

IN THE INTERSECTION: WOMEN'S EXPERIENCES IN KASHMIR

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DOI: 10.46609/IJSSER.2022.v07i07.007 URL: <https://doi.org/10.46609/IJSSER.2022.v07i07.007>

Received: 9 July 2022 / Accepted: 17 July 2022 / Published: 20 July 2022

ABSTRACT

The independence of India, while freeing its citizens from the shackles of colonialism, also brought upon multiple challenges to contested pieces of land — in particular, Kashmir. It sowed seeds of distrust between Pakistan and India, implied by the religiously recognised identity of nationhood. To comprehend the complexity of such a multifaceted conflict, this research committed itself to understanding the inherent, patriarchal nature of the conflict of Kashmir, and its imposition on various aspects of financial, social, as well as political life. To administer this study, not only was a brief background of the conflict surveyed, but also, the gendered disposition of violence in war-like situations was analysed. Further, through a concise recollection of the sexual violence imposed on the people, the intersectional, trauma-induced identities of Kashmiri women was brought to light — one that is fuelled by the constant othering of the women, and the resilience with which they face these lived realities. This study will hopefully provide future researchers and policymakers with the tools to devise inclusive interventions that will not only bring peace to the state, but also offer reconciliation to the divided, trauma-inducing identities of the women.

Keywords: Kashmiri Women, economic, PSA, Policy.

Introduction

“Long years ago we made a tryst with destiny, and now the time comes when we shall redeem our pledge, not wholly or in full measure, but very substantially.” (Nehru, 1947).

These words, uttered by Pandit Jawaharlal Nehru, Independent India's first Prime Minister, on the eve of the subcontinent's independence, mark the country's formal shedding of almost a hundred years of colonial rule. However, the words that camouflage themselves in this moment

of victory — particularly, “we shall redeem our pledge, not wholly or in full measure” — highlight the disparate consequences of this triumph. These words measure the failure of the country to grapple with our colonial masters’ “divide and rule” policies which broke the nation into separate countries, and generated the complex conflict in Kashmir — a conflict that possesses multifaceted ramifications, but stems from majorly one source, the seeds of conflict sowed by the British, between the Hindus and the Muslims (Mukherjee, 2013).

Although these seeds have blossomed into physical and verbal disputes in various parts of the country, especially within the contemporary socio-political and cultural ecosystem of the religiously motivated majoritarianism (Mukherjee, 2013), the longevity and persistence of the conflict in Kashmir is what makes this crisis crucial to study. Further, the nature of the conflict, which “has been nurtured by anxieties of postcolonial nation-state building and a crisis of masculinity” (Parashar, 2018, p. 663), points to an intersectional moment, where the conflict has inherited a gendered disposition to assert dominance over the contested land. This gendered disposition, while not unheard of in conflicts all over the world, has received little attention in Kashmir, especially with the already existing limitations to media coverage in the state (Seshu, 2020).

It is these two factors of continuity and gendered intersectionality that has brought this research to this particular prompt, where this paper will aim to study the intrinsic, patriarchal essence of Kashmir’s economic, social, as well as political realms, and the role of these factors in the persistence of the conflict. Further, this paper will also attempt to grasp the unique vulnerabilities of the Kashmiri women, and their resilience in the face of this violence. To study these two features, this paper will adopt a secondary methodology, and briefly contextualise the conflict’s colonial roots, and its contemporary positioning in the masculinity-driven, militarisation of violence. Hopefully, this paper will succeed in the acknowledgment of complex, lived realities, and the acknowledgement’s prospective role in understanding peace and conflict.

Background

Kashmir's contested geographical positioning, perched at the borders of Pakistan, Afghanistan, China, and India (Mukherjee, 2013), explains its exposures to vulnerabilities and sensitivities compared to other states in India. Moreover, as stated in the beginning of this paper, the mutual distrust between Hindus and Muslims, seeping into a distrust between India and Pakistan (Malik, 2020), caused by the “divide and rule” policies of the British, further reinstated its contested positioning. This has caused there to be not only an external dimension to the conflict, with respect to India and Pakistan’s hostility for the capturing of the state, but has also revealed

internal facets to the ongoing dispute (Malik 2020). It is for these reasons that the colonial powers have left a holistic and undying mark of precarity on the land and the people of the concerned land.

Although these external factors have triggered armed violence between India and Pakistan over the years, the gendered disposition of the conflict came into effect with the internal facets of the dispute, which has “adversely affected the inhabitants of the Kashmir Valley — Kashmiris — in various ways” (Sultan, 2021). In the late 1980s and early 1990s, (primarily) Kashmiri Hindus and Muslims were forced out of Muslim-dominated Kashmir, and Hindu women were at the receiving end of rape threats from militant organisations (Haq and Sofi, 2020). Further, once the Indian occupation forces were deployed in these areas, the rape of Muslim women during “crackdowns, cordon and search operations” became frequent (Tabassum, 2012, p. 13).

These evidences suggest that the internal realm of the conflict have had tangible consequences for the Kashmiri population, particularly for the female population — the sex whose vulnerability in war has recently been highlighted by contemporary, feminist scholars such as Urvashi Butalia, whose work suggests that during the partition of India, innumerable Sikh, Hindu and Muslim women were “abducted, raped, forced to convert, forced into marriage” (Butalia, 1993, p. 13). This further suggests that during any conflict, the honour of communities lies in the honour of the community’s women (Butalia, 1993). By stripping the honour of a community’s woman, one is simply implying that the entire community’s honour has been stripped.

This gendered humiliation, however, is not limited to violence orchestrated against women. It has historically been furthered by the demasculinisation of innocent Kashmiri males as well, who have been wrongly accused and imprisoned by the Indian state — some of whom were recently released after twenty-three years of “wrongful imprisonment” (Fareed, 2019). Although these narratives may seem outdated, the recent abrogation of Article 370 in 2019 reinforced the “detention of Kashmiris under the PSA (Public Safety Act)” (Peer, 2019). As per 5th February 2020, 389 people were detained under the PSA, and 437 were under preventive detention since Article 370 was removed in August 2019 (Bhardwaj). These incidents that center themselves around the idea of limiting freedom of movement, inflicting torture on innocent Kashmiri men, and the raping of Kashmiri women, highlight the broad pervasiveness with which the intersectional notion of violence and patriarchy thrive in community conflicts. Perhaps this is why the conflict has had such prolonged effects — the fact that these political provocations are associated with social, cultural, and gendered humiliations.

Discussion

As per the discourse established in the ‘Background’ section of this paper, it may seem like even though the gendered violence has an impact on both men and women, these humiliations exist independently from each other — that if a male faces the brunt of the violence, it is only the male whose sense of agency and consciousness is displaced. However, this is not true — the birth of the term ‘half-widow’ is evidence of the same. Born out of the conflict in Kashmir, the term denotes those women who are the “silent victims of the Kashmir conflict” (Hamid, Jahangir, and Khan, 2021, p. 4), the women whose husbands “disappeared and are still missing” (Bashir, 2010). For these women, the emotional upheaval of their spouses missing is not the only burden that they are forced to deal with. One of these burdens is the anxieties associated with filing a First Information Report (FIR) with the police. Although police officers are required to file these disappearances in writing, an interview with Fatima, a half-widow of Kashmir, revealed that the police took two years to file her FIR against the Indian Army, who, during a night-raid, arrested Fatima’s husband (Hamid, Jahangir, & Khan, 2021).

These stressors are replicated in other sectors of the lives of half-widows, in spaces that are predominantly male-dominated. Due to the disappearance of their husbands, they have no choice but to penetrate into these public spheres — “under these circumstances, pressure mounts on the half widows to assume the role of breadwinners for their households” (Nazeer and Manzoon, 2018, p. 43) — which is made worse by the threat of “physical and sexual assault at checkpoints” (Dar and Mehraj, 2018, p. 1).

The aspect of patriarchal dominance in financial spheres is replicated in matters of inheritance as well. The Hindu Succession Act that governs the property rights of Kashmir concerns only widows, and not half-widows. This implies that half-widows cannot inherit their husband’s property until they prove that their husband is dead. Further, these half-widows are even unable to register for basic relief services such as ration cards or control over their husband’s bank accounts (‘A cup full of woes for the valley’s ‘half widows’’, 2022). These gendered violences are therefore continuously perpetuated in financial and social spheres, that are reinforced by the intrinsic nature of patriarchal violence inflicted on the locals.

When discussing the intrinsic nature of patriarchal violence, it is pivotal to draw attention to the mass rapes that were orchestrated in the Kashmiri villages of Kunan and Poshpora by the Indian military, an incident that has over the years been washed away from history. On 23rd February 1991, when Indian occupation forces were deployed in Kashmir — to control the militant insurgency against the Indian government — four men of the Indian army raped at least twenty-

three women, and tortured multiple men (Umar, 2017) in the districts of Kunan and Poshpora. Although the exact number of women who were raped and men who were tortured is unclear — with some saying almost 40 women were raped (Saha, 2016) — the nature of violence inflicted upon the locals is beyond frightening.

In the multiple-authored *Do You Remember Kunan Poshpora?*, it is detailed that under the guise of a crackdown on insurgents, military personnel forced the males of the villages outside of their homes, and were sexually tortured by “applying electricity to the detainees’ genitals” in makeshift detention centres (Escobar, 2022). Further, while the males were tortured in these centres, the females were brutally mass raped by the army personnel (Borpujari, 2018). It is important to be noted that this incident of mass sexual violence was not registered by the police for at least two weeks (‘Kunan Poshpora: 30 years on, Survivors Await Justice as Case Remains Unheard in SC’, 2021). These sexual and gendered violences, driven by the patriarchal notions of masculinised militarisation, highlight the pervasiveness of these ideals in India occupied Kashmir.

It is a stated fact that Kashmiri males too have undergone the gendered and sexualised nature of violent humiliation, however, the intersectional identity of the female — which is embedded in the selfhood of the “victim” (who is sexually violated), the “widow” (who is not sole bread-earner of the family and not recognised by the country in terms of property rights), and the “mother” (who strives to protect her children from the masculinised militarisation) — brings to light the multifaceted resilience of the Kashmiri women, and their negotiation with the multiple identities that they are imposed with (Verma, 2015, p. 159).

Conclusion

The gendered disposition of the violence inflicted on the inhabitants of Kashmir highlights the intrinsic, patriarchal essence of Kashmir’s financial, economic, as well as social life. The lived realities of the locals is embedded in this complex struggle of dominance and control, which has previously been attempted to be solved by the abrogation of Article 370. However, it should be noted that these solutions have been launched by simplifying the context of the conflict, which not only overlook the unique struggle that the inhabitants have had to face, but also the psychological, economic, and social worlds of these victims.

Further, the fact that the complex, multiple-identity resilience of the Kashmiri women has historically been overlooked, has negated the possibility of interdisciplinary solutions towards the welfare of the state, as well as the people of Kashmir. This simplified view has caused

mainstream political discourse to continuously ‘other’ the plight and resilience of the Kashmiri woman. For future scholars of conflict, gender, and violence in the context of Kashmir, it is essential for them to recognise the multifaceted struggles of the Kashmiri women, to hopefully emerge with interdisciplinary solutions, perhaps for the people, and by the people. It is only then that Nehru's pledge can be redeemed, wholly and in full measure.

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