



Ever since the Narendra Modi-led BJP government assumed power in 2014, a constant theme has been the upending of old structures of power and hierarchy and the ushering in of new ones. Financially, demonetisation was the major policy initiative that ruffled the socio-economic fabric. Two other issues that the present regime has espoused have created waves of arguments and counter-arguments, and both concern gender issues, particularly the position of women - the abolition of triple talaq in the Muslim community and 33% reservation for women in Urban Local Bodies in Nagaland.

For long, Muslim men have been able to divorce their wives by simply uttering 'talaq' thrice, and without facing the liability of alimony. A five-judge bench of the Supreme Court ruled on August 22 that triple talaq stands invalid as a practice and would not be recognised under the law. The issue went to the Supreme Court after Shayara Banu of Uttarakhand filed a Public Interest Litigation (PIL), demanding a ban on triple talaq. Shayara herself faced divorce through triple talaq, and continuous mental and physical abuse in her marriage.

Shayara's demand was backed by the Bharatiya Muslim Mahila Andolan (BMMA), which spearheaded the campaign. In a kneejerk reaction, the All India Muslim Personal Law Board (AIMPLB) protested citing interference with Muslim Personal Law and contended that a ban on triple talaq would not be in accordance with the constitutional provision of freedom of religion. Since the debate surfaced, AIMPLB had organised massive rallies and protests against any move to alter existing practices. More about triple talaq later, now let's turn our attention northeast, towards Nagaland.

Nagaland has witnessed internal conflicts over the issue of 33% reservation for women in Urban Local Bodies (ULB). The demand of reservation was spearheaded by the Naga Mother's Association (NMA) and opposed by apex Naga bodies such as Naga Hoho. The NMA contended that women were poorly represented in the elected bodies of Nagaland. The fact that there's no woman legislator in the 60-member House in Nagaland substantiates the claim. Initially, the traditional Naga bodies cited Article 371(A), which requires that any constitutional provision has to be passed by the Nagaland Assembly in order to be enforceable in the state.

However, when the Nagaland Municipal (third amendment) Bill 2016 was passed by the Nagaland Assembly, incorporating the provision of women's reservation, the Naga bodies turned to citing Naga

customs and contended that reservations for women was incompatible with those customs. A feminist critique against such argument is that there is no clear definition of what constitutes a custom or customary law, and that these are in any case dictated by male-dominated ethnic bodies. The protests against municipal polls forced most candidates to withdraw nominations and ultimately the election was called off. Two protesters were killed during a mob-police street battle and the chief minister was eventually replaced.

Packing the two issues - triple talaq and women's reservation in Nagaland - together helps to unpack how gender -- women to be specific -- is being utilised today as an important means by the government (and political parties) as it negotiates its way through to upending the existing social order, to achieve both governance and electoral benefits.

The BJP was particularly vocal against triple talaq although the politics practiced by the party makes the Muslim community an unlikely support block. It's a likely strategy of the BJP, therefore, to create a fault line across the Muslim community through the prism of gender, which it hopes would translate into electoral dividends. There is a high probability that the BJP would be able to wean away a considerable percentage of Muslim votes or at least split them between opposition parties and itself, as was seen in the assembly elections in Uttar Pradesh, which has a considerable percentage of Muslim voters and yet where the BJP secured an overwhelming majority.

The issue in Nagaland requires taking into account the changing pattern of governance in Northeast India over the last few years, wherein the agenda of the Indian government has been to shift from security-centric governance, fighting insurgencies, to trade-centric governance through the 'Look & Act East Policy', which envisages greater trade and connectivity with India's Southeast Asian neighbours. Therefore, Northeast India assumes the role of bridging mainland India with Southeast Asia, thus requiring peace in the restive Northeast states.

In that quest for peace, women play a prominent role in order to ensure justice for the Naga people in general and for Naga women in particular. Women's organisations have often take up the role of arbitrating between state forces and ethnic organisations to ensure peace. Apart from the state and the central government, Nagaland is governed by village councils, headed by the hereditary male village headman. The centre of power is therefore localised and gives a sense of the traditional way of governance. Municipalities, with their provisions, legislation and taxation, bring the state closer to the household and facilitate governance and surveillance by the same. Perhaps, it is in view of this that there is opposition to reservation for women in the municipalities in the name of Naga traditions.

A collective analysis of the two above issues shows how women become an 'entry point' into a community and a region for a political party and the nation-state respectively. The issues at stake no doubt carry the legitimacy of the just position. Justice, however, takes a different notion when it is aligned with peripheral

groups. Muslim women can be considered a peripheral group, going by the social indicators of their progress. On the other hand, Nagaland has been peripheral, both geographically and in terms of governance, since Independence. It is therefore between the old order of social hierarchy and the new order of governance and representation that women have to tread.

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