

*Full Length Research*

## Impact of Conflict on Women in Kashmir

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Accepted 22 May 2017

Conflicts are long lasting aspects of human behavior and social relationships. Conflicts always exist in the human world with certain degree of levels and vary across the regions, sub-regions, countries. In political terms, conflict refers to wars, violent clashes, revolutions or other struggles which involve the use of force as in case of armed conflict. The impact of conflict is complex and wide ranging and is experienced by people of all ages. The armed conflict in Kashmir started in 1989 have inflicted a devastating impact on the well-being of the civilian population particularly the women. Men are often thought as protectors and women as people who need protection. One of the stories that have been told throughout history is that men fight wars to protect women. Among the high number of civilian casualties in contemporary wars, a large proportion of these casualties are women. Women along with children constitute the majority of the refugee population. When women acting as heads of households are forced into refugee camps their vulnerability increases. In the times of conflict, women are subjected to rape and prostitution. The present paper is an attempt to understand the impact of conflict on women in Kashmir and challenge the myth of civilian immunity to women in Kashmir. The paper also tries to highlight that woman suffering is differential and hence need differential treatment.

**Key Words:** Women, gender, conflict, violence, sufferings, vulnerability, gender equity.

**Cite this article as:** Maqbool O (2017). Impact of Conflict on Women in Kashmir. Int. J. Polit. Sci. Develop. 5(3) 114-122

### INTRODUCTION

In everyday usage, gender denotes the biological sex of individuals. Gender is a set of socially constructed characteristics that define what actually is meant by masculinity and femininity. It is a system of social hierarchy in which masculine characteristics are more valued than feminine ones. It signifies unequal power relationship between men and women. In all conflicts, social and institutional structures are under attack. Gender as opposed to sex is an all-encompassing concept that incorporates given and ascribed dimensions of masculine and feminine identity. Gender analysis addresses men's and women's respective roles and social relationships between men and women. The concept of war or armed conflict is a gendered one. This

concept mainly focuses on men's role in society in general and in conflict in particular. The concept of war is based on male experiences and considers those representatives for all human beings. The concept of security is also gendered one because it focuses on the military aspects of conflict and not on the experiences of all citizens. Not only is the concept of armed conflict gendered but also the practice of warfare is gendered. Conflict takes place in a culture that assigns different roles to men and women and it therefore impacts their lives differently. Men are often called to take part in the battles and to fight in an army while women carry the responsibility for the household and the family. Women's role traditionally has been in the private sphere and is still

prevalent in many countries. There are conflicts occurring within and between countries that are longstanding and seemingly intractable. Top-down solutions or agreements do not easily emerge, violence and economic and social destruction continue for decades complicating the possibilities for peace and development in future. An example of such a region that has been plagued by persistent conflict is Kashmir. The dispute over Kashmir has been at the forefront of the hostilities between India and Pakistan since both countries won their independence from Britain. Three wars have been fought by the two nations over Kashmir. The implications of further conflict between the two nations are severe as both are armed nuclear powers. Due to the conflict between the two nations, Kashmir has fallen into a state of chaos<sup>1</sup>. With little or no political order, the Kashmiri people are suffering from the lack of basic needs. Additionally economic decline has contributed to debilitating poverty and a lack of services. The political instability, threat of attacks by rebels, occupation by troops from India and the breakdown of the rule of law has led to serious consequences for the Kashmiri population<sup>2</sup>. The people who are most vulnerable are women and children who are often the targets of domestic and sexual abuse by family members as well as security forces and rebels. Due to the weakened political state, perpetrators are seldom brought to justice and victims live in constant fear of further violence and abuse.

### Impact of Kashmir Conflict on Women:

For the last sixteen years Kashmir has been embroiled in a fulminating manifestation of turmoil. The issue is protracted and violent, which has taken a massive toll on human lives. Women amidst the mayhem have been equal recipients in the suffering. While on one hand women have become more visible in a deeply patriarchal society on the other hand they have rarely been the pivot of a sustained and constructive documentation and discussion in media or academia. There have been disparate attempts towards studying the multidimensional issue of victim hood and empowerment, forced and catalyzed by the prevailing circumstances however the overall picture of their emergence has been elusive. The situation of women in Kashmir should not be presented in a vacuum but needs to be viewed in context of the dismal political violence that engulfs the valley. The shaping of

the lives of Kashmiri women for good or bad is deeply rooted with Kashmir polity and is a reflection of the society at large<sup>3</sup>. Kashmiri women have always been an active component of the society. Most of it can be attributed to the benevolent patriarchal norms of the Kashmiri society<sup>4</sup>.

The unsettled Kashmir conflict which is long pending since decades has rendered women as worst sufferers. Women are the worst sufferers of the conflict. They are sufferers of violence by state and non-state actors<sup>5</sup>. The number of rape, molestation cases, enforced disappearances and the number of half-widows, half orphans and orphans since 1989 bear witness to the fact that women continue to suffer immensely. Violence has badly affected them physically, psychologically, socially and economically. Besides prolonged life threat due to Kashmir conflict, they also face economic depravity. It seems women's voice is largely overshadowed by financial deficiencies. Women's smooth life transactions are heavily impacted by domestic violence, aggressive treatments for trivial, negative social attitudes and increasing crimes against them. Ever since the beginning of the conflict, Kashmir has witnessed a remarkably high incidence of violence in general and the rape of Kashmiri women by security forces in particular<sup>6</sup>.

Although reliable statistics on rape in Kashmir are hard to come by, existing evidence indicates that the practice is frequent and widespread. In a statement in Kashmir's Legislative Assembly in October 2013, Chief Minister Omar Abdullah admitted to registering more than 5000 cases of rape since 1989 armed rebellion against Indian rule began. According to the government reports a total of 1,326 rape cases have been registered in the state since 2006. In areas of militant presence or activity rape by security forces functions as an instrument of counter insurgency to neutralize local resistance and destroy the morale of Kashmiri resistance. A report based on women's testimonies from the Kashmir Valley confirmed that women were targeted by security forces both as punishment for their support of the struggle and as means of breaking the movement itself<sup>7</sup>.

<sup>3</sup> A.M. Mattu, (2010), "*Kashmir issue: A Historical Perspective*", Ali Mohammad & Sons, Srinagar.

<sup>4</sup> B.A. Dabla, (1999), "*Impact of Conflict Situation on Women and Children in Kashmir*", SCF North-West India, Srinagar.

<sup>5</sup> N.C. Behera, (2000), "*State, Identity and Violence: Jammu, Kashmir and Ladakh*", Manohar Publications, New Delhi

<sup>6</sup> Pallavi Sharma, (2007), "*Violence Against Women on the Rise in Jammu and Kashmir*", News Track India, New Delhi.

<sup>7</sup> Rais Mir, "*Rape Molestation has Become Weapon of War in Kashmir*", South Asia Human Rights Journalist Association, accessed at <http://www.sahrja.com/content/rape-molestation-has-become-weapon-war-Kashmir>.

<sup>1</sup> Seema Kazi, (2009), "*Between Democracy and Nation: Gender and Militarization in Kashmir*", Women Unlimited, New Delhi.

<sup>2</sup> Seema Shekhant, (2006), "*Conflict and Displacement in Jammu and Kashmir: The Gender Dimension*", Saksham Books International, Jammu.

The response of government authorities to allegations of rape by security forces in Kashmir is at best muted. Such allegations have often prompted official denial rather than investigation or prosecution. For instance the allegation of mass rape at the twin villages of Kunan Poshpora, Kupwara district, north Kashmir on 23-24 February 1991 by soldiers of the Rajputana Rifles (RR) was initially denied by government authorities. State denial was followed by a Press Council of India report exonerating the army of any wrong doing. Twenty four years later, at a public event, S.M Yasin, the first local government official to have visited Kunan Poshpora after the alleged mass rape, recalled the testimony of a man who was kept under jackboots by the army men while her daughter and daughter-in-law were being gang raped, he also recounted being warned about being on the army's hit list and offered incentives by way of cash and promotion in return for altering his report on the alleged rape that indicted security forces. Human Rights Watch noted the unseemly haste with which the truth about Kunan Poshpora was buried.

In instances where rape survivors managed to initiate legal action against the alleged perpetrators, state authorities step in to subvert the course of justice. A case in point was the alleged rape and murder of two young women in the town of Shopian in 2009 upon which state personnel manipulated and distorted crucial ocular evidence and facilitated the destruction of vital forensic evidence. Victim's quest for justice was repeatedly thwarted and stonewalled by the administration, police and local courts. Furthermore, state authorities are also known to restrict public knowledge of rape by security forces through forced isolation of the victim. For instance in an allegation of rape by two army men at Gujjardoga hamlet in Manzgam district of South Kashmir in 2011, army authorities declared the complainant Ruqaiya Bano mentally unfit. The entire village was subject to undeclared curfew with extra paramilitary deployment around it, Ruqaiya's house was placed under a round the clock vigil and no civil or media person was allowed to enter the premises. On its part, the Central government has never made public any prosecution or punishment of security personnel guilty of sexual crimes against women in Kashmir. Indeed, of all the crimes committed by security forces in Kashmir the rape of women has drawn little response in terms of investigation and prosecution<sup>8</sup>.

Despite evidence that army and paramilitary forces were engaging in wide-spread rape, few of the incidents were ever investigated by the authorities. Those that were reported did not result in criminal prosecution of the security forces involved. Disturbing as the lack of

institutional response to sexual crimes by security forces against women in Kashmir, it must not be attributed to institutional indifference rather rape by security forces is invested with a multiple instrumentality in Kashmir. It is used simultaneously as a political instrument of power and retribution against Kashmiri rebels and as a cultural weapon of humiliation against Kashmiri women and the community at large. In other words, Kashmiri women are as means to inscribe subordination on the larger community through the sexual dishonor of women<sup>9</sup>. The sexualized edge of the Indian civilian Kashmiri women is a means to crush the dignity, autonomy and integrity of Kashmiri society, they are part of a methodology of state repression centered on the suppression of Kashmiri resistance<sup>10</sup>. For precisely this reason, the political salience of rape cannot be overstated. As Human Rights Watch noted in their report on Kashmir, the central element of rape is power. Soldiers use rape as a weapon to punish, intimate, coerce, humiliate and degrade. Rape in Kashmir is not the result of a few undisciplined soldiers but rather an active strategy of Indian forces to humiliate, intimidate and demoralize the Kashmiri people. This is evidenced by the fact that women were raped in front of their own families, their own husbands and their own children.

In context where the cultural codes of rape go well beyond individual victims, sexual crimes against women are a means to re-inscribe the overarching equation of political power and dominance over a recalcitrant ethnic minority. Rape thus functions as a particularly potent counter-offensive weapon in the armory of security forces in Kashmir. As Justice Bahauddin Farooqi, a former Chief Justice of the Jammu and Kashmir High Court noted in his report on the human rights crisis in Kashmir. It is hard to escape the conclusion that the security forces, who are overwhelmingly Hindu and Sikh, see it as their duty to beat an alien population into submission. The absence of a prompt or proper institutional response to rape allegations by security forces in Kashmir is a measure of official complacency anchored in the impunity granted to state forces for sexual crimes against women. Both serve to normalize modes of governance contemptuous of women's sexual integrity and of judicial process and justice. Further, the Indian state's attempt to situate rape by security forces within an individual-soldier cum individual-victim frame tends to deflect public attention away from its systemic and systematic use as a counter

<sup>8</sup>Muzamil Jaleel, (2011), "Kulgam Rape Threatens to Push Valley to Brink, Gets State Moving", Indian Express, Accessed at <http://indianexpress.com/article/news-archieve/web/kulgam-rape-threatens-to-push-valley-to-brink-gets-state-moving/99>.

<sup>9</sup>Seema Kazi, (2012), "Law, Governance and Gender in Indian Administered Kashmir", Working Paper Series, Centre for study of law and governance, Jawaharlal University New Delhi.

<sup>10</sup>Pallavi Sharma, (2010), "Violence against Women on Rise in Jammu and Kashmir", accessed at <http://www.hindustantimes.com/india-news/violence-against-women-on-the-rise-in-jammu-and-kashmir/article1-530141.aspx>.

offensive weapon of war in Kashmir. Writing of the abuse of Iraqi civilians by United States forces, Jacqueline Rose noted that acts of violence by United States forces whose intent was to disgrace and humiliate civilians were explained away as individual aberrations rather than being acknowledged as a systemic abuse of power that they were forced with the disclosure of such misdeeds, the state will rush to return them to the citizen precisely as individual disgrace. Much like in Iraq, rape by Indian Security forces in Kashmir cannot be explained away as rare albeit “regrettable excesses” as claimed by military authorities. Nor should documented acknowledgement by individual soldiers that they followed orders to rape women in Kashmir be ignored. Both reflect acquiescence and tolerance, if not implicit consent for the practice. The institutional response to sexual crimes by state forces raises grave questions regarding the legality of the state and the question of justice for victims of sexual crimes in Kashmir. Women in Kashmir are now facing a rising inner crisis, how to speak up publically and in court. Most women who have suffered from sexual assault often fear retribution by government authorities and their attackers.

Women have been subjugated to violence in Kashmir for the past two decades from Indian Security forces as well as rebel groups. A study conducted in 2005 concluded, “There can be no two opinions that the women of Kashmir during the past two decades have been in the vanguard and have been fighting battles against all kinds of injustice and crimes against humanity committed by the state and by some dubious non-state actors”. Although violence against women has been prevalent in Kashmir for a number of years, it has been difficult to gather data on the number of women who have been tortured, raped and killed. Figures for the number of people killed in the violence, the dead, the missing, women widowed, raped women, children orphaned—all these vary widely depending on where they come from. Government data does not coincide with information supplied by human rights groups and activists. Although there is lack of numerical data, the fact that women are being physically and sexually abused and tortured cannot be ignored. Nyla Khan notes, “Numerous cases of rape are reported to have been committed by Indian Security, a number of women have been ruthlessly humiliated by members of the paramilitary troops”<sup>11</sup>. In 1991, more than 800 soldiers of the fourth Rajput Regiment raped 23-60 women in the course of one night in Kunan Poshpora. The Indian soldiers under the guise of interrogating local men raided the village and proceeded to separate the women and sexually abused them. Another incident took place in South Kashmir where an Indian army commander and his bodyguard raped an underage girl. A

case involving a young bride is especially disturbing. The young girl was on her way to get married, dressed in bridal finery, when paramilitary personnel stopped her. They proceeded to rape her and kill the men who were escorting her to her groom. As in many other reports of rape, these cases have gone unnoticed by both Indian and Pakistani governments as well as the international community. As a result, the perpetrators were never brought to justice and continue to serve for the Indian army and rebel groups<sup>12</sup>.

The weak legal system has done nothing to stop the abuses suffered by Kashmiri women and as a result, women are afraid to come forward and name their attackers. Since deterrence is non-existent, Indian forces and rebels view themselves as above the law. By using rape and violence as a weapon, they have created a society that is too afraid to defy them and too afraid to speak up. In addition the women being afraid, the men are afraid as well. If a man were to report a rape that occurred he would likely be killed. The constant state of fear of rape and murder is a deterrent to the Kashmiri women in coming forward and expressing what is really going on<sup>13</sup>.

By rendering women powerless, the long-term impacts are devastating. Many of the women who have experienced violence are suffering from post-traumatic stress disorder and live in constant fear of further attacks. Since the threat of violence comes from Indian Security forces it is difficult to identify the specific individual or group as an attacker. This has led to an immense psychological burden carried by women. With access to birth control and abortion restricted, women have been gradually losing more of their freedoms. The patriarchal society has grown stronger with men having much more power and control over women's choices in dress, reproduction and marriage. The clear delineation of gender roles in Kashmiri society has further alienated women. When women disobey the orders given by men, they become victims of abuse and humiliation within their community and are completely segregated. Isolation has become a common practice in Kashmir. Women who are deemed bad are looked on scornfully by society and are segregated from the rest of the community. Due to the heavy fundamentalist influence, women who choose to wear jeans, makeup or not cover their heads are labeled as “fast women”.

Women who have been raped are shunned by family

<sup>12</sup> Government Misleading Court over Kunan Poshpora Mass Rape Incident: JKCCS, Kashmir Life, September 18, 2013, accessed at <http://www.kashmirlife.net/govt-misleading-court-over-kunan-mass-rape-incident-jkccs-42555>.

<sup>13</sup>Pankaj Mishra, (1997), “Wounded Valley Shattered Souls: Women's Fact Finding Commission Probing Army Atrocities on Women and Children”, The Indian People's Tribunal on Environment and Human Rights, Bombay, p. 18

<sup>11</sup>Nyla Ali Khan, (2001), “Islam, Women and Violence in Kashmir”, Tulika Books, India .

members and are considered tainted and dirty. Raped women are thus victimized by more than one aggressor—the rapist and then their own society. In the case of the women raped in Kunan Poshpora, most of the women remain unmarried ten years after the atrocities took place. The village has become known as the “village of the raped women”. The few that managed to get married were married off to men significantly older and are subject to being called vile names when they do not do what they are told. The stigma attached to this village and women who have been raped can never be shaken and extends to their children as well. In one case, a woman who was raped in Kunan Poshpora was unable to arrange marriages for her daughters as they too were seen as tainted. Her eldest daughter who was married at the time of rape was sent back to the village, as her husband did not want to be married to someone who was from the “village of raped women”. The experiences suffered by these women give us a glimpse into what life in Kashmir consists of for the majority of the women. They suffer abuses directed at them by their own family members, men in the community as well Indian Security forces and rebel groups<sup>14</sup>. By analyzing the situation faced by Kashmiri women it is apparent that violence is used as a weapon in conflict situations. Rape that targets women as the cultural markers of their community is used to humiliate the community through their weapon. Rape is used by both sides of the law to strike fear and demoralize the community<sup>15</sup>. Protected by their power and the draconian laws under which they operate and protected also by their guns, they use rape as it has traditionally been used as a weapon to humiliate the community through the violation of its women.

### Prospective Space for Women in Kashmir

The group most vulnerable to the conflict is women. In Kashmir, the patriarchal society, the general lack of law in addition to fundamentalism has all combined in propagating violence against women. Women were viewed as second class citizens before the conflict reached this magnitude. The situation for women worsened as the conflict became more widespread. Women were expected to fulfill certain roles within the family and society such as bearing children and staying home to look after the children when the husband went to work. Due to low societal standards, women's literacy was not taken seriously. Therefore, most women only

have a third grade education<sup>16</sup>. With marriage and children thrust upon them, women became dependent on their husbands for living expenses. If their husband was captured or mysteriously went missing, the women were often left helpless. These women are the most vulnerable to violence, as they do not have the protection of male figures, which is essential in Kashmiri society. Women in Kashmir are the victims of grave crimes against humanity. Using rape as a weapon, perpetrators go unpunished. The non-existent judicial system is far from a deterrent. Women are also victimized in their own communities after being abused as the stigma attached to being a raped woman is far reaching. If a woman survives the rape they are shunned by their community. Women are viewed as being dirty and therefore are not marriage material. Currently these are the conditions affecting women in Kashmir<sup>17</sup>. The solution to the problem is adopting an integrated approach to the problem. India and Pakistan have to come together and help Kashmiri's as development cannot be implemented by one state. However, this goal seems virtually impossible in today's political climate. Therefore the change must come from below. Only through a bottom up approach can true changes be brought to Kashmir. Empowering women is the first step towards this goal. Agency is critical as it teaches women important economic and social skills that they can channel into positive changes within their own lives and the community. The extensive reach of women's agency is one of the more neglected areas of development studies and most urgently in need of correction. Women's agency has far reaching consequences. As women becomes a part of the economic cycle, she becomes more aware of important issues such as nutrition, birth control and equality. Having a job also ensures the woman a voice within her family and larger community. Issues that negatively affect women will be brought to the forefront and changes can be implemented. Education must become a top priority and the patriarchal society must be challenged. Only through successful integration of women in to the workforce and community will issues that affect women be brought into the limelight. This is where the work of non-governmental organizations (NGOs) becomes crucial. By supporting efforts for agency and by working with the community to teach women important life skills a slow change will start occurring within society<sup>18</sup>. Kashmir has a long way to go in ending the

<sup>14</sup>Shelani Vanniasinkam, (2010), “Gender Violence in Kashmir”, Master's Thesis, The Faculty of Graduate School of Arts and Sciences, Brandeis University.

<sup>15</sup>Seema Kazi, (2014), “Rape, Immunity and Justice in Kashmir”, Socio-Legal Review, volume 10

<sup>16</sup>Gul & Khan, (2014), “Assessment and Understanding of Gender Equity in Education in Jammu and Kashmir”, Reviews of Literature, Volume 1, Issue 6.

<sup>17</sup>Syed Amin, (2009), “Life in Conflict: Characteristics of Depression in Kashmir”, *International Journal of Health Sciences*.

<sup>18</sup>Ather Zia, (2007), “Kashmiri Women: Concerns, Milestones and Solutions”, Kashmir Affairs, London.

problem of violence against women. However, if these steps are implemented progress will be made. Although the focus is on Kashmir, the case studies of Sri Lanka and the Congo give us valuable insight into a growing global problem. Women are victims of violence all around the globe. The globalization of violence is an alarming epidemic that must be dealt with by all state actors. These case studies are examples of extreme cases of violence against women. However, they are not the only cases. As the world becomes a smaller place it would seem that atrocities such as these would become less. However, that is not the case. It is difficult to imagine that as global citizens we allow these atrocities to take place. Action must be taken in the global stage to condemn and prosecute perpetrators of violence. However, more needs to be done to empower women. Women must begin to play a significant and major part in peace talks and post-conflict reconstruction<sup>19</sup> and they should be empowered to be less of victims and onlookers and instead to take steps against gender violence.

Amartya Sen writes “the most important argument for focusing on women’s agency may be precisely the role that such an agency can play in removing the iniquities that depress the well-being of women”. He observes that when women are given the opportunity to earn independently and to work outside their homes they are empowered by their positive contribution to society. By working outside the home, women are positively contributing to their families with an added income, which leads to an overall better prosperity for the family. This in turn leads to less dependence on male head of household. Having a source of income is also beneficial as it gives women a voice in their households and in the larger community. Sen concludes, economic independence as well as social emancipation can have far reaching impacts on the organizing principles that govern divisions within the family and in society as a whole”. This twofold approach geared towards agency will be beneficial to Kashmiri women as it will give them a voice in their homes and economic independence. Since Kashmiri society is patriarchal, the opportunities that will open up for women through agency oriented jobs will be beneficial in giving women a voice now and for future generations. The spillovers of women’s literacy can be observed in other aspects of family life. As women become more literate, they become more aware of issues relating to their children. Health outcomes, nutrition and other important aspects are improved through women’s literacy. Women are also aware of what resources are available in terms of advocacy if they or someone in their community is the victim of abuse. Making the Kashmiri women’s many sided experience and response to conflict visible, that is creating new roles and meanings from icon

to agency may be a step , a step towards getting women to be taken seriously. This is necessity if conflict transformation is to take place in Kashmir and supports the assertion that a bottom up approach to the problem would be beneficial. Empowering Kashmiri women goes hand in hand with a change in governance and an end to the conflict. Empowerment is a process that enables the marginalized to make strategic life choices regarding education, livelihood, marriage, childbirth, sexuality. For women to be successfully empowered in a patriarchal society, the core ideals of the society need to be re-examined. Violence against women is common in a patriarchal society during war and peace and therefore the root cause of the problem must be addressed<sup>20</sup>. In her research, Krishna Misri found that one way women were taking control of their lives was through agency-oriented jobs. For example, Parveen Ahanger was desperate to find news on her missing son. Having tried the usual channels for information she found that there was no organization set up to handle cases of missing persons. Therefore she created the Association of Parents for Disappeared Persons. The Association has become an important resource for people searching for their loved ones. Additionally women have become involved in social activism. Agency oriented roles such as these are successful as they mobilize women and include them in the political process. One such success story has been the organization of Jammu and Kashmir Markazi Behboodi Khwateen. The purpose behind this group is to provide women with literacy skills, training in arts and crafts and to understand the benefits of health care. Once women learned a skill and became more educated they became more involved in their community. Economic empowerment is a powerful tool that leads many women to become businesswomen and activists. Additionally, once a woman is better educated they are more likely to understand the importance of nutrition and education for their own children. Success stories such as these are examples of Sen’s argument that economic independence will lead to social independence. This particular organization is operating on a small scale but it is providing women with basic skills needed to succeed on their own. In her discussion on women in South Asia, Nyla Khan writes, native women are constructed as a trough within which male aspirations are nurtured and most barbaric acts are justified as means to restore the lost dignity of women. Since the woman’s body is considered a part of the community and not her own, an attack on the body is considered as an attack against the entire community. That is why rape is such a powerful weapon in Kashmir<sup>21</sup>. By attacking a woman, the security

<sup>19</sup>Sema Shekhawat, (2014), “*Gender, Conflict and Peace in Kashmir*”, Cambridge University Press, 9781107041875.

<sup>20</sup>Catherine A. Mackinnon, (1993), “*Crimes of War, Crimes of Peace in on Human Rights*”, the Oxford Amnesty Lectures.

<sup>21</sup>Sukhmani Singh, (1990), “Protectors or predators”? *The illustrated*

forces are decimating the culture and morale of all Kashmiri's. The power that is generated by these attacks is tremendous. Women who have been raped become outcasts in their own families and communities and can never live down the stigma attached to being a victim of rape. Currently, steps are being taken by the international community to combat sexual violence against women in situations of armed conflict. Sexual violence against women in armed conflict was addressed in a resolution adopted by the United Nations in 2009. UN Secretary General Ban Ki Moon stated, sexual violence in armed conflict or indeed at any time should have no place and find no heaven in our world. We must all do our part to fight and end discrimination against women and girls. The resolution calls on states to implement certain measures that include bringing perpetrators of sexual violence to justice and to ensure that survivors have the access to justice they deserve. UNDP administrator, Helen Clark noted "it is important to provide women and children traumatized by these crimes access to justice and to end the impunity afforded to perpetrators. It is also important to work with grassroots organizations both in the prevention of and response to sexual violence". This acknowledgment by the international community is an important step forward in combating Violence against Women (VAW). However in case of Kashmir things are not as clear cut as getting state actors to agree to the measures in the resolution. First, the problem for Kashmir is that there are two state actors involved. India and Pakistan are bitterly divided over the region and it is extremely difficult to get both actors to agree on anything related to Kashmir<sup>22</sup>. Also, if both actors do agree to the measures asked for by the UN, who is to implement these measures? Which government will take it upon itself to execute and monitor the programs implemented? Although these resolutions are important as they acknowledge the problem, the implementation is the most crucial and difficult part. This is where grassroots organizations and NGO's become important. In addition, the women are themselves the greatest resources as only through collective action can real change be brought forward. In case of Kashmir, the patriarchal society contributes greatly to why women do not come forward to face their accusers. Ending gender violence in Kashmir requires an end to the view that men are superior to women. Additionally, both India and Pakistan have to acknowledge the dangerous climate women in Kashmir have been living under and take responsibility for actions committed by both parties. Although this seems like an impossible task given the current political climate, it is

only way through which ending violence against women in Kashmir will become a priority within Kashmir.

National security can be in tension with individual security, feminists prefer to define security broadly as the diminution of all forms of violence including physical, economic and ecological. They suggest that security should be from bottom up rather than top down, meaning that security should be started with the security of individual or community rather than that of the state or the international system. This allows examining critically the role of states as adequate security providers. In certain states torn by conflict, the more the government is preoccupied with national security, the less its citizens especially women experience physical security. While state violence is a particular problem in certain states, many states formally at peace sustain high military budgets at the same time that social spending on which women spend more than men is being cut. The security seeking behavior of states is legitimized by its association with certain types of masculinity. This narrows the range of permissible ways for states to act and may actually reduce the likelihood of achieving a peaceful resolution to a conflict. Conciliatory gestures are often seen as weak and not in the national interest. This can also contribute to the perceived inauthenticity of women's voices in matter of policy making. Most of the war casualties today are women and children<sup>23</sup>. But it is important not to see women only as victims. If security is to be defined more broadly, women as well as men should be seen as security providers. As civilian war casualties increase, women's responsibilities rise. When men go off to fight, women are left behind as mothers, family providers and care givers. Instead of a warrior patriot, citizen defenders should be taken as security providers that could include all of us civilians and soldiers alike. It could also provide a less militarized notion of security.

## CONCLUSION

Whenever there has been conflict, women and children have been known to receive the hard end of the stick. Women and children are often the most vulnerable and prone to being hit the hardest. Women who survive these atrocities often have to live with the vivid and terrifying images of rape, war and death for the rest of their lives. Women suffer from sexually transmitted diseases, stigmatization and sometimes unwanted pregnancies. They are faced with the daunting task of keeping families

*weekly of India*, p. 34

<sup>22</sup>Seema Kazi, (2012), "Law, Governance and Gender in Indian Administered Kashmir", Working Paper Series, Centre for study of law and governance, Jawaharlal University New Delhi.

<sup>23</sup>Vikas Kapur and Vipin Narang, (2001), "The Face of Kashmir: International Law or Lawlessness", 3(1), *Stanford Journal of International Relations*.

together after displacement, providing food, clothing and shelter in what is in most instances destroyed infrastructure for their children and their families. Many women are left widowed. All dimensions of women's life such as education, overall development, social life and health are being impacted due to continued conflict in the Kashmir valley. The unpredictability that prevails over their homes, hearths and lives is gut wrenching. They do not have the luxury of mothers, wives, daughters living in free parts of the world to worry only about mundane or normal things but they also have to tackle issues of life and death day in and day out. Their spectrum of responsibilities has stretched from nurturing their families, becoming shields for their men, who inevitably are the direct targets in the combat, to the traumatic and sudden assumption of responsibilities when a male member is killed, imprisoned or missing. Moreover as a matter of routine, they are pushed into taking over from the men during "crackdowns", "cordon and search operations", "area sanitation" etc. where they become responsible for getting their houses searched, talking to belligerent armed forces, while the men folk are rounded up for identification. In the earlier days of turmoil, it was not unusual for women, be it mothers, sisters or wives to accompany their men so that they would be subjected to less harassment. With time this trend changed as women too began to come under increasing surveillance. As pained mothers, daughters, wives women began to protest publically in sit-ins or clashes with the police looking for their disappeared or arrested loved ones. The persistence of negative security and the emotional trauma are the implicit and explicit costs paid by all Kashmiri women today. There is glaring evidence that the suddenness of bereavements, general and sexual violence has given an immense rise in psychiatric and psychosomatic illness in people. Doctors at the government psychiatry hospital say that women comprise more than the sixty percent of the patients they examine currently. The question is whether anything can be done to alleviate the problems of Kashmiri women and enhance their broadening role in the society? The answer to this can only be derived from resolving the Kashmiri issue. Anything other than that will be a palliative cure. The ailments be it social or emotional that afflict women in Kashmir have their roots in the political situation and until that is not resolved, nothing much can change for good or long. Women struggle to sustain livelihoods for their children after conflict. It is therefore of great importance that women begin to play a significant role in curbing the effects of violence, not only for themselves but their families and communities at large. To a great extent, women need to be actively included and involved in the formal aspects of the peace process so that they can stand up for their rights and rally for peace at a national level. The inter-linkages between women's development, peace, security and human rights cannot

be denied. Women are seen as victims of conflict that need to be protected and kept safe rather than agents of change for peace. Because of such views and sentiments, the elimination of violence against women in conflict prone areas continues to pose challenges. Women must begin to play a significant and major part in peace talks and post conflict reconstruction and they should be empowered to be less of victims and onlookers and instead to take steps against gender violence.

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