

Manipur: Women's rights in a traditional and militarized society

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Introduction

The connection between women and human rights is of recent origin, as the concept of woman as human itself developed not so long ago with various social movements, particularly the feminist movement. In 1994, the International Conference on Population and Development in Cairo (ICPD) articulated and affirmed the relationship between advancement and fulfilment of rights and gender equality and equity. The Programme of Action of the ICPD asserted that the empowerment and autonomy of women and the improvement of their political, social, economic and health status was a highly important end in itself, as well as essential for the achievement of sustainable development.

In the conflict ridden state of Manipur, within the Northeast region of India, the language of rights is predominantly masculine, focusing only on rights relating to security. The masculine state defines security in terms of protecting the nation and territory from external forces or internal issues, rather than in terms of micro lives. In this scenario, the military becomes the central pillar of the state and society, as manifested in the AFSPA (Armed Forces Special Powers Act, 1958), giving it unchecked powers. Militarization in Manipur has reached the level of mass recruitment of citizens into Village Development Forces, to supposedly address the state's law and order issues, without the necessary military training.

Under these circumstances, economic, social and cultural rights seem to get consumed in the fore-fight for the right to self-determination by armed opposition groups, which the state is preoccupied with countering. Women end up suffering from 'double patriarchy' here—first they suffer under archaic patriarchal customs and laws, and second, they suffer from the patriarchal form of nationalism engulfing Manipur and the Indian state.

Women's rights are often construed by states to mean civil and political rights, and limited to issues of violence or political participation. While meaningful implementation of women's civil and political rights remains critical to women's equality, economic, social and cultural rights must also be raised to a level of equity and indivisibility in the discourse surrounding women's rights. Without this, their full equality cannot be realized.

In Manipur there are many instances of women's issues being consumed by the flames of nationalist politics, under the premise that the resolution of the conflict and ethnic tensions are more important. Key issues of concern to women include domestic violence, marital rape, sexual abuse, suicide, murder and widows' plight within the family, as well as reproductive rights, bodily autonomy, property rights, legal rights, medical rights, media and cultural representation, women trafficking, the issue of taboos and stigmas, moral policing, female foeticide. These, together with the issues of education, health and governance in Manipur have been subsumed by the political tussle between the armed opposition and the state, as well as the politicization of ethnicity. This is fundamental in understanding why women's rights could never obtain the same attention as other concerns of the national liberation movement in Manipur.

When we talk of problems or violence faced by women, there are two levels of interpretation: visible and structural. Since women's subjugation is a result of the patriarchal structure and ideology, crimes against women are not committed merely by an individual, but driven by the structural framework in place. Visible forms of violence and difficulty consist of domestic violence including marital rape, sexual abuse, wife suicide, dowry deaths, female infanticide and sexual harassment, as well as other forms of physical and psychological injury. The invisible forms of violence are the structural subjugation by norms and social hierarchy; including the notion of pollution and purity, other discriminatory attitudes and practices based on religion or custom, such as women being forbidden to enter the kitchen or take part in any religious rituals during menstruation, or the stigma attached to widows. Their limited representation in media and academic discourses, in family values and popular culture are also invisible forms of violence, as are their denial to property rights, the right to choose the sex of their child, the right over their own body in terms of seeking pleasure and reproduction.

It is clear that the visible forms of violence faced by women are rooted in the structural set up of patriarchy and male domination. In particular, the idea that women's sexuality needs to be confined to uphold paternity gives rise to all sorts of social norms and taboos; for instance, women's chastity and the idea that the inheritance of name goes by paternity generate control of the woman's body/ sexuality. Similarly, rape, premarital sex or pregnancy are intricately linked with the reproduction and sustenance of social taboos. Rape is not as physically catastrophic to women as psychologically; it even leads them to commit suicide at times. This suicide is a socially induced phenomenon.

Customary laws and morals in a traditional society

In Manipur, a conservative and closed society, where no legitimate space is given to sexuality, there is a mushrooming of small restaurants along the roadside, where couples can go to avail some intimacy. Some civil society organizations and insurgent groups have raided these places and publicly disgraced couples found there. This act of public humiliation indirectly harms the reputation and dignity of women, as they are made the carriers of social morality. A women civil society group, geared towards redress for rape and sexual harassment, known as Ningol Khongchat Lup (NKL) raided one such restaurant on 1 May 2010 and publicly disgraced a young boy and girl, and a photograph of them, half nude, while getting dressed, was put on the front page of Huyen Lanpao, a daily newspaper. The NKL checked several restaurants located in and around Imphal city and ransacked closed cabins with dark rooms as part of a 'moral upliftment drive'.^[1] A related problem plaguing Manipur in recent years has been the circulation of fake and real pornographic video clippings with the names of local women and girls inscribed. Some of the clippings circulated through mobiles are real, taken in restaurant cabins, leading to blackmail of the girls involved.^[2] These forms of violence have no legal paradigm within which justice can be sought.

'Izzat Dabi' in Manipur is a social custom whereby an eloped woman claims compensation from the man's family lest the man refuses to accept the woman as his wife or refuses to get married. Traditional women's organizations, the 'Meira Paibis' (known for their substantial role in protesting against atrocities committed by the armed forces) have strong jurisdiction in such cases, and usually resolve them by forcing the man to marry the woman or paying the woman compensation for the damage done to her dignity. Such eloped women are locally known as 'chellurabi nupi' and have to live with that stigma. Their future marriage prospects are also considerably diminished.

In this way, personal and customary laws set up by a patriarchal system go against women in subtle and not so subtle ways—the rapists are asked to marry the victim sometimes, to ‘save’ the dignity of the women. In the end, women and their families feel it is better to remain silent, rather than losing more dignity in their attempts to seek justice publicly.

Violence against women

With a total of 141 incidents recorded in 2008, violence against women in Manipur is on the rise, according to reports from the Foundation for Social Development Organization, an NGO working in the field. Modes of violence mentioned in the reports include derogatory language, assault, murder, rape, mental and physical harassment and trafficking. Many such incidents go unreported however. The report observed that women are harassed right from their home to public spaces. No change in the trend of gender discrimination was found, while burning and molesting women for dowries is on the rise. Within the conflict situation present in Manipur, both state and non-state actors are guilty of harassing women. In some cases, violations are not reported due to the lack of knowledge about their rights by women themselves. The Foundation suggests the need for civil society, concerned groups and ordinary people to check violence against women. The state commission for women and other NGOs seem to be lagging behind in their advocacy of women’s rights.

Widowhood

Manipur’s current social context has seen a rise in the number of widows, by their husbands’ deaths in either armed conflict encounters, or as victims of AIDS. These are the two prominent groups of young widows present in the state today, with no economic or social security. Both groups suffer from the social stigma of being a widow, economic hardship, assault from family members, and physical abuse or sexual harassment.

Widowhood is considered a social death where a woman is deduced into a non-being. When their husbands die, women are harassed by their in-laws and relatives, particularly over any compensation to be received. The in-laws and sometimes the brother-in-law even go to the extent of sexually harassing the widows. The full extent of their exploitation within the domestic sphere is as yet unexplored however.

Widows whose husbands have been extra-judicially killed by state agencies are not given compensation. When this was questioned under the Right To Information Act, the Secretariat of the Home Department replied that,

“As per the existing scheme of Home Department the family of the deceased person shall not get ex gratia if the deceased person is found to be a member of outlawed/ gang organisation operating in Manipur (or) not killed in the extremist action/unjustified Police/Security Force action.”

Widows are seen with suspicion as they go from office to office to seek justice or financial assistance. Coupled with the denial of justice regarding the cases of their husbands’ killings is the hardship of sustaining their children.

Women who have no alternative source of livelihood, no other income, and have a family and children to support, are left with the options of manual labour, prostitution or illegal acts; many women are thus found involved in transferring arms and ammunitions of the armed opposition groups.

EEVFAM case study

There are various NGOs working for women and run by women, but what is needed is survivors working for themselves; the solidarity amongst themselves is immensely helpful in creating self confidence within them. In 2009, some of these widows and victims' mothers came together and formed the Extra-Judicial Execution Victim's Families Association of Manipur (EEVFAM), now consisting of more than 30 members; a strong community supporting each other, enhancing their morale and self-confidence.

For the past one year, they have organized occasions to meet and build solidarity amongst the families and friends of extrajudicially executed victims. The group reveals the importance of harnessing the deprived power of sisterhood.

All these widows collectively strive to uncover the truth behind the killings of their husbands and children. These widows and their children are of no consequence to the Manipur government, as a result of which they feel the need to join together to combat the continuous extrajudicial executions by state actors while trying to seek justice. The spirit and objective of the association is to use domestic and international mechanisms to seek justice and rehabilitate the widows and their children. The organization was registered as a trust in May 2011.

The general secretary of EEVFAM, Neena Ningombam, even met the UN Special Rapporteur on the situation of Human Rights Defenders, Margaret Sekaggya, when she visited Guwahati on January 14 as part of her 10-day official visit to India from 10-21 January 2011.

When these women went to a police station to obtain a verification certificate for their organization's registration one of the widows was detained for more than 30 minutes in the police station. Even in government departments, these women do not feel secure. There is always a feeling of insecurity surrounding these women, be it inside their own homes, community or government institutions.

There are many more widows who are not able to speak out about their problems. There are hundreds of widows in the villages that are not aware of their rights and are unable to question why their husbands were killed. Most of them seem to have fallen prey to the belief that it has been written in their fate. Many have desisted from filing complaints and are not interested to pursue matters pertaining to their husbands' death as they have lost complete faith in the judicial process and the state's legal and governance mechanisms. Despite this, there are also many who still hope that someday they will get justice. The common refrain of most widows however, is that most of the perpetrators are from the security forces and the state police; there is therefore no point in asking for justice when those meant to deliver justice themselves commit the violations.

The Armed Forces Special Powers Act, 1958 continues to exist in Manipur, fuelling impunity. Every community wants to live in peace and free from militarization. The people of Manipur have become extremely intolerant towards state actors. The situation is fast hurtling towards an impending mass uprising of the civilian population against gross violations of basic human rights. According to the Universal Declaration of Human Rights, everyone has the right to life, liberty and security of the person, but for most Manipuris, this remains only a beautifully written declaration on paper. In these circumstances, women's rights are assigned a secondary position.

Conclusion

Lack of knowledge of human rights, inaccessibility to court of law and its red tapism, and the lack of intervention by the various state commissions on human and women's rights are some major factors in women's inability to access human rights. Above all, the patriarchal norms and cultural dogma curbing their mobility and growth impose the biggest hindrance to their access to justice and the fulfilment of their rights.

In Manipur, a gender dimension to the rights discourse is yet to be incorporated. There is a need for a gender awareness campaign, a gender sensitive education policy and to question society's present value system. Media sensitivity regarding women's issues as well as the revival of the commissions on women and human rights must be called for.

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[1] Huyen Lanpao, August 8, 2010, "Youth accused of raping girlfriend in restaurant" available at website: <http://www.hueiyenlanpao.com/showresults.php>, visited on August 10, 2011.

[2] Huyen Lanpao, November 4, 2010 "Youth circulating porn videos in ex-girl friend's name arrested ISKCON tutor held for wooing, threatening girl student" available in website: <http://www.hueiyenlanpao.com/showresults.php>, visited on August 10, 2011.