

General Studies – 1; Topic: Role of women; Salient features of Indian society; Social empowerment

Nagaland Crisis

1) Introduction

- All-male tribal bodies have been against the 33% reservation for women in urban local bodies (ULBs) in Nagaland
- Women in Nagaland have been fighting for representation in municipal and town councils
- Time and again women's movements in India have confronted issues of community identity vs the rights of women.
- In almost every instance, communities and their leaders have chosen to sacrifice the rights of women to safeguard patriarchal practices

2) Nature of the problem

- It's all about huge funds and unwillingness to share power with women
- Various tribal bodies, including the Naga Hoho, have called for a boycott to oppose 33 per cent reservation for women
- It's a direct confrontation between articles 243 (D) — which gives 33 per cent reservation for women — and 371 (A), which gives special status to the Nagaland State

3) Arguments against women's representation

- Tribal communities are stating that the reservation is against tribal customs.
- Reservation violates special rights guaranteed to Nagaland state under Article 371(A) of the Constitution.
- Article 371(A) gives precedence to Nagaland's customary traditions and laws over the laws passed by Parliament.
- The male-dominated tribal bodies assert that Naga society offers equal opportunity to their females. So there is no need for any reservation
- Since the seats reserved will not be permanent, it will lure elected women representatives to indulge in corruption, which in turn will lead to instability.

4) Arguments in favour of women's representation

- Gauhati High Court in 2011 found the state's reasons for not granting Naga Mothers Association (NMA's) demand flimsy and baseless.
- The NMA argues that article 243(T) of the Constitution, which provides for 33% women's reservation in municipal bodies, applies to Nagaland as well.
- No woman has ever been elected to the state assembly in over 53 years of Nagaland's existence as a state.
- Most of the tribal bodies which act as the custodians of tribal culture and traditions are dominated by men.
- The property and inheritance rights are highly skewed against women.
- Towns and municipalities are new concepts and have nothing to do with tradition and customary practices of the Nagas

5) Women Reservation in Politics

- The under-representation of women in Indian legislatures is a fact

- Greater participation of women in the political process would be a pre-condition for their economic and social emancipation.
- Among 193 countries ranked by Inter-Parliamentary Union, India's lower house stands at a poor 145 in terms of women's representation.
- One of the alternatives to reservations in legislatures was reservations in tickets distributed by political parties.
- We will need adequate representation of all genders to make decision-making bodies that are capable of doing good for all.
- Objection to reservations is that women's empowerment cannot take place by women winning elections against other women.

6) Way Forward

- Reservation for women is necessary in patriarchal societies like Naga society
- Denial of women's rights cannot and shouldn't be an option in a progressive society
- The government should have upheld Rule of law, by stating that ULBs are not part of traditional Naga society and adherence to their laws does not bypass any fundamental right of the citizens
- The protesting tribal bodies should be persuaded, showing the examples of reservation in other rural areas, which has helped improve local governance and enhancing outcomes in delivery of civic services
- Infusing modern ideas while keeping the Naga customs intact, to promote gender equality and emancipation of women
- Women will be men's equals only if incompetent women could hold important jobs just like men did.

