routray, Institute of Conflict Management, Guwahati, of late, there has been considerable research activity on various aspects of conflict in the region. He however said, all such analysis, in the absence of accurate data, runs into the danger of reinforcing stereotypes. The situation is further complicated by the lack of an IDP policy on part of the Union Government. As a result, concerns of the displaced people are subjected to the whims and the fancies of the concerned state governments.

d. Impact on Women's 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 organization, 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 re-settled community. If relief or resettlement is provided under government programmes, resources are privatized 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.

IV. 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% of the total population suffers from mental illness, out of which 1% 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.⁴⁷

V. Single Women

a. Unmarried single women :

Unmarried single woman have a tough time and are often subject to violence and abuse as they are seen as an additional burden. They, almost never, have a share in the family property or a say in family matters.

Lakhi Buragohain⁴⁸, a 27 year old resident of Sibsagar, Assam is the youngest of three sisters, both her elder sisters being married. She lives with her elderly mother, elder brother and his wife in a house built by her father. Lakhi and her mother support themselves from the pension of her late father, but that money is not enough for them to survive. As an unmarried girl in the family, her elder brother looks upon her as an additional burden and does not contribute towards her maintenance. When she asked for her share of property to ensure a smooth life for her mother and herself, she was physically assaulted by her brother and sister-in-law. When she approached her neighbours, she was told that she was selfish and materialistic because she was thinking of asking for a share in the family property. She was considered to be ungrateful as she was going against her brother who was 'kind enough to keep her'. She finally approached the District Women's Cell. They are currently working on the case. In the meanwhile it has become exceedingly difficult for Lakhi to live at home, because she is being subject to increasing physical and mental abuse by her brother and his wife.

(Source: NEN Field Study)

b. Widows:

Widows are another group of women who are extremely vulnerable to exploitation. Widows are looked upon as inauspicious and are debarred from attending several Hindu religious ceremonies. The option of remarriage is also not available to them. In many non-tribal communities there are severe restrictions placed on their mobility, the food they eat, the clothes they wear and the people they come in contact with.

The following case study highlights the fact that a widow is even denied the right to bodily integrity.

Nandini, a resident of Silchar, has been a widow for five years. The last five years have been very difficult for her. After her husband's death, she had to struggle to get a job to keep herself alive. She started working as a housemaid, but had to move on when the owner's son sexually assaulted her. Over the next two years, with the help of a few friends, she managed to open a small beetle shop near her house. It has not been easy for her. Men often come and ask if she is willing to have sex for money. On refusal, they sometimes try to force themselves on her. At night, men come and knock the door. Nandini however said that she is has got used to this and is no longer afraid. She sleeps with a knife for safety.

(Source: NEN Field Study)

⁴⁸ Name and address of victim has been changed to maintain confidentiality

⁴⁹ Name and address of victim has been changed to maintain confidentiality

The following narration highlights the struggle of a woman trying to rebuild her life after the death of her husband.

Polomi Dey⁴⁹ was married to Tapan Dey, a driver, from Shantigram, Cachar District of Assam. Three years after the marriage, when he died in an accident, his parents, elder brother and sister accused her of being the cause of his death and bringing bad-luck to the family. They started physically and mentally torturing her. They also blamed Polomi's son for the demise of Tapan. They began to deny food to both Polomi and her son.

During the study, Polomi revealed, "One day I decided to go out in search for a job so that I could take care of myself and my son and not depend on anyone else. On returning I found that my son had been locked out of the house and was left standing in the rain. I was furious with them. When I angrily protested against this incident, my brother-in-law threw me out of the house."

Polomi now lives with her brother. Her sister-in-law is unhappy that she stays with them and often tortures her and beats her in her brother's absence. Polomi said, "My sister in law often threatens to kick me out of the house. I however keep quite and bear everything silently. I have no other place to go to. I know that life will be all the more difficult if I decide to leave my brother's place."

(Source: NEN Field Study)

During the course of the study, the NEN team came across many widows in Manipur. In most of the cases, when the husband is killed during the armed conflict, the wife is denied not just property rights, but the right to live in her marital home as well. With the economy in shambles, it is hard to earn a living. Consequently, a number of women are forced to get into commercial sex work or become drug peddlers to keep themselves and their children alive. The NEN team came across many such women during the study.

The following is the story of Mrs. Siakimi, a 41 year old woman from Churachandpur, Manipur.

Mrs. Siakimi,⁵⁰ lived with her husband and three children (a 16 year old son and two daughters aged 15 and 13 respectively) in Churachandpur. Her husband was a businessman and a well-to-do government contractor. Unknown miscreants in Imphal killed Mrs Siamkimi 's husband in 1996. Soon after her husband's death, her brother-in-law took over her husband's business and assured her that he would take care of her and her family. On asserting her independence, Mrs. Siamkimi was accused of going against family norms and cut off from the family. Her in-laws started spreading rumours about her character and said that she wanted to harm the family. Mrs. Siamkimi narrated. 'I have tried to look after my children in the best possible manner but over the years I have found it increasingly difficult to make both ends meet. I have started drinking excessively. It makes me forget all my problems. I need to drink continuously to get through the day. My teenage son too has started drinking and getting into all sorts of trouble.'

⁵⁰ Name and address of victim has been changed to maintain confidentiality

Mrs. Siamkimi explained that it was not easy for her to get a job because she has not studied beyond class 10. She revealed that neither her family members nor the church and community support her.

(Source: NEN Field Study)

VI. Witch Hunting

Witch-hunting, a practice prevailing in some parts of Assam, has been increasingly highlighted in the last few years. Women are branded as witches and are accused of causing harm to communities. These women are physically and mentally tortured. There is evidence of some being buried and even burnt alive. Cases of witch-hunting have mainly been reported from the Goalpara, Bongaigaon, Kokrajhar, Nalbari and Dhubri districts. Control over resources, personal enmity with powerful members of the community and the prevalence of superstitions are some of the factors responsible for witch hunting. Several local and regional level organisations have been voicing their concerns and have been mobilising members of the communities to build public opinion against such instances of violence against women. The Sadou Bodo Chatra Santha (All Bodo Students Union) is one such organization.

VII. HIV/ AIDS

The rising instance of HIV-AIDS in Manipur and the impact of that on women, is an area of concern. It is believed that 45.36 per cent of the official number of HIV positive cases in Manipur in the year 2001 were reported to be women. NEN's work at the field level shows that although both HIV positive men and women are discriminated against, the level of discrimination and violence faced by women is much higher. The NEN team came across a number of cases wherein the wife was infected by the husband, but as soon as the woman was detected with HIV/AIDS, she was thrown out of the house. In other cases, the woman was expected to take care of her husband, but after his death, she was not allowed to stay in the same house by her in-laws. It was women in almost all the cases who were blamed for being the carrier of the virus. Further the NEN team found that there existed very few support services (the team came across 8) for women who have been infected by HIV/AIDS.

VIII. Sexual Violence

In both Assam and Manipur, as with a majority of cultures around the world, rape is viewed as a crime against the 'honour' of not just the girl who is raped but also of her family. The Manipuri term for rape, Ijat Manghanba is itself an indicator of the social outlook. It means 'the violation of one's esteem'. If it is an unmarried girl who is raped, there is even more pressure from the family to remain silent and not pursue a case to prosecute the perpetrators. In some cases families resort to a 'compromise' and to an out of court settlement of the case. Mita Goswami, a women's activist based in Tezpur, narrated the following case, which she had handled while working with the Tezpur District Mahila Samiti (TDMS).

Majoni⁵¹, a teenaged girl was raped by four youth in Tezpur. Majoni's family had brought the case to TDMS. Mita Goswami worked in close cooperation with the police. The SP Sonitpur, himself, took personal interest in the case, as a result of which it was moving very fast. Just days before the final court judgement, and when it was certain that the accused men would be prosecuted, Majoni and her father gave a statement that Majoni had not been raped. Mita remarked that she would never forget the sight of the four rapists who were mocking her at the time when Majoni said that she had not been raped. Later, Mita learnt that Majoni's father had fixed her marriage with someone else. The father said that the thought of his child's future had made him take back the case. As a result of this, the four accused were let free.

As with women, the girl child has also been subject to increasing violence. We have found that even when the victim is a child, there is pressure, sometimes even from the police (as seen in the following case) to keep the case under wraps.

Mammu⁵², a 6 year old girl lived with her parents and siblings in Churachandpur, Manipur. Mammu's father had a close friend who would often come visiting. One day when Mammu was alone in the house, he brutally raped her. When Mammu's parents got home, they found her severely bleeding and torn. She was taken to the hospital for treatment.

After visiting them, Ranjana (the District Social Welfare Officer and Convenor Churachandpur Women's Forum), referred the case to an NGO working with children. The NGO took up the case and convinced the family to file an FIR with the police. The police refused to file the case saying that it was an internal family matter. They even advised the family to settle the matter between themselves. Before any concrete action could be taken, the rapist's family gave the victim's family a sum of Rs 10,000 to settle the matter quietly. Mammu's family was in dire need of money, so they readily agreed.

Meanwhile, Mammu has stopped talking and keeps completely to herself.

As reflected in the above case, rape can lead to extreme mental trauma. In most cases in North East India, mental health needs of rape victims are not even recognised. Mental health support services are extremely limited. In a study carried out by NEN to document support services to counter violence against women in all the districts of Manipur, it was found that there were nine counselling centres in the state, most of which were located in big towns like Imphal and Churachandpur. In the interior areas there were minimal support systems to cater to the mental health needs of women who had been violated.⁵³ Nonibala Yengkhom, who heads the Punshi Lambi Counselling Centre in Imphal, Manipur has been working for the past couple of years with victims of rape. She said that often they were so traumatised, that they found it difficult to leave the house for several months after the

⁵¹ Name and address of victim has been changed to maintain confidentiality

⁵² ibid

⁵³ Details available in the Resource Directory on Support Services in Manipur, published by NEN in collaboration with UNIFEM, 2002.

incident. In such cases it was impractical to think that even if there were mental health support systems in urban areas, they would be able to access them. Nonibala said that in most cases it was helpful to make home visits and carry out counselling.

The following case study is from Silchar. It reflects the vulnerability of women in accessing justice

Sita and Sanjay Rai lived with their one-year-old son in Silchar. Sanjay did not have a steady source of income. One day a man named Jagadish gave him a proposal to relocate and assist him in his business in Guwahati. Sanjay, Jagadish promised would be paid for his services. On March 2, 2003, Sanjay and Jagadish left for Guwahati. One and half month passed, but Sita did not hear from them. One day she met Jagadish, and asked about her husband. He then told her that he would take her to Guwahati so that she could meet Sanjay. In Guwahati, he took her to a hotel and raped her. She remained silent because Guwahati was an unknown city. One night she confronted Jagadish and told him that he would have to bring her husband back to her. Jagadish told her that he would go and bring Sanjay back.

Sita waited for Jagadish to come back, but he did not return. After spending two days at the hotel without any money, she managed to escape to Silchar. She registered a case at the Sonai police station. Till date the police have been unable to arrest Jagadish or to trace Sanjay.

(Source: NEN Field Study)

In certain cases married women, who have been raped, face double discrimination. The following case study is about Mimi⁵⁴, from Manipur.

Mimi was married while she was still studying in class VIII. After she was raped by a boy, her in-laws refused to accept her. Mimi thought that things would change if she had a baby. She gave birth to a son and yet her husband decided to remarry. Unable to bear the humiliation, she consumed poison. She was however saved and her parents took her back. She now lives with her parents. She has joined a local women's group and is actively involved in working on women's rights.

According to official records there were a total number of 1,995 cases of rape in Assam from 1998 to November 2000. From 1999-2001, the number of molestations in Assam was 166. In Manipur there were 33 rape cases recorded from 1988-2000 and there were 66 cases of molestation from 1999-2001.⁵⁵ Most often even if people are aware of these violations the cases are not registered and there is no redress or compensation of any kind.

The number of rape cases registered with the Manipur Human Rights Commission ,are as follows.⁵⁶

⁵⁴ Name and address of victim has been changed to maintain confidentiality

⁵⁵ www.indiastat.com

⁵⁶ Yambem Laba, Member, (MHRC)

Year	Number of rape cases
2000	15
2001	8
2002	5

The nature of rape and the silence that tends to surround it makes it a particularly difficult human rights violation to investigate.

THE CASE OF VAW IN ASSAM AND MANIPUR : AN ANALYSIS

Research undertaken during this study brought forth several issues. For one, perceptions on domestic violence are totally shaped by the value system that the society adheres to. In the urban locales in Manipur and Assam, the patriarchal culture which was already in place has further degenerated to machoism and a culture of 'might is right'. The problem has been aggravated by the materialistic consumerism which is increasingly becoming rampant among the youth in the urban centres. This is exemplified by the cases presented in the study. Unfortunately, the issue of domestic violence continues to be viewed as a private matter by a large segment of the populace as well as the law enforcement authorities. There is also the general perception that women in the north-east enjoy a more elevated position. Many believe that domestic violence is something that only women in the rest of India face. However, in the North-east certain cultural norms and customary laws define how a 'good' woman (mother, husband, daughter/in-law, sister) should be and act. This reinforces and perpetuates discrimination against women in the region.

In a bid to look deeper into the issue of violence against women, the North East Network undertook an intensive study and documented the support services available to women facing violence in the states of Assam, Manipur and Meghalaya. This was later published in the form of Resource Directories of Support Services to Counter Violence Against Women. (Supported by UNIFEM 2003). Though support services exist in the form of shelter homes for women in distress, counselling centres and so on, it was found that very few are actually working as support systems. The frugal resource allocation to such systems and the lack of good counselling come in the way of women really benefiting from them. Even in Manipur which has a large number of registered NGO's working towards the emancipation of women from the shackles of abuse, few organizations directly address the issue of VAW. Field trips have revealed many of the registered centers are at present non-functional.

The current NEN study has revealed that gender based violence is on the rise because there is very little societal support for women. While some civil society and women's groups might stand by distressed woman, there is an absence of collective action. Also, at times, justice is denied to an abused woman due to loopholes in the existing laws. Corruption proves to be a major impediment in the path to justice. Further, there prevails in the region, a lack of knowledge of rights that are enshrined in the Indian constitution and of the instruments of law found in the Indian Penal Code. Having said this, it must be acknowledged that many organisations are currently engaged in disseminating legal knowledge to women. Yet there remain many groups that are unaware of legal mechanisms

available to them. The lengthy legal process also disillusioned many women who being low on resources and spirits, abandon their cases after a couple of years. A women's organization in Tezpur, (Sonitpur), is of the view that filing a case is expensive for women in particular. Most of them do not have the money or have to depend solely on the spouse.

The NEN study also reveals that even where women manage to gather the courage and resources to approach the police and the judiciary, they are faced with a lot of gender insensitivity from these institutions. While, of late, a process of sensitising the law enforcement agencies has been initiated, the problem will be resolved only when gender sensitive norms are adopted by the entire state system.

In situations where armed conflict persists there are increased patriarchal controls on women. This is often reflected in the weakening of strong women's groups like that the *Maira Paibis* of Manipur. There are instances where diktats of the non-state army (such as dress codes etc) on women are acknowledged and accepted by women's groups without resistance. This can be attributed in part to the lack of support from the general public, their apathy and the fear of repercussions. The NEN study has also found that women's groups, in such situations, are not likely to take up women's issues at the cost of the larger call for self determination or in matters of inter-ethnic struggles. This makes it very difficult for women to raise their voices against the violence that they face, as they are seen as diverting from the main cause.

RECOMMENDATIONS

Strengthening women's initiative

In light of the above, certain measures could be taken up to mitigate problems faced by women's organizations addressing VAW issues as well as by individual survivors of violence.

- There is a need to upgrade skills of people working in different organisations working across the region. A majority of organisations encountered during the study expresses a need for inputs on: counselling, management and documentation.
- Identification of functional shelter homes and support services and allocation of adequate resources to strengthen their work.
- There is a need to involve the bureaucracy in the sensitisation process and to facilitate political will to look at the problem of violence.
- Women's rights based agendas have to be incorporated in the political process
- Strategies have to be developed to raise awareness of the extent and impact of violence perpetrated against women.
- Information dissemination on legal safeguards, rights, support services, health and accommodation. Women's groups should also inform other women about the available support services in the area and towns.
- Education of the youth is important. This is the time to develop healthy and respectful relationships. Schools can work with local communities to deliver anti-violence education.
- There is a need for societal responsibility, especially male responsibility, to mitigate violence against women. The society has to understand the cost associated with VAW and the fact that women have as much of a right to a happy and violence-free life as anyone else.

Address Research Needs:

The extent of violence against women and children is still not acknowledged and thus as a first step it is essential to study the trends in violence against women, analyse its causes and to gather to whatever extent possible, statistical figures on crimes against women. There is a need for research to be gender friendly and its analysis, sharp in order to engender the perspectives of social scientists,

professionals and policy makers. Research should be followed by a strong advocacy effort towards institutionalising women's human rights.

Studies need to be conducted to analyse the effectiveness of current preventative measures, including government policies to address issues relating to violence against women. In the North East of India where a situation of armed conflict has prevailed for the past several decades, there is a need to carry out extensive research on how the conflict has effected the position of women in the region.

Strengthening the available support services:

Training and professional development is essential for professionals who come into contact with women subjected to violence. The study has revealed an urgent need for training to strengthen the understanding of VAW amongst support givers. Heads of organisation have indicated a need for training on gender issues and on professional counselling methodologies. There is a need to ensure culturally appropriate services for women who are victims and survivors of violence.

Budgetary Allocation is crucial for purposes of strengthening existing support services for violated women and establishing new ones in the region. It is of public knowledge that 10% of every Department's budget is earmarked for the north east region of India. A portion of this budget could well be utilised for strengthening these services. Investment should be made on additional support services in shelter homes like extending it to counselling units and a space for recuperation.

Establishment of State Commissions for Women in all the States:

There has been a strong call from NGOs and women's rights advocates towards the establishment of State Commissions for Women in *all* the north eastern states.

CONCLUSION

The north east region of India does not have a common platform where problems of women, especially those of violence- domestic violence as well as ethnic violence are addressed. While interventions from external social organizations in terms of training and confidence building are coming in, it is felt that

building a constituent base is an important step in generating public support for addressing gender-based violence. This responsibility lies with the civil society on one hand, and state agencies on the other. However, women's organisations should be the facilitators in this process. The north-east region boasts of strong women's movements. It is important to build on this strong base to create coalitions by mobilizing diverse groups. Community watch groups should be created and mobilisation of local government officials, legal advisors, community volunteers and survivors undertaken to establish procedures for reducing violence.

Initiating networks of women will encourage greater regional exchange on issues of gender equity, women's rights and empowerment of women. The network can also act as a base for service collaborations among domestic violence and sexual assault activists/organisations. They could also serve as important pressure groups to advocate for rights of women at the regional as well as national level. All this could go a long way in ensuring a violence- free life for women.

STATISTICS OF 3 DISTRICTS ON CRIMES AGAINST WOMEN IN ASSAM

Sivasagar District

Year	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Kidnapping	20	5	8	22	41	60	77	79	63	67	65
Rape	15	3	5	11	18	49	33	40	35	30	47
Molestation	NA	NA	NA	24	57	23	19	17	34	23	28
Cruelty by husband	NA	4	3	3	5	47	20	38	36	28	NA
Dowry Death	NA	NA	1	NA	NA	NA	NA	NA	2	2	NA
Immoral Traffic	NA	NA	NA	NA	NA	NA	1	NA	NA	NA	NA

Source : Office of the DIG, CID Assam

Cachar district

Year	1994	1995	1996	1997	1998	1999	2000	2001	2002
Atrocities	NA	1	8	6	13	5	5	3	2
Bigamy	NA	1	2	1	6	2	NA	NA	NA
Maintainance Allowance	NA	NA	1	1	NA	2	NA	3	NA
Dowry	NA	1	1	NA	NA	NA	NA	NA	NA
Rape	NA	NA	NA	1	1	NA	NA	1	NA
Kidnapping	NA	NA	NA	NA	1	NA	NA	NA	NA
Land Disputes	NA	1	1	NA	3	1	NA	NA	1
Miscellaneous	1	1	2	4	1	1	NA	NA	1
Total	NA	5	15	13	25	11	5	7	4
Disposed of	NA	1	2	NA	1 (and 1 transferred to Hailakandi District)	NA	NA	NA	NA

Source : Office of the DIG, CID Assam

North Cachar Hills District

Year	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002 (upto Nov.)
Murder	NA	NA	NA	NA	NA	1		1	1	2	3
Rape	4	3	3	1	6	NA	2	3	2	2	4
Kidnapping/ Abduction	10	2	2	4	6	5	4	2	6	4	6
Molestation	6	6	2	4	3	5	4	4	NA	2	5
Other IPC cases (incl. Dowry Death cases)											
Total	23	15	8	10	16	14	11	11	10	11	20

Source : Office of the DIG, CID Assam

Sonitpur District

Year	1998	1999	2000	2001
Rape	26	46	50	58
Kidnapping & Abduction	47	29	50	NA
Cruelty by husband (u/s 498-A IPC)	13	25	50	70
Molestation	32	34	95	55
Dowry Death	13	3	2	3

Source : Office of the DIG, CID Assam

QUESTIONS ASKED DURING THE STUDY

QUESTIONNAIRE – I

(Questions were asked verbally without using the questionnaires while interviewing survivors of violence)

1. Background Information:
 - Name and Address:
 - Community/Religion:
 - Marital Status:
 - Occupation
 - Education:
2. Narration of domestic violence faced:
3. How long was she abused:
4. If she had other family members or children living together and who were conscious of what she was undergoing, what were their reaction?
5. Did she talk about the violence she faced or seek help from other members of the family, friends, neighbours or anyone else?
6. If so, did she seek any form of support from them, or was she referred to any other source of support?
7. If she had remained silent about the violence she faced, what were the impediments that she perceived towards seeking help
8. If she were given the power to change anything, what would she change that she feels might enhance her position currently and in the future?

QUESTIONNAIRE II

(Interviews with organisations/individuals working on women's addressing rights)

1. At present do you feel there has been an increase in the instances of *Violence Against Women*? If so, why?
2. What do you feel are the main causes of *Violence Against Women* especially *Domestic Violence*?
3. Do you feel there has been an increase of dowry related violence in Assam/Manipur over the past few years? If so why?
4. Do you feel that women belonging to a particular class/community have greater chances of facing violence? If so, why?
5. While addressing cases of violence against women and working on issues of women's rights, what are the problems that you have had to face?
6. To stop cases of violence against women, what do you think are the long term/short term measures to be adopted?

REFERENCES

1. Support Services to Counter Violence Against Women in Assam – A Resource Directory, 2002. Published by North East Network. Supported by UNIFEM
2. Support Services to Counter Violence Against Women in Manipur – A Resource Directory, 2002. Published by North East Network. Supported by UNIFEM
3. Menon-Sen, Kalyani and Shiva Kumar, A.K, 2001, Women in India How Free? How Equal? Report commissioned by the Office of the United Nations Resident Coordinator in India.
4. 'Socio-Economic Impact of HIV/AIDS on People Living with HIV/AIDS and Their Families', Published by the Delhi Network of Positive People, Manipur Network of People Living with HIV/AIDS, Network of Maharashtra by People Living with HIV/AIDS, PWN+. Supported by:International Labour Office, New Delhi; 2003
5. Otojit Kshetrimayum, 'Rethinking Women's Power in Manipur' Unpublished Article
6. National Family Health Survey-II, 1998-99, Preliminary Report TNS Mode Private Limited, New Delhi and International Institute For Population Sciences, Mumbai, June 2000
7. Arun Irengbam, 'Between the Lines: Stereotypes and Prejudices' Opinion-1, Article published in Manipur Update-January Issue (Volume I Issue II, January 2000)
8. Narendra Chongtham, 'Marrying into Violence: Domestic Violence in Manipur' Opinion 3, Article published in Manipur Update-January Issue (Volume I Issue II, January 2000)
9. Walter Fernandes & Sanjay Barbor, Ed. Changing Women's Status in India : Focus on the North East. North East Social Research Centre, Guwahati, Assam, 2002.

**VIOLENCE AGAINST WOMEN IN
NORTH EAST INDIA : AN ENQUIRY**

Report By
**THE NORTH EAST NETWORK
2004**



**NATIONAL COMMISSION FOR WOMEN
NEW DELHI**

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FOREWORD

The Northeastern region of India, consisting of the seven sister states and the newly included state of Sikkim, faces not just political, economic and cultural marginalization but even emotional alienation from the so-called mainland India. Every passing day witnesses scenes of violence enacted on its soil, undermining the already fragile texture of national consolidation in the region. The turn of the century has seen turbulence of increasing intensity, adversely affecting socio-economic development and political normalization.

The withdrawal of the British was not the end of the tunnel for India as the future loomed bleak. It was almost a foregone conclusion that free India would not be the India that romantic nationalists had dreamt of. But the peoples of Northeast India faced an even grimmer prospect. They were juxtaposed with a window to the so-called civilized world and at the same time confined to their own areas through devices like the Inner Line Regulations and later the Armed Forces Special Powers Act, 1958.

This part of India has been witnessing unacknowledged armed hostilities over the last 50 years between the State and indigenous people's armed opposition groups. There is also a high incidence of internecine violence between these groups. Both of these kinds of conflict constantly impact the civilian population. For the last so many years in the region, there has been a suspension of civil rights and a veritable state of military rule existing without a let-up. Grave psychological damage has naturally resulted, and given the duration of this conflict, the damage has assumed an intergenerational dimension. No psychological or emotional support systems have emerged, any more than there are physical care systems for the people. Disturbed law and order conditions have meant that social and economic systems are also continually disrupted, and the education and health care systems are in shambles, if not entirely non-existent.

Political violence and armed conflict have been largely male domains, executed by men, whether as armed forces, guerrilla forces, paramilitary or peacekeeping forces. This has resulted in literatures which are largely gender blind, with women's participation simply not visible. The lack of recognition of women's involvement during armed conflict whether as



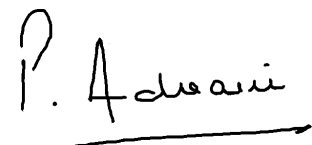
perpetrators or victims means that they are doubly discriminated in re-integration interventions for conflict-affected populations.

Although there is prolific literature on the evolution of ethnic and regional movements, the response of the Indian government, and the impact of regional conflicts on the Indian polity, very little material is available on the central government's ability to create new avenues for the re-integration of victims of conflicts in the region. Particularly, no work has been done to develop theoretical frameworks for the social re-instatement of women victimized in these conflicts.

The National Commission for Women felt the need for a study to look into the peculiar problem faced by women in the Northeast region. The present research document, *Violence against Women in North East India: An Enquiry*, prepared by the North East Network, is concerned with the impact of violence and the stress associated with the constant threats and anxieties of living in an atmosphere of unremitting aggression, particularly on women.

The study has looked into two important dimensions of violence, which affect women in the Northeast area: Domestic Violence and Violence resulting from the situation of armed conflict prevalent in the regions. Two states, Manipur and Assam, are in focus. This study has revealed that gender based violence is on the rise. The constant climate of armed conflict engenders an aggressive macho mentality which manifests at all levels, including domestic. The situation is aggravated by the lack of community support systems and the fear of repercussions. Women's issues receive a backseat in the face of the larger calls for self-determination or in the context of inter – ethnic struggles. There is no common platform where problems of women are discussed, let alone redressed.

The recommendations, which focus on strengthening women's initiative, addressing research needs, re-inforcing the available support services etc that have emerged from the study can be an important tool for the state agencies, civil society, concerned women organizations and others to coordinate and create a violence-free life for women. The Commission would consider its efforts rewarded if these recommendations lead to the formulation of suitable projects for the re-integration of women affected by conflict and improvement of their socio-economic conditions as well as assuagement of their emotional and psychological trauma.



POORNIMA ADVANI

Chairperson

National Commission for Women

Place : New Delhi

Dated : January, 2005

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