

ISSUES AND CHALLENGES OF GIRL CHILD RIGHTS IN NAGALAND



Thsingvi T. Sangtam

Introduction

Nagaland, the 16th state of the Indian union is situated in North Eastern part of India. It is bounded by Myanmar on the east, Assam on the west, Manipur on the south and Arunachal Pradesh on the north. It is inhabited by homogenous community of 16 Naga tribes viz Angami, Ao, Chakhesang, Chang, Kachari, Khiamnuingan, Konyak, Kuki, Lotha, Pochury, Sangtam, Sema, Phom, Rengma, Yimchunger and Zeliang. The state covers an area of 16,579 sq. km and has a population of 1,980,602 persons of which 71.1% account for rural population and urban population of 28.9% and has a population density of 119 persons per Sq. km (census of India, 2011).

The Nagas belong to the Mongolian race and are mainly found in Nagaland and the adjoining states of Assam, Manipur, Arunachal Pradesh and Burma. Although there was a regular trade relation with Assam, Cachar, Burma and Manipur leading to process of settlement in the foothills, the Nagas had maintained political isolation until the advent of the British. They are culturally, linguistically, culturally and racially a distinct group of people. The word 'Naga' is applied to the group of tribes which differ from other group of tribes. Such differences are not only in physical features, but also chiefly in cultural and social aspects. While Naga differ from other tribal groups, they also have several differences among themselves in some aspects of cultural and social organisations. In spite of these differences, all the Naga tribes constitute one distinct group of tribes. Linguistically, there are sixteen tribes in Nagaland, speak their own language. The Naga languages belong to the Tibeto-Burman family.

Children have rights like adults. Human rights are for all people, including children, regardless of their age. However, children need extra protection and guidance from adults, and they have special rights of their own. Children's rights are also human rights, and they are laid down in the United Nations Convention on the Rights of the Child (UNCRC). The convention establishes that state parties must ensure that all children, without discrimination in any form benefits from special protection measures and assistance, have access to services such as education and health care, can develop their personalities, abilities and talents to the fullest potential, grow up in an environment of happiness, love and understanding and are informed about and participate in achieving their rights in an accessible and active manner. The United Nations Organisation has declared "October 11" as the International Day for the Girl Child since 2012. It serves an important purpose of fetching the spotlight on the girl child and their problems. This study aims to promote girl's rights and highlight gender inequalities that exist between girls and boys.

Methodology

The source of data or information consists of secondary sources of data. Where the data have been collected from the published as well as unpublished sources such as government official records, newspapers, journals, census reports, statistical hand books, United Nation Convention Act, POCSO Act, and The Juvenile Justice (care and protection of children) Act 2016, The juvenile Justice (care and protection of Children) Rules, 2007. The collected data is analysed by using simple percentage method.

Assistant Professor
Department of Sociology
Email : avithunger@gmail.com

Objective of the study

- I. To study the vulnerability of girl child.
- II. To make a comparative study of the male and the female child
- III. To study the provisions and rights of the girl child
- IV. To study how children are protected.

Issues concerning Girl child in Nagaland

Child physical abuse, the most corrupt form of not respecting the uniqueness and dignity of a child is to manipulate the innocence of the child to suit one's own personality and carnal pleasure. There are different levels of abuse. There is the physical torture of beating through which the child is made to conform to the behaviour pattern set by the caregivers, parents and teachers; sexual abuse of children as involvement of dependent, developmentally immature children and adolescent in sexual activities, which they do not fully comprehend and to which they are unable to give informed consent and; rape and incest to juvenile has become a common issue in the state. Rape and incest are happening in large number especially in urban area but are not reported or informed to the concern authority due to social stigmatism. Poor parents of rural areas send their children to the urban area like Dimapur and Kohima as babysitters, domestic workers and servants. Parents and guardians send their children to stay with the rich or well to do family for various purposes like domestic workers for wages of which their parents are getting paid quarterly or annually and some children are working to get education. But those children going to school are mostly admitted in government schools. Majority of the children staying as domestic worker are girl child and people in the urban area demand more for girl child. Mon and Tuensang districts are the leading districts followed by Longleng and Kiphire districts for sending their children to work as domestic workers in the urban centres. These poor children are victims of physical, psychological and emotional abuses from their owners and caregivers. Due to poverty, people are taking advantage of trafficking poor children by giving false promise to give employment at various companies but traffic

them to the brothels which is a huge business. Rapes of minor girl are committed not only by stranger but even by own parents and neighbourshas become a common issue in the state. The feeling of insecurity and the need for protection of the girl child is increasing day by day.

Early marriage is common in the state especially in the villages where the girls below the age of eighteen usually get married. There is high percentage of school drop out in the state due to the following reasons: majority of the parents are illiterate, lack of untrained teaching faculties in the schools, negligence of teachers teaching in government institute and practices of teacher attachment to the district or sub-divisional offices and practice of keeping the substitute teachers, irregularities of teachers in their duties, long distance between the schools and the village where usually two to three villages are attached to one school. However, another major reason for school dropout is economic factor. School dropout children get married at the very tender age of below eighteen years. The rate of early marriage is high in rural areas (villages) than the urban areas (towns). In 2012, there were 2,437 schools in Nagaland. However, it is unevenly distributed. About 50% of the total numbers of schools are located in four districts like Kohima, Mokokchung, Dimapur and Zunheboto. Dimapur district had 349 (14.32 percent) of total schools in Nagaland, while Longleng had 110 schools i.e. 4.52 percent.

Another issue and problem concerning the girl child is the Child labour. Another aspect of physical abuse that the children undergo is the child labour. The problem is essentially a socio-economic problem which is inseparably linked to poverty and illiteracy and requires intensive efforts from all sections of society to eliminate the problem. There are high rate of children involved in manual work based on two condition i.e. forced and unforced labour. Unforced labour is due to the lack of infrastructures and development in the rural areas and economically poor condition of the family where the children after attaining the age of ten years start to work to support their family members. The child's basic works are to

looking after the younger ones, fetching water, collecting fuel wood, fetching fodder for pig and helping out in the field. Mostly the girl child is assigned to look after the younger siblings when the parents are in the field and help in domestic works, while the boys are sent to the schools. Due to the poor economic condition, children are unable to get proper education. By the very early age, children are compelled to migrate to the nearby towns and cities like Kohima and Dimapur to get good education. And the juveniles have to work as domestic servants where in return for their labour rendered they get schooling. For example, in Buranamsang area under Longleng District and Naganimora situated 11 km away from Kongan village in Mon District, high percentage of children are engaged in business and work in stone quarry and coal mine

There are different types of human trafficking and its punishment under certain sections of IPC. As per the Morung Express report (22nd Sept, 2018), around 70 cases of human trafficking of women and children were registered till August 2018. Various cases registered under women police cell (police station) in Nagaland are usually that many gullible Nagas were taken to brothels outside the state on the pretext of giving them good jobs. If the state government and various non-governmental organisations, stakeholders, state legal services authority and police do not take various effective measures for prevention, awareness and sensitization to the innocent youths and provide care for the juveniles and save them from being exploited, within a very short span of time, it will increase at an alarmingly fast and high rate. Most of the human trafficking is of below eighteen years where majority of the children are from poor family background and from rural areas and are mostly girls. Although reported juvenile crime rate in Nagaland is not high, the largest proportion of juvenile offenders belongs to the poorest of families and school dropouts. The fact that an overwhelmingly large proportion of offenders belong to the poorest of families speaks volumes of their vulnerability in falling prey to crime.

Substance abuse such as drugs, opium and alcohol are one of the issues and problem concerning the children and it is the root cause of social problems affecting the lives of the individuals, family and the society at large. The alcoholism and drug abuse have remained a complex and social problem in Nagaland. The main causes of drug addiction and alcoholism are through the peer pressure, curiosity and frustration. Juvenile who use drugs and alcohol are from different category such as school and college drop-outs, children in conflict with law, delinquent children, uneducated and spoilt children. Comparing with the female, the male juvenile has high rate of substance abuse in Nagaland. Based on the data and information collected from various district police stations under special juvenile police unit (SJPU) and women cell, the girl juvenile in conflict with the law is low compared to the male juvenile. High report of child missing, rescued child, children in conflict with law, run away child, kidnapped child and sexual assault are registered in Dimapur followed by Kohima, Wokha and Tuensang due to easy accessibility and connectivity through road, airway and railway with the immediate neighbouring states like Manipur and Assam. On other side, the report of offences committed by juvenile is low in Nagaland in all the eleven districts due to various reasons like people have less knowledge about the Juvenile Justice (Care and Protection of Children) Acts and cases are solved through mutual understanding. Also the various child rights, child development and protection services like District Children Protection unit, Social Welfare Department give sensitization and awareness at the state, district, block and village level to the selected leaders of various organisation, chairman of wards and village council. But the leaders fail to realise that they represent their community and the information given during the seminars and meetings are not disseminated as it should be. Most of the apprehended juvenile committing petty and serious offences in interior areas and villages are disposed through the tribal customary laws.

Another issues and problems related to

girl child common in Indian society like female foeticide and infanticide are not practised in Naga society. But as Naga society practise patrilineal kinship system, preference of male child is still prevalent.

Human Development Indicators

Indicators	Male/boys	Female/Girls	Total
Population (0-6 years)	1,49,785	1,41,286	2,91,071
Sex ratio (0-6)	931/1000		
Literacy Rate (7 years and above)	82.75	76.11	79.55
Net Enrolment	2,24,390	2,15,916	4,40,306

Result and discussion

From the table, there is a clear indication that the male child comprises of 51.46% of the total child population (0-6) in the state whereas as the girl child population is 48.54% only as per the 2017 statistical report. The child sex ratio is 943/1000 (2016-2017) which indicate that the male child is given more preference in the Naga patrilineal society. The net enrolment of the female or girl students is 49.04% which is more or less equal with the male students. The male literacy rate is 82.75% which is the highest compared to the state literacy rate of 79.55% and the girl literacy rate of 76.11%. The girl child education is low inspite of many incentives and schemes to promote girl education Beti Bachao Beti Padhao (Save girl child and educate girl child) 2015. There has been a continuous change in the state exhibiting higher proportion of male population than that of female. Despite, the claim of non-existence of discrimination against womenfolk in the society, the low number of female per 1000 males has been a continuous phenomenon in the state.

Provision for the children rights in the Indian constitution

- I. Right of equality (Article 14)
- II. Right against discrimination (Article 15)

- III. Right to life and personal liberty (Article 21)
- IV. Right to free and compulsory elementary education to all children of the age 6-14 year group (Article 21A),
- V. Right to be protected from being trafficked and forced into bonded labour (Article 23)
- VI. Rights to be protected from any employment in any factory or mine or engaged in much hazardous employment till the age of 14 (Article 24)

Certain responsibilities on the state

- I. Make special provisions for women and children (Article 15(3)).
- II. Ensure that the health coverage of weaker sections of the society,
- III. Ensure that the children of tender age are not abused and the citizen is not forced by economic necessity to enter employment or vocations unsuited to their age or strength [Article 39 (e)].
- IV. Raise the level of nutrition and standard of living of people and to improve public health (Article 47).

Legislation relating to protection of children

1. The Pre-Natal Diagnostic Techniques (regulation and prevention of misuse) Act 1994.
2. The prohibition of child marriage Act 2006.
3. The Child Labour (Prohibition and Regulation) Act 1986.
4. The Immoral Traffic prevention Act 1956.
5. The Juvenile Justice (Care and protection of children) Act 2000 and its Amendment 2016.
6. The Commission for Protection of Child Rights Act 2005.
7. The Right to Free and Compulsory Education Act 2009.
8. The Juvenile Justice (Care and protection of Children) Rules, 2007.
9. National Charter for Children, 2003.

Suggestions

- I. To sensitize and create awareness about the rights of the Girl Child.
- II. Education for the girl child should be prioritized.

- III. To earmark gender responsive budgeting.
- IV. To promote and strengthen the policies and institutional mechanism for effective implementation of girl child rights.
- V. The government should strictly implement the various laws related to curbing of drug and alcohol.
- VI. Various schemes and policies like free legal aids, aganwadi, Crèche, sponsorship, POCSO Act, foster care, ICDS, ICPS, SSA, RMSA, Beti Bachao Beti Padhao, Polio and State Adoption Resource Agency to promote and protect the child rights should reach the targeted groups effectively.
- VII. Social welfare officer and police Incharge of special juvenile police unit and women cell in every sub-Divisions and District police station should be well trained and well versed with the Juvenile Justice (care and protection of children) Act from 2000 to 2016, The Juvenile Justice (Care and Protection of Children) Rule, 2007, National Charter for Children, 2003 and the POCSO Act.

Conclusion

The NGOs, Government agencies, civil societies and Churches need to create more awareness programs through the conduct of sensitization programmes, seminars, workshops, counseling and campaigns about the rights of girl child. People should also know the benefits of various government policies and programmes like Children Home, Shelter Home, day care Home and Observation Home.

All forms of violence and injustice against girl child should be eradicated in the society. The holistic and multi-Sectoral approach is required to address the complex dimension of the problem. Girl child should be considered as equal as boy child and given equal opportunities to thrive and excel as they have the potential to create the whole world. To save and protect the girl child is the concern of everyone as they are equally needed for the growth and development of any society and nation.

References:

1. The Juvenile Justice (Care and Protection of Children) Act 2015 (2 of 2016).
2. Integrated Child Protection Scheme (2010): *State Child Protection Society Nagaland*, Department of Social Welfare, Government of Nagaland.
3. Government of Nagaland (2017): *Statistical Handbook of Nagaland*, Directorate of Economic and Statistics, Kohima.
4. Sangtam, Athriba (2016): *Children without Childhood*, New Delhi: Christian World Imprints.
5. The Morung Express (22nd September, 2018): "Menace of Human Trafficking roots in Nagaland".
6. Tyagi, Malvika (2016): "Analysis of juvenile Crime: Effects of State Apparatus", *Economic and Political Weekly*, Vol.51, 17 December, pp 17-20.
7. Nararsaiah, M.L. (2016): *Child Labour and Education*, New Delhi: Discovery Publishing House.

