

India (Elections to urban local bodies): Statement on anti-women's reservation protests in Nagaland

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PUDR condemns the anti-women stand of the Naga HoHo/ Naga Tribes Action Committee (NTAC) in the context of reservation of seats for women in elections to local urban bodies. The accompanying mob-violence and the threats to women who wanted to contest from reserved seats, reveals the irony that a movement fighting for freedom for Naga people is willing to suppress rights of half of the population who comprise women in the name of customary laws. While PUDR has not flinched from extending support for the Naga people's struggle we reiterate that without equal rights and privileges freedom becomes illusory.

The provision of 33 per cent reservation for women in local bodies, a law implemented in most parts of India, has no conflict as projected by the male-dominated NTAC, with Article 371 (A) of the Constitution giving Nagas the right to frame their own laws with regard to Naga customary institutions. The urban local bodies are not Naga customary institutions, and hence laws about representation in them do not violate the autonomy guaranteed by Article 371 (A). Women's reservation to Urban Local Bodies was first enacted in 2006 under Nagaland Municipal (First amendment) Act 2006. The polls to urban local bodies could not be held, however, because of opposition nor did the government since then initiate any dialogue to enable elections. The dispute was allowed to fester until High Court issued orders recently for polls to be held in the aftermath of which the issue of urban local bodies has gotten clubbed with Nagaland Municipal (Third amendment) Act 2016 which deals with tax and land ownership issues. Existing tax and land related laws in Nagaland discriminate against women. What is more important, however, is that opposition to this provision is illegitimate, as such opposition goes against the principle of equality before law.

The misogynist agenda behind such resistance to reservation for women is apparent from the near-complete absence of women in representative bodies in the entire political history of Nagaland. The tally of women MLA in Nagaland in its entire history is zero (0), and the tally of women MP is one (1): Rano M Shaiza, who got elected in 1977. No better proof is needed that the protests against the reservation bid are based on an extremely conservative, male-chauvinist exclusionary vision of politics. The comment made by Naga Hoho President Chuba Ozukum that they are not opposed to women's rights per se, but want to include women by nominating them to the municipal council rather than electing them, shows how women's participation is not acceptable as a right but only as a favour from benevolent patriarchs.

It is notable that Naga Mothers Association (NMA) has played a critical role, from time-to-time, in bringing the warring factions of Naga underground to take to dialogue instead of engaging in internecine blood-letting. Naga people also turned to NMA to encourage the factions to unite. The struggle for inclusion in the formal political process, stands in stark contrast with how NMA was asked, at critical junctures, to play the most prominent role in negotiations with the leadership of the underground armed movements. Thus the systematic exclusion of women from power, and the attempt to continue it in the name of customary law, is a regressive turn that a people struggling for their freedom could take.

PUDR believes that changing social misogynist attitude requires widest debate and the law must bend in favour of equality. So we extend our solidarity to the Naga women fighting for their political rights, even as the Naga people collectively fight for their freedom. The struggle against forced union with India cannot be fought by promoting inequality and discrimination against women. The violent turn that the conflict has taken, where two people have died in police firings, is extremely unfortunate, and we appeal to both the government and the Naga leaders to restore peace immediately. We demand that:

1. Elections to urban local bodies of Nagaland be conducted with 33 per cent reservation for women as soon as possible
2. Personal safety of the women who filed nomination for contesting the elections under reserved seats be ensured. All threats upon them that they would be excommunicated if they continue with their candidature be publicly withdrawn with an apology.
3. The Naga underground leadership must come out unequivocally in favour of equal rights and privileges for all if their commitment to freedom to be taken seriously

Cijo Joy and Anushka Singh

Secretaries, PUDR, 13 February

People's Union for Democratic Rights

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<http://pudr.org/content/mockery-autonomy-nagaland-pudr-condemns-anti-women's-reservation-protests>