

Domestic Violence against Women: A Case Study of Nagaland

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Abstract

Domestic violence is defined as the violence or abuse by one person to another in a domestic setting such as a marriage. Abuse can be in the form of physical, verbal, emotional, sexual or psychological. For decades, domestic violence has been witnessed all around the world and India also stands as one country that has a high percentage in terms of domestic violence. Global estimates published by WHO indicate that about 1 in 3 (35%) of women universal have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence in their lifetime. Domestic brutality is not confined to a particular section of the society; it affects people from all sorts of socio-economic and educational backgrounds. This paper intends to highlight the situation of domestic violence in Nagaland. In addition, this paper examines various kinds of abuses, the factors that attributes to the abuse, the role of women, youth, churches and administrations, the effects in the family and community, physical, emotional and mental well-being of the victims. Also, analysis will be done on the role of institutions in the society in eliminating violence against women. This study will be carried out based on the Naga community and references will be made to secondary data sources. Primary data collection will also be done for analysis.

Keywords: violence; law, patriarchy

Introduction

There are excess of scholarly researches on the issue of Domestic Violence against women and children. Such researches are done in view to highlight the issues surrounding the adverse effects on the physical, emotional and psychological well-being of the victims. Further, the effects of a domestic violent environment in the family and community will also be considered. It is important to understand the citizens' perception of domestic violence being evident in a society that believes in being called as a progressive society.

According to Family and Community services, NSW Government, one in three women experience abuse in forms of physical, mental or emotional. The common effects of an abused victim are illness, injury and disability especially in women under the age of 45. Emotional and psychological trauma which leads to depression and various other suicidal tendencies and in

many cases, these victims opt for dependence on alcohol to ease the pain. Apart from the direct negative impact on the victim, there exists adverse impact on the family, society and especially the children. Children and young people don't have to see the violent behaviour to be affected by it. Some of the effects are anxiety and depression, emotional distress, eating and sleeping disturbances, etc. It is highly important to address the issues pertaining to the effects of Domestic violence not only on the victims, but the other individuals associated with the victim.

People usually think that Naga women do have face any discrimination, in fact there are many cases where the women tend to keep these experiences for herself because by traditional custom she is bound to keep quiet because she will be taken as a bad wife . Most of these cases are experienced by women whose husbands are drunkards or have extra marital affairs there are also cases where sons beat their mother. But these are very few in numbers, because society will talk about her character more than that. Though customary law doesn't support domestic violence it is the patriarchal nature obviously stronger physical strength that leads to more dominance of men over women.

Mostly of the perpetrators of domestic violence are from broken families or were they themselves victims or witness to domestic violence from a young age. They might also suffer from personality or insecurities and thus try to vent out their anger until others. They have a need or desire to dominate or control others cause of their own personal problems.

The State of Nagaland needs to strengthen the institutions in public and private to give more important to the violence against women. Mostly the rural areas are neglected or less observation are done on violence against women. Awareness and prevention need to bring up to the society and need to consult to the victims. Domestic violence is a major issue to the society, the awareness need to reach throughout the corner of the states, which would be helpful to the women on their rights against the abuser.

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Gender Inequality

Domestic violence is a gender problem and ought to be implicit in the atmosphere of social configuration and discrimination between men and women. Male violence against women drastically brings different norms to our culture, which men consider themselves as superior to women and that it is their inherent right to dominate. Gender needs equality in all purpose, for a better society which does not harm an individual. The World Association for Sexual Health has noted that even though gender-related behaviour, including sexual conduct is influenced by culture and social role outlook, regardless of cultural diversity across the globe, heterosexual sexual activity is conspicuously constant in the gendered power imbalance that prevail (World Association for Sexual Health, 2008). Gender inequality can also be intimate by partner violence. Domestic abuse can be described as gender crime. Women familiarity high rate of repeated discrimination and are much more likely to be fatally hurt (Walby & Towers, 2017; Walby & Allen, 2004)

Domestic violence and abuse can happen to anyone, yet the problem is often overlooked, excused or denied. It occurs within all age ranges, ethnic backgrounds, economic levels, same-sex or heterosexual couples. It often escalates from the threats and verbal abuse to violence, while physical injury may be the most obvious danger, the emotional and psychological consequences of domestic abuse are also severe. In majority of cases of domestic and family violence the victims are women. People who experience these acts of abuse violence often feel fearful and unsafe.

The classification of discrimination includes gender based violence, that is, violence that is fascinated aligned with a woman because she is a woman or that affects women unreasonably. It includes acts that impose physical, mental or sexual harm or suffering, threats of such acts, intimidation and other deprivations of liberty. Gender based violence could also be occur in female infanticide, traditional practices, sexual violence and human trafficking. Further, low income and low education increased the risks of domestic violence.

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To an understanding of gender inequality in domestic violence does not respite exclusively on the dissimilarity in dominance and impact. Gender inequality is cited as a input determinant or factor that underpins violence against women, however it is complex and requires consideration from different perspectives.

The problem faced by women in such a way that it takes place in many forms and occurs in different types of settings, within households and most of the cases. The Protection of Women from Domestic Violence Act 2005(PWVD) was enacted via Parliament of India. It was to secure abusive action against women and help those who are being the victim and has suggested that State parties should act to shelter women against violence of any sort especially that occurring within the family. Some of legal initiatives and development on this subjects are : the Protection of Women from Domestic Violence Act (PWDV) recognizes the right of woman to live in violence from free, the Dowry Prohibition Act (1986), the commission of Sati Prevention Act (1987) etc.

The enquiry of statement that domestic violence is not minimally a legal problem, the state adopted a numeral of legal as well as non-legal measure to conflict or to enable women to warfare against them(Kaushal Rachana, 2010). The government is concerned only about the legal problems and protection, thinking less about the prevention or how to prevent these domestic abuses. More Institutions and NGOs should be setup in every corner of the nation. Prevention and awareness have to reach out for the bitterness of the society. Actions against the culprit should be taken strictly.

Domestic Violence in Nagaland

To understand the scenario of domestic violence in the Naga community, different perspectives on domestic violence from literature discussions will be highlighted. Domestic violence is a common phenomenon and victims are women in all cases registered. Domestic Violence is not confined to a particular section of the society; it affects people from all sorts of socio-economic and educational backgrounds. This paper intends to highlight the situation of domestic violence in Nagaland.

Violence can be of physical, mental, verbal or even emotional, and no matter what kind it may be, it still has adverse effects on a person's well being even after rehabilitation and proper assistance. The series of events of torture and abuse follows up time and again in the minds of the victim and this can have a negative effect on the mental health of an individual. Post Traumatic Stress Disorder (PTSD) is very common but a negative effect that can hamper the individual's mental wellbeing. It can deprive an individual off living a life of insecurities and self-consciousness. A child brought up in a household where domestic violence is common is more likely to be aggressive and violent in nature, can get involved with notorious groups in the society, have possibilities of getting hooked on drugs and alcohol at a very young age, etc.

Domestic violence is neglected in many cases because it has become so common that it is blindly passed off as a lifestyle that one adopts or is caught in. The occurrence of abuses in homes is very common and it may not be by someone who is not related to the victim..

The reality of patriarchy in Nagaland is that the consensus needed to bring women into policy making could take a very long time. In the meantime, the male legislators, bureaucrats, chairpersons, gaon buras (Local Government), presidents and all such political representatives refuse to acknowledge that Violence against Women is on the rise in Naga society without many corresponding steps to safeguard and secure the unrepresented gender. Reports from the Nagaland State Resource Centre for Women, the Nagaland State Commission for Women, Women Helpline (181), Nagaland State Legal Services Authority and even the Nagaland police have suggested that cases of VAW are becoming a trend. However, taboo around VAW in Naga society seals the deal— when cases of, say, domestic violence against women happen, men certainly do not think it important enough to discuss but women also report it (to family and customary courts) when abuse becomes extreme; very few call the women's helpline or take it to

the sluggish formal justice system. This indicates how vulnerable and powerless women remain to date.

Women suffer a lot in the present of domestic violence within the household; occurrence of violence destroys the family and disturbs the society. One of the main reasons of domestic violence occurring in Nagaland is due to usage of alcohol by the head of the family i.e. Father or the husband. Major reasons are unwanted mood occurring at the office hour with the colleague or quarrelling with an outsider, which the anger is thrown within the family or against his wife or children. Such things happening around in society, people usually don't interfere with the family matter, that's what the Naga society usually do. The matters are usually handled within the two families i.e. the husband family and the wife family, which would eventually end up by compromising with matter.

The customary law or tradition in Nagaland is a major impact to the society. The tradition is known to be great value to the society and on the other hand which has a serious issue in case of domestic violence or any other violence. Most of the cases regarding to violence in the society, usually deal by the village councils or the body of local self-government. Mostly women in Nagaland do not case file against the abuser, the cases are done through local self-government Domestic violence in Naga societies are increasing on a daily basis and the disturbing features is that some people, who are law enforcing people, are included in this violence against women.

State Coordinator for State Women Resource Centre, Gracy Aye agrees that the NCRB projection of Nagaland as the safest might be true if one goes by the data. However, she said people need to realize the hard fact that there are many women who don't report as 'they don't want their husband or their in-laws or for that matter the society to know because of the stigma attached to it'. She regretted that people always tend to blame the victim first, without realizing that the victim might be traumatized further. Also, Aye criticized the stereotype that men have the right and can be abusive while women ought to be god-fearing, be submissive and to demonstrate patience to bear the atrocities against her. Women come out only when they can no longer tolerate the abuse or when they are at the extreme breaking point and extremely traumatized, Aye reminded.

Why the violence against women? Why do men feel that they have the right to beat or harass women? It's all because of the patriarchy thing, though many claim that Nagaland is not a

patriarchal society, but our society is matrilineal,' commented Aye. Women are perceived as the weaker sex, dependent and expected to be submissive. Therefore, the smallest sign of resistance invites violence. Nagaland State Commission for Women, Dr Temsula Ao once said that violence against women was escalating, and had called for introspection at the obstacles 'put by society.'

While women should be aware and stand up for their rights, there is an urgent need for change in attitude, and sensitization at home and public that women are not punching bags. Crimes against Women: Bondage and Beyond, Revelation of Data 17 focuses on the horrific topic of rape being used as a tool of political repression by upper caste men to stamp their superiority on lower castes. During communal riots and caste wars, rape of women of the other community or caste is taken as symbolic subjugation of the entire community. Rape has also been used by the state machinery like the police and the army to suppress political protests by communities.

Specific cases in Domestic violence in Nagaland

In Naga society where there is prompt domestic violence and such more cases go unreported every day. It is present almost every day and everywhere, crossing all social classes, genders and age groups. In fact, this form of violence has a lot of variation in the form of its occurrence in the families throughout the state, varied consequences of domestic violence depending on the victims, the amount of the violence and incidence of the distress they are subjected.

Enquiry into the Status of Women in Nagaland, North East Network, Nagaland April 2016 (As narrated by women from Thsingar village in Kiphire district) My husband was the only son in his family so when I gave birth only to a girl he was so Upset and that is how I felt the pressure.” (As narrated by women from Thsingar village in Kiphire district) “My husband fed me with meat of a bigger animal when I give birth to boys but when I delivered a girl I was treated to smaller sized animals for namesake.” (As narrated by woman from Phekerükriema Bawe village in Kohima district) “In my time what I remember is, elders say it is alright for girls if we are not interested to study if women are able to read the Bible and the hymns, then it is enough. That was the comment we get for women in the earlier days. I had a big dream and that is to become an IAS officer. I could not complete my studies and that is because I got married early.”

On the night of February 17, seven young men of a village blindfolded and beat up three women with sticks for allegedly endorsing a rival election candidate. This was not reported to the police by the village authority or concerned citizens. An FIR was lodged by a political party as the incident hurt their interest, and a hushed police complaint was made by relatives of the victims; the police had to go to the village next morning to bring the women for treatment to a hospital. Aheli Moitra Reports from the Nagaland State Resource Centre for Women, the Nagaland State Commission for Women, Women Helpline (181), Nagaland State Legal Services Authority and even the Nagaland police have suggested that cases of VAW are becoming a trend. However, taboo around VAW in Naga society seals the deal—when cases of, say, domestic violence against women happen, men certainly do not think it important enough to discuss but women also report it (to family and customary courts) when abuse becomes extreme; very few call the women’s helpline or take it to the sluggish formal justice system. This indicates how vulnerable and powerless women remain to date. Kohima, March 19: The National Crime Record Bureau (NCRB) had declared Nagaland the ‘safest’ state for women with only 67 incidences of crime against women. In fact, it was recorded to be the only state in the country to have recorded in single digit the crime rate against women.

While the data offers an opportunity for one to indulge in complacency, the reality projects an entirely different picture: It is found that women in Nagaland, both ‘educated and uneducated’, are victims of various kinds of violence. Vulnerable Naga women bear the brunt of violence at home and in public places. Unfortunately, cases are not reported for fear of social stigma and the belief that a woman should be submissive. Hence, they bear atrocities as long as they can for the sake of name and family. Women Helpline 181 is a project of the Nagaland State Social Welfare Board (NSSWB) and funded by the Ministry of Women and Child Development Fund. (Nagaland State Commission for Women, Dr Temsula Ao) “Violence against women was escalating, and had called for introspection at the obstacles ‘put by society.

The analysis showed, however, that most conventional community organizations, such as labour unions and cooperatives, held traditional beliefs and provided no support at all to women affected by violence. Gender-based aggression chairs women at jeopardy of health problems and constant death and is associated to their discriminatory socio-economic prominence contained by their families and society in specific. Women are not given more privilege in any of the field

often. Women are often neglected in socio-political, male domination is seen in the society. There is very much low representation of woman in politics. There has been a consistent demand for more meaningful ways to increase their representation in decision making bodies. There has been no class distinction in the Naga society but women do not enjoy the same status as the men do. Most of the domestic violence which happens in the state of Nagaland, stated that usually the things get sorted out by involving the families and societies and which shows us that the victims does not come out to report case or case files against the abuser. The customary tradition has a huge impact on the Naga society. Nagaland unit of Human Right Law Network (HRLN) ground the first case of domestic violence in the state. Most of the valid violence in the region of the society is heard and resolute in the customary courts. Naga society has been praised for ensuring women's safety, but safety does not translate to equality. Discrimination exists in the Naga society.

Women Empowerment Issue in Nagaland

Nagaland had violence over an issue of 33% reservations for women in election to civic bodies. Domestic violence has been occurring in the form of quarrels, separation in family, abandon of family, kidnap, abuse rap, molestation and other are on the rise in Nagaland. According to the Gender Statistics Nagaland 2016, which was released by Directorate of Economics & Statistics, Government of Nagaland recently, mentioned that in 2015, 92 cases of crimes against women were registered in Nagaland. Dimapur district has the highest numbers of crimes followed by Kohima district, according to the report. The families face disorganization among the family from violence; most children drop out from school and which shows us it is the aftermath of the violence. The issues in Nagaland is that the society should change its mentality and think outside the box, mostly people think that the only duty for a women are in the kitchen and to take care of the children. Women have been suffering from inequality from way back and it still exists in our society.

Customary laws are gender biased; resulting in a patriarchal set up, wherein women are not considered vital in policy and decision making, HRLN until along with Naga Mothers Association (NMA) has taken up the rights of women to be represented in local municipal council demanding for 33% reservation. Lack of discourse among the public and civilian, the rural villages and community are unaware of their legal rights; constitutional and fundamental

rights. The villagers usually go to the village councils to sort out their social problems and issues. Lawyers on behalf of the Naga Mothers Association got final reliefs in a case where the Kohima High Court directed the State of Nagaland to hold elections to district municipal councils with 33% seats reserved for women. This order was the beginning of tremendous increase in women's control over state resources. Nagaland unit of HRLN filed the first case of domestic violence in the state. This assumes significance as most matters pertaining to domestic violence are heard and decided in the customary courts.

Women in the Naga society have not enjoyed any right over land. Women haven't had much voice in the village councils or in any other bodies. Till today women emancipation is an issue in the Naga society. Reservation for women in Nagaland is crucial for their empowerment because there has been no woman legislator in the State ever since Nagaland attained Statehood in 1963. Between 1969 and 2008, women have hardly made a mark in politics due to electoral vagaries. Crushing societal prejudices and gender discrimination against women, therefore, assumes particular significance in Nagaland. Reflecting on the acrimonious situation in Nagaland, Sanjay Hazarika, a political commentator noted, "Prominent Nagas say that women's groups have failed to understand the larger issues, although one influential tribal group has acknowledged that men have not accepted women as equal partners. A case in point is the facts that customs lay down that Naga women do not inherit ancestral property".

Conclusion

This paper has concentrated on the problems of domestic violence against women on the framework of Naga society. Significant figures of Naga families experienced domestic violence within their household. The literature review open to the elements that there are numerous potential unenthusiastic outcomes for domestic violence. The relationship between disclosures to domestic violence against women is well-known in a few studies. The study showed that the Naga women have experience domestic violence because in the Naga Society a boy is always considered more favourable than a girl. According to the customary law of the Nagas, the inheritance right is given only to a male, so the family tends to become disappointed when a boy child is not born in the family. Naga culture also demands a Naga woman to be humble and obedient towards a man in her family so when a woman fails to perform them, she usually faces the consequences.

However, not every man has this mind-set; there are many others who take a great deal in respecting their mothers, daughters and wife. As a matter, the customary law itself does not encourage such acts by both genders. But because of the patriarchal society some men take the advantage towards woman and disrespect and discriminate them. The law itself demands punishment for people who have done such acts, but it is not effective. So, the issue of domestic violence is witnessed and is increasing day by day. Nagas consist of Christians in majority but even from the Christian point of view it is not acceptable to behave in such a manner. Any individual who performs domestic violence are usually demean from the church. Gender equality is one of the major challenges in the society; it is found in every section of the society. The Government should take initiative to keep in check regarding the issues of society, such as crime against gender-based violence. In the rural areas the women society should help in spreading awareness about violence and be conscious of their rights as women.

Women empowerment is one of the tools that would bring changes in the society. It would help in reducing the gap of gender inequality. Only a woman can bring changes in the life of another woman by giving support in the society. Woman should not feel inferior towards men and they should realize that they are equally capable and important in terms of Rights and Duties. Even though women have equal Rights, fewer opportunities are given when it comes to power in the government or local levels in Naga society. Women are entitled to be at home and not take part in decision making which is a major drawback to voice out their issues in the society. This results in neglecting the issues by the decision makers and those in power. Regarding the issues of domestic violence and its effects, the educational institutions should impart in educating the young people about healthy relationships and how to deal with bullying, violence and other improper behaviour towards women and young girls.

Community enlistment and understanding on the specific issue of women empowerment, competence construction of women and youth leaders in the community to permit them to be the 'Change' is considerably necessary. The study is an attempt to sever cultural practice of dominance is the issue of domestic violence in the Naga society. The standard key of involvement is necessary from various Organizations. Generate public awareness on violence against women and variety of forms at the state, institution and community levels in both public and domestic ground. The domestic violence act 2005 should be guarantee by the government

for the effective functioning for the distressed women to empower justice. The perpetrators of violence against women should be punished and the survivors should be compensated and give support by the state women commission. The survivors should also be encouraged to speak up against the issue to the public, to give hope a fellow survivor. Everyone as a citizen of civil society should come up together to curb the issues and fight against the evil practices in the society.

Domestic violence can be prevalent to any one either rich or poor, white or black and one can avoid the chances of happening by the signs of the person. The victim should assert oneself their rights and inform the police. The way to curb gender inequality and assert women empowerment will come not from the incentives of government alone but will be affective only if the person herself will work towards it.

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