

Property Right of Women: A Case Study of Political Empowerment of Women with Reference to Khasi and Assamese Society

Sukanya Das

Ad hoc Assistant Professor, Political Science, Bhattadev University, Bajali, Assam

Abstract

Property right is the permanent guarantor of economic sustenance. Economic assurance and political participation coincide with the empowerment of women. Being a Matrilineal society, the Khasi tribe of Meghalaya licenses the inheritance right to women, while the patriarchal system in Assamese Society forbids women to acquire property rights. Since the previous studies do not exhibit the inherent association among economic right, property right and political right, therefore the cornerstone of the present study is to show the conjoining character among these rights and further progresses with reflecting this interrelation in the political participation of women in both divergent Khasi and Assamese societies. For this purpose both 'qualitative and quantitative methods' have been used with 'comparative analysis' between Khasi and Assamese Society. The elaboration of the study can be concluded with the findings that owning property right provides economic autonomy which in turn helps to increase the bargaining power. Moreover, the study also discovers that although the women in Khasi society enjoy high social status because of having privilege in the inheritance right, yet the customary bigotry and prejudices limit their political participation.

Keywords: Property Rights, Political Participation, Matrilineal System, Khasi Society, Assamese Society

Introduction:

In a patriarchal society like India, daughters are often considered as a liability while sons as assets. As a result of socialization, the labor division has taken place in such a way that women has to take the burden of unpaid work at home, while men dominate most of the economic activities. Empowerment of women has gained attention due to the prevailing disparities. However the concept of empowerment has different parameters. Economic and political empowerment, they both go hand in hand. An economically empowered woman can be in a position to stand up for her rights and voice her opinion. Although politics is a matter of public domain, but the ground work for political participation can be seen at home itself. Economic self-sufficiency is very important to attenuate the political attributes and this economic self-sufficiency can be generated from various sources.

Land is stable and permanent economic access to a person. It provides economic sustainability to an individual. It is a way to have economic independence and thus helping person to access to proper food, education, housing, health, water and sanitation. John Locke advocated the right to life, liberty and property as natural rights and therefore everyone should have equal access to these rights irrespective of

sex. In India, Devi Laxmi is worshipped as the deity of wealth, prosperity, property, but while in case of sharing of property with the female progeny, society is quite skeptical till date.

Gender inequality in the ownership of land and other productive assets is closely related with women's poverty, and exclusion from the economic and political governing system. The bread earner (which is male in most case) has a dominant role to play in the decision meaning process. Female's opinion is hardly given any importance. Since it is often said "personal is political", therefore women's role in the decision making process at domestic level reflects her participation in the public vis-à-vis political institutions. Without political pull in the community and the limited bargaining power at the household, women lack to voice their other rights as well.

According to a survey conducted by World Economic Forum, "women occupy less than 20% world's land, yet 400million of them farm and produce the majority of world's supply". Women invest almost 90% of their income for the family and when they own property food security will be enhanced, have control over decisions and target on children development (Villa, 2017).

Besides ensuring social status of women land rights also change orientation towards the family law and marriage, increase their participation in the public life, and provides physical asset in the agrarian land which will eventually empower the women in the rural areas, followed by entitling civil and political rights, social and economic rights as well as escape from poverty and social exclusion (Daley, et al 1998). Economic inequalities are associated with social injustice and economic injustice is the outcome of social distortion. Economic rights are inalienable rights of all the members of the family. According to World Bank India ranks 120 out of 131 countries in female labor force participation contributing only 17% share of GDP (2018).

Status of property rights of women in Khasi Society

Originally formed as a detached part of Deccan Plateau, the state of Meghalaya is situated in the Northeastern part of India. Besides, its rich biodiversity, the tribal society of Meghalaya is also rich in culture, heritage and tradition. The three tribal communities that inhabit here from centuries are Garo, Khasi and Jaintia. From the mythological point of view, Khasis are considered to be the descendants of the Hynniewtrep which means "seven huts" but historians believes that Khasi tribe belongs to the Mon-Khmer family (Roy, 2018). Unlike most of the parts of India, Meghalaya is known as the land where matrilineal system persists since centuries. Along with this, there is no system of dowry inherently present here, nor is polygamy or polyandry practiced. Widow re-marriage is not prohibited and exogamous marriage is also accepted. The ancestral property passes from mother to the youngest daughter instead of father to son. According to a theory, earlier human society lived in promiscuity. Because of the biological factor it is easier to trace the relationship of children with their mother than to their father and as a result of this, at the later stage, human organization revolves around their mother. This process evolves into a system which is commonly known as Matriliney. The term Matriliney consists of two words: "mater" meaning mother and "linea" meaning lineage, which means that the descendents belong to mother (Chakcko 1998).

Khasi is one of the tribes of Meghalaya which performs matrilineal social structure. In the matrilineal system the family line is centered on the mother's house which is headed by maternal grandmother. Khasi society is composed of clan system. There are mainly two types: Kha- Paternal Clan and Kur-Maternal Clan. Grandmother is considered as the root of the maternal clan (Kur) which is an exogamous

unit. This defines each member of the same clan (Kur) are its kith and kin, thereby preventing marriage within the same clan. Social system and institution revolves around Kur or the maternal clan. Traditionally, in Khasi society man is considered as protector (U Nongda) and a woman is considered as (Ka Nongri) which means the keeper of the house (Ryndem, 2017). It is (Khadduh) the youngest daughter that takes upon the ancestral property. She is caretaker of the family property and is also responsible for carrying out the family rituals consisting heirlooms. This ancestral property gets transferred from generation to generation with each youngest daughter being the custodian. It is the responsibility of the youngest daughter to preserve the property or the iing which may shelter some family members of matrikin in case of any contingency. Therefore, in order to maintain the dignity and honour of the “Khadduh’s iing” she should be free from all social contaminations like incest, adultery, lunacy, or change of religion that would deprive her from being the legal inheritor of the ancestral property (Ryndem, 2017).

Status of property rights of women in Assamese Society

Assam is a home of heterogeneous racial groups, namely- Negrito, Austric, Alpine, Mongolian and other minor groups. This fusion of Aryans and Non-Aryans help in building a unique socio-economic set up that co-exist with each other. But unlike Meghalaya, the socio-political structure of Assamese society is quite different.

According to Hindu Law there are two different schools of inheritance rights:

- a. *Mitakshara School* and
- b. *Dayabhaga School*.

Assam follows the Dayabhaga School of Inheritance Rights which gives rights over ancestral property to son only after death of his father. He cannot claim the property as his birth rights. As far as widows are concerned they get the share of her husband’s property in the absence of a legal heir. Being a part of India, The Hindu Succession Act is also applicable to Assam barring some tribal areas where customary rules are followed. However, in spite of legal provision available for the property rights, daughters are not considered as legal coparcener of the ancestral property. In many cases, lack of awareness is also a cause of absence of dissent (Kaur, 2014).

Due to the overwhelm presence of tribal groups and emergence of *Neo-Vaishnavism* (It is a socio-cultural movement in Assam for the advancement of backward class and minimizes the caste rigidity, spearheaded by Srimanta Sankardev) in Assam, their beliefs, culture, tradition have always influenced the Assamese people. Unlike the mainland Indian, practices like Sati, Dowry, Purdah (Veil System), infanticides, are not so common occurrence in Assam. However, the status of women is still not at par with men. Women are still lagging behind in the field of education, economy, health, politics, work places, administration etc.

There were many instances where participation of women as chief of the administrative system was encouraged. The Kings used to take advice of their consorts and mother on matters of statecrafts, diplomacy and administration. Queen Phuleswari, Queen Ambika and Queen Sarbeswari were the three consorts of King Shiva Singha who acquired the title of Bar – Raja or the Chief King and successfully ruled the kingdom. It was under the advice of Queen Chauching, the office of Bopatrogohain was created.

Comparative Analysis women empowerment in Assam and Meghalaya

Assam and Meghalaya are two different societies with different culture, tradition, topography, vegetation; demography, language, food habits and socio- political system. Social structure of a society impacts the economic and political structure as well owing to the inherent concealed link with each other. Matrilineal structure of Meghalaya especially among the Khasi tribe raises curiosity to understand the political structure of that society. On the other hand Assamese Society is a patrilineal society. Although there are some tribal groups, which follow the matrilineal system, but majority of the people stick to the traditional patrilineal system of inheritance. Since women in the Khasi Society have privilege over the inheritance rights, therefore their economic situation will be at better position than the women of Assam who does not possess any inheritance rights.

Table : Data of Women Empowerment of Meghalaya and Assam

Women empowerment	Meghalaya		Assam	
Sex Ratio	1039		1012	
Literacy Rate	88.2%		77.2%	
Women worked in the last 12 months and paid cash	40.0%		19.0%	
Women owning land or household alone or jointly	40.0%		19.0%	
	Rural- 70.1%	Urban- 47.8%	Rural- 43.9%	Urban- 36.3%
Women participate in three household decisions	92.3%		92.1%	
Married women age 18-49 year who have ever experienced spousal violence	16.0%		32.0%	

Source: NFHS-5, 2019-20

The above data shows the status of women on six major grounds; Sex ratio, Literacy Rate, Participation in the household decision making, work pay of women, spousal violence and women owing house or land. By comparing the data of Assam and Meghalaya, it is clear that the women in Meghalaya are at well off position than the women in Assam. Literacy Rate is first parameter for ensuring women empowerment. It is easy to deceive an uneducated woman than an educated woman. Due to the presence of inheritance rights, it’s become easier for the women in Meghalaya to own land or houses of their own. Therefore the percentage of women owing land or house touches 65.0%. While in case of Assam, women have only 42.7% share in the land and most of them are jointly owned. In both the cases, the women in rural areas succeed to have more ownership than urban areas. The percentage of paid work for women is also higher in Meghalaya than in Assam. Land and employment guarantee authority and as result the women in Meghalaya have control in the household decisions with 92.3%. However the statistics of Assam also shows a positive growth with 92.1%. The spousal violence against women in Assam is higher than Meghalaya with 32.0%.

Political Participation of women in Assam

During British Rule, the women actively participated in the freedom movement. Assam Women Association was formed in 1915 for the encouraging the participation of women in the anti- colonial

movement. In the post independence period Assam had experienced change in the political behavior of the people.

Table: Data of women participation in Assam Assembly Election,1972-2021.

Year	Number of women contested	Polling percentage	Status of Winning
1972	12	54.81%	-
1978	22	60.87%	1
1983	3	29.20%	2
1985	29	78.40%	5
1991	50	73.86%	5
1996	17	77.58%	6
2001	55	72%	10
2006	70	74.89%	13
2011	85	75.94%	14
2016	91	85.70%	8
2021	74	82.04%	6

Source: a) Election Commission of India, 1972-2016

b) Voter Turn Out- 2021

The above table shows the women participation in the Assembly Election from 1972 to 2021. Although the data shows consistent increase in the polling percentage of women except in 1983 election in which the over all voting turn out was only 32.74% with male having 35.84% voting turn out. Yet when observed the overall voting turn out, there has been a steady growth in the women participation. However, while the total voters turn out increasing, the same cannot be seen in case of women candidate and women getting elected. From 12 women candidates in 1972 to 74 candidates in the 2021 election, growth rate in women’s participation is very low. Even the ratio of women contested in the election to women getting elected is not satisfactory. Out of 508 who contested election, only 70 women get elected since 1972 and very less of them reached the position of Cabinet Minister. Syeda Anwara Taimur was the only Chief Minister in Assam from 1980 to 1981. Recently, Ajanta Neog becomes the first women Finance Minister in the newly formed government in May, 2021.

Political participation after formation of Meghalaya State

Meghalaya was formed as an autonomous state within Assam in April 1970 and finally on 21st January, 1972 it received separate statehood. After the formation of state, the first election held in 1972. Meghalaya has a unicameral legislative structure with 60 assembly seats.

Table 3.1: Data of number women participation Meghalaya Assembly Election,1972-2018

Year	No. of women contested	Polling percentage of women	Status
1972	9	47.15%	Won-0
1978	7	63.13%	Won- 1
1983	8	69.86%	Won- 0
1988	3	75.14%	Won- 2
1993	7	78.25%	Won- 1

1998	15	74.83%	Won- 3
2003	14	71.68%	Won- 2
2008	21	89.36%	Won-1
2013	25	88.44%	Won- 4
2018	32	87.23%	Won- 3

Source: Election Commission of India, 1972-2018.

The above table shows the participation of women in Meghalaya Assembly Election after formation in 1972. There has been constant growth in the polling percentage of women from 47.14% in the first election in 1972 to 88.44% in the last election in 2018. In 2003, women outnumbered men with 71.68% polling percent while men contributing 69.19% votes. This trend continues in the next elections as well. In 2008, women total vote turn out was 89.36% while men was 88.62%. In 2013 Assembly Election women surpassed men with 88.44% voting turn out and men remained at 85.17%. Women managed to continue their dominance with 87.23% and men with 83.9 % in 2018 Assemble Election. It is assumed that higher the polling percentage of women, greater will be the probability of women getting elected. However in case of Meghalaya, although percentage of women voters turn out keeps increasing, but this does not lead to increase in number of women representatives. The gap between number of women contesting election and number of women elected is very large. While examining the data, it turns out that women are not voting for the women. They still prefer male candidate over female. In most of the cases women have forfeited their deposited amount. The increasing number of women voters is not proportionate to increasing number of women getting elected.

Participation of women in the Lok Sabha

Just like assembly election, it is necessary to consider the representation of women in the Lok Sabha, the lower house of India. National representation helps in reaching out local plight at the national level. The total number of seats for Assam in Lok Sabha is 14 and Meghalaya contains 2.

Table : Data of participation of women in Lok Sabha in Assam and Meghalaya from 1977-2019

Year	Meghalaya			Assam		
	Polling Percent	Contested	Elected	Polling Percent	Contested	Elected
1977	45.67%	-	-	47.80%	3	2
1980	48.49%	-	-	44.68%	2	0
1984	50.06%	-	-			
1985				77.10%	4	-
1989	49.70%	-	-			
1991	49.65%	-	-	73.27%	8	-
1996	61.01%	1	-	76.45%	9	1
1998	74.92%	2	-	50.09%	3	1
1999	53.30%	-	-	69.54%	9	2
2004	58.86%	-	-	65.36%	6	1
2009	64.16%	3	-	75.50%	11	2

2014	69.99%	1	-	79.45%	16	2
2019	73.93%	-	-	81.33%	13	1

Source: Election Commission of India, 1977-2019.

The above table shows two different data of women participation of two different states.

In Meghalaya, number of women candidates is at rock bottom. There are only few instances where women candidates came forward. It was in 1996 that for the first time a women contested election. From 1977 to 2019 only 7 women (1996-1, 1998-2, 2009-3, and 2014-1) took part in the active politics, but none get any success till today. However, the percentage of women voter turn out shows an incredible growth from 45.67% in 1977 to 73.93% in 2019. In Assam also the scenario is not that different. The number of women candidates increased from 3 in 1977 election to 13 in the 2019 election with 16 reaching the highest notch in 2014 election. But number of women getting elected is very less. However, the polling percentage has increased from 47.80% in 1977 to 81.33% in 2019. The number of women candidate in Assam is a little more than that of Meghalaya, due to the increased total number of seats. Assam has 14 seats in Lok Sabha whereas Meghalaya has only 2 seats and in most cases the preference is given to male candidate. Therefore women get hardly any chance to contest election.

Being a matrilineal society since ages, having birthright over the ancestral property, with command over the economic resources and the decision making process, the social status of women in Khasi society is way better than that of women in Assam. With more 65% of the total land holding and 40% of the total wage labors, the social status of women is booming; whereas the women of Assam is still struggling to get enough leverage over the property. With only 42.7% of land holding and 19% of the total wage labor, the economic does not exhibit the same vive as of women of Meghalaya.

Because of uplifted social status, it is assumed that the political participation of women of Khasi society also will reach the top-notch and will be the yardstick of women of other societies to achieve that height. But the actual scenario is paradoxical in nature. As the figure shows women are well aware of their voting rights, but remain insensitive in contesting election. This can be because traditionally women are prohibited from participating in any kind of political activities. As seen in the previous chapter women’s presence in the *dorbar* or village council is forbidden except some of the instances. Although with time and with the influence of modernization, the traditional mindset of people has changed providing women equal voting rights, but society is still ambiguous regarding the administrative skill of women. On the other hand Assam shows a positive involvement of women in the administrative decision making since the Ahom Period, though instances are small in numbers. Immigration from various parts of country brings major demographic changes and also influences the socio-political system. Lack of awareness, economic resources, unwillingness to participate, and illiteracy are some of the factors of poor political empowerment of women unlike Meghalaya where customary laws prevents women’s participation.

Conclusion

Women Empowerment is an overlapping phenomenon. Development of one sector ushers the empowerment of another. Since women have the command over the ancestral property right providing economic support to them, the position of women in Meghalaya is way better than women of Assam. In case of economic status, work force, literacy rate, wage workers, land holding and the overall social status, the Khasi women outperformed the women of Assam. On the other hand, the patriarchal society

of Assam favors men for playing a dominant role in the society as well as in the political field. Women are often considered unskilled and unfit for public sphere. Lack of awareness and economic support illiteracy, gender bias, unwillingness on the part of women are some of the common factors that hamper the political participation of women.

In addition to economy, culture plays a major role in moulding social behavior. Societal norms and cultural beliefs, prejudices and stereotypes impact the values of a person and in order to get social acceptance they blend into the existing value system. The existing matrilineal system in Meghalaya, does not reciprocate the political empowerment of women. Women support their male partners to be the head of the family, although they have the legitimate authority over the land. Women obtain around 65.7% land rights, yet they consider the real head of the family is their male counterparts. Moreover, although Khasi matrilineal society provides the youngest daughter the right to inherit ancestral property, but it is the mater uncle or *U kni*, who has de facto control over the property. Thus, it is the men who have actual control over the property in the name of women.

Reference:

1. Brule, Rachel, Nikhar Gaikwad. "Control over family wealth among Meghalaya women increases political activity, study finds", 2021.Print, <https://theprint.in/opinion/control-over-family-wealth-among-meghalaya-women-increases-political-activity-study-finds/663096/>
2. Chacko, Pariyaram M. Matriliny in Meghalaya. Regnecy Publication, 1998.
3. Daley, Elizabeth, et al. "Women's land right and gender justice in land governance: Pillars in the promotion and protection of women's human rights in rural areas." International Land Coalition. <https://www.ohchr.org/Documents/HRBodies/CEDAW/RuralWomen/InternationalLandCoalition.pdf>. Accessed 20th May, 2021.
4. Derrett, Duncan M. "The Hindu Succession Act 1956." Oxford Journal, vol.8, no.4, 1959, pp- 485-501. Jstor.
5. Duflo, Esther. "Women Empowerment and Economic Development". *Journal of Economic Literature*, vol.50, no.4, pp-1051-1079. Accessed 20th May, 2021, <https://www.jstor.org/stable/23644911>
6. G.O.I. Statistical Report on General Election, 1977 to 2019 lok sabha: Election Commission of India.
7. G.O.I. Statistical Report on General Election, 1972 to 2018 legislative election of Meghalaya : Election Commission of India.
8. G.O.I. Statistical Report on General Election, 1972 to 2016 legislative election of Assam: Election Commission of India.
9. G.O.I. National Health and Family Survey-5 2019-20: Ministry of Health and Family Welfare.
10. Gurung, Bishnu K. "The Ahom rise to power: matrimonial alliances as a factor." vol. 2, no. 1, 2020. <http://maitreyi.ac.in/Datafiles/cms/2020/magzine/issue%2020201/Ahoms.pdf>
11. Hazarika, Sujata D. "Political participation of women and the dialectics of 73rd amendment." The Indian Journal of Political Science, vol. 67, no.2, 2006, pp- 245-260. Jstor. <https://www.jstor.org/stable/41856212>
12. Kaur, Manpreet. "Property rights of Hindu women: A Case study of implementation of laws in India." Punjab University, 2014, Shodhganga, <http://shodhganga.inflibnet.ac.in:8080/jspui/handle/10603/57409>

13. Keeni, Minakshi. "Tribal Culture and Religion and its impact on women empowerment." Tohoku University
14. Khan, Sona. "Inheritance of Indian women: A perspective. India International Centre Quarterly, vol. 27, no. 2, 2000, pp.139-154. Jstor, <https://www.jstor.org/stable/23005497>. Accessed 22nd May,2021.
15. Khatso, Kezhaleno. "Khasi women and electoral politics: A study of greater Shillong Area." Department of Anthropology, NEHU.
16. Laloo, Monica N. "Political structure of the Khasi: With special reference to nongthymmai dorbar phyllun." IOSR-JSS, vol.19, no. 4, 2014, pp-45-53. <http://www.iosrjournals.org/iosr-jhss/papers/Vol19-issue4/Version7/H019474553.pdf>
17. Lyndoh, Angelica Q, Nongkynrih AK. "Mother's brother in matrilineal societies: A study of Khasi matriliney." The NEHU journal, vol-13, no.1, 2015,pp-33-46.
18. Mehta, Anupama. "Gender gap in land ownership." National Council of Applied Economic Research,2018, https://www.ncaer.org/news_details.php?nID=252&nID=252
19. Mehta, Soumya K, & Walker, Steven. "Where are India's women leaders", *Hindustan Times*,2021 <https://www.hindustantimes.com/opinion/where-are-india-s-women-leaders-101614781421864.html>
20. Nongsiej, Plieladdalin E. "Women and political participation in Meghalaya." International Journal of Research on Social Science, vol. 8, no. 5, 2018, pp.-363-374.IJMRA, https://www.ijmra.us/project%20doc/2018/IJRSS_MAY2018/IJMRA13721.pdf. Accessed 23 May, 2021.
21. Pandey, Shruti. "Property Rights of Indian Women." https://www.womenslinkworldwide.org/files/gjo_article_India_caseC.%20Masilamani_en.pdf
22. Pandit, Latha A. "Political Leadership of women: Constraints and Challenges." The Indian Journal of Political Science, vol. 71, no.4, 2010, pp.1139-1148. Jstor, www.jstor.org/stable/42748942. Accessed 30 May 2021
23. Patnaik, Jagadish K. "Political participation of Meghalaya a comparative study of Khasi and Garo women." Mizoram University, Shodhganga, 2018 <https://shodhganga.inflibnet.ac.in/handle/10603/203345>
24. Rahman Nasrin A. "Status of women under the Ahoms: A historical study(1228-1826)." University of North Bengal, 2018. <http://14.139.211.59/bitstream/123456789/2840/16/Full%20thesis%20of%20Nasrin%20Ara%20Rahman.pdf>. Accessed 22nd May, 2021.
25. Ryndem, Sanbanielyne. "The essence of Khasi Matriliney." IORS-JSS, vol. 22, no.9, 2017, pp- 53-58. <http://www.iosrjournals.org/iosrjhss/papers/Vol.%2022%20Issue9/Version-9/F2209095358.pdf>.
26. Schmitz, Patrick. W. "Asymmetric Information and the Property Rights Approach to the Theory of the Firm."Munich Personal Repec Archive,2017 https://mpra.ub.uni-muenchen.de/91460/1/MPRA_paper_91460.pdf
27. The landless women: Only 12.9 Indian women hold agricultural land. *Business Standard*, 2020. https://www.business-standard.com/article/current-affairs/the-landless-women-only-12-9-indian-women-hold-agricultural-land-120121300771_1.html
28. Villa, Monique. "Women owns less than 20% of world Land." World Economic Forum, 2018 <https://www.weforum.org/agenda/2017/01/women-own-less-than-20-of-the-worlds-land-its-time-to-give-them-equal-property-rights/>