

CHAPTER 7

CONCLUSION: FINDINGS AND RECOMMENDATIONS

7.1. INTRODUCTION

The customary laws of the Angami tribe as discussed are oral in nature and based on oral tradition. They are the collective wisdom of the fore-fathers formulated according to the lived experiences. Therefore, the Angami customary laws more than laws are also the culture of the Angamis. Although, customary laws are the culture of the people, yet, it would be too naïve to accept them as they are. The Angami culture is no exception to the influences brought about by modernity and education. The customary laws which are also the cultural practices of a cultural group, their importance is not their exact application and implementation but imbibing the spirit and making them relevant to the contemporary times. Therefore, while keeping the spirit of customary laws, their practices need to be deconstructed so that both men and women are treated equally.

The Angami society being a patriarchal society, the patriarchal ethos is deeply rooted which can be seen in all areas - social, political, religious, economic, etc. The negative attitude towards women continues even in the contemporary times. The customary laws of the Angamis which are biased need to reconsider their perception of women. There is a need to

realize the composition of men and women, and not see one as superior is practiced by the customary laws. Both men and women should be considered as equal partners having equal opportunity and responsibility in building and shaping the society. A mere set of well formulated laws and rules are not sufficient for gender equality in a patriarchal society but women should be respected for what they are and not graded as inferior or superior to men. Thus, it is indeed a plea and a challenge to the patriarchal society to listen to the voices and issues of women.

7.2. FINDINGS

Gender issues and inequality faced by women in the Angami society often goes unnoticed. The study focuses on the status of women in the traditional Angami society and the changes brought about by modern education in contemporary times. Given below are the findings of the study.

7.2.1. Domestic Sphere

The Angami society being a patriarchal society, men are the head of the family in both traditional and contemporary times and have complete control over all the members in a particular household. The status of women in family remains the same compared with the last few decades. Women are still bounded by the household works. This indicates that women continue to be treated as home makers and that attitude towards them often goes unnoticed and continues to be present even in the contemporary times. The only change observed is that men help in whatever way possible in household chores, since men are no more engage in warfare and headhunting.

Changes are being observed in children's upbringing like children's health, disciplining children and children's education. Both men and women take collective decision in rearing of children. Children's upbringing was the duty of women in the traditional society. But today with the introduction of modern education, both men and women share equal responsibility towards their kids. Men, being the head of the family, are feared more by the children and thus decisions of men are often solicited.

7.2.2. Agriculture

When it comes to agriculture and agricultural works, gender based division of labour is present in the Angami society. Women are assigned important roles and most agricultural works are carried out by them. Though women do most of the work, men still dominate the agricultural activities because most decisions are made by them, and this continue even to this day. Disparity of wages between the genders is still prevalent. Men are paid more even though the working hours remain the same even when the genders performed the same type of work. Men are considered to be superior to women and more productive than women. Although women do most of the agricultural works – ploughing, sowing seed, weeding, harvesting, thrashing etc., the Angamis are of the view that these works done by women are not as tedious and heavy as the works done by men and therefore prefer to pay more wages to men than women.

7.2.3. Education and Equal Opportunity

There is immense increase and improvement in the literacy rate of women in the lower age groups among the Angami women. It shows that equal educational opportunity is given to both genders unlike the past where only boys were encouraged to study and go for higher education. In the past, girls were discouraged to go to school because of the perception that girls become unhomely and wayward if they are educated. With the improvement and encouragement of equal educational opportunity the literacy rate of women has increased to

81.56 per cent. Today educational opportunity is accessible to both boys and girls, making Angami women to even attain the highest Academic Degree - Ph.D., and also take to other professional courses. Some of the respondents along with many other Angami women are of the view that parents must ensure educational opportunity to girl-child to guarantee a secure and self-reliant life as she does not inherit ancestral property.

7.2.4. Village Administration and Politics

When it comes to administration and politics women have no important role to play in the society. Women's role in village administration is negligible because of the customary biasness and customary laws which confine women to domestic sphere preventing them to partake in decision making. Unlike the past, there are some changes in the present times as seats are reserved for women in Village Development Board (VDB). But women members in VDB are for the sake of reservation as they are deprived of important role such as decision making. In some villages of the Angamis there are separate VDB for women. Although there are women members in VDB in most villages of the Angamis, the representation of women members in the Village Council is still a far cry.

Beside women's membership in the VDB, the existence of "Women's Organisation" or "Women's Society" is seen in every village of the Angami, nevertheless the 'Organisation' or 'Society' is voiceless with regard to decision making and policy matters of the village, which are the prerogative of the Village Council and which is still devoid of women members. Till today, no women are represented or elected or nominated to the Village Council. The Village Council which is the helm of decision making body in the village is a male prerogative in all Angami villages. The role of women in decision making in the village or society can be realized when they are permitted to become members of the Village Council.

Thirty three per cent reservations for women is still to be implemented. The women's reservation bill finds mix response among the Angamis, as some of the women themselves

do not want the 33 per cent reservation to be implemented because women want empowerment and not reservation. Today, women are asking and fighting for their rights to have equal treatment, equality opportunity, justice, etc., and want their voices to be heard and not just reservation. According to women who oppose the 33 per cent reservation for women, the reservation would only assert to the male counterpart that women are a weak gender and hence must be granted reservation. Moreover, they are of the opinion that empowerment does not come from reservation. After re-reading and analyzing the data, it is interesting to note that those who do not want reservation are from families where male dominance is very firm and the chauvinist and sexist attitude is strongly present.

In politics there are no women in the political arena today. Though every citizen has the right to participate and be part of political parties according to the Indian Constitution, women in Angami society have no representation and are completely absent from the State Legislative Assembly. Women play a secondary role in politics *i.e.*, as campaigners rather than contesting and winning elections and take the lead role of decision making. Although, many women are of the view that women need to engage in active politics and take part in decision making process, this remain as a big challenge to the patriarchal mindset to vote women to be part of the decision making body/assembly.

7.2.5. Economic Position

With equal educational opportunity given to both genders and the literacy rate of women increasing, women are going beyond their restricted domain of their traditions. Modern education has encouraged women to come out of the domestic walls and venture into new professions. There are many women working as entrepreneurs, leaders, officers etc., which the society accepts and there is no discrimination when it comes to the above mentioned. Women are encouraged to be financially independent and to be the bread earners for the family. However, being bread earners or financially independent in Angami society does not give women a voice in the society because of the traditional working pattern that continues

to be a barrier to a woman's participation in public life – discriminatory attitudes, customs and practices, family and child care etc.

Today disparity between the genders in economic sphere has melted and women are encouraged to take up salaried jobs and there are many women in different professions. There is no doubt that with education, gender discrimination has decreased compared to the traditional society. Equal job opportunities to both genders is well accepted in the Angami society and the contribution of both genders are well received today. Yet, the patriarchal mindset even among Angami women is strong, woman as bread earners and their status do not melt the patriarchal worldview *i.e.*, though theoretically women are considered equal to men, men are perceived to be more important than women because of the patriarchal oriented and working of the customary laws.

7.2.6. Inheritance

In inheritance, women have no right to inherit ancestral property. This is commonly justified by saying that a girl would get married and go to her husband's house, so if ancestral property is inherited by her, ultimately her husband from another clan/village/tribe becomes the owner of the inherited property. In such case ancestral property belonging to clan/village/tribe will go into the hands of others. So in order to retain ancestral property of the clan/village, the right to inherit ancestral property is given only to the sons. Even if a man dies without a male child, his share of ancestral property goes to the nearest male kin.

There is a mixed response on inheriting ancestral property. Angami women today are asserting that they too should be given the right to inherit ancestral property as they are part of the family. However, some do not want change in the laws of inheritance because they fear that any interference of this law would affect the tribal identity of the Angamis. Although customary laws do not permit women to inherit ancestral property, the acquired properties of the parents are shared among the siblings in the contemporary Angami society, which is a positive development.

7.2.7. Marriage and Divorce

The Angami society is a monogamous society. Bride price at the time of marriage differs from village to village. In some villages bride price is practiced and in some it is not. Those who do not practice the bride price substantiate their views that daughters are not commodities and it is a taboo to sell daughters.

Today, Angami traditional marriage is replaced by Christian marriage. Christian marriage today is viewed as pious compared to the traditional marriage. Christian marriage has both its advantages and disadvantages. With Christian marriages in vogue, divorce rate has considerably decreased although it is still prevalent. The main reason observed for the declination of divorce rate among the Angami Christians are - vows exchange between the married couple and education which encourages women to raise their voices.

One very apparent demerit of a Christian marriage as practiced among the Angamis today is the expensive wedding ceremony. Although, the Christian marriage has replaced the traditional marriage, one cannot say that the Angami marriages are without the touch and element of its custom and tradition. Love marriages unlike in the olden days are becoming common but most marriages even love marriages do not happen without a mediator. The mediator, who is usually the maternal aunt of the groom negotiate between the families of the groom and bride for marriage. Along with the exchange of vows, customary practices are not sidelined in Angami marriages. Marriage in Angami society today is a mixture of both Christian and indigenous practices, which is unique to the Angamis.

7.2.8. Religion

In traditional religion though women played a vital role in religious rituals yet there were many taboos against them. The coming of Christianity has done away with the taboos and helped women to assume important roles in the new religion - Christianity. Christianity to a large extent has brought about emancipation of women in many spheres of life, but Angami

Christians are yet to evolve out of their patriarchal mindset *i.e.*, Angami women play a secondary role in the Churches even when they are major attendees of the Churches. Although, women leadership is encouraged in the Angami Churches, so far no Church among the Angamis is headed by an ordained woman pastor independent of a male pastor. The patriarchal mindset and the customary laws of the dominance of the male as decision maker is not without its influence even in the Church circles of the Angami society, whereby certain powers and positions are reserved based on gender. Even at religious sphere, the Angami women face gender discrimination. Be in the Church circles or political level, when it comes to leadership and exercise of authority (decision making) women do not get the same preference or opportunity as their male counterpart. Therefore, if this gender discrimination in Church circles continue, sooner or later women will demand for equality and aspire to head the Church as pastors and priestesses.

7.2.9. Customary Laws

In the Angami society, it is found that there are no women members in decision making with regard to the working of customary laws. The men folk are the sole custodians of customary laws and they alone have the 'say' in the working of the laws. This is one of the main reasons why some respondents do not want their community to be governed by customary laws. Majority of the respondents want their society to be governed by customary laws because they preserve the culture and are simple and easy to access by all; but they favour customary laws should adapt to the changes that concern the contemporary issues, especially issues relating to women.

In the customary laws there are some norms which protect women against rape and molestation, but they do not strengthen their rights and continue to see them as a weaker gender. There are no laws that protect women from domestic violence, divorce etc. This shows that customary laws are patriarchal in nature and women have no voice in the working of customary laws.

7.3. RECOMMENDATIONS

1. It is necessary that customary laws should be made available in written form and not be confined to oral tradition alone. Putting the customary laws in written form should also take into account the rights and opinions of women to avoid conflicting views and should be authenticated. Once the customary laws are written they should be encourage to be taught in formal educational institutions. This academic exercise of teaching customary laws would open a larger debate, dialogues and mutual criticism. Such an exercise would critique and enrich the customary laws, and explore the necessity of their continuation, change or rejection.
2. Perspective about women needs to change if equity and gender justice has to be realized in Angami society. There is a need to do away with the notion that household work should be done by women alone or it is the responsibility of women to do the household work. Changes need to start from family, the man and the woman in the family must learn to plan and play their roles together without gender biasness, which will result in equity without suppressing one gender or the other even in the society. Perspective change is the only way forward for women's empowerment in Angami society. As discussed earlier mere economic change or change of status from family care-takers to family bread earners do not bring about perspective change about women, but there is a deeper perspective which engulf the society, the reason why women are looked down by their male counterpart. Therefore, the role of the family is crucial to a positive change of perspective that women are equal to men. If any change has to affect the society, it has to first come from the family. Gender discriminations and the roles assignment to children based on the gender differences need to be nipped in the bud. While children are taught about the physical differences emphasize must be laid upon respect and equity among the children irrespective of gender. Until every family ensures this change of perspective, no amount of hue and cry will be able to rightfully address women's issues in the contemporary changing society.

3. Customary laws regarding agriculture practices need to be maintained and should be given a special consideration irrespective of whether one is an agriculturist or not because in contemporary times, ecology and environmental crisis is concern of all. A better and practical way to preserve the environment from degradation is to have recourse to traditions, which see themselves part of the Nature. The Angami is one such tradition, which sees Nature as part of it, and most of its festivals are in relation with their agrarian calendar. The women in Angami society performs most of the rituals associated with agriculture and they remain in close affinity with Nature. Safeguarding the interest of women is therefore link to the protection and preserving the Nature as the two are closely link to one another. Therefore, if Angami males learn to co-exist with the women folk as their equal, a perspective of protecting and conserving the environment and Nature will least be a problem for the Angamis. Nature and women in many ways reflect one another to the point that if one of them is abused or exploited, the same is reflected on the other. So when any of the two (Nature and women) is abused, a question should be asked, *i.e.*, for whom and whose benefit/pleasure is sought in abusing either the Nature or women. Exploitation of Nature is not without the patriarchal mindset, which seeks to dominate, hence feminine qualities of inception, nurturing and caring too has to be imbibed and encouraged if environment and Nature must witness a positive change.
4. Wages need to be equal irrespective of gender in agricultural works. Disparity of wages should not be determined by gender but by the work done. Article 39 (c) of the Indian Constitution which grant equal pay for equal work need to be effectively implemented to bridge wage disparity between the genders. So long as this corrective measure of equal payment for work done irrespective of gender, the danger of perception of women as a weaker sex and women as less productive will persist on. Equal wages for work done irrespective of gender will also ensure mutual respect and appreciation between the genders and not merely sees as a competition *i.e.*, who earns more or who is more valuable. This will in fact bridge the gender divide without inferiority complex of either sex and see that each of the sex are skilled in their respective field of action.

5. The contributions of Christianity (religion) in the field of women's emancipation is praise worthy, but the role of Christianity in addressing contemporary women issues need much to be done. In the traditional Angami society, women played a vital role in festive and agricultural rituals. They were the initiators of every ritual for festivity and agricultural operations, but they were mere performers of rituals. It is also important to note that in traditional Angami society, the God-head and all the good spirits have female connotations, but in reality women are posed against the malevolent spirits through their performance of rituals and worship to safeguard the world of the men folk.

The Christianity adopted by the Angamis is seemingly an adaptation of the traditional practices where women folk play the most active role in the Churches but the power and authority rest with the male folk. The style of the functioning of the Churches are not much different from the politics of the village (Village Council), where the sole authority rest with the male folk and women representations are resisted. Although, women are encouraged to take leadership activities such as: preachers, deaconess, secretaries, evangelists, missionaries etc., they do not enjoy independent power but are monitored by male dominated Churches, which are headed by male pastors and the council of deacons with no visible women representation.

Even at religious sphere like any other sphere of life, contemporary issues concerning women are not prioritized and least addressed. If reservation are sought in other spheres of life, it may not be a surprise if reservation for women in the council of the Churches becomes a reality and women leaderships in the Churches are asserted. Therefore, to avoid any such development of demand for reservation of women's participation in the Churches, the Churches need to give a serious thought about their perspective about women and their role in Churches.

6. With regard to inheritance of property the voices and rights of women are still to be heard. Although it is argued in one of the above points that economic status or status

of women as bread earners do not necessarily bring about a perspective change of women, yet it would be wrong and naïve not to speak of economic independency for women, while discussing on women's perception. Therefore, while advocating the need of change of perspective of women, the Angami society must ensure that its women need to be economical empowered, which will enable them to stand on their feet without being bullied in fear of economic insecurity.

The customary laws wherein make the male members as the sole heirs of the ancestral property, the acquired property must be kept out of the clutches of the customary laws to guarantee that women rightfully belongs to a family and partakes as equal members, and equally share in its joys and sufferings. Ordaining women as equal heirs of acquired property (and even ancestral property) will also serve as an incentive for siblings of a family irrespective of genders, especially the male offsprings to lead a steadfast life and not a wasteful life, where properties are given to them by virtue of customary laws even when they least deserve it. In Angami society, a policy of compulsory education of girl child should be adopted if the laws of inheritance should favour male kid. Such a policy will bridge the gender biasness, ensure quality life and bring about equity and justice to Angami society, which otherwise is very patriarchal in nature and only serve the interest of the male offsprings.

7. Angami society should also be open to women's empowerment. Doubtless, not in all areas of life, men and women are on equal footing or stand on the same rung of the ladder, however, this does not mean that men and women are to be different and play a totally different role. There is an urgent need to realize that the composition of men and women is not to breed either superiority or inferiority complexes. The appointment of women *Gaonburas* and *Dobashis* may not be an anathema because issues relating to women can be understood and addressed better by women. This does not mean that women issues are not understandable to men, but there is a need to acknowledge and respect each other's sphere and space in life.

8. The 33 per cent reservation for women in municipal bodies and the State Legislative Assembly needs to be implemented to ensure gender equality in politics and at the same time pave way for women to be part of the decision making in the society. The 33 per cent reservation which remains a bone of contention and a distant dream in Nagaland and in the Angami society can be best addressed and realized if women are given the right to participate as equal members of the village (society), and have the choice to assume the highest administrative and decision making bodies. Therefore, the grassroots level (village) becomes crucial for women's participation in the Village Council for decision making and exercise of power. Until women's participation makes a head-way in the village level, 33 per cent reservation for women in the state would only be a loud noise signifying nothing. The Village Council should become the first step or the first experiment for women's participation in decision making and empowerment.

9. There are some elements of customary laws which are not relevant to the contemporary times. Any law to be effective should be reasonable and applicable to the times. No laws could merely be practiced or applied for the sake of being customary or making them monumental. Likewise, the customary laws of the Angamis need not be practiced for the sake of preserving the customary practices unless they have relevance and address contemporary issues. A society which is not open to the change of time but stick to monumental practices and fail to live up to the spirit of the time is a non-progressive society, therefore, the Angami society if it has to be progressive cannot be fixed with the customary laws and practices but need to move beyond them and accept the changing dynamics of the time. There is an urgency to realize that the customary laws of the Angamis are not the sole custodian of its culture, and culture as such cannot be contained as it is subjected to development of the time.

10. No changes can affect the customary laws for the fact that they are customary and are immune to changes. Any change or modification in them, they cease to enjoy the

monumental customary status. Therefore, so long as the monumental nature are attached to the laws of the Angamis and called them customary laws, no change/transformation will affect its society. There is a need to examine and critically analyze the patriarchal mindset of the Angamis, which is tied to the monumental customary practices, especially with regard to the working of its laws. Times have changed and issues concerning society are not the same as the time when the customary laws were conceived and developed. One such changes and issues confronting the contemporary time is, perspective change about women that they are equal to men, and they must avail the same opportunity, equity, justice and freedom in the society. Hence, gender friendly laws need to replace the suppressive customary laws to ensure and promote justice and gender equality.

11. The concept of developing a contemporary feminist view of life is not to pose one gender against the other gender, but to compliment the perception of life *i.e.*, a feminist worldview alongside with the already existing worldview. Such a complimentary view of life will strike a balance in the society and check that no gender is abused or objectified as a means of pleasure, but perceive all human beings as a subject. Perceiving all human beings as a subject is the pressing need of the hour, especially when crimes against women and children are on the rise. The Angamis who take pride of their sense of self-respect and moral justice need to seriously consider the feminist discourse of life along with the prevalent view, especially in this contemporary times where no society can exist without the influence of the other, let alone live in isolation. Therefore, the Angami society and its laws need to open itself to dialogue with other societies and not hide behind the veil of customary laws. The Angamis on the one hand cannot hold the customary laws firmly for the sake of preserving their customs and tradition while on the other hand it continue to reap the other benefits and changes of contemporary times.

7.4. CONCLUSION

The customary laws are a link to the culture of the people, yet, it is too naïve to accept them as they are, especially in the light of modern education and contemporary development and progress. The culture and customary laws of Angami are no exception to the literal interpretation or application of customary laws in the contemporary times. The importance of customary laws are not their exact application and implementation but imbibing the spirit of the customary laws and making them relevant to the present contemporary times and situations. Therefore, while keeping the spirit of customary laws, their practices need to be deconstructed so that both men and women are treated and given equal opportunity to develop themselves.

The customary laws of the Angamis which are gender biased need to reconsider their biasness towards any gender. The laws of the Angamis need to recognize the composition of men and women in a society and must work for a just society without any biasness. A just society is possible when both men and women are considered to be equal partners having equal opportunity and responsibility in building and shaping the society. A mere set of well formulated laws and rules are not sufficient for gender equality, and more so in a patriarchal society like that of the Angamis, but women must be respected for what they are and their voices need be heard and rightfully addressed to. Such a change can only be brought about by mutual dialogue and criticism of both the genders, which if required should also be ready to deconstruct its existing worldview, whereby permitting new worldview to emerge. The model of super-imposition of one worldview over the other worldview urgently need to be stopped, and the model of dialogue need to be created, especially the dialogue of genders in the context of the Angamis, which eventually shall promote and nurture the mutual appreciative experiences and differences in the light of contemporary developments, issues and situations.