

# Sexual violence and the culture of impunity in Nagaland

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Perpetrators of sexual violence escape justice, while their victims are trapped between exhortations by women's advocacy groups not to 'suffer quietly' and the social stigma attached to sexual violence.



Audience in Chui Village during a public meeting, Nagaland. Photo: Dolly Kikon

The Indo-Naga armed conflict is recognized as the longest insurgency in South Asia. It started as a [movement for the right to self-determination](#) in the Naga Hills during the transfer of power from the British colonial administration to the government of India around 1947. In 1997, the government of India and the Naga armed opposition groups signed a cease-fire agreement. The post 1997 ceasefire period came to be known as the era of peace process. However, during this period, violence against women escalated. When I was carrying out fieldwork on women's testimonies of sexual violence in Nagaland two year ago, Naga women activists and advocacy groups emphasized that survivors of sexual violence must not 'suffer quietly'. Yet, the social stigma attached to sexual violence was glaring. The tendency of blaming women for the violence they experienced contributed to the culture of impunity.

During my fieldwork, a woman in Dimapur observed, "The girls are not completely blameless. They are partly responsible for it. Men can smell the sexual signals that girls give out. They attract men and get raped." I came across such comments regularly. I realised how children were socialised and taught about morality and chastity on the basis of such world views. The male and the female reproductive organs were described as calculators that performed the arithmetic and values of profit and loss. The logic went like this, "Once a man touches a woman (sexual intercourse), if he does not marry her, the girl's life is destroyed". Yet, the logic of moral chastity was detached from social realities like the structural violence and the militarisation of Naga society as a consequence of the Indo-Naga armed conflict since India's independence in 1947.

A majority of male household members between the 1960s and the early 1990s either joined the Naga armed groups and went underground, or were tortured and killed by the Indian security forces. For several decades during the heights of the Indo-Naga conflict, it was women who sustained and held the family together. Today the number of women-headed households, widows, women destitutes, survivors of sexual violence, and teenage pregnancies are some of the pressing issues in Naga society, yet it is the hymen centric moral and cultural code that is perpetuated in overwhelming ways.



Konyak Women performing during the Road Show in Mon town, Nagaland. Photo: Dolly Kikon

With the help of counsellors and activists who were involved in the case, and the consent of her guardians, I documented the experiences of Beth, a fifteen-year old survivor of sexual violence in Dimapur. Beth's father sexually abused her from 2010 to 2013. As a cadre in one of the Naga insurgent groups, her father lived in the ceasefire camp, where newly disarmed insurgents were relocated (and where many thousands of Naga insurgents have languished since the 1997 ceasefire), but frequently visited the family and raped Beth. In 2013, the father fled from Dimapur after Beth's aunty reported the incident to the police. The case travelled between different legal jurisdictions – the insurgent courts, the customary family meetings, and the state police stations – because Beth's father and the aunt who reported the case to the police belonged to rival insurgent groups. Political rivalry and family rivalry were intertwined. The state agencies like the police were apprehensive to get into an internal matter where rival insurgent groups were involved. Beth's story captures how violence transgresses the boundaries of the family, the political associations, the legal courts, and the state agencies as well in conflict zones. Beth described the composition of her family in Dimapur as follows:

There are six of us (siblings) but none of us have any contact with one another. We are all out of touch. There are three of us from my mother who was the first wife, and there are three children from my stepmother, the second wife. All my stepsiblings stay with my step-mother, but my real brother and sister have been distributed in different relative's houses. My real mother lives in the neighbourhood and has remarried. She lives with her husband. Often, women and children are clubbed together as a single category in rehabilitation programs on militarisation and conflict, even though a large number of children are often abandoned, trafficked, or become orphans in such situations. The urgency to provide care and security to children in conflict zones for state agencies and humanitarian organisations alike requires the arduous task of locating relatives willing to become guardians for children like Beth and her siblings. The home is interpreted as a natural hub of love, security, and care without taking into

consideration the structural violence and trauma that the social units and relations have undergone.

Issues of rehabilitation and trauma counselling are huge challenges in militarised societies. In cases of sexual violence, competing authorities that involves both state and non-state actors, often present their own versions of justice. Since the 1997 Indo-Naga ceasefire agreement, the legal institutions of the state, quasi-legal units like the insurgent justice system (i.e different tribunals and institutions set up by the Naga insurgents to adjudicate between the Naga public and the armed groups) and the state administrative organs (like the judiciary, executive, and the legislative) including the tribal customary courts all co-exist within their respective constituencies. For instance, female cadres of two Naga insurgent organisations who were sharing with me about crime against women in Dimapur city stated that perpetrators (whether it was civilian or their respective cadres) were given 'capital punishment' when found guilty. Why would the onus of providing justice in Naga society fall on the Naga armed groups? How did Naga insurgents living in ceasefire camps since 1997 become the harbingers of justice in militarised societies like Nagaland? What was the role of the Indian state in this arrangement?

We have to understand this phenomenon in the light of the history of militarisation and violence. The Indian state is deeply implicated in escalating the culture of sexual violence and impunity. Granting impunity to perpetrators like the Indian security forces since Indian independence under extra constitutional legislations like Armed Forces Special Powers Act (AFSPA) (1958) only legitimised this culture of violence. Today, hundreds of cadres continue to wait inside the camps, uncertain about their future. Some have surrendered and become entrepreneurs, while others have lost their lives in factional conflicts. The government of India is yet to accept its role and responsibility in the destruction of property and the psychological trauma and loss of lives in the Indo-Naga conflict. The act of sexual violence was always inscribed on others like the Indian security forces. However, Beth's story tells us that Naga men also commit sexual violence on Naga women. This reality will force us to break the silence and taboo against sexual violence in Nagaland.



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