

Gender, Armed Conflict and Terrorism in Kashmir

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Abstract

Kashmir has remained a contested terrain for more than five decades. More than three wars, long periods of insurgency, unrest and terrorism, continuous proliferation of terrorists both home and foreign trained, excessive deployment of the army, thousands of men, women, and children killed, tortured, detained, disappeared and an equal number alive in a place they consider their homeland whose destiny remains undecided. This situation has transformed Kashmir into an endless zone of conflict where the interests of three parties are involved i.e. India, Pakistan and the separatist groups. The worst sufferers are the women who bear the brunt of this violence from both sides. Their survival depends on how they escape the two types of terrorist activities, one non-state terrorist violence and second, violence inflicted by armed forces on behalf of the state. The impact of violence can be seen mostly on women due to the fact that violence has become a way of life in Kashmir. This article is an attempt to analyse the impact of violence inflicted by terrorists as well as the armed forces on women through feminist lens.

Keywords: *Terrorism, Non-state actors, Sexual Violence, Patriarchal Society, Psychological Trauma.*

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Introduction

Kashmir has remained a contested piece of land for more than five decades, .The problem of Kashmir has become most dangerous and prolonged as two countries stake claim over it. As the rise of fundamentalist and rightist forces across the globe have reinforced the religious identities marginalizing regional-cultural identities and ethos in a globalized world. Terrorism seems to have risen to new heights evolving into international networks, without any physical presence. This era is witnessing rise of the Islamic jihad across the globe. The inability of Indian government to understand the disenchantment and alienation of common Kashmiri and youth in particular has worsened the situation on one hand and through religious radicalization and strong networking the Kashmiri ethnic identity of Kashmiri muslims have become weak on the other making it an emotional issue for India and Pakistan. All these developments have again complicated the problem as Indian government has continued heavy deployment of armed forces in the valley in the name of national security and sovereignty and on the contrary Pakistan strategically keeps the non-state actors / terrorists active in Kashmir with special military training and funding for arms and ammunition. George Fernandes, aptly and straightforwardly put this situation into perspective “I do not believe any foreign hand created the Kashmir problem. The problem was created by us....and others decided to take advantage of it”. (F.George, 1992).

There has been tremendous change around the globe but the stands of both the countries have not been changed even a bit. According to official Indian stand Kashmir is an integral part of India and there cannot be any debate about it. India considers every attempt of Pakistan to internationalize Kashmir issue an interference in India’s internal matter whereas ,for Pakistan Kashmir is an unresolved dispute. To top it all, the separatist groups are making the situation worse by demanding freedom and autonomy. Therefore , there are three parties who stake their claim over Kashmir, consequently use violence, state machinery or non-state actors to justify their stand. The masses consider the use of military or police apparatus to maintain status quo by state as repression and retaliate against it. Separatist groups and non-state actors use and propogate this violence to create a perception among the masses that the state does not care and give enough importance to their emotional issues and concerns as Indian citizens. Contrary to this, the modus- operandi used by the terrorist groups is ‘political-symbolic not military material damage’(A.Vanaik, 2002). Hence, “a terrorist creates a state of mind where anxiety and fear dominates the people’s thinking and behaviour....a terrorist act is able to achieve this kind of impact because

of its surprise and shock tactics: surprise because the victim has little or no chance to take defensive measures or to react, and the shock because the target often is totally innocent. The apparent cruelty of the act adds to the element of shock and fear. Terrorism has three important elements which distinguish it from other forms of violence: the creation of terror, the seemingly random use of violence and the targeting of innocents or the non-combatants.”(Marwah, 1995)

“As the tussle between Kashmiri identity and Indian state remains in stalemate, the region witnessed increased militarization and infiltration of ‘foreign’ militants with varying strategies of conflict and changing colours of violence over the past decade.”(Sivasankaran, 2001) Most of the discourse on Kashmir crisis has been gender blind as the views, perceptions and experiences of the women are being brushed under the carpet who have been caught between the non-state terrorism and the violence inflicted by the state machinery and armed forces who act on the behalf of the state, have been under represented. The Armed Forces Special Power Act (AFSPA) enacted by the Parliament of India to empower the armed and police forces against the terrorists and anti-national activities has not been as successful as the lawmakers thought it would be, on the contrary it has continuously been misused against India’s own citizens. It has become a legitimate tool to inflict violence specially against women as violence is inflicted in the different forms of sexual violence like molestation, rape, custodial rapes etc. As terrorism, violence and conflict have become way of life in the Kashmir valley in each and every case women are the worst sufferers as the victims of terrorism. This article is an attempt to analyse the impact of violence inflicted by terrorists as well as armed forces on women through feminist perspective.

Historical Background

According to Indian argument it is a fact that a Hindu maharaja of the state with a muslim majority signed the treaty of accession, hence it’s an integral part of the country. Pakistan’s claim stems from the theory on which the partition was based, being a muslim majority state Jammu and Kashmir should be a part of Pakistan. This territorial dispute has become an ideological, emotional as well as prestige issue for India and Pakistan that has converted Kashmir in a conflict zone.

Jammu and Kashmir had a heterogeneous character and specially Kashmir had the cultural identity of ‘kashmiriyat’ in the valley and surrounding hill districts. To put her claim strongly India insists that people of the state have exercised their democratic voting right in successive elections held in the state. But people in the state take it as betrayal that despite constitutional guarantees for retaining special

status and autonomy of the state in the Indian union, there has been systematic degradation of autonomy as a result of the policies of Central Government.

Violence and Sexual Abuse in Kashmir

Violence and conflicts are widely accepted and recognized as human right abuse and violation. "Gender based violence, however, was identified as an issue of human right as late as 1939, with the United Nations Vienna Declaration, and is still frequently considered to relate to the 'private' domain (Moser, 2001).

The sexual violence and gendered abuse have a cultural meaning and connotation that regard women as 'property' or personal possession of that particular community. Hence, the sexual violence or rape by the perpetrators is considered an act to strip those women of their assets for their community. Motive of abusing the women sexually or raping them is to destroy their possibility of reproducing for or within their own community.

In case of Kashmir, as the region remains terrorist infested for a long time. Men, women and children are victims of violence. But what makes women specially vulnerable and soft target for violence is their position in a patriarchal society. The gender relations based on inequality in a patriarchal society themselves are a site of domination, oppression and different type of violence that is being inbuilt in the system. "Gendered violence and sexual abuse in a situation other than normal like war, insurgency or armed conflict can be seen as an expansion in location, forms, and intensity, as the inter-section of two conflicts informed by, and constructed through gender" (Kelly, 2000).

The situation in Kashmir is quite different from a normal state where women are caught between violence from the both ends. There have been cases of both sexual as well as physical violence against women, committed by both security forces as well as militants (Nabi & Sharief, 2017). They suffer in the hands of terrorists or non-state actors if militants suspect their family being supportive to armed forces or the local police on one hand, and the state machinery or armed forces tactically use rape and sexual violence to punish indirectly the male members of their family for garnering support and sympathy towards the terrorists or non-state actors, on the other. By doing so, they try to hurt and humiliate the male ego for their helplessness and inability to protect their womenfolk or the 'property'.

Rape is not recognized as bodily or physical violence but it is the power over to make them behave the way perpetrators want. Moreover, Kashmiri society is a patriarchal society where concept of virginity and purity are inherent to it and women are considered inferior to men. They have to face not only the psychological trauma

and depression due to sexual violence but economic hardships too. In a society where men are missing in the economic front women have to shoulder the responsibility of a bread- earner without proper education and skills.

Mostly they get to work as unskilled worker, hence are under paid . Moreover, they have to tow the patriarchal rules otherwise get stigmatized with ‘bad women’ title. “Being without an earning member in the family meant they were forced to go out and seek work ,but the moment they stepped out of the home or stayed away from it, family members would accuse them of being women of bad character a stigma that is difficult to live down, the more so when it is added to the stigma of widowhood”(Siddiqui, 2013).

Women and their children in a conflict or war torn region suffer the most .They have to face physical as well as sexual violence which includes severe human right violation. Consequences of such violence are far reaching as social and economic insecurities to cope along with psychological trauma, depression, family-separation and displacement. In Kashmir too women’s quest for peace and justice has become too long as they are victims of the violence inflicted by the non-state actors but of the armed and police forces of the state of which they are the bonafied citizens.

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