

**TERRORISM AS A METAPHOR OF GENDER OPPRESSION:
A CASE STUDY OF JAMMU & KASHMIR**

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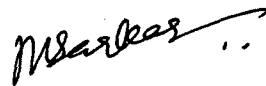
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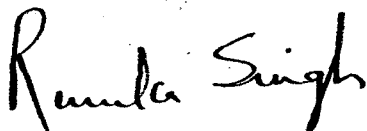
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CERTIFICATE

This dissertation entitled "*Terrorism As A Metaphor Of Gender Oppression: A Case Study Of Jammu & Kashmir*" submitted in partial fulfillment for the **Master of Philosophy (M.Phil.)** degree of this university has not been previously submitted for any other degree of this or any other university and is my original work.


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Moniva Sarkar

Dedicated to
My Parents

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Introduction

This study deals with the problem of TERRORISM and its impact on WOMEN. A detailed analysis of the 'Kashmir' issue has been done to explore and highlight the plight of Kashmiri women in the wake of terrorist activities in Jammu & Kashmir. This particular research is an attempt to dispel the myths about the 'Kashmir' imbroglio and find out the truth about the whole issue. The central theme of the research is to show how women in Jammu & Kashmir have suffered tremendous pain and misery at the hands of men, whether they are terrorists or security forces and even their own family members. What is being projected by the national newspapers, magazines and television is only the tip of the iceberg, and more often than not, misleading. 'Kashmir' issue is not all about gun-trotting men killing innocent people on one hand, and on the other, armed forces retorting in a similar manner to contain any terrorist violence. It is also not about the political leaders negotiating political spaces with each other. The problem dwells at a much deeper social level directly affecting women, in particular, in numerous ways. There has been a deliberate attempt, so far, to portray the *masculine images* of the problem while neglecting the images of women thereof to the extent that they have been rendered 'voiceless victims'. The present research exercise grapples with issues like *gender violence* and *crimes, gender discrimination* and *oppression*, the problem of *militancy, remedial action* and steps for *gender empowerment* in the state.

The entire work has been divided into five chapters. The first chapter introduces us to the 'Kashmir' scenario and the repercussions of militancy in the state since last two decades. It gives a general overview of the problem and depicts the onslaught of *Islamic fundamentalism* at the global, national and finally, at the state level. 'Kashmir' issue is a complex case of admixture of political ambitions and religious fundamentalism. By Islamic

fundamentalism we mean the ideology of Islamism, where the believers consider Islam as the only supreme religion and aspire to establish the orthodox Islamic social order throughout the world. Such beliefs goad them to resort to violence and terror as a means to achieve their goals. They are willing to kill 'unbelievers' to actualize their goals and thus, this type of terrorism has been called *Islamic terrorism*. The chapter briefly touches upon how terrorism has affected the people of Jammu & Kashmir, especially, women.

The second chapter deals with the definitional problem and the concept of terrorism in detail. There has been an attempt to analyse the controversial term 'terrorism' through its various definitions, theories and perspectives. It has been argued that not only the terrorist but even the legitimate state has been found to engage in terrorist activities or use terrorist methods for its own purpose. The state has been found to resort to terror and repression, as in the case of 'Kashmir'.

The third chapter deals mainly with the causes of emergence of the 'Kashmir' problem and its fallout. It deals exclusively with the specific problems of women in the wake of militancy in the state. It has been shown that how the entire issue was the handiwork of the political leaders of the state for enhancing and retaining political power. Lust for power sparked terrorism in the valley due to encouragement by the political leaders thereof. However, it is the women who have paid the price in the most terrible of ways. The specific problems faced by women due to terrorist violence can be grouped into three major heads—rapes, domestic violence and various types of ailments. Apart from this, there are scores of problems of gender oppression and discrimination, and obstacles in the path of gender empowerment which have socio-cultural, structural and systemic underpinnings.

The fourth chapter analyses the remedial action that has been taken so far to relieve the suffering women. Here, the contribution of the governments (central and state), women's organizations and groups, NGOs etc. has been discussed. It has been found that not much has been done by the state to help the women out. There are many loopholes which needs to be plugged. Certain areas have remained untouched, especially, the issues relating to remarriage of and compensation to the women whose husbands are missing, justice and compensation to the raped women, rehabilitation of prostitutes, change of traditional notions about women, their legal rights etc. The chapter contains a detailed discussion on adequate measures that need to be implemented to pull the women of the state out of their misery.

The fifth chapter concludes with a discussion on how militancy can be controlled and peace restored in the state and also in the lives of women.

The problem of terrorism is engulfing the entire world at a very fast pace as jet-black clouds engulf the entire sky. Recent terror-attacks in U.S.A., India, Russia, Indonesia, and Kenya show that the problem has assumed serious proportions. Various governments of the world are repeatedly failing to deal with the menace effectively. Restoration of the dynamics of a peaceful and progressive world order is becoming increasingly difficult, although, apparently, everything may seem fine and 'in control'.

Defining 'terrorism' is a complex, theoretical issue which needs an analysis from various theoretical perspectives that define, describe and categorize terrorism (to be discussed in 2nd chapter). It is a self-evident fact that today 'Islamic terrorism', as a specific type, has become a pan-global reality.

Nearly two decades back, when terrorism started showing its head in the manner of stray incidents of violence or sporadic bomb-blasts here and there as a token of protest, demand and self-assertion, the political leaders the world over (including Government of India) dismissed its presence and identity, believing that such acts of terror cannot challenge the 'mighty castles of democracy' until 9/11 happened.¹

The tragedy that rocked North America cannot be expressed in words. The entire world was taken aback at the massive destruction of life and property and the overall impact of the attack, both physical and psychological. The President of U.S.A. immediately declared a "War On Terrorism" mainly targeting Islamic terrorist organizations and the countries which support them (so called Axis of Evil) with Iraq topping the list.

Another event of terror-attack on the Indian Parliament on December 13, 2001 shocked the Indian political leaders out of their wits. This was the first time ever that the terrorists had struck in the heart of New Delhi, the capital of India. It was an attempt to challenge the Government of India and its entire political set-up governing the country. Although, their attempts were thwarted, yet it managed to send across the message that terrorism had grown powerful enough to challenge and coup the entire nation. Hitherto, terrorism was considered to be mainly operative in Jammu & Kashmir. In a reaction to this and a series of other attacks including American Centre (Kolkata), Akshardham temple (Gujarat), Jammu & Kashmir state legislature (Srinagar), Ansal Plaza Shopping Mall (New Delhi), the Indian Government was compelled to pass certain hasty legislations, including POTA and Extradition Treaties with different countries to fight terrorism. The Prime

¹ On September 11, 2001, Osama-Bin-Laden's terrorist outfit Al-Qaeda attacked and destroyed the twin towers of World Trade Centre, New York, claiming about 3000 lives. On the same day 'Pentagon' the defence HQ of U.S.A. was also attacked.

Minister of India also gave a call for “War against Global Terrorism” implying Islamic Terrorism, in line with the President of U.S.A.

An analysis of current political developments shows that terrorism has become a cause of ‘serious’ concern for all major democracies of the world. It is now the topmost political agenda of various polities of the world. The swift exchange of dialogues between nations, strengthening of armed forces and arsenal, global pacts and treaties and U.S.A’s war against Iraq to fight terrorism—all of these create an impression as if the world is, indeed, caught in a state of war. As against this, many social activists, academics, scholars, and common men/ women of India have criticized government’s policy of giving too much of importance to global terrorism, external threat / aggression and defence needs while neglecting the internal issues of social welfare and justice, problems of food, clothing, shelter, health and overall socio-economic development of the country.

Thus, can we really say that terrorism, as a socio-political and economic issue, is of less importance compared to other socio-economic issues of welfare, justice and development? Can we neglect it? As a matter of fact, certainly not! Terrorism, which was not considered a problem ‘serious’ enough, politically speaking, has acquired a colossal stature in the recent past. The ‘chimera of terrorism’ permeates all aspects of human life—social, political, economic, physical, psychological and spiritual and affects them adversely. It threatens the very existence of human life and a progressive social order.

Today, Kashmir is a burning example of neglect and apathy that the state has suffered at the hands of various governments in the post independence period. Militancy has risen to such levels that it is more or less beyond control. To make matters worse, one could

see that officials were reluctant to talk openly, but individually were quite critical of the central government. They were wondering why New Delhi was not responding. They feared that the situation would deteriorate very fast, and could soon get out of hand, if not handled effectively.² According to “the report of People’s Union for Democratic Rights (PUDR, 2001) on the current Kashmir situation, the Kashmiris’ fight for ‘AZADI’ goes much further back than 1947 and stretches into the time of the harsh and repressive rule of the ‘Dogras’ and the British”.³

The current phase of Kashmiri separatist nationalism and cross-border terrorism began at the end of the Eighties. “On 31st August 1988, a bomb exploded in a bus in Anantnag in which one person was killed. This was the first casualty claimed by terrorism in 1988”⁴. When terrorism raised its hood in the valley, nothing was done to provide a more effective police leadership. Nor were any clear directions given by the political leadership fighting militancy. “New Delhi was aware of the developing situation, but did not quite appreciate the urgency of dealing with it. It was a tragedy that ministers like P.Chidambaram could not persuade the political leadership to intervene.”⁵ At the time when the situation in the valley was getting more and more grim, one of the top civil servants, rationalizing the drift, came out with his theory of “tolerable level of violence.” “The tragedy of our policy-making process is that it is dominated by such civil servants, who sit for long hours in their air-conditioned and luxuriously furnished offices, but have lost the ability to realistically

² Uncivil Wars ; Pathology Of Terrorism In India; Ved Marwah; pg-58; Harper Collins India, New Delhi, 1995.

³ Speaking Peace; Women’s Voices From Kashmir; Urvashi Butalia; pg-X; Kali for Women; New Delhi; 2002.

⁴ Uncivil Wars ; Pathology Of Terrorism In India; Ved Marwah; pg-56 Harper Collins India, New Delhi, 1995.

⁵ *ibid*; pg-59.

assess a problem. They have lost touch with the realities of the ground situation.”⁶ “The situation in Jammu & Kashmir continued to deteriorate rapidly, and none of the crucial decisions to check the deterioration were taken.”⁷

All these facts show that ‘terrorism in Kashmir’ has been grossly neglected as an issue, although our political leaders might claim to have tried engaging Pakistan into many a fruitful dialogue to end the menace. But the fact is that since 1999, the Prime Ministers of India and Pakistan have formally discussed the issue only twice (Lahore Summit, 1999 and Agra Summit, 2001) and even that has remained largely unsuccessful. It is claimed that since these two summits, the two countries have been informally negotiating with each other through their envoys and special officials, yet without any effect till date. All that we have witnessed so far is constant hostility and mudslinging at each other and nothing concrete beyond that.

What has been the fallout of such apathy and inaction? What are the consequences? What are the future implications? The people of Kashmir have suffered irreparable loss of property, wealth, peace of mind, physical and mental health. They have also suffered cultural destruction and above all loss of thousands of ‘precious lives’. In the current phase of Kashmiri separatist nationalism which began at the end of the eighties, militant attacks on ordinary people, in market places etc., have become commonplace. Repression and counter-insurgency measures have been swift to follow and it is estimated that between 60,000 to 70,000 people have died. Around 4000 are believed to be missing or in illegal detention. More than a million people have been displaced. The number of widows and half-widows is

⁶ *ibid*; pg-60.

⁷ *ibid*; pg-60.

said to be more than 15,000. The presence of the army, paramilitary forces is ubiquitous, and fear of violence and arrest has now become part of the daily lives of ordinary people.⁸ While on the one hand militants have been gunning down people mercilessly without any qualms, the Indian forces, in their bid to suppress terrorism, have been equally callous. There is ample evidence of how the Indian forces have tortured the people in Kashmir, especially women. "Kunan Poshpora village is still remembered as 'the raped village' in Kashmir. In February 1991 security forces raped 30 women. Even three years later when we visited the village we found that the married raped women had been deserted by their husbands. A seventy year old woman had been thrown out by her son. The young women, raped or not, remained single."⁹ Who has been worst victim of terrorism and counter terrorism activities in the valley? It is mainly the 'women of Kashmir'. While it cannot be denied that terror hits everybody, men, women, children, old, disabled and others, including 'nature', it affects women the most, not only physically but also psychologically, emotionally and socially. The psychological and emotional repercussions of terror on women is of a much larger magnitude compared to others, mainly 'men'. One of the main reasons for this is the location of a woman in a relatively much inferior position than men in a patriarchal social order. History is replete with evidences of how women have been used as 'tools of war and violence' and have been humiliated, raped, and killed in ghastly manner to inflict the 'worst' kind of 'shame and defeat' to the entire enemy community / country; and how they have continuously suffered as most miserable victims of war, violence, terrorism and counter-terrorism. This has happened in the case of Jammu & Kashmir too;

⁸ Speaking Peace; Women's Voices From Kashmir; Urvashi Butalia; pg-xii; Kali for Women; New Delhi; 2002.

⁹ *ibid*; pg-193

and is still happening in other parts of the country as well (recent incidents of Dalit women being stripped and paraded naked through the villages; and the events that followed in Godhra carnage reveal mass rapes of Muslim women). Kashmir is a classic example of innocent women falling prey to the nefarious politics between various groups. "It is now widely accepted that while women seldom create or initiate conflict, they—along with children and the aged—are often its chief victims and sufferers. Nowhere is this more true than in Kashmir."¹⁰

During the struggle for freedom women have experienced things which have no bearing on the movement. They remain voiceless and faceless, their situation continues to be unrecognized, unreported. Here, rape and gang-rape is used as an instrument of war. Sexual molestation is demanded as a right by security forces, the militants and renegades. Women are forced to marry "foreign militants" from across the border, even at gun point. Women bring up children born out of rape. The married ones get beaten at the slightest pretext by their husbands for being "impure" after a rape.¹¹ There has been a sharp increase in domestic violence in the valley and family life has been seriously affected.

In the light of above arguments, the focal point of my work is to examine how terrorism has affected mainly the women of Kashmir. How has the government dealt with it to check its proliferation? Has the government been responsive enough? If not then what have been the consequences? Who has suffered the most? To what extent? What has the government done to deal with terrorism and specifically to address women's problems in Jammu & Kashmir? Has the government been sensitive enough? What kind of safeguards

¹⁰ *ibid*; pg-xii.

¹¹ The Hindu; Sunday; October 6; 2002.

have been provided to the women by the government? What are the laws that are existing for women? Are they adequate? If not, what steps have been taken to frame adequate specific laws in favour of women and ensure their proper implementation? What has been the contribution of NGO'S and women's organizations in this regard? All these need to be examined in great detail. Can talks between the leaders of India and Pakistan actually solve the problems of women? Can bilateral / multilateral talks, political negotiations and forceful means end terrorism? How are we supposed to deal with those women who have taken up militancy to avenge the rapes and killings of their sisters, daughters, and mothers?

It is, thus, our objective to understand terrorism firstly from a theoretical perspective. Do terrorists have a justifiable point? In this context, irrespective of any justification the terrorists may put forward to support their cause and militancy, the scores of unscrupulous, merciless deaths, destruction, torture, violence and brutalities cannot be justified under any circumstances whatsoever. A few earlier works have viewed terrorism as a 'crime' and 'war' metaphor. The central theme of the present work would, however, be to view terrorism as a metaphor of 'gender violence', oppression and inequality. Women, on the one hand, are facing widespread violence due to terrorism in the valley, on the other hand, imposition of forced diktats has created immense pressure on them. They are forced to wear a *burqa* compulsorily, wear clothes that do not reveal the contours of the body, sporting a bindi etc., not going to beauty parlours, cinema halls, withdrawal from jobs outside the private domain of 'home' and many more. In case of non compliance, such diktats usually entail a warning of serious consequences like death. There have been vehement attempts by the militants to perpetuate socio-religious backwardness in the state. They have targeted mainly the young girls and women by discouraging them to avail education, employment outside home, etc.

thereby curbing all avenues of their self-expression, dignity, liberty and individuality. "For the second time in two years, the Hizbul Mujahiddin (HM) has put up posters in Darhal tehsil of Rajouri district of Jammu province threatening that girls above 12 years of age should not continue their studies."¹³ "The threats have started having an impact. Most of the parents of the area have not been sending their daughters above 12 years to schools for the past couple of days."¹⁴ This process has been termed as the Islamization of the state and establishment of a patriarchal Islamic order in which the position of a woman in society would be redefined in orthodox, unequal and oppressive Islamic terms. Therefore, it is imperative to state that Kashmir is not just a case of cross-border terrorism, it is a part of the pan-global '*jehadi*' agenda of Islamic terrorists. According to Dawn, Pakistan's leading newspaper, Abdul Ghani Lone, the late Hurriyat leader, is reported to have said, "I told them that it is high time that jihadis should leave us alone. Their presence is detrimental to our struggle, especially because they have initiated an international jehadi agenda, thus connecting the Kashmir issue with terrorism."¹⁵ "The real threat facing the world today is not terrorism per se but the ideology of Islamism. The danger lies in the category that is able and willing to kill 'unbelievers' for the purpose of advancing Islamist ideals of establishing Islamic states."¹⁶

Hence, secondly, my study will take into account the historical aspect of the development of this new culture of violence in Kashmir. Finally the possible ways being adopted to deal with this situation will be examined. It engages us into an analytical exercise of relocating the space of women in the wake of this new ideology. If this ideology is

¹³ The Indian Express, New Delhi, Wednesday, December 4, 2002.

¹⁴ *ibid.*

¹⁵ Frontline, (Chennai) August 16, 2002.

¹⁶ South Asia Politics; December 2002; New Delhi.

allowed to take deeper roots, the position of women, not only in Kashmir, but the world over, is fraught with danger. It may lead to an explosive situation. It is not only about ending terrorism, but also about restoring peace at political, social, economic, cultural and family levels in which women could be benefited. It is also about empowering the women which is a mammoth task.

Experts, academics, activists, and others have pointed to the need for a proper 'Kashmir policy'. Not only this some have even argued in favour of a proper 'Pakistan policy' which India must follow. Politics apart, it is when people dwell in socio-economic backwardness, ignorance, and deprivation there are increased chances of them falling prey to factional politics and ideologies of terrorism. Therefore, it is imperative that the problem be addressed at a deeper social level rather than mere political ones.

It is important to examine how far the "us" and "they" psyche of the Kashmiris have changed. What efforts the government has put to end 'alienation' of Kashmir and facilitate the process of 'integration' with rest of the country? It also needs to be tested whether Government of India is following a three-pronged approach to the problem

- End of terrorism
- Rapid socio-economic-educational development and gender empowerment
- Integration of Jammu & Kashmir with rest of the nation at all levels.

Theoretical perspective: The entire study locates the problem of terrorism and the gender issues in a feminist theoretical perspective which argues that in all wars, terrorism, fundamentalisms and fascisms violence against women is a key factor. Violence against

women is an important tool in the hands of men to achieve their irrational goals. It is through violence against women that men have been dominating them in a patriarchal social set-up. The asymmetrical relations of power between men and women are highlighted through their structural, systemic and social underpinnings. Terrorism affects women in numerous adverse ways and redefines their identities in patriarchal, rigid, orthodox and negative terms. Domination of women is a means as well as end of terrorism.

Methodology: The work is based on collection, analysis and interpretation of data through secondary sources like, books, journals, newspapers, magazines, unpublished works and internet sources. The United Nations Information Centre (UNIC) had been approached for data regarding UN Declaration on Kashmir Question. Apart from this, the national and international *seminars* on Terrorism organized by Jawaharlal Nehru University, New Delhi have been a vital source of knowledge and data on this topic. In the absence of scope for field-study, the informal interactions with Kashmiri students in JNU and Jamia Milia Islamia have also helped me to become aware of certain facts about the issue.

Limitations of the study and its relevance: One major limitation of the research is the lack of any scope for field-study at the M.Phil level. Field-work could have proved very useful in dealing better with the dilemmas which I faced during my analysis and interpretation of data. First hand data helps the researcher to acquaint herself better with the ground realities and the accuracy and authenticity of the research work is greatly enhanced. Not only this, but it also imparts more freshness and originality to the work. In a controversial topic, like the one which has been researched here, field-study could have been desirable. Nonetheless, in the absence of field-study it becomes imperative for the researcher to collect a much wider range of data and undertake an extensive as well as intensive analysis and

interpretation of facts in order to arrive at logical, objective conclusions. This, in a way, hones up the abilities of a researcher for higher level researches.

The relevance of this work lies in its utility to the scholars, academics, journalists and those who are in pursuance of knowledge of the 'Kashmir' problem and the gender issues thereof. It also has its relevance to the political leaders who are at the helm of political affairs and the policy makers who could initiate some positive changes in the situation therein and effect a speedy process of social reconstruction.

***Terrorism:
Concept and Theories***

What is TERRORISM?

Terrorism has become an issue of worldwide concern during the last quarter of the twentieth century. Terrorist tactics themselves are not new—they have been used for centuries before being defined as terrorism. The word “terror” entered the political lexicon during the French Revolution’s “reign of terror” [1789]. The word terrorism comes from the Latin, *terrere*, to frighten. In the late nineteenth century, the beginning of the twentieth, and again in the 1920s and 1930s—significantly all periods between major wars on the European continent—terrorism became a technique of revolutionary struggle. Stalin’s regime in the 1930s and 1940s was called a reign of terror, but from the late 1940s to the 1960s the word was associated primarily with the armed struggles for independence waged in Palestine and Algeria, from which later generations of terrorists took their inspiration and instruction. Following World War II, “terror” emerged as a component of nuclear strategy; the fear of mutual destruction that would deter nuclear war between the United States and the former Soviet Union was referred to as a “balance of terror”.

The meaning of ‘terrorism’ has been constantly changing. By the 1970s, terrorism became a fad word, promiscuously applied to a wide spectrum of conditions and actions. Bombs in public places were one form of terrorism, but some people asserted that poverty and hunger were also a form of terrorism. Some governments labeled as terrorism all violent acts committed by their opponents, while anti-government extremists claimed to be, and often are, the victims of government terror.

Terrorism could be described simply as the use or threat of violence, calculated to create an atmosphere of fear and alarm and thereby to bring about some political result.

However, there is a sharp distinction between *violence* and *terror*. Violence may well be a universal phenomenon, as inseparable from the human conditions as is the sense of frustration and anxiety which produces that violence. To justify violence we usually argue that the persons we want to hurt either deserve punishment for misdeeds or they deserve it because they can hurt us and intend to do so. A very different kind of logic is required to justify terror. The victims do not apparently threaten us; they are innocent by conventional moral standards or by the evidence of our own senses. Terrorists, therefore, abandon ordinary conceptions and experiences, and they normally avoid speaking of their victims as persons. Depending on the context, the victims become symbols, tools, animals or corrupt beings. To be a terrorist one must have a special picture of the world, a specific consciousness. Terrorism, consequently, cannot be a universal phenomenon. It must be, and the evidence shows that it is, a *historical* one, emerging only at particular times and associated only with particular developments in a people's *consciousness*.¹ Terrorism is the organized use of violence for political ends and is directed primarily at non-combatants. Organized by whom? We generally think of terrorist violence as being organized by non-state actors of various kinds—nationalists, anarchists, rightists, leftists, secessionists, and so on. Terrorist violence is also an instrument of states or governments, often to combat non-state terrorists. Making a definition operative in political debate, rules of war, or criminal codes is anything but easy. Is all politically motivated violence terrorism? How does terrorism differ from crime? Should it be considered a crime at all, or simply as another form of armed conflict, no less legitimate than any other form of war? Is the term properly reserved for those trying to overthrow governments, or can the state also sponsor terrorists and terrorist activity?

¹ David C. Rapoport; *The Morality Of Terrorism*; pg- xii; 1982; New York.

What is the difference between terrorism of the non-state actor and that of the state? Both seek to frighten. Both can be bloody. Both may seek to shock and disrupt. Both may be defensive in nature, seeking to protect society against the oppression of the other. Both try to undermine the legitimacy of the other. Neither tolerates rivals. Terrorism and state terrorism are not terribly different activities conceptually speaking. However, there is a difference. While our government has from time to time used terror tactics for justified or unjustified reasons, we can as a people demand *accountability* and reduce its arbitrariness. Can we say anything comparable about terrorist organizations? Certainly not. While killing and terrorizing innocent men, women, and children, they do not care for ethics, morals and principles and by no means can be made to be accountable for their arbitrary acts.

Terrorism almost always has a pejorative connotation and thus falls in the same category of words as *tyranny* and *genocide*, unlike such relatively neutral terms as *war* and *revolution*. While terrorism as a form of violence lacks legitimacy, war as another form of violence does not. However, both are types of violence and torture. Wars pursued by states can, sometimes, as the historical evidences shows, be more cruel and gory than terrorist violence. One can aspire to do objective and dispassionate research, but one cannot be neutral about torture, cruelty and bloodshed. *Thus, a major difference between terrorist outfits and the state is the sanction of legitimacy. While the state is a legitimate organization and therefore, accountable for all its actions, terrorist outfits, being illegitimate, lacks accountability.*

Terrorism, however, is fantasy war, real only in the mind of the terrorist. Fantasy war, of course, is only partial war, real for only one of the contestants who then adapts war values, norms and behaviours against another, generally the state, trying to solve through

strength a conflict based on legitimate or illegitimate grievances. A fantasy war is neither accepted nor acknowledged by the other group (state) who in effect tends to deny it. Fantasy war is, therefore, an ongoing phenomenon located in an unstable position between two possible stabilizing processes: real war or diffuse terror. Fantasy war becomes real only if acknowledged by the 'enemy' (state), and becomes terrorism when, unable to compel the enemy to accept a state of war, it must limit itself to harassing and destabilizing the enemy through the utilization and diffusion of fear.

Terrorism can be defined objectively by the quality of act, not by the identity of the perpetrators or the nature of their causes. All terrorist acts are *crimes*, and many would also be war crimes or "grave breaches" of the rules of war if one accepts the terrorists' assertion that they wage a war. For instance, *jihad*, the concept of so called 'holy war' of the terrorists, is a crime from secular point of view of the state. Simply a religious terminology cannot change the nature of the act. All terrorist acts involve the use or threat of violence, sometimes coupled with explicit demands. The violence is directed against non-combatants. The purposes are political. The actions are often carried out in a way that will achieve maximum publicity, and the perpetrators are normally members of an organized group.

Terrorist organizations are by necessity clandestine, but, unlike other criminals, terrorists often claim credit for their acts. And finally—the hallmark of terrorism—the acts are intended to produce psychological damage. This introduces a distinction between the actual victims of terrorist violence and the target audience. The connection between the victim and the target of terrorism can be remote. The identity of the victims may be secondary or even irrelevant to the terrorist cause. "Pure terrorism" is entirely indiscriminate violence. Terrorism differs from ordinary crime in its political purpose and its primary

objective. But not all politically motivated violence is terrorism, nor is terrorism synonymous with guerrilla war or any other kind of war. What makes war less objectionable than terrorism? Karl von Clausewitz, suggested two centuries ago that war is not random, spontaneous and everyday occurrence; rather it is the continuation of policy by other means. Generically, terrorism and war are the same: both involve the use of premeditated and planned acts of violence to achieve certain goals for the good of a collectivity—the aristocracy and the princely court, the nation, the ethnic group, the working class. But there are some plain differences between war and terrorism. War involves the use of force primarily to destroy the other side's military capability in order to make it capitulate; non-military entities are usually incidental or secondary targets. Terrorism uses force or threatens to use it primarily against non-military targets (non-combatants), in order to frighten the state into capitulating. Most importantly, war has some explicit codes of behaviour in terms of how violence shall be used, especially avoiding violence against non-combatants. On the other hand, terrorist outfits are shady, illegitimate and use violence particularly against innocent non-combatants to terrorize them.

Can terrorism be compared to national liberation struggles? If a people truly do not want to remain part of a political community, surely they have the right to secede and set up their own political community? But before taking such a step one has to ask: can it be established that the collectivity called people in fact wants to secede? Is the community that the secessionists promise to bring into being likely to be better than the one they are seceding from? Do those who urge secession seem capable of setting up a community that is better? Is the community they wish to secede from incapable of redressing their grievances, thereby leaving them no real alternative to secession? What would be the larger international

consequences of secession? Secessionists can appeal to the right to secede; but the political community from which they want to secede, neighbouring countries, as well as the international community have rights too—in particular the right to be satisfied that the freedom fighters are representative, rational, and responsible agents in calling for secession. Do the freedom fighters ensure that violence is used discriminately so as to avoid hurting non-combatants? Violence against non-combatants is decried universally, as an ethical offence. As the case of 'Kashmir' reflects, the militants have been targeting innocent people, and women and children are the worst affected. Moreover, no militant group meets the test of representativeness, rationality, and responsibility.

Terrorist techniques can be used by governments or those fighting against governments; however scholars generally use the term *terror* when discussing fear producing tactics employed by governments and *terrorism* when referring to tactics used by those fighting against governments. The distinction is primarily semantic. Both groups may use threats, assassinations, or abductions, but government terror may also include arbitrary imprisonment, concentration camps, torture, mind-affecting techniques and the use of drugs for political purposes. Anti-government terrorists generally lack the infrastructure for such tactics. Terrorists tend to seek more publicity than do governments. For example, Al-Qaeda is even maintaining a website—Alneda.com—first from Malaysia and then from U.S.A.

Modern state and rebel terror are two dimensions of a single tradition, now more than two centuries old. Often commentators have difficulty in identifying that tradition, perhaps because terrorist activity has not been continuous; it erupts intermittently. A second reason is that two major forms of terrorism often eclipse each other. One form of terror is discussed as though it had no relation to the other. State terror and rebel terror, in reality, are

two different expressions of a common ethos.² What is the terrorist experience prior to the French Revolution? Governments and rebels occasionally employed terror for political purposes. Nonetheless, in the West, it was done in secret. Our struggle for Independence from the British yoke had witnessed revolutionary terrorism as its integral part. Many of our national heroes were greatly inspired by French, Russian, Irish, Egyptian & Turkish revolutions—all of which employed terror as a method.



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In the major revealed religions {Judaism, Christianity, Islam} terror is often a particular outgrowth of Messianic or Millenarian visions, of the belief that the Messiah can annul God's law or existing restraints in order to fulfill the meaning of history, or God's intention for man. More often than not, the terrorists are hardcore religious fundamentalists who believe that all existing moral and legal rules will be supplanted. Human nature will be transformed, paving the way for a higher condition of moral existence where oppression, inequality, and even the state disappears. There prevails a belief that the road to Paradise runs directly through Hell. It is their conviction that they have been entrusted by God with the task of moral and spiritual cleansing in all walks of life, particularly in the political field. This explains why the Islamic terrorists, for example, choose to call themselves "Fidayeen" meaning "the devoted ones or the faithful ones", and their terrorist activities as *jihad* meaning "the holy war". A person who kills, therefore, masquerades as the saviour as we see in the case of 'Kashmir'. However, there are some terrorists, say, for example, the Naxalites, who are not religious fundamentalists as such but have a fundamental belief in their particular ideologies which form the cornerstone of their groups. Their ideologies may be one of the five basic groups: *nationalism, anarchism, nihilism, rightist politics and leftist*

² David C. Rapoport; *The Morality of Terrorism*; pg-xiv; 1982; Pergamon Press Inc.; New York.



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politics. They may also be a combination of few of these. The Naxalites targeted on the so called 'class enemies'—'jotedars', landlords, moneylenders, police-informers, police officers. They operated under the umbrella of leftist politics.

The democratic rhetoric of the terrorists is generally only a pretence to cover their authoritarian designs. There is no place for dissenters in a terrorist organization, nor do they allow the people, for whose liberation they are supposed to be challenging the oppressive state, any right to oppose any of their policies or actions. Dissenters within terrorist organizations have to face the same consequences as the "enemy" of their cause. Terrorists are, however, shrewd enough to realize that they can operate more easily in a democratic regime. Democracy is one of the crucial factors in the development of terrorism. It is in a democracy that the terrorists can organize and operate without facing a strong response from the government. Terrorists manipulate the institutions of democracy to propagate their cause and generate popular support for their operations.

Concepts like freedom of thought and expression, or freedom of religion have in actual practice no meaning for terrorists. They use the democratic rhetoric only to hide their true intentions and to confuse the people. They seek to impose their will, their ideologies, or their religious beliefs by force. They see no contradiction in swearing by democratic norms while at the same time following authoritarian methods in building their organizations and implementing their plans to create terror.

The term *international terrorism* refers to terrorist attacks on foreign targets or crossing of national frontiers to carry out terrorist attacks. It was the dramatic rise in international terrorism—especially in the form of attacks on diplomats and commercial

aviation in the late 1960s—that caused mounting alarm on the part of governments not directly involved in these local conflicts. The 1980s recognized a new form of terrorism—state-sponsored terrorism. Some governments began to use terrorist tactics themselves or to employ terrorist tactics as a mode of surrogate warfare. Unlike government-directed terror, which is primarily domestic, state-sponsored terrorism is directed against foreign governments or domestic foes abroad.

Despite great differences in political perspectives and outlook toward armed conflict, the international community gradually came to accept at least a partial definition of terrorism and prohibited certain tactics and attacks on certain targets. Thus, by 1985, the United Nations General Assembly unanimously condemned international terrorism, including but not limited to those acts covered by previous treaties against airline hijacking and sabotage of aircraft, attacks in any form against internationally protected persons and the taking of hostages.

This covered roughly half of all incidents of all incidents of international terrorism but omitted primarily bombings of targets other than airlines or diplomatic facilities. One difficulty in delineating this type of terrorist act is the problem of distinguishing between terrorist bombings and aerial bombardment, which is considered a legitimate form of war. The rules of war prohibit indiscriminate bombing, thus providing at least a theoretical distinction between war and terrorism, although with modern precision-guided munitions, collateral civilian casualties from aerial bombing in populated areas vastly exceed casualties caused by the deliberate, indiscriminate bombs of terrorists. The two gulf-wars waged by the U.S. against Iraq is a classic example of widespread collateral damage inflicted upon innocent civilians by the war.

Literature has focused narrowly on the phenomenon of terrorism. In part, this reflects the desire of researchers to avoid murky, politically loaded area of underlying causes, where any discussion might be seen as the condemnation or the rationalization of terrorist violence. Nonetheless, there have been some excellent case studies of individual groups and their tactics. Researchers have been able to illustrate a clear trend toward incidents of large scale indiscriminate violence in the 1980s and to infer that terrorists tend to be more imitative than innovative in their tactics. Event-based analysis has also permitted researchers to distinguish the operational profiles of specific terrorist groups, and these profiles have been useful in identifying changes in a group's *modus operandi*. At the same time, such analysis has led the analysts into some methodological traps. An exclusive focus on terrorist actions, for example, resulted in terrorists being viewed as if they were all part of a single entity and secondly as extraterrestrial. While there are connections and alliances among some terrorist groups, the only thing the terrorists of the world have in common is a propensity for violence and certain tactics. Moreover, each group is rooted in its own social, political and cultural soil, and cross-national comparisons are difficult. This has led to the question whether there are terrorist-prone societies. Terrorism is not demonstrably a response to poverty or political oppression as because the liberal democracies of Western Europe have suffered high levels of terrorist violence (for example, the Irish Republican Movement), while totalitarian states are virtually free of terrorism. Overall, countries with perceived terrorist problems tend to be comparatively advanced politically and economically. They are more highly urbanized, have higher per capita incomes, larger middle classes, more university students, and higher rates of literacy. One may ask whether political and economic advance simply brings a more modern form of political violence. "Doctrine, not

technology, is the ultimate source for terrorism, and the French not the Industrial Revolution should preoccupy those interested in modern terror because it provided conceptions that made justifications of the phenomena credible.”³ David C. Rapoport is of the view that dogmatic religion is the main source of emergence of terrorism. “When Messianic impulses did produce terror prior to the French Revolution, the patterns developed varied widely. In Islam, Messianic (Mahdi) inspired terror (largely confined to Shiite sources) took the form of assassination cults, the most successful and widely known of which were the Assassins or Nizaris. The terror of the Nizaris was largely directed against officials who prevented their mission (dais) from operating openly”⁴ “the revival of Hinduism among intellectuals at the turn of the century contained millenarian influences, a foreign theme in the Hindu tradition, and these helped create the Bengali terrorists.”⁵

An obstacle to linking high levels of terrorism with environmental factors is the problem of measuring terrorism. For the most part, this has consisted of counting terrorist incidents. But international terrorism was artificially defined to include only those incidents that cause international concern, a distinction that has meant very little to the terrorists.

If terrorism cannot be explained by environmental factors, then we must look into the mind of the terrorist for an explanation. This calls for a social psychological approach towards the subject. What motivates them for such acts? Are there individuals who are prone to becoming terrorists—a pre-terrorist personality? What sort of a person can commit such ghastly acts without any compunction? What makes him shed the blood of innocent

³ David C. Rapoport; *The Morality of Terrorism*; pg-xiii; 1982; Pergamon Press Inc.; New York.

⁴ *Ibid*; pg-5.

⁵ *Ibid*; pg-6.

persons? Is he a monster and a psychopath? Is he a compulsive pathological criminal who must commit crimes?

There is no uniformity about the personality of a terrorist, though they do share a few common traits. However, the striking fact is that inspite of the diversity of factors which motivate terrorists, the similarity in the use of language in propagating their cause is indeed striking.

In Western countries, particularly in Britain and the USA, most comparative research on the psychology of terrorists have come to the conclusion that terrorists do not have major elements of psychopathology in their personality. On the contrary, most research confirms the finding that most terrorists are, what we call, very normal human beings, who are quite rational and even humane in their approach. According to Martha Cranshaw, "the outstanding common characteristic of terrorists is their normality." Heskin, a well-known researcher on the subject did not find members of the Irish Republican Army to be emotionally disturbed.

However, many experts have characterized terrorists as action-oriented, aggressive persons who love and seek excitement. In their otherwise dull lives they become stimulus-hungry. Quite a few of them are known to have elements of narcissistic personality with a tendency to idealize but unconsciously aware of their own inadequacies and shortcomings. A terrorist uses the psychological mechanism of externalization and splits out all that he hates within himself and projects these hateful traits on his "enemies". Most of them have a need to focus on a government, political leaders, or an ethnic group which they can treat as their enemy. Unable to come to terms with their own inadequacies they need an external

target on which to heap all these characteristics. In Jammu & Kashmir, it has been observed, that the terrorists have not been very successful in their personal and educational life, and in their careers. The combined effect of this feeling of inadequacy and failure in their personality has attracted such individuals to terrorist groups whose main plank is to destroy the external "enemy". The destructions of persons in power, political leaders, or ethnic groups became the main aim of all terrorist groups. This explains to some extent the uniformity of their rhetorical style. "It is not us—it is them; they are the cause of our problems", is the common refrain among terrorists.

The other common trait noticed in their personality is their "definiteness". There is no room for skepticism as everything is in black and white. Either one is a friend or a foe: to be supported or destroyed. They are generally opinionated and self-centered, and have a deep contempt for political leaders whom they consider unscrupulous and self-serving. Their belief in terrorism holds a certain appeal, indeed a fascination, and they would oppose through every means any effort to bring about a compromise.

Though all the members of a terrorist group do not possess the same traits, they all feel more secure in belonging to a terrorist group. They feel wanted and important and their self-esteem as well as their "social status" goes up. The powerful forces unleashed the groups' dynamics take over their individual judgement. The overriding need to belong to a group decides the behaviour of these members. The pressure results in every member conforming to the dictates of the group and committing terrorist acts, which they may actually abhor if left to themselves. Individual thinking and judgement is curbed totally, the group does the thinking, decides the target and that is justification enough for individual

members to kill and destroy anyone. For hard-core terrorist groups, political violence is not always just a means for achieving a political goal but at times it is an end in itself.

The problematic of defining terrorism: Defining terrorism is not an easy task as no single definition seems to fit. Some terrorist claim to be soldiers of national liberation (PLO), while others claim to be avenging past injuries, and still others seem altogether nebulous in their aims. To compound this problem the act of defining terrorism involves a basic, irresolvable act of interpretation: one man's terrorist is another man's freedom fighter.

Walter Laqueur (1987,pp:11-12) in his book *The Age of Terrorism*, grapples with the intricacies of the term *terrorism* and the label *terrorist*. He is of the view that over the last century terrorism has undergone changes making it very difficult to define terrorism appropriately. *Paul Wilkinson* makes a distinction between four types of terrorism—criminal, psychic, war and political. Political terrorism is the systematic use or threat of violence to secure political ends. It is of 3 types—revolutionary, sub-revolutionary and repressive. Revolutionary terrorism is the use of terroristic violence with the ultimate goal being to obtain a radical change in the political order. Sub-revolutionary terrorism is the use of terroristic violence to effect a change in the public policy without altering the political order. Repressive terrorism involves the use of violence to suppress or restrain certain individuals or groups from forms of behaviour considered undesirable by the state. Whereas the first two types are used by individuals and non-state actors against target states, the latter is used by states to maintain a status-quo that may be advantageous to those belonging to a particular class, ethnic or racial group, or religious faith. States that practice this form of terrorism usually explain their repressive actions as being in the interest of national security.

even though the real purpose of their actions may have been to maintain regime security. South Africa is a good example of a nation in which this form of terrorism is practiced.

Treisman (1986) defines it as “the threat or use of violence for political purposes by individuals or groups whether acting for or in opposition to established governmental authority when such actions are intended to shock, stun, or intimidate a largest group wider than the immediate victims”.

Terrorism entails four basic elements:

- Planning and organization of activity
- Use or threat of violence; primarily against non-combatants
- Creation of terror and psychological damage
- Political motives

The strategies adopted by a terrorist are as follows:

- The terrorist tries to provoke a response favourable to his goals
- The terrorist wants publicity
- The terrorist aims at a breakdown in social order
- The terrorist wants to gain some specific concessions, such as the release of prisoners, payment of ransom etc.
- The terrorist wants to enforce cooperation (as had been the case of Nazi Germany which was state supported terrorism)
- The terrorist wishes to punish his enemies

Theories of terrorism

(1) **Psychotic theory:** It claims that people who are not mentally sound, having problems of broken home, sexual problems, a history of unemployment, mental problems and incapable of establishing effective personal relationships become the psychotic assassin. While this theory does not find much credence among academicians yet it cannot be ignored altogether. While the 'terrorist leaders' usually do not come under this category, (they are generally normal with most of them being well educated), it could be possible for them to use such psychotic individuals for their terrorist activities. However, it may also happen that the psychotic assassin may act on his own.

(2) **Crime theory:** This theory views terrorism as a crime, where the terrorist engages in high level crimes such as hijacking, bombings, mass murders, sabotage of public property etc. to achieve their goals. The macabre death of innocents is nothing but crime. No matter whatever be the justifications of the terrorist cause, the killings of thousands of innocent civilians cannot be justified. Some academicians distinguish between "criminal" and "normal" terrorist. While criminal terrorists are using terror, their goals and motivations remain criminal, and they must be approached as such. By the term 'normal' they mean those individuals who are sane and who are engaged in revolutionary or sub-revolutionary activities.

(3) **War theory:** This theory views terrorism as a form of unconventional war or "war by proxy". In today's world, due to fear of destruction of entire earth by a nuclear or atomic war, conventional wars are not forthcoming. Yet nation-states may fuel armed rebellion to gain political advantage. Such terrorism is known as state-sponsored terrorism. Pakistan

fuelling terrorism in Kashmir is a classic example. With terrorists getting huge finances, state support and arms, this type is becoming increasingly a cause of concern.

(4) **Olson theory, or Revolution as a Rational Choice:** It states that revolution is the best alternative, given the prevailing social circumstances. Game theory and cost benefit analysis should permit verification, given its inherent rationality. No role is envisaged for individual motives.

(5) **Psychological theory:** This is mostly based on frustration-aggression. This moves the problem from the social universe to the idioverse, and motives and countermotives are superficially handled. It does not account for those who abstain from terrorism although frustrated, and for repented terrorists.

(6) **A theory of Unbalance of the Social System:** Proposed by C. Johnson, this is a homeostatic, “system” approach, essentially based on the validity of the selection of variables—increase of ideological activity, armed forces, general and political criminality, and suicide—as an index of anomie.

(7) **Marxist theory:** This is the most difficult to synthesize because of its long history and its various interpretations. Its elaborations are scientific-positive on one side, based on social and economic aspects, contrasted with the Hegelian, individualistic, praxis-oriented aspect, as in Marcuse. It is important to acknowledge the official rejection of revolutionary terrorist violence by classic Marxism.

Karl Marx held that the final change in social evolution following the creation of an industrialized means of production would be the transferral of this means of production into

the hands of its workers, the proletariat. However, how and when this transference would take place was not very clear to Marx's successors. Would the process be slow, painless and evolutionary or violent? Among those who did not wish to wait for evolutionary change was Vladimir Lenin. Lenin realized that Russia was nowhere near the industrial stage which Marx had described as necessary for proletarian revolution; a large body of urban industrial workers simply did not exist, nor was Russia's economy predominantly or even largely industrial. He affirmed the possibility of bypassing the prescribed historical process. It was, he claimed, within the power of the people to rebel if their political will were strong enough. Lenin also augmented Marx's doctrines with an equation of capitalism with imperialism: the latter being the last stage of capitalist economy and the two would fall together. The Vietnamese struggle for independence from France assumed unity and confidence from the Marxist writings of Lenin. Similarly, Mao Tse-Tung of the Chinese Revolution (1947) and Fidel Castro and "Che" Guevara of the Cuban Revolution (1959) were also Marxists who did not wait for the long industrialization process. Their example illustrates an important development towards terrorism, namely, the shift from rural to urban guerilla tactics.

The most influential and maverick neo-Marxist of the past generation was Herbert Marcuse. Critical of both the modern technological society and of conventional Marxist doctrine, Marcuse, in his book *One Dimensional Man*, held that advanced technological society had merely substituted pacification for true freedom. As long as such a society had capability (largely through automation and technology) to supply a surplus of the necessities and luxuries of life, then it would have the power to "co-opt" and thereby repress the dissenting members of the society; traditional concepts of freedom and revolution would be rendered obsolete. In fact, modern democratic society's extreme tolerance was merely a way

of diffusing and “containing” real opposition. Marcuse cited psychological trends such as operationalism and behaviorism as methods of “disposing of” the complaints of the alienated masses, and saw revolutionary change as possible not through conventional social means (which tended only to pacify) but through violence which went “outside the system”. He identified the future revolutionaries as students and as society’s outcasts, to whom political rights or recognition had been denied. His writings were of immense impact on the American student radicals of the 1960s. The terrorist taking his cue from Marcuse would assume that to seek change by accepted means, by referendum, petition and by the open forum of newspapers would do nothing to alter the status quo which could permit all the freedom of speech, organizing and open discussion possible without danger to itself. To execute real change, he must “hit the system from without”.

(8) Liberal theory: Liberals think that terrorism is a response to economic, social, and political deprivation as well as bad government. People who harbour a sense of grievance will turn to violence to dramatize their misery or to change the conditions that are responsible for it. Since, in the modern world, governments are held most responsible for this misery, it is against them that any rebellion is generally directed. Governments may fail to provide basic amenities, entitlements and opportunities. They may refuse or may be unable to correct social injustices. They may often dispossess people of their most elemental rights and may be corrupt and inefficient. Terrorism may not only be a result of resistance directed at governments. It may also arise out of quarrels with other communities and groups. The government may or may not support these groups. If it does, then the government becomes an accessory to injustice and a target of terrorism. Even if it is not an

accessory, it may become a target of terrorism as it tries to adjudicate between conflicting groups and to uphold law and order.

(9) **Conservative theory:** Conservatives, by contrast, attribute terrorism to the natural stresses and strains of nation-building. As countries go through the process of unification under a common system of rules and institutions within a swathe of territory, they encounter resistance from within. New systems of laws and institutions backed by a newly-constituted government will inevitably frighten some even as it reassures others. Classes, castes, religious and linguistic groups will all find themselves living under a new regime. The state has to enforce the new regime. In doing so, it may well alienate entrenched social and political interests of some groups who will then resist. Resistance may turn violent. If it does, the state will be constrained to restore law and order and will have to use violence in turn to do so. A cycle of violence and counter-violence will then ensue.

(10) **Realist theory:** Realists see terrorism as arising out of the competition between the states. In a world of nation-states, in which there is no overarching authority (no world government that can enforce peace and justice), the only means of settling disputes and differences is through the threat or the actual use of violence. Behind the capacity to threaten or use violence is power. The more powerful one is, the more capable of violence. Relative power then is crucial in the workings of the international system. From a realist perspective, terrorism is one of the stratagems available to states in their competition for power. Terrorism can weaken rival states by throwing their domestic life into chaos and weakening the sinews of their government. Convulsed from within, they cannot compete with their external rivals.

(12) Feminist theory: Feminists argue that all wars, peace, terrorism, fundamentalisms and fascisms are contracts between men. It is the men who make the rules, decide when and how wars or terrorism are to be precipitated, when to cease firing, and when, how and at what cost peace is to be negotiated. They highlight the asymmetrical relations of power between men and women by uncovering their structural, systemic and social underpinnings and argue that the use or threat of violence against women is an important weapon in patriarchy's arsenal. Through the use of violence men have been strategically dominating women. Whether it is the terrorists, the state, the society or the family members, historically, all have used, and are still using, violence to assign and maintain the subordinate status of women. *Violence against women lies at the heart of war and terrorism.* While there may be various causes and sources of origin of terrorism, yet, one of the central motives of terrorists is to establish and maintain a thoroughly patriarchal social set-up in which women would occupy a subordinate status relative to men to the extent of complete loss of their identities. All major socio-political events, throughout the world, comprising of war, counter-terror operations by the state and state-repression have definitely used violence against women to meet the ends.

India has witnessed many insurgencies and terrorism in various parts of the country over different periods of time. The causes and sources of their genesis may be explained in terms of the *liberal, conservative or realist theories*. They may also be explained in terms of *misinterpretation of religion, ideology and politics*. In case of 'Kashmir', the causes of upsurge of terrorism may be attributed to *power-politics* and *war theory* which will be seen in the following chapter. *Ethnocentrism, religious fundamentalism* and *communalism* may be considered as the elements which constitute the nature of terrorism in the state. But the

current social reality in 'Kashmir' can be successfully described in terms of the feminist theory which will be examined in great detail in the subsequent chapters. Notwithstanding the causes and sources leading to the genesis of the problem, the fact remains that the key motive of the terrorists is to dominate and subjugate women in a patriarchal social order. Whether viewed from a psychoanalytical perspective or from the angle of religious fundamentalists, the ultimate aim of the terrorist is to control women through repression, violation and control of their sexuality.

Terrorism in India.

In over fifty years of independence we in India have frequently experienced organized political violence in some part of the country or the other. Soon after Independence, Naga militants in the Northeast have fought the Indian government in order to carve out a separate state of Nagaland. Other militants in the Northeast have also fought government and each other to achieve their political goals; for five decades this region has been at varying levels of turmoil. It was really in Punjab, in the 1980s, that terrorism took roots, when Sikh militants attacked government officials and ordinary citizens as part of their campaign for an independent Khalistan. In 1989, after two decades of calm, Kashmir exploded into violence, with young Kashmiri men crossing over into Pakistan and returning to fight the Indian state and anyone else who opposed the separation of Jammu & Kashmir.

Terrorism has also been practiced by left-wing groups in the state of Hyderabad in 1948, in West Bengal in the 1960s, in Andhra Pradesh since the late 1970s (PWG), and in northern Bihar since the 1980s. Regional or ethnic terrorism and left-wing terrorism has been joined by right-wing religious extremism verging on terrorism. Right-wing Hindu

violence dates back to the rath yatra of 1990 which climaxed in the destruction of Babri Masjid on 6th December 1992. It continues the attacks on religious minorities over the past three years. Right-wing Muslim violence was in evidence in the bomb blasts in Mumbai in 1993 in the aftermath of the destruction of the Babri Masjid. Hindu and Muslim groups in Godhra, Ahmedabad, and Baroda engaged in a form of terrorism in March 2002.

What has most excited and exercised the imagination of the public has been the violence in Kashmir, Punjab, and the Northeast. Undoubtedly, there has been foreign help in all these cases. At various times, Pakistan has stoked the violence. From 1960s to mid 1970s, China certainly played a destabilizing role in parts of the Northeast. In the 1980s and 1990s, tribal groups across the border in Burma have helped out their ethnic kin in northeastern India. The fact that outsiders have encouraged violence makes Indians even more anxious. Kashmir, Punjab, and the Northeast have dominated our concerns because of their geographical location at the margins of the country plus a mix of religious and/or linguistic differences, which marks them off from the northern 'heartland', raises fears of secessionism.

Leftist violence in Andhra Pradesh and in Bihar has often been spectacular. Administrative officials have been kidnapped and killed. Politicians have been assassinated. Corporate offices have been attacked: in October 2001, the PWG claimed responsibility for attacking the premises of the Coca Cola company in Andhra Pradesh. In Bihar, the leftist insurgent groups have targeted upper-caste men and women. They have also fought pitched battles with the upper-caste militia, the Ranvir Sena, and the local police. Right-wing Hindu groups are increasingly active in intimidating minorities. The incidence of violence against Christians since 1999 is the most public example of Hindu militancy. The campaign against

the Christian Dangs in Gujrat, the ghastly burning of Graham Staines—the Australian missionary—and his two young sons in Orissa, and the vandalism against churches in various parts of North India are the best known cases; but there have been incidents involving coercion and force all over India over the past three years culminating in the riots in Gujarat.

*The 'Kashmir' Problem
&
Gender Issues*

The 'Kashmir' Imbrolio: causes of emergence and effects of terrorism.

Kanti P. Bajpai, in his book 'Roots of Terrorism'[2002,pp-44-54] mentions that when Kashmir acceded to India, the basic compact was over the autonomy of the state within the Indian Union. According to the terms of accession of the princely states to India, the Union or central government was to have control over three subjects—defence, external affairs, and communications. When Maharaja Hari Singh, the ruler of Kashmir, signed the Instrument of Accession he gave the central government jurisdiction over those three subjects only. All other subjects came under the control of the Jammu & Kashmir government. In 1950, when the Indian constitution came into effect, Kashmir was given special status, according to Article 370. The Article recognized that the power of the Indian Parliament to make laws for the state would be limited to the subjects specified in the Instrument of Accession, namely, defence, external relations and communications. The 1950 Presidential Order contained two schedules listing (i) the entries in the Union List and (ii) specifying those parts of the Constitution that were applicable to the state. The first schedule had thirty-five entries relating to defence, external relations, and communications. The 1950 Order also said that the central government could make laws in other areas if it was thought necessary to do so but only with the agreement of the state government. The second schedule listed those parts of the Constitution that pertained to the state. Amongst the key parts of the second schedule was that the Supreme Court's jurisdiction was limited to appellate matters and that various emergency provisions would not apply to the state.

By 1952, a number of other agreements had been forged with the Union Government. The state and central governments agreed that residuary powers vested in the state and not with the centre (in the case of other states it vests with the centre). Jammu &

Kashmir would have its own flag that would fly alongside the Union flag. The Sadar-I-Riyasat (Governor) was to be elected by the state legislature (unlike in other states where he or she is appointed by the President) but should be acceptable to New Delhi and would be appointed by the President. In addition, the 1952 agreement affirmed that the central government's capacity to proclaim an emergency in Jammu & Kashmir was to be restricted, as envisaged in the 1950 Order. It could only proclaim a general emergency on account of internal disturbances if the state government agreed to this. Also, the central government was barred from suspending the state government under Article 356.

There was a second commitment given to Kashmir, namely, that the wishes of the people of the state would be taken into account on the issue of the accession. Lord Louis Mountbatten, the then Governor General of India, wrote to Maharaja Hari Singh saying '....my government have decided to accept the accession of Kashmir state to the dominion of India. In consistence with their policy that in the case of any state where the issue of accession has been the subject of dispute, the question of accession should be decided in accordance with the wishes of the people of the state, it is my government's wish that, as soon as law and order have been restored in Kashmir and its soil cleared of the invader, the question of state's accession should be settled by a reference to the people.' This eventually became the basis for India's proposal to the UN to hold a plebiscite in Kashmir.

Most informed Kashmiris have the basic, pre-1953 'compact' in mind when they talk about the erosion of autonomy. Some would say that there was an erosion at the moment Jammu & Kashmir state was formed, in the sense that by 1950 the central government already had far greater powers than envisaged in the original accession which specified only three areas of Union control. On the whole though, most Kashmiris would probably accept

that in terms of autonomy everything up to and including the Delhi Agreement of 1952 is acceptable.

After 1952, autonomy, either in law or practice, was eroded. How did this happen? First, the government chipped away at autonomy through a series of legal manoeuvres. Between 1957 and 1966, the Kashmiri constitution was amended to convert the position of Sadar-I-Riyasat into a Governor and the Prime Minister into a Chief Minister. The Articles in the Indian constitution relating to President's rule in a state, as well as presidential and parliamentary authority to make laws during such interlude, were made applicable to Kashmir. For Kashmiris, these were all signs of the gradual subversion of their autonomy.

Second, and more important than the legal jugglery, the central government resorted to a number of political manoeuvres to extend its control over Kashmiri affairs. The government's main concern was the behaviour of the National Conference Party and its leader, Sheikh Abdullah. Increasingly, factions of the Conference and Abdullah himself were seen as obstacles to integration. The government tried to remove Abdullah from the political scene and to put a more pliant administration in his place. Abdullah was arrested in August 1953, and his government was dismissed. In 1958, Abdullah was freed but almost immediately re-arrested. In 1964, he was again released, only to be arrested in May 1965 on his return from Mecca. New Delhi relaxed its hold on Sheikh Abdullah and brought him back into Kashmiri politics after the September 1965 war with Pakistan. He was released in 1967, and in 1968 organized the All-Kashmir States' Peoples' Convention, which was devoted to obtaining more autonomy for Kashmir. This made the Indian government more nervous, and Abdullah was detained again.

After the war of 1971, the Indian government began autonomy talks with Abdullah. The government conceded very little. Virtually all of Abdullah's proposals for greater

autonomy were rejected. The agreement that was ultimately reached in 1975 was intended to facilitate the Sheikh's return to state politics. According to the agreement, Kashmir would retain its own constitution. In addition, residual powers would remain with the Kashmir assembly. The state could also review post-1953 legislation on the Concurrent list but only with the President's assent. After the accord was signed, the government arranged for the Sheikh's National Conference Party to take power, supported by the Congress Party's majority in the state. Two years later, in the most free and fair elections ever held in the state, the Sheikh won handily. Abdullah was back in power, but he was tired by imprisonment and weakened by the government's manipulations of Kashmiri politics and was no longer in a position to challenge New Delhi.

The Congress Party government in New Delhi remained suspicious of the National Conference government under the Abdullah family, and attempted to control it by forging an alliance with the Conference for the 1982 elections. Abdullah's son, Farooq, who now led the National Conference, rejected the idea and went on to win the election. Two years later, Indira Gandhi engineered a series of defections from the party, which allowed the Governor of the state to dismiss Farooq. After Indira Gandhi was killed in October 1984, Rajiv, too, tried to control Farooq through an electoral alliance. In 1986, fearful of being dismissed if he once again refused to join forces with the Congress Party, Farooq capitulated. The Conference-Congress coalition won the 1987 state elections, amid widespread accusations that they had been rigged. By 1988, public protests over the polls and the Conference-Congress alliance had become violent. Growing disillusionment with the functioning of the government and the political system had led to widespread skepticism with respect to the rule of law and the constitutional process. The situation in the state started deteriorating very fast from the beginning of 1988. The pro-Pakistan elements were getting more and more

aggressive. On the night of 31st July, there were two bomb blasts in Srinagar but no one was hurt. On 4th August 1988, a time bomb was found at Lakhinpur. It was defused before it could do any damage. On 15th August, India's Independence day, they flew black flags. On 31st August, a bomb exploded in a bus in Anantnag in which one person was killed. This was the first casualty claimed by terrorism in 1988. Jammu & Kashmir Liberation Front (JKLF) claimed responsibility for the above mentioned explosions. The government responded with a wave of repression: arrests and detention without filing charges, police firings, the use of paramilitaries, and extraordinary law and order legislation. In 1989, Kashmiri militants organized a successful boycott of the general elections. Farooq resigned shortly afterwards.

The central government also turned its back on the second commitment to Kashmir, i.e, the holding of a plebiscite to ascertain the wishes of the Kashmiri people on the accession. In 1954, Jawaharlal Nehru's government argued that the wishes of Kashmiris had been tested through the Constituent Assembly and the writing of a state constitution. In addition, the Indian government argued that the new geopolitical situation militated against a plebiscite. The United States and Pakistan had by this time announced that Pakistan would join the CENTO and SEATO alliances against global communism. New Delhi did not explain why this made the holding of a plebiscite problematic, but clearly the government felt that an internationally-supervised plebiscite could not be free and fair if Pakistan was allied with a power which not been particularly sympathetic to India's stand on Kashmir. The UN continued to work on a solution to the dispute, essentially with a view to holding a plebiscite, but these efforts failed by the late 1950s, bringing to an end any serious UN involvement. Formally, India continued to argue that a plebiscite depended on Pakistani withdrawal from all Kashmir as specified by the UN, including the areas it had conquered in

1948-49. Since Pakistan had not withdrawn from these lands, there was no question of moving ahead on the plebiscite. Kashmiris still resent India's stand on the issue. New Delhi's arguments about Pakistani involvement and intransigence are seen as excuse-mongering.

In many ways, for most Kashmiris, renegeing on this second commitment constitutes the original sin. Autonomy has always been a second best, a stop gap. Independence, from India and Pakistan, is the overweening sentiment, particularly amongst the most vocal and influential Muslims in the Valley. While the valley Muslims have historically been connected to the northern heartland, politically, economically and culturally, they fear the size and power of the heartland. The politics of Kashmir since 1947 and the regressions from the plebiscite as well as autonomy have only confirmed their suspicions of the heartland and the central government. Only independence from India, they reason, can save them from the otherwise inevitable domination of the Indo-Gangetic plains. This anxiety about the northern heartland has also been a powerful force in the secessionist movements in Punjab and Nagaland.

Pakistan's intervention in the affairs of Kashmir has been a fairly continuous one, although there have been periods of remission (for example, from 1972 to the late 1980s). Pakistani intervention has been both direct and indirect. In 1947-48, Pakistan helped the raiders who attacked Kashmir and fought their way to Srinagar before they were stopped by the Indian Army which rushed to the state after Maharaja Hari Singh signed the Instrument of Accession. In 1965, tribals from Pakistan-occupied-Kashmir (POK) invaded the Indian side of the state with the help of Pakistan Army. And in 1999, Kashmiri militants made their

way into Kargil from the Pakistani side of the Line of Control. In each instance, regular Pakistani soldiers were mixed in with the irregular forces.

Direct military action of this kind has been accompanied by more indirect forms of intervention. Since 1989, when young Kashmiris crossed over into Pakistan to escape the Kashmir government's crackdown, Islamabad has carefully steered a massive insurgency. The Pakistan Army's Inter-Services Intelligence (ISI) has provided haven, money, training, and arms to Kashmiri and other militant groups operating in the state. Apart from Kashmir, Pakistan's role in sponsoring terrorism in Punjab and Northeast is also well known. Thus, a large political vacuum created due to constant tussle for power and authority between prominent leaders at the centre and state levels, misrule and highhandedness of bureaucracy, foreign hands in sponsoring terrorism, and illiteracy and socio-economic backwardness of the people have allowed terrorism to take deep roots in the state. The problem became chronic due to governmental neglect and apathy for the past two decades. What has been the fallout? Kashmir is burning in the fire of terror and violence. Who are the worst victims?

Terrorism and Gender Issues:

For nearly two decades, women in Kashmir have been caught in the grip of a conflict which, from its beginnings as a militant movement fighting for self determination has rapidly turned into a battle involving at least a hundred different militant factions and tazneems (groups), with the Indian security forces pitted against them. The situation is no longer one of a simple demand for self determination. Instead, there are groups which believe Kashmir must ally with Pakistan (and who are supported, both financially and in terms of training, by Pakistan, something which has led to a worsening of the already strained relations between the two countries) and others who are committed to an

independent state. All 'sides' in this battle use violence, and it is the women of Kashmir whose lives are deeply affected by this. It is now widely accepted that while women seldom create or initiate conflict, they—along with children and the aged—are often its chief victims and sufferers. Nowhere is this more true than in Kashmir. Yet, despite this, women's suffering has barely been acknowledged. Today, in Kashmir, there are large numbers of women who are identified as half widows, widows, mothers who have lost their sons, or those whose daughters have been raped, young women who dare not step out of the house, women who have been pushed out of employment by the fear and uncertainty created by conflict, and those who are suffering from medical and psychological conditions related to stress and trauma. In Kashmir the Association of the Parents of Disappeared Persons (APDP) with its largely female membership has been trying to track down the thousands of missing persons, so that families can regain their loved ones, or put a closure on their lives. Stress, trauma, depression, spontaneous abortions, miscarriages are now common problems among the women of Kashmir. Violence against women is a way of life. A woman narrates, 'our fear is as much from the gun as it is from each other. We no longer know whom to trust. Sometimes your closest friend, even your brother, may be an informer, or a militant, sometimes he may be a renegade (surrendered militant)'. Further, for women, this lack of trust works in other ways. In a dialogue between Kashmiri women and women from the North east of India, organized under the auspices of Oxfam India's VMAP project, a number of Kashmiri women, widows and half-widows, spoke of the suspicion they faced from their own families. Being without an earning member in the family meant that they were forced to go out and seek work, but the moment they stepped out of their homes 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. Women

continue to suffer dreadful, ignoble acts of violence but they remain voiceless and faceless, their situation continues to be unrecognized and unreported. Here rape and gang-rape is used as an instrument of war. Sexual molestation is demanded as a right by the security forces, militants, and the renegades. Women are forced to marry foreign militants from across the border even at gun point. They bring up children born out of rape. The married ones get beaten at the slightest pretext by their husbands for being impure after a rape. Family life is under threat as women find it difficult to trust their own brothers, husbands, fathers and sons, many of whom take to militancy by choice or are forced to do so by other militants. In this war-torn region, religion offers no protection. Women, whether Muslim, Hindu, Sikh, or Ladhaki, face indignity, flagrant violation of their basic rights and humiliation. Those women who have been forced to flee Kashmir, as refugees, it does not matter whether they stay in Muslim camps or Hindu camps. They all face a hostile environment and lack of basic amenities, privacy and security. Kashmiri community has disintegrated and women are finding it more and more difficult to come to terms with the new realities imposed upon them. For the second time in two years, the Hizbul Mujahiddin has put up posters in Darhal tehsil of Rajouri district of Jammu province threatening that girls above 12 years of age should not continue their studies. The threats have had considerable impact. Most of the parents of the area have not been sending their daughters to schools for many days. Sara Bano of Srinagar writes, 'during the struggle for freedom we have witnessed things which have no bearing on the movement'. In hospitals, for instance, security forces raid women's wards, labour rooms while deliveries are being done. In Batmaloo, a locality in Srinagar, women had taken out a procession in June 1990 to protest against the district police chief who came to the area only to ogle at the women and targeted women during raids and search operations. Women participating in the procession were hit with rifle butts to force them

back. Women wonder how wearing or not wearing a burqa or sticking a bindi, affect the struggle for freedom?

In such an atmosphere, it is not surprising that women-related social indices are plummeting. For example, there is much more of domestic violence today in the state. Maternal mortality rate has increased tremendously and so has the incidence of stress, depression, spontaneous abortions and miscarriages. Women are suffering from severe heart problems and other psychological and emotional problems. At a meeting on Kashmir organized by WISCOMP (Women in Security, Conflict Management and Peace) in New Delhi a young Kashmiri woman, speaking of the rape of a friend, posed a question to the audience and participants: 'I want to ask how the militants' struggle for azadi, for liberation, will be advanced by the rape of this woman. I want to ask how this rape--- and the countless other rapes that have taken place---will help in the security and protection of the nation?' the young woman's anguished question goes straight to the heart of the problem. Rape has today become a commonplace occurrence in Kashmir. As per the accounts of the women, while earlier it was the militants and the security forces who used it as a weapon of war, today a larger number of offenders come from within the security forces, particularly the local forces (although whether this is actually true or whether it is that people are fearful of speaking about militant rape remains unclear). 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 Muslim community through the violation of its women. Mirroring this, the militants similarly use rape to target the Pandit Hindu community through its women. Rape targets women as the cultural markers of their community, and is then used to humiliate the community.

“Kunan Poshpora village is still remembered as the raped village in Kashmir. In February 1991 security forces raped 30 women. Even three years later when we visited the village we found that the married raped women had been deserted by their husbands. A seventy year old woman had been thrown out by her son. The young women, raped or not, remained single. Girls told us that they were teased even by the village men: ‘Did you enjoy it? Want some more?’— accounts Sheeba Chhachi in her essay ‘Images of Women from the Kashmir Valley’.

‘I asked them why have you come here in the middle of the night, is this how you do your duty? I told them to go away, my husband is not here. They barged into my home, stuck a gun to my head and slapped me. ‘Where have you kept the money?’ They demanded. ‘We have no money, we’re mazdoors, daily-wage labourers.’ They slapped me again and then searched the rooms, broke open the trunks. When they couldn’t find anything they locked my children into the other room and raped me one by one. They were soldiers from the ITBP (Indo-Tibetan Border Police) camp. They were both drunk. [Rubeena, a Bengali woman who had come to Kashmir eight years before and married a Kashmiri. This testimony was given the day after the rape.]

‘Those days my brother was underground. We hadn’t seen him in months. That day just my mother and I were at home. I was only 16 then. The STF men were given a tip-off that there was a catch of arms hidden in the house. When they came we said there was nothing and they were free to search the house if they wanted. They ransacked the entire house from top to bottom. When they didn’t find anything they first locked Mummy in one room. Then they picked me up and stuck me in a large bin full of rice. I was choking and crying. Mummy was banging the door begging them to leave me. Finally, they stopped

torturing me and pulled me out. But before leaving a jawan placed both his booted feet on my bare ones and ground them down until my toe nails came off. It took 18 months to heal. [Amina, sister of a militant, Srinagar]

My husband was abducted by militants seven years ago. We have no idea whether he is dead or alive. Every time the talk of my remarriage begins in my family, we get a whiff of a rumour about his being alive. And so the wait begins again....[Hamida, a half-widow, Bandipora. Islamic law only permits the remarriage of widows after the death of the husband has been established conclusively.]

We always considered ourselves as first class citizens of Kashmir, but now I am so confused. What do you think will happen? Do you think it will be safe for us to raise our children here? [Kanwal, a Sikh woman in Srinagar, after the Chittisinghpura massacre of 36 Sikhs.]

My son never asked me, 'Ammaji, can I go to Pakistan and become a militant?' He simply left. I wept. That is the fate of the mothers of Kashmir. When he crossed the border, on his return he was caught and jailed for two years. When he was released the tazneem (militant group) got after him because they felt he had broken under torture. So he joined the Ikhwan to protect himself. Either way he was trapped. I don't sleep at night because of the numerous attempts on his life. This is not life but hell. [Lala, Bandipora. Her son, the Ikhwan Area Commander was ambushed and killed a few months later]

Men go to mosques. We go to the ziarats, the shrines. There we weep together and unburden the load that sits heavily on the chest. We cannot face God on our own, so we ask the Pir buried there to intercede on our behalf. I find great peace there. What are these men

thinking when they burn down our shrines? Where will we go if this carries on? [Abida, Srinagar]

I didn't decide to leave. We came here for a holiday. Everything was left behind. We had to start all over again—from a spoon. Is this any way to live? Five of us in a rented room, no privacy, the heat, sleepless nights—this, after what we had been used to in Kashmir. [Prana, Refugee Camp, Delhi]

Suddenly my students began to wear veils... such pretty girls. They said they were being pressurized by their brothers and the speeches from the mosques. Until then we had secular ways in the college—all the girls in uniform—during the exams when I scolded a girl she turned around and said, 'Madam, my cousin is a militant. How can you scold me?' [Mrs Jai Kishori Pandit, Professor, Government College for Women, Srinagar].

Statistics are hard to come by in Kashmir. There has been no census since 1981. 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 figures are always lower than those calculated by human rights activists. While the lack of proper statistics is a problem that needs to be addressed, one does not need statistics to measure people's grief and their suffering, and their desire for peace. If the women of Kashmir, whether Muslim, Hindu, Sikh, or Ladhakhi, are to be believed, the levels of domestic violence have gone up sharply in the state in the last decade or so. For women, then, the external violence of war or political conflict is not something that is happening 'out there', but it has made its way into their homes and hearths. Yet, in the hierarchy of violence set up by such situations, the external violence of conflict somehow

comes to acquire much greater significance than 'internal' violence of domestic strife, no matter that domestic strife may be generated, or exacerbated, by the external violence. Women who become the targets of such violence, have no one to talk to for to everyone, it is the male who is the hero, whether as an army man, or a militant, or simply someone caught in conflict. She does not count. In the wake of terror and violence in the valley, women who had suffered the most as silent victims through the decades remain voiceless, their miseries have not been remedied. Although, we keep hearing of political initiatives being desired by both India and Pakistan on the Kashmir issue, yet, how much of these efforts are intended to directly solve the problems of women is a matter of debate. Our Prime Minister has more often than not, accused Pakistan of sponsoring terrorism in Kashmir and has been repeatedly insisting that the only solution to the Kashmir problem lies in Pakistan taking positive, sincere steps to curb all infiltrations across the valley; only then can peace return to the state.

In this context another question becomes important: that of the nature and meaning of peace. Does the 'return' of peace then mean a going back to the conditions that existed—the status quo—before conflict broke out, no matter how terrible those conditions might be in themselves? For women for whom levels of violence have escalated sharply, what will a return to 'normalcy' mean: the status quo 'then' (i.e. pre-conflict) or the status quo 'now' (i.e. during conflict)? Will 'peace' mean only the end of conflict 'outside' so to speak, or can women expect 'peace' to extend within the four walls of the homes as well? These are the questions to which we do not have satisfactory answers. But it is important to look into the transformations, both positive and negative, that it creates within the home.

Does end to terrorism mean the same for all the women of Kashmir? While some women may indeed gain in the conflict and post-conflict situations, in terms of avenging

their pain inflicted by terrorism and counter-terrorism (as is the case of women who take up militancy to avenge the rapes, brutalities, and torture of their mothers, sisters, daughters, friends etc.), or in terms of accessing new spaces and learning to negotiate these. But it is also true that such access varies across caste and class and religion. It is important to understand the willing participation of women in political conflict, the fact that they are increasingly beginning to form the critical mass of violent cadres, and also their relationship with the nation and nationalisms and with the state? Sometimes there is a direct causal link between women taking up violent ideologies—for example, seeking revenge for a sister raped, a mother killed, a son taken away—while for some, it is a matter of wanting to do something for the country. In both cases, interventions for peace need to be sensitive to the importance of these different realities. Most Indians grow up believing Kashmir to be an integral part of India. This is what is taught in schools, this is the history that is received and internalized. This is why in the ‘outside’ world (outside Kashmir) and those who see themselves as ‘secular’ there is little sympathy for Kashmiris’ desire for independence, although this has been changing somewhat over the years. While there is an almost total failure of state apparatus in Kashmir, yet the only recourse the Kashmiris have in, say, seeking compensation, or demanding their rights, is the state. Thus, while Kashmiris will be fiercely critical of the state, they will also look to it, as all citizens anywhere do, for fulfilling their demands. This situation is no different from critiques of interactions with the state elsewhere, but it comes to acquire different overtones in a situation of conflict, where the very people claiming their rights from the state are those the state suspects of being anti-national and plotting its demise. For feminists, the difficulty of intervening in such a situation comes from the ambivalence that attaches to it in which their own feelings ‘as an

Indian' (for feminist or not, it is likely that they too might have internalized the discourses of nation and nationalism) clashes with the values they hold dear in which nations and nationalisms have no place. This is compounded with a simultaneous dealing with and opposition to the state. For while the state has been an important aspect of much of the activism of the Indian women's movement, and many of the claims and demands have been directed at the state, it is nonetheless true that we have not had, in the movement, a full scale critique and analysis of the state. This creates ambivalences in our dealings with the situations and the problems of women in Kashmir. A Kashmiri woman posed a question to a journalist visiting Kashmir: 'why is it that 'Indian' women, women who are within the movement, and who have been quick to stretch the hand of friendship to all women affected by violence, why have they not come to us? Why have they not offered friendship, even sympathy to we women in Kashmir? It is obvious that the categories of 'us' and 'they' are very powerful in exercising their hold over the minds of the Kashmiris, including women. The creation, prevalence, and persistence of such a 'group psyche' had always been the aim of separatists and militants. Without the persistence of such a 'psyche' terrorism could not have flourished in Jammu & Kashmir. While these categories are very strongly embedded in the minds of men, which is the prime factor in keeping the flame of 'hatred' against rest of India and the spirit of separatism alive, very few women actually subscribe to such intense feelings and ideologies. What is of prime concern to them is the adverse experiences and the new cruel reality that terrorism has shaped for them. For poor Kashmiri women, which constitutes the majority across all religious faiths, whether they should call themselves as 'Indians' or 'Kashmiris' is not what they worry about. Food for children, clothing, shelter, medical aid, peace and security of life, and a stable, decent livelihood is what they crave for.

Invariably for all Kashmiri women yearn for an end to domestic violence, return of peace not only in the state but in the homes too, restoration of family life, protection against rapes, safeguard of the modesty of women, and a sense of freedom which is entirely missing. While men have initiated and directed terrorism for their own vested interests, for a weird altruistic sense of nationalism and freedom (azadi) from the Indian mainland, guided by negative, irrational logic, it is the women who have paid all costs for it in all possible ways, including, through their lives, health, dignity, chastity, property and peace of mind. While masked men wielding guns have given a battlecry for freedom from India, hapless women of Kashmir have cried for peace and freedom from this patriarchal dominance, subjugation, violence and terror. Evidences show that whether it is terror or counter-terror activities; both being forms of repression, former followed by militants while latter followed by the state; women have been targetted in huge numbers either wilfully or otherwise. History of Kashmir reveals that in 1947, when Kashmir was invaded by 'raiders' including tribals from Afghanistan (Afridis, Wazirs, Masuds, & Swatis) along with a contingent of regular Pakistani army 'on leave' in civilian clothes armed, transported and supported by the Pakistani government, they indiscriminately raped Kashmiri women. Again, when terrorism raised its hood in the valley in 1980s by militants from across the border, mainly from Pakistan, they, apart from large scale violence, used rape as a weapon against the Indian government to prove its incapacity to protect its men and women. At that time the state of Jammu & Kashmir was, indeed, marked by a total failure of state machinery, misrule and high-handedness of bureaucrats, where men in power, including the political leaders, thought only about their own gains while neglecting the affairs of the state and the crucial needs and demands of the people. Propounding the theory of 'tolerable levels of violence',

both the central and the state governments maintained a posture of silent inaction and was a mute spectator to the miseries of the people. Terrorists managed to prove their point that the Indian government is ineffective and unconcerned and people blamed the latter for their miseries. Thoroughly disenchanted with the government Kashmiri youth decided to take up militancy. This new development was not taken lightly by the government. It resorted to indiscriminate repressive action on its own people without taking into consideration the root cause of its origin, which was its own misrule and neglect of the state and its people. Once again, rape, this time by security forces themselves, was used as a weapon by the state to suppress terrorism. There are shameful accounts of BSF and other paramilitary forces raping the women of entire village at one go (Kunan Poshpora, 1990, being one such village) for reasons which can hardly be justified. Contrary to their expectations, terrorism grew much more stronger as a retaliatory measure against state repression. More youth began to be recruited as terrorists after receiving regular training from across the border. Women also joined with an aim to avenge their grief and to protect themselves and family. This explains the prevalence of 'us' and 'they' psyche among the people. Women continued to suffer at one hand or the other. It has been widely alleged that the security forces mainly targeted the Muslim women during their raid operations to punish the 'Islamic terrorists'. They assumed that by humiliating their women the Muslim community could be threatened so that no one dared to involve in terrorist activities. But the policy of state-repression backfired. Contrary to their expectations, the problem became more serious with militants targeting the Hindu women in a similar manner. Apparently it may appear that 'Kashmir' is a typical case of Hindu-Muslim religious discord and communal disharmony, a factor which continues to be so explosive and detrimental to the Indian society till date. Even after 56 years of India's

Partition and Independence, our educational, scientific, cultural and economic advancements have not been able to bridge this gap and put an end to this communal conflict. How explosive the factor is has been confirmed in the occurrence of the very recent Godhra carnage and the riots which ensued in Gujrat thereafter.

However, ethnocentrism and religious discord can hardly be recounted as causes of origin of terrorism in the state, though, they may be considered as weapons in the hands of terrorists 'created' for their advantage. The seeds of communal-conflict were sown later. By whom? We will see that in the ensuing discussions. In fact, the Muslim dominated Kashmir and the Hindu dominated Jammu and other areas dominated by either Muslims or Hindus or both, Sikhs, Buddhists, all belonged to one state—Jammu & Kashmir and people lived in peace and harmony with each other until two decades back. The concept of Kashmiriyat, i.e, peaceful co-existence and respect for other religions, was very much alive in the hearts of Kashmiris irrespective of religion. Whether a city or a village, Hindus and Muslims shared a friendly, mutual and amicable relationship and had a constant social intercourse and reciprocity. Even today, despite being tattered and torn by terrorism, Kashmiriyat lives on. We have evidences of Hindu women staying in Misriwala Camp in Jammu who are regularly visited by their Muslim 'rakhi' brothers who come there to stay with them. There are temples which still have Muslim caretakers. Hindu priests who even today perform naming ceremonies of their Muslim clients. Sikh children are named by their Muslim friends. Muslim families keep their migrated Hindu neighbour's house clean. Aziz, a Muslim, sat for three days and nights next to a corpse of a Hindu man, keeping the ritual lamp burning, till the dead man's relatives arrived. Bashir, the father of a militant, continues his decade old occupation of looking after one of the most revered Hindu shrines. Talking of

centuries of religious tolerance (Kashmiriyat), Mahatma Gandhi called Kashmir as 'the only ray of hope' during the communal holocaust which accompanied the Partition and burnt every other state. How could, therefore, in such a peaceful and harmonious land religious fundamentalism, hatred and terrorism gain roots? Research shows that 'politics' was the main cause for sowing seeds of terrorism and communal hatred, violence, & Islamic fundamentalism in the valley. The successive Chief Ministers were in constant clash with the Central leadership. The clashes were not guided by some genuine political principals or demands of welfare and justice, but merely by narrow sense of supremacy, egoism, self-interests and sheer lust for power. The unhealthy centre-state relations resulted in mutilation of democratic political fabric of the state and gross neglect of socio-economic, educational and developmental needs of the state. It was alleged that Sheikh Abdullah was attracted to the idea of independence (azadi) for the state not because he thought that the Kashmiri Muslims were unsafe in Hindu India. Infact, he was more close to Nehru than Jinnah and considered the former his friend. Critics claim that it was more because he could never accept an inferior personal status to the Indian Prime Minister. He did not hesitate to play the plebiscite card to put pressure on New Delhi for concessions on the independence issue. There were also allegations of corruption and nepotism against him and his family. In order to retain his popular hold and to keep New Delhi off his back, he did not hesitate in playing the communal card. In the process he allowed the Pakistan based Jamat-e-Islami to propagate communal hatred in the madrassas run in the state by them. These madrassas became the seat of terrorists from where they operated and had regular supplies of young men as and when required. Today, not less than 128 'militant camps' are operating in the state dedicated to retrieving Kashmir and expanding the Islamic world.

Thus, we see that the claims of the Indian Prime Minister that Pakistan had been sponsoring terrorism in the valley and that the solution to the problem lay in Pakistan making adequate efforts to check cross-border terrorism is only partially correct. Firstly, the problem emerged from within the country; men in power abused their power and created enough spark for the 'conflagration of terrorism' to spread. While it is true that Pakistan plays an important role in fuelling terrorism in Kashmir but without government support the separatist tendencies and terrorist activities could not have flourished. Secondly, to say that the resolution to the problem lay in Pakistan's initiative in checking infiltration is once again shrugging off one's own responsibilities which all successive Indian governments had done so far. It is nothing more than political gimmicks to divert people's attention from government's own neglect and apathy of the state to blame everything on 'foreign hands'. This 'political drama' has been continuing for the past 56 years since Independence, where, on one hand, Pakistan wants to annex Kashmir at any cost, on the other, the Indian government instead of a prompt, appropriate action to resolve the problem had been catering to its own interests and the political mileage (national, international) it can draw from the issue.

Thus, women of Kashmir had been suffering and dying, not just for the past two decades, when terrorism engulfed the valley, but for the last 56 years either due to rape & rampage by invaders or 'patriarchal politics' in the state or terrorist violence. Politics, where men wield power for their own interests and are insensitive to women altogether. In Kashmiri politics women figure nowhere who can adequately represent the feelings, hopes and aspirations of women and safeguard their interests. Their status is that of the 'other' whose domain is the home and it is the men, either politicians or terrorists, who decide their

fate. Even in the house they are hardly treated with respect and dignity by their own men; domestic violence has increased manifold in the wake of terrorism. Wife-beating, torture, tension in the family, abuse, misbehaviour, desertion and forced widowhood—all these are few of the problems which the women grit and bear. It is rather shocking and painful to see how our 'culture' conditions our women to internalize suicidal levels of tolerance and sacrifice without being able to voice protest. Where can they go? Whom can they approach for justice in a state where terrorists rule not the law? The social, political and legal conditions in Kashmir have never been in favour of women. Not only this, but the very definition of a woman that she is a man's possession, and a symbol of honour and dignity of her husband and entire family, has been responsible for relegating her to the four walls of the house to the extent that she loses her freedom entirely and lives and dies for the men in the family. She is not known by her own identity but as somebody's wife, daughter, daughter-in-law, sister etc. and so on. It is this 'burden of culture' which she has been carrying on herself since time immemorial enslaves her to man. Men, therefore, deny the human status and respect to women and treat them in the same way as a master would treat his slaves. Being considered man's property, they do not have any qualms in using, abusing, consuming, torturing, battering, molesting and raping a woman. Sometimes she is raped for sheer lust and sexual gratification, sometimes to take revenge from men and teach them proper lesson. In either case there is utter disregard for her life and sentiments.

Narrating the experiences of Pandit women Kshama Kaul¹ writes—Kashmiri Pandit women are in a difficult and unique situation today. This group of women has to confront extremely harsh realities. For women from both sides, whether it is the side of the 'enemy'

¹ Speaking Peace; Urvashi Butalia; pg-185; Kali for Women; New Delhi; 2002.

or of the men who see themselves as fighting for a just cause, the situation is the same. Kashmiri Pandit society has never been progressive and its men are therefore quite backward and lacking in an open outlook. Kashmiri Pandit men often abuse their own strength and women become nothing but objects to be consumed and used. The worst thing is that women also give in to this kind of thinking and become its victims—this is what is so frightening. Two women fight with each other, but always at the heart of such a fight are men; he is the one who makes them fight, and then he sits back and watches the fun. If the man finds himself in any situation to do with women's oppression today or with women's education, for example, he will quickly take the plea that it is women who oppress women, that women are their own worst enemies. He will say that men are the protectors of women, and if truth be told, even today women are caught up in the belief that they are the weak ones, that man is her protector, he is her strength. There is an amusing saying in Punjabi—that it is sufficient to have even the man's shoe in the house! In other words such is the importance and influence of a man that even a mere sign of his presence, such as his shoe, is enough. Though funny, yet, this has been happening since time immemorial. Men have always been a part of the social project to ignore women, to make them invisible. The society that men create and uphold is the same society that rejects women.

In the last ten years, sorrow and difficulty have been the constant companions of Kashmiri Pandit women. In fact, from the moment she takes birth she is taught that this is her fate and burden. Kashmiri Pandit society has always been afflicted by this disease of pride among its men. The moment he takes birth, his mother feels she has achieved something by giving birth to a male. She is feted and honoured. Even if later he turns out to be crook or a good-for-nothing, but nonetheless, he is a man. A man whom even other men fear. There is a saying in Kashmir that if a boy is born the news spreads as far as Mecca and

Medina, but if it is a girl, then even Nuruddin, he whose name means light, falls silent. When a girl is born, a body is born, a problem is born, this problem then spreads. That mother is not honoured and feted about whom it is known that for nine months she has carried a female foetus in her womb, that she dreamt of giving birth to a boy, but all she has is a girl. This is also a part of the reality of Kashmiri Pandit women.

Their pain and sufferings have two major aspects—internal and external. Internal is what they face at home, while by external it is meant the attacks by terrorists, the impact of which has been felt by society as a whole. But men have at least had the ‘good fortune’ of being taken straight to death’s door; women have been used, abused, violated, consumed, even as they have been led to their deaths. Often, women were gang-raped, violated by men, before being killed. Or they were thrown away just as the peel of an apple is thrown away. It was in this way that Girija became the target of gang-rape in Kupwara village where she was first raped and then her body was placed in a sawmill meant for cutting wood where she was sliced into ribbons. And then, the pieces of her body were buried under a small bund in the village. She carried the burden of being a woman until she was dead.

My sister Sarala Mattoo was a nurse at the Sora Medical Institute. A nurse who served people, for whom it did not matter what religion they belonged to. She was dedicated to the service of humanity. They did not refuse the blood that flowed on her veins when it was offered to them to save their lives, but they did not hesitate to reduce her body to a mere plaything, to violate it, and, when they were done, to dump it at the door of the hospital where she had worked.

Prana Ganju and her husband Kundanlal Ganju also became targets. Kundanlal was killed but Prana just disappeared and no one knows where she is. There are rumours that she was recently seen in POK somewhere cleaning rice. Prana has two children. What kind of

life she must be living everyday? She must die a thousand deaths every moment, she must wonder where her children are, how they are, what they are doing....how must she be living among those men?

Dr. Soni Sambali was burnt alive in her house in Karn Nagar. She was locked into the house, trapped there and the house set on fire. And thus was the widowed Soni's funeral pyre lit after her body was repeatedly violated. And Dr. Dampati, of advanced years, inhumanly, cruelly, tied to a car and then dragged along until life was extinguished from that body too.

There are countless women who have been widowed, and have been the victims of rape; displacement has made life worse for them, communities and societies are scattered around and women have to bear the burden of this. Men simply shrug off the responsibility. Indeed, there have been instances where men have assumed that displacement means they can give up the responsibility of family. Being homeless means that they need not worry about homes. As a result, women have to run the home almost singlehandedly, look after the children, earn a living and somehow keep her self-respect alive in the middle of this. She also has to look after the men of the household too. In such conditions, many women could not bear to go on with their lives, for not only did they face violence from the militants but also from the men in her own society, who pointed fingers at them, who did not want them to progress. The horrific accounts narrated above show that terrorists' heinous acts have affected all women of Kashmiri Hindu society across the barriers of caste and class; and that the suffering within the society itself is no less. This phenomenon is prevalent in Muslim society as well. It is not that the Islamic terrorists target only Hindu women; even the Muslim women have suffered equally at their hands. There had been incidences of acid-throwing on Muslim women for not wearing a *burqa*, they have been flogged publicly,

sometimes in front of their fathers and brothers, for wearing a *burqa* which is either too long or too short, rapes of 'mistaken identity' and deliberate rapes to spread terror or for sheer lust, torture, forcing the women to marry at gun-point, desertion, issuing *fatwa* (a call for death or penal action in case of non-compliance) against young girls and women going to schools and colleges or taking up jobs outside homes etc.

Just as oppression and domestic violence is the order of the day in the Hindu society so it is in the Muslim society. Terrorism has certainly increased this domestic violence by many times, as mostly after a rape, whether she is a Hindu or a Muslim raped either by militants or security forces, the husband refuses to accept her and beats her up routinely. She is taunted at or abused even at slightest mistakes, or even without mistakes. The cultural notion of *chastity of women* is very coercive in Kashmiri society as in other parts of the country and the world.

Just as there are accounts of how women suffered at the hands of militants, similarly there are incidences of them suffering at the hands of security forces. Oppression (*zulm*), both within the Kashmiri society and as Kashmiris experienced it at the hands of the Indian state via security forces is rampant. A Kashmiri woman quotes: '*aurat ko jooti ke samaan mana jata hai*' (the woman is treated no better than a shoe); even though Islam had given equal rights to women. Further the presence of security forces has created a sort of prison for women who cannot move out after 5 p.m. In Waripura two men were killed and three women were molested and raped. Patrolling soldiers had come across some attractive young girls in a house at about 4 p.m. They returned at night and tried to take them away by force; the women raised an alarm and some men came out and tried to resist the abduction. They were fired upon and two men were killed. The women were then taken away to the hillside and raped. They were returned only the following day. A huge procession was taken out and

some political leaders also came; a police complaint was also filed but ultimately nothing happened. It is something beyond comprehension that how could Indian Armed Forces, whose duty was to provide security to the people from terrorists and raiders, kill innocent men and rape young girls for the sake of sheer lust. One really wonders whether this forms a part of the military training of the Indian Armed Forces to kill and plunder its own countrymen and women? Of all the atrocities committed by security forces, the treatment of the Kashmiri women has embittered the people of the valley the most.

Research shows that the security forces in Kashmir had been given vast powers under notifications which had been kept secret. Hundreds of crores of Rupees are spent annually for the militarization of the Kashmir valley and maintenance of the Army and security forces. All this militarization has been taking place in the name of crushing terrorism and militants and restoring peace. But in the name of peace what has actually happened is shocking and shameful for which every Indian will be ashamed of. There has been gross violation of human rights of women by the army and paramilitary forces. Many women have been raped, girls have been forced to have oral sex with men of the security forces, they are molested and assaulted in front of their fathers and brothers. They have been made to watch their fathers or brothers being given electric shocks in the genitals.

In Panzgam village (Pulwama district), on 9 June, 1990, the J&K Light Infantry men came to the village around 5 p.m. and asked all the men to come out of the house and collect in the village square. Then they tied 55 men like cattle to the trees. They then searched 26 houses and in the process many women were molested. When they resisted, they were caught by the hair and neck and their *pherans* [loose, knee-length garment] torn.

Rahmati was 30 years of age and was four months pregnant. On the day of the incident, the army men came and asked her to accompany them in the search. They made

her pull up her pheran and put a rifle on her breasts and began to beat her. They searched the house and threw the household goods outside.

Raja was 22 years old and a mother of five children. Her husband was in the fields when seven army men broke into her house. They caught her by the arms and pulled her upstairs. She put on the lights which they put off, and began to molest her. When she resisted and raised an alarm she was pushed down the steps on the ground. Her children started crying; she picked them up and ran from the house.

Shameena's husband was taken away by the army men and tied to a tree in front of the village shop. Then four army men came and asked her to accompany them inside her house for search operations. As soon as she went in they knocked her down. One put a rifle on her chest and the other began to molest her. She resisted and began to shout. They forcibly took her to the *living* room, tore her *salwar*, put a kerchief in her mouth and raped her. She lost consciousness. The husband came back and discovered her in this state.

Sabah is the 15 year daughter of Sonawala Mir. Four or five army men entered the house. They twisted her hand and caught her by the hair. One of them put a gun in her mouth and asked her where the firing was coming from. She said she didn't know. They began to beat her and she shouted. Her mother Raja, pulled her away. Three army men began to molest Sabah. They asked her to open her *naada* [drawstring]. She resisted. They pointed the gun at her chest and raped her. They took a gold ring, necklace and bangles

Haji Aziza Begum was asleep when the army came to their house around four in the morning. About 15 men entered the room. Some of them took the men outside. One army man asked her what was inside her pheran. She told them that she was nine months pregnant but they insisted that she had hidden something inside. They asked her to undress. She refused. They lifted her pheran and began poking her stomach with rifles asking her what

was inside. They kept asking her to open her clothes, pinched her cheeks, caught her by the hair and beat her. She fainted.

In another incident 15 year Mehmooda was caught by army men who tried to tear her clothes; she ran away and jumped out of the window. She injured her ankles. The terror and humiliation faced by the victims of rape does not end with the physical and mental sufferings experienced at the time of the rape. The worst punishment of the victims of the rape come afterwards. One woman told us that every time she sees a man in khaki, she relives the trauma. Pregnant women who were raped either had miscarriages or delivered deformed children. Three raped girls are missing. Two mothers of raped daughters have been so severely traumatized that they are still unable to speak. One son who was forced to watch his mother being raped had a nervous breakdown and now refuses to look at her face. Mariam has a child from the rape—there is no one to look after her now as her husband was killed during the rape. Most of the women have to face taunting and teasing from the village men after a rape. This leads to a constant feeling of shame, humiliation, guilt and trauma. Many of the raped women have attempted or committed *suicide* to escape such humiliation. This shows how the normative standards of morality, that exists in Kashmiri society and other societies of the world, are so differently defined for men and women, mostly at a great disadvantage to the latter. While the men who raped thousands of women never had any sense of guilt, shame or remorse for their acts; they were rather proud of their overt, cruel and criminal sexual behaviour, it is the women who suffered such a deep sense of humiliation and loss of social prestige that they were forced to commit suicide. It is again, *the notions of chastity of women*, which are so coercive in our society which declare a woman *impure* after a rape and, therefore, she has no meaning left in her life. Such notions

which surround women, of which mostly she is unaware of, view them as nothing more than sexual beings who are to be used legitimately, culturally, and traditionally by men to whom they are wedded and any sexual intercourse outside marriage, whether forced or willing, is treated with utter contempt by the society and family. While a similar act on part of men is lightly rebuked or even let off, women on the other hand face severe ostracism, humiliation, criticism and punishment. Many Islamic nations have the custom of stoning a woman to death if she has been found guilty of such an act of infidelity. Kashmiri society reflects another kind of reality where the woman is not stoned to death but is forced to commit suicide because of the burden of culture she carries on herself. According to a study on the rates of suicide in the valley by the department of sociology, Kashmir university, women are the most vulnerable group accounting for 77.41% of the reported suicides.

Security forces have been regularly raiding the hospitals and without any concern for rules they have entered labour rooms when deliveries are actually taking place. They have marched into operation theatres when operations are being conducted. They have shot open doors, broken into doctor's rooms and made even seriously ill patients to get up in order to search beds. Increased emotional stress and anxiety because of the situation have led to a sharp rise in the blood pressure among pregnant women. These women need additional check-ups and yet the normal 15-16 check ups are not done due to curfew and hence inability to gain access to doctors. Also, most of the Pandit doctors have migrated from the valley due to attack from terrorists. Maternal and infant mortality have shot up considerably. An additional problem is the increase in the number of spontaneous abortions. 834 cases in 1990 single hospital alone. After the militants banned abortions and sterilizations, cases of septicemia have increased since women now attempted to abort themselves with the help of

untrained midwives. Many women suffer from acute depression, insomnia, psychological stress, frequent palpitations, heart pain, loss of concentration, loss of appetite, intense anxiety to name a few. Some women, after the loss of a dear one have stopped speaking altogether, many have gone insane, one woman became blind because of weeping continuously for the loss of her son. Women have started depending on tranquilizers and antidepressants in a massive scale. Cases of schizophrenia, hypertension and peptic ulcers among women are on the rise.

There are various myths which surround the Kashmir problem; the greatest of such myths being about the origin and the nature of the problem. In recent times, it has been projected both by the government and the media that it is exclusively a case of 'state-sponsored' or 'cross-border' terrorism, but the reality is something else. A detailed analysis of the problem reveals that both the Government of India and Pakistan have been responsible for the rise and spread of terrorism in Jammu & Kashmir. If Pakistan had invaded India and supplied arms, military training and money to the terrorists on one hand, the state government of J&K had allowed the seeds of communal discord to be sown and encouraged terrorism on the other. Even the central government was apathetic to the issue evading its own responsibility and later on, was highly repressive in its approach. It is not only the terrorists who kill, rape and plunder the innocent, the government of India via the security forces also does it. It had been a deliberate policy of the state to terrorize the Kashmiri people into submission as a method of curbing terrorism. The security forces are no better than the militants when it comes to humiliating and torturing helpless, voiceless women. The Hindu communal and anti-Muslim bias of the security forces have spelt doom for Kashmiris. Any Muslim has been perceived and projected as an enemy and has been

tortured in that light including women. The rampant torture of the armed forces especially against Kashmiri women have had a tremendous impact in the polarization of communal conflict in the state. Terrorism, especially 'Islamic terrorism', has been a persistent problem in the valley and so has been the 'state-terrorism' [repression by the state]. Therefore, the claims of our government that Kashmir has been solely problematized by Pakistan spreading militancy in the valley is a myth. Rather, Kashmir can be described as an ideal case of '*double terrorism*' and '*double oppression*'. The women there have suffered at both hands—terrorists and government alike.

The three broad categories of problems of women are rape and humiliation, domestic violence, and a number of health problems (both physical and mental) directly attributable to the unfortunate Kashmiri reality—*double terrorism*. Apart from this, education and employment of women, and also their relationship to nature have been seriously affected. But what has been done till date to eradicate these problems is a matter of debate. Can the government say that mere end to militancy will solve the exclusive problems of women entirely? If not what steps need to be taken? Do NGOs, Women's Organizations and movements, and people of India have a role to play? The following chapter deals with this entire debate.

Remedial Action

While we saw, in the previous chapter, the plight of Kashmiri women in the wake of terrorism in the state, it is imperative to ask the question 'so far what steps have been taken by the central and the state governments, both joint and individual, to check the sporadic growth of terrorism and rescue these suffering women from their perpetual misery?' In other words, what has been done by the government to restore *peace* in the state and also peace in the turbulent lives of Kashmiri women? Peace in the state and peace in the lives of women are two very different realities, although, they may be deeply interconnected. Peace in the state would mean stopping of terrorist activities like bombings, shelling, killings, kidnappings, sabotage, plunder and bloodshed. It would also imply a complete 'demilitarization' of the state by the government. On the other hand, peace in the lives of women would mean, in the first place, an immediate halt to the rampant atrocities against them that has been unleashed by terror and counter-terror activities, *viz*, molestation, rape, physical assault, mental torture, imposed restrictions on dress etc. and curtailment of freedom. Secondly, it would mean peace in domestic life by ending widespread domestic violence. Not only this, the definition of peace includes other aspects as well. Peace for women entails an entire process of eradication of gender discrimination, democratization of the state through equal participation of women in the processes of nation-building, spread of quality education for all women, upgradation of status of women through structural changes in cultural notions about women, and overall gender empowerment. Whereas, peace in the state is an 'external reality' and stands for end of both militancy and state repression, peace for women is as important as an 'external reality' as an 'internal reality'. For women, end of militancy without an end of their particular miseries would have no meaning. The peaceful state of Jammu & Kashmir which existed before the wake of terrorism was no better for

them as it was highly patriarchal, traditional, orthodox and repressive which did not favour freedom, authority and overall progress of women. However, men crave for the same 'Kashmir' that existed in the pre-conflict times, women do not want to return to the similar situation. It is a fact that the kind of fate the Kashmiri women had been subjected to, not only in the current phase of militancy but for the last 56 years, largely depended on the *overall status of women* in Kashmiri society during peaceful times. Although, men have claimed to have always 'given' a high status and respect to women, yet, in reality, women have never wielded power and authority equal to men. They had always been considered inferior to men. Life of a Kashmiri woman, no matter whatever be her caste or creed, never belonged to her; she lived and died for others, particularly the male members of her family and society. The so called 'respect' 'given' to her relegated her entire life to the four walls of home where it was her moral duty to look after the male members of the family. Even at home she had never been the head of the household. She lacked authority completely in all spheres of life. All her life-decisions were to be taken by the men and in some way or the other; she led a life of dependency. It is because of this inferior status being granted to them that Kashmiri women have suffered so much of humiliation and torture in the wake of terrorism in the state. This is why *rape* had been used so rampantly both by militants and security forces as a tool to humiliate Kashmiri men as well as for their *egoistic and patriarchal sense of pleasure*. The 'respectability' which a patriarchal society gives to its women is nothing but an inferior status being given to them garbed in the rhetoric of supremacy of cultural tradition, values, customs and norms of behaviour. Any defiance to these cultural coercions is dealt with severely by family and society. The *experiences of a woman* constitutes her *stifling reality* from which there is no escape. Thus, in a life

characterized by *inferiority* and *powerlessness*, a horde of gender issues have cropped up for the women in Jammu & Kashmir. For example, there are thousands of 'half-widows' (women whose husbands are missing and it has not been formally established whether they are dead or alive), mainly Muslims, whose fate is uncertain. By Islamic law, they cannot remarry unless it is established by some proof that their husbands are dead. Again, legally, they are not entitled to any compensation by the government which the 'widows' have been getting. This leaves such women in a situation of utter distress with no one to care for them. Similarly, the women who have been raped have no future. They are not receiving any justice as the militants and the armed forces who raped them are moving scot-free. The unmarried raped girls are not getting married; the married raped women have been deserted by their husbands and have nowhere to go, no source of income to sustain their lives. Many of them are barely managing to survive on a pittance. The question is will the culprits be ever punished for their immoral crimes even if militancy ends? Are these women ever going to be compensated for the irreparable damages they suffered on their honour, social prestige, dignity of life and privacy of body and soul? Again, how the problem of large scale prostitution in the valley is to be dealt is a matter of great concern. The earlier family women have taken to prostitution either because they have been deserted by their families after a rape, or because there was no male member alive to fend for the children and the old, or because they have been forcibly turned into prostitutes, usually after a rape, for the sake of pleasure activities of militants or security forces. What will be the fate of these women? Will they continue to lead a life of perpetual segregation, ignominy, poverty and exploitation irrespective of the fact 'when' and 'how' militancy and militarization stops? Does government's responsibility end by merely putting an end to militancy? What does the

government plan to do stop the ever-increasing militarization of the state and state-repression? End of militancy without adequately addressing the gender issues would be a political farce. The battle against terrorism cannot be said to be won as long as the women of the state are denied justice. Here, terrorism implies both types—by the militants as well as by the security forces. Both need to be dealt with.

Dealing with militancy is a matter of strong political will and effort and can be expected to be achieved with 100% results, whereas, addressing the gender issues in Kashmir is a much more difficult task. Not only is it difficult but also the chances of success in eliminating gender oppression are bleak. It is because it demands a considerable amount of debate and discussion and greater sensitivity on the part of the male-dominated, patriarchal Indian government to deal with the women's problems which have been, hitherto, lacking. It also requires the spread of general awareness among the men so as to effect a possible change in their outlook towards women. There has to be ample job opportunities for women as well. Most important of all, there must be sound legal provisions to safeguard women's interests. Research shows that all these are grossly lacking in the state.

Terrorism is a global reality. Peace is mostly a matter of faith; but both peace and terror are ultimately about power. War, peace, terrorism and fundamentalisms are agreement between men where they wield exclusive power and authority to decide when, how, for what purpose and by what rules wars are to be waged, when to stop them, and if at all peace is to be brought in, then at what cost it is to be negotiated. In all these processes of decision-making women are never allotted any significant roles. The history of peace-making around the world has demonstrated quite clearly that it is also about redistributing power. Perhaps

this is one reason why women, traditionally, have been part of neither war nor peace, except as ancillaries.

Feminists who have been analysing relations of power between men and women for at least the last thirty years, have often been accused of waging a war between the sexes, disturbing the status quo, and of being 'power-hungry'—simply wanting what men have. But, as all revolutions, and any amount of experiential, empirical and analytical writing has shown, a redistribution of power, including the power to make change, lies at the heart of any progressive, democratic politics. The struggle of the women's movement, world-wide, has been to alter the asymmetrical relations of power between men and women by uncovering their structural, systemic and social underpinnings. However, in the Indian context, the activists of women's movements have not been able to involve themselves fully and impartially in the 'Kashmir issue'. They have not been able to gain the trust of Kashmiri women because each activist is associated with some women's 'group' operating in the state and is looked with suspicion by other 'groups'. It has been projected that while working in such a politicized terrain one does need to affiliate with one such group. However, it goes without saying that under such compulsions one needs to make 'choices' dictated by one's politics and values, and these are inevitably choices that leave out certain possibilities. Women's movements in India need to rethink their involvement in the issue in the light that they should offer a full scale critique and analysis of the state first. Secondly they should try to broaden their horizons of work and include women's issues from all castes and creed of the state. They have been dealing with the atrocities of security forces against Muslim women while sidelining the atrocities of the militants against Kashmiri Pandit women. It is only recently that the plight of the Hindu women has been taken into account. Also, the

sorrows of the wives of armed forces who have been affected by this conflict need to be considered. Women's movements should try to intervene not only in J&K and India but also worldwide. Any initiative for peace and resolution of conflict must focus on women and involve them directly.

The use of violence against women, especially, as a strategy for maintaining dominance has been a critical rallying point for women's movements all over the world, and a crucial input in theorizing women's subordinate status. Feminist analysis has identified violence and threat of violence against women as an important weapon in patriarchy's arsenal. Violence also lies at the heart of war and terrorism. Almost every recent major conflict in the world (Palestine, Argentina, Chile, Bosnia, Rwanda, Sri Lanka, Kosovo, Ireland, Pakistan, Afghanistan, including India—Kashmir) have been using violence against women.

Our Prime Minister's speeches have been particularly directed at how to end the Kashmir problem in which Pakistan has been quoted as the villain on and off. It has been projected as if all problems would end if only Islamabad changes its foreign policy towards India. It has also been projected as if New Delhi has been the champion of peace and has left no stone unturned to resolve the issue. The Agra Summit of 1999 and the opening of the bus route between New Delhi and Lahore have often been publicized as hallmark of peace initiatives by India. The question which arises here is: are such initiatives enough to be called as genuine efforts on the part of the government to resolve the problem and liberate the people of Kashmir from perpetual misery, particularly the women? Is Pakistan's role so crucial that India cannot take any steps on its own unless the former stops cross-border terrorism? 'Kashmir' is India's internal problem; the state has been in the grip of political

turmoil and terrorism for the last 56 years and yet, there seems to be no solution to the problem—no ray of hope. Taking into consideration India's strength and importance as a geo-political, economic, cultural and social entity in South Asia, it is hard to believe that it has to depend so heavily on Pakistan to initiate peace process in the state. It is quite obvious that the successive governments at the centre and the state have been providing merely lip-service to the people with absolutely no concern for their pain and sorrows.

Our Prime Minister while addressing the nation had quoted, "dear fellow countrymen, the situation we are facing is unprecedented. I would like you to be prepared for any eventuality. I would also like you to realize that the battle against terrorism will necessarily be a long one. One should neither expect a quick and painless victory nor despair if more terrorist strikes take place. Today my heart goes out to our jawans, security forces, and police personnel who are doing their duty in difficult conditions, so that all of us can sleep soundly and go about our normal lives. But let us also recognize that, in some ways, every citizen is a soldier in this war against terrorism. Like them, let us be disciplined and ever vigilant. Like them, let us also be prepared to make sacrifices—sacrifice of our leisure, sacrifice of our comforts, sacrifice of our riches, and, if necessary, sacrifice of our lives. I am sure that all of us will work harder than before to keep our economy and civic services fighting fit. I know that, as during the previous wars, our citizens will gladly bear hardships if the government has to take certain temporary measures to support our effort. Our people have shown the fist of unity at the time of every crisis in the past. I am confident that you will do it again, and not allow any other issue to come between us and our goal. And that goal is India's victory—a decisive victory—in our supremely just struggle. We shall triumph

against terrorism—to defend India, to defend humanity.”¹ The above speech reflects a bundle of illogical, impractical and rather deceitful demands being made on the people of Jammu & Kashmir and the country as a whole. The speech is mere rhetoric and has no bearing on the possibilities of various methods or approaches through which the problem can be solved. Also, there is no mention of the women and their problems.

For the past two decades there has been no concrete steps taken in this direction to end militancy and ameliorate the problems of women. Domestic violence, rapes, suicides, health problems and a horde of other gender issues (as mentioned in the previous chapter) are the direct fallout of terrorism and political games in the state, but there has been no effort from the government either to curb terrorism or to find appropriate solutions to these problems. There are hardly any laws to offer justice and relief, specifically, for the suffering women. There are no governmental or autonomous ‘organizations’ that would listen to their woes. Even the National Commission for Women (NCW) was not allowed to work there to help the women out because it had no jurisdiction in the state of Jammu & Kashmir. The government and autonomous state women’s commissions have not been allowed to operate in the state by the militants. Women are generally not independently organized, or even included in existing political organizations as such. There are only three women’s groups operating in the entire state which run on their own. These are Dukhtaran-E-Milat, Khawateen Markaaz, and Daughters Of Vitasta. Out of these, the first two are parts of the separatist organization All Party Hurriyat Conference (APHC) and the third one is a Pandit women’s group. It is both shocking and sad that in a state of flagrant violation of human rights of women, there are no secular government organizations or women’s commission

¹ Vajpayee, Atal Behari, Oct-Dec 2001, “We Shall Triumph Over Terrorism,” World Focus: Monthly Discussion Journal.

within the framework of law to take up women's issues, the crimes and injustices being done to them and render justice to them. All the existing groups are based on some particular ideologies and cater to the problems of particular women, mostly who fit in the framework of their ideologies, be it the same religious status or the same faith in separatism or other political factors. Asiya, a member of Dukhtaran-E-Milat, firmly believes there is no room for Islam in Hindustan. She said, 'we are fighting a jihad in the name of Islam. We believe in life hereafter. The jihad will continue till we are free of Hindustan. It may take 1000 years. If the men make a pact with Hindustan, women of Dukhtaran-E-Milat will pick up the gun even against our own men if need be.' The Dukhtaran-E-Milat has lost ground today mainly because it attempted to impose burqa on Kashmiri women. Their aggressive campaign to put college girls in burqa, completely covering the body and face, went to the extent of throwing coloured powder on girls who refused.

By and large girls in Kashmir no longer wear skirts or jeans. Girls in schools start wearing salwar kameez at puberty. On the streets of Srinagar most women wear the dupatta over their heads. Some women wear an 'abaya' which cover the entire body leaving the face, hands and feet exposed. It is very sad to see that the militants have succeeded in curbing the sexual freedom of women of Kashmir and subsequently enslaving them. While feminists all over the world are fighting for the equal rights, status and sexual freedom of women, here in Kashmir, women are losing all of these at more rapid pace than ever due to the menace of terrorism.

In the era of a paradigm shift from modernism to postmodernism, where almost all archetypal notions of modernity are undergoing a process of 'deconstruction', the feminist question of women's identity and position in human society has also undergone a

progressive sea change. Today, when women all over the world are becoming more and more assertive of their rights, 'Kashmir' is a classic case of regression from the current trend. The prevailing conditions of Kashmiri women reflect a regressive paradigm shift from modernity to tradition, orthodoxy and rigidity which has been coerced upon them. While women across the world are reshaping their identities in the context of gender empowerment, sexual freedom, rights and authority, *Kashmiri women are being enslaved to culture* by means of imposition of dress-code, closing down beauty parlours, cinema halls, including ban on women's education and work outside homes. What is even more shocking is that the women's groups have also been a part of the same 'campaign' against women which the militants have been engaging in.

This kind of a situation needs strong government intervention which can prevent further enslavement of women and restore their dwindling rights as soon as possible. But unfortunately, these and other women's issues have never been in the agenda of government's battle against terrorism. Genuine concern for women's issues reflect nowhere in its intentions and efforts to fight terrorism. In this regard, one wonders what is the utility of bilateral and multilateral peace talks between India, Pakistan and other countries if the women, who constitute nearly half of Kashmir's population, figure nowhere in the action-plan and list of priorities of top leaders.

There are some other issues, say, problem of dowry, *mehr*, and inheritance which are not directly related to terrorism, and yet, are very crucial for women which demand immediate resolution. As regards dowry, a study conducted by the Department of Sociology, University of Kashmir, revealed that 82 per cent of the respondents have either given or will give dowry at the time of marriage of their daughters.

As regards inheritance, the surveyors were told by 65.4 per cent respondents that women do not inherit their father's property while the rest agreed that they enjoyed the right. It was only 24.2 per cent who said the widows inherit their husband's property.

The literacy rate among Muslim women in the Kashmir valley stood very low as compared to the Pandit women, J&K state and national averages. As per the 1991 census records², the literacy rate among women in Kashmir province was 17 per cent in comparison with the literacy rate of 100 per cent among Pandit women and 26 per cent and 46 per cent of J&K state and national averages respectively. Total literacy of women, especially belonging to the lower economic and social groups/communities and classes is a must for their emancipation. In this regard, while the planned efforts of government agencies/organizations are crucial, the organized and consistent role of non-governmental organizations (NGOs) are also important and highly desirable. There is an urgent need to carry out micro as well as macro studies of women in Kashmir focusing on multidimensional problems directly or indirectly related to education. Since majority of women in Kashmir are illiterate, they have not been able to participate in and benefit from the processes of growth, development and modernization. Education is the corner-stone of social, economic and political empowerment for women. Therefore, it is a social imperative that better quality education be provided to them. But in the wake of terrorism the avenues for women's education have been closed. Schools and colleges have been burned down. Not only educational institutions but also other government institutions where women were employed have been destroyed too, thus, rendering the women absolutely powerless. In such a state of affairs, it is the responsibility of the government to put an immediate end to

² Data for the year 2001 is not available.

terrorism so that this regressive trend in women's life is checked, and also the educational and other institutions need to be re-established in adequate numbers so that enough opportunity can be provided for women's empowerment. But at present nothing of that sort seems to be happening. The government does not appear to take any concrete steps in this regard other than blaming Pakistan for encouraging infiltration across the border.

Not only education but also permanent jobs need to be provided to them. Only then can change and development become a living reality. Since women have faced limitations and problems throughout, they must be provided various benefits, including reservation in government and private services, in order to make them equal to their male counterparts. Special attention needs to be given to women belonging to lower socio-economic groups and classes. They need to be, firstly, gainfully employed by the government and secondly, they need to be given socio-economic security through reservation in jobs and other relevant methods. Economic independence or empowerment is a necessary component of women's total emancipation. This is possible only when they have regular permanent jobs. It also necessitates their total negation of parental, affinal and other forms of control. Women should not only control their incomes but also their lives, and for this to happen there should be relevant reforms and their serious implementation on the part of official and non-official agencies and organizations. It needs to be mentioned here that in order to implement measures in favour of women it is not necessary to wait for terrorism to end. While curbing terrorism is undoubtedly crucial, yet the entire process of women's emancipation is not contingent upon the problem of terrorism. There are certain women's issues which are the direct fallout of terrorism, say, mass rapes, physical assault, gruesome killings, sabotage of property, horde of physical, emotional and psychological ailments. While there are other

women's issues which have been a part and parcel of Kashmiri society since ages, but have never been given much importance. They need to be dealt with strong conviction irrespective of the fact whether or not terrorism has been contained. These are a general lower social, educational, economic and political status, domestic violence (which has, of course, increased drastically in the wake of terrorism), problems of dowry, inheritance, employment, inconsequential legal rights and discriminatory laws etc. These and such other vices against women have to be dealt with immediately by the government with adequate infrastructure. There should be no further delay in this regard under the pretext that Pakistan should stop cross-border terrorism first. Basically, women of Kashmir have received an unfair treatment from the government, as the latter has neglected all women's issues and has projected that, apparently, curbing terrorism is the only issue which needs attention, and as if all other related problems would automatically get remedied with ease once cross-border terrorism stops.

Terrorism and gender issues in Kashmir are not as simple as our leaders have perceived and projected them. Repeatedly, over the past two decades our successive governments have committed the same mistake of having a non-serious approach towards the whole affair. All hype and political gimmicks apart, the situation in Jammu & Kashmir is very grim. One can still, somehow, succeed in checking infiltration from Pakistan, but, it is extremely difficult to convince the people of the state that they are an integral part of India and not 'outsiders'. It is equally difficult to bridge the communal gap that has changed the entire face of Kashmir. The government will find it very tough to eliminate the 'us' and 'they' psyche of the people because of the injustices being done to them through the armed and security forces. Even if cross-border terrorism ends, it is highly probable that 'internal

terrorism' will keep on brewing in the state, solely because people no more trust the Indian government, and thus the demand for 'secession from the Indian mainland' may keep coming up time and again. In this context, untiring efforts to engage the separatist leaders into fruitful dialogues with the centre and the state, an important part of the solution, is not really forthcoming. The present state government's 'healing touch' policy of releasing terrorists from captivity has been a blunder. Right after their release they attacked and killed Kashmiri Hindus. In one single attack 24 Hindus of a village were killed. It appears that 'Kashmir' has become a field for 'experiments' with least concern for what will be the outcome of these experiments and how will they affect the people, including women. Instead, 'healing touch' should be extended to the people through the process of socio-economic development, spread of education, scientific awareness and overall growth of society. Healing touch should be provided to the women by rendering justice to them and addressing their problems specifically. Gender issues need to be adequately addressed if the state has to rise from the slush of ignorance, backwardness, orthodoxy and rigidity. Change in men's outlook towards women and also women's outlook towards women are important components in improving women's position in society. Terrorism cannot be stopped with gun. When society is no more 'backward' it serves as an automatic check for terrorism to take roots. Ignorance and backwardness are the precursors to violence and terrorism. But 'material' progress in society without any change in its notions and attitudes towards women is no progress at all. It remains backward in such a state; the society can regress any time from any degree of advancement and get engulfed in terrorism or other evils. Such a society is a dangerous society for women because they get tortured and humiliated at every step of life. It is also possible that not only men, but also women may take up militancy in much large numbers to avenge their sorrows and deprivation.

The discrimination against women in Kashmir prevails at the societal as well as state level. While the former type of discrimination reflects in the family and other related situations, the latter type is revealed in the laws and rules of the state. The legitimacy for both types of discrimination is derived from religion, culture and social structure. In order to establish an egalitarian social order these and other types of discrimination should be negated completely through formal and informal efforts in legal and social fields. The existing laws which legitimize unequal treatment of women need to be identified, assessed and scrapped, and new laws have to be introduced in their place.

The customary laws, especially those related to inheritance rights of women before and after their marriage, reflect a clear case of discrimination against women in getting the share from their parental property. This is also in practice in most of the rural areas. On the other hand, the Muslim Personal Law, which ensures a certain share to women from their parental property, is not obligatory. Thus, the practice of discrimination against women in Kashmir continues. In this context, several experts suggested various changes in the existing laws to provide equality and justice to women. These have been discussed later in the chapter.

Rights of those women working outside homes must have sound legal protection. Women from rural areas face systematic and continued exploitation at the hands of wholesalers, middlemen and proprietors of the handicraft centers. In the absence of fixed wages for the handicraft items (shahtoosh shawls, carpet, papier mache, wood carving etc.) the businessmen pay minimum wages to the working women and appropriate maximum profits for themselves. This situation needs immediate intervention on the part of the government which is lacking till date. Apart from this social initiatives are needed to make

the governmental intervention more effective. In fact, all government efforts need to be supplemented with social initiatives on the part of citizens, NGOs, women's organizations and others. There has to be a special focus (both governmental and non-governmental) on the girl child working in the handicraft sector. These children are in a miserable condition. Emphasis should be laid on reducing their hours of work and enroll them in schools through legal measures.

Many educated women in Kashmir who have been working outside their homes are facing various problems—threat from the terrorists to abstain from work and be at home; within homes problems of custody of children during the daytime, socialization of children, maladjustment with family members and in-laws, overwork at office and home; outside homes the problems include harassment by senior officers in offices, tension and crisis, no time available for entertainment etc. Women have not been provided any relief in any of these areas in the nature of either general awareness or governmental facilities or legal safeguards. Unless the problems of working women are solved, women will continue to work in a state of mental tension and they will never be able to achieve the much cherished goal of gender empowerment.

Legal awareness amongst women is grossly lacking, especially, among rural Kashmiri women. Rural women are completely ignorant about their rights related to their lives. They find it very difficult to deal with problems of marriage, divorce, inheritance, mehr, education, income, employment etc. Even the urban educated women are not fully aware of all their rights. Again, it is a paradox that the legal and social rights are hardly in favour of women. Therefore, the obsolete and discriminatory laws need to be replaced and there has to be vigorous campaign for disseminating knowledge and awareness regarding

new socio-legal rights of women. Here the Indian government, the judiciary, women's organizations and the NGOs need to have a concerted effort in this direction to achieved desired results.

The problem of 'half-widows' has not been solved till date. They have not been receiving any compensation from the government. There have been no governmental efforts to reform the existing Shariat laws or to introduce new secular laws for these women so that they can remarry. At least, they should have been provided some gainful employment, if not monetary compensation, to sustain their lives. Even that has not been arranged for them and these women whose husbands are missing are left in the lurch. The raped girls and women have not received any justice. The culprits who raped them, including militants and armed forces, have not been punished. The government does not even acknowledge the fact that the security and armed forces have actually done such heinous crimes. No compensation has been given to them as well. These women continue to pull on with their lives with a deep sense of humiliation, despair and wretchedness. The women who have been diseased for life (either chronically or otherwise) because of terrorist activities in the state with no one to look after them, have not received any special medical care and/or compensation from the state. No steps have been undertaken to rehabilitate the women who have adopted prostitution as a means of livelihood forced by circumstances worsened by militancy and state repression.

Research reveals that both terrorism and gender issues have been neglected by the government when it comes to adopting a specific strategy and implementing some positive policy actions. It has also neglected the issue of gender empowerment. The Kashmiri Pandits who migrated to Jammu have been provided some temporary accommodation in Misriwala

Camp but the women staying there complained of meagre provisions being given to them for survival and a host of other problems affecting their lives. The displaced women fervently yearn for normalcy in the state so that they can return to their homeland. It is ironical that while on one hand the state government has provided for 33% reservation of seats for women in the Panchayats, there is only *one woman in twenty seven ministers and only two in thirty IAS officers* in the state. The seats in gram-panchayats reserved for women hardly get filled, thereby, failing the entire process of gender empowerment. The once chairman of National Women's Commission, Dr. Mohini Giri, was not allowed to interact with the women of the state on the pretext that the commission does not have any jurisdiction over the state. This proves that the government is more interested in maintaining status-quo rather than bringing in rapid change.

Regardless of their rich contributions in every field the women of Jammu & Kashmir have failed to get their due place in the society. Despite the fact that they constitute fifty per cent of the total population their share in government jobs, semi-government organizations, autonomous bodies, private organizations and even in the legislature or council of ministers is not proportionate to their population. They do not enjoy the same rights as the men-folk enjoy. They are denied their rightful share in the ancestral property. Due to poverty and social customs their education is hampered. Their contribution in keeping the hearths of their homes burning, their role in agriculture and other allied activities have not been acknowledged. In urban areas the menace of dowry has made women's lives very miserable. There are thousands of young girls who have been unable to find a suitable match because of the inability of their parents to pay huge amounts as dowry. Unemployment also comes in the way of the prospective brides to find suitable grooms. Apart from these social problems

the women in the valley are increasingly becoming the targets of gun-trotting men. A large number of them have fallen victims to their amorous and criminal activities. The government has tried to sabotage the due process of law whenever fingers were raised against them. The denial of access to the victims of atrocities for the neutral investigating agencies has adversely affected the credibility of the government. The overall situation for women in the valley is not good. Here social organizations, politicians, women's organizations and NGOs need to play their role to change the situation of women. Unquestionably, the women of Kashmir and all over India have to put up a united and committed effort to mobilize public opinion of the country and the world in their favour. They need to form pressure groups with a total membership of all the women of Kashmir and the rest of the country so that proper pressure can be applied on the government to delineate and implement policies and laws in favour of women. They need to expose gender oppression that is taking place in the state and spread the awareness regarding gender empowerment through vigorous campaign and mass media. Apart from all this, the government needs to have some proper *strategies, policies* and *actions* in this direction.

Steps to be taken to deal with gender issues :³

- Lok adalats exclusively for women need to be set up in order to render speedy justice to the women in civil, criminal and property cases.
- It is important to always bear in mind that women are not a homogeneous mass, therefore, a segmented strategy is needed. The urban-rural, educated-uneducated, poor-rich and age related differences must reflect in focused employment generation programmes for women

³ Islam, Nayak & Dabla, 2000, Gender Discrimination in the Kashmir Valley: (a survey of Budgan and Baramulla districts), Gyan Publishing House, New Delhi.

- It must be recognized that throughout the country, self-employment programmes have not succeeded. Hence, other ways of promoting employment and income generation for women will also have to be considered.
- All employment programmes for women should take into consideration physical resources, women's unemployment level, their existing skills, infrastructure facilities, industrial and agricultural profiles of the region. Therefore, an effective employment strategy must be location specific.
- Integrated Community Development Scheme has to be strengthened. It is essential to grant the status of a government employee to the Anganwadi worker, which alone can ensure that she has adequate motivation, status and high morale to run the programme, impart nutrition and education to the children and spread awareness against gender discrimination at home.
- Awareness regarding social practices which result in malnutrition and undernutrition among women and girls within the family should be generated and no efforts should be spared to highlight the special needs of women. Modern and scientific knowledge regarding balanced intake of diet should be disseminated amongst the families.
- Special awareness regarding legal rights as well as awareness on issues relating to health, political rights, environment etc. should be created.
- Jammu & Kashmir state should set up a Women's Commission.
- A Resource Centre for Women's Studies financed by the state government should be established which will respond to all research needs of the Women's Commission in J&K state and also academic and non-academic research related to women's studies in J&K to be carried out by the teachers, research scholars and all others interested in this field.

- Trafficking in women should be stopped.
- Atrocities against women have increased beyond limits, especially, in the wake of terrorism. Rape victims should get justice. Special provisions are needed so that their dignity is not violated further by the investigation mechanism and that they do not face further trauma by their experiences being made public. Rape trials should be held in camera. Cases of minor rape victims should be dealt with extreme sensitivity.
- A number of schemes have been formulated for women's economic activities by government and quasi- governmental institutions. Many are outdated and many are inadequate and unsuccessful. The very nature of schemes considered appropriate for women should be re-examined and dynamic planning should be formulated and implemented in order to rescue them from traditional low paying occupations.
- Women's work contribution in the fields is not reflected in the official data where they continue to be labelled as marginal and non-workers in large numbers. It is important to ensure visibility to women's work. Textbooks and the government controlled media need to be reviewed to highlight the actual role of women in the family and the society and not the role of a dependent being which is the popular stereotype. Surveys by the government and other agencies should take this into account.
- More numbers of doctors and paramedics in rural areas are required with enhanced facilities to treat the women who have suffered chronic diseases due to terrorist and state activities.
- Health education and awareness is important, particularly in the areas of AIDS awareness and safe drinking water.

- Pre-natal care in rural as well as urban areas should be improved. Knowing the nature of terrain, innovative schemes should be devised to identify high risk pregnancies and to ensure hospital facilities for these women. They should be discouraged to abort on their own under the pressure of militants' threats. They should be encouraged to take the help of trained doctors and nurses in case they want to terminate an unwanted pregnancy. However, taking into account the hard conditions of life in the preponderance of terrorism and adverse sex ratio, there is a need to ensure that the practice of selectively aborting female foetuses does not make inroads into the valley. Sufficient conscience should be aroused to prevent the mothers to abort their female foetuses due to social and familial pressures. Campaigns need to be launched in this regard and monitoring committees need to be established in every town.
- There is a need to encourage genuine, local, private initiatives at various stages of education to supplement the efforts of the government.
- Vocational component of education needs to be strengthened in both types—traditional as well as modern occupations.
- Special provisions need to be made to rehabilitate divorced and widowed women and especially those who had married outside the state. Those women who marry outside the state should have the right to retain their state-subject status, including after a divorce or widowhood. In fact, this can serve as one of the greatest ways of integrating Jammu & Kashmir and its people with the rest of India. Inter-caste marriages between Kashmiri women and men from other states and vice versa should be encouraged with sufficient legal safeguards.

- Discrimination is highly prevalent in matters relating to inheritance despite many court rulings. The government should take some bold steps to ensure that women get their due share. Customary laws which discriminate against women should not be allowed to prevail at any cost.
- It has been the usual trend to lay more emphasis on women learning only the traditional skills such as cutting and tailoring. This is one of the ways through which women have been perpetually kept in the *domain of the feminine*, although, the government may claim to have provided them with skills-training, equipment and employment. But truly speaking, providing jobs is not enough. It is important that women should be trained in non-traditional, professional courses and appropriate, more profitable jobs be provided to them. More ITIs for women need to be opened where they have a clear opportunity to undertake non-traditional courses.
- Women's co-operatives, run by environment friendly wasteland development and fuel/fodder plantation schemes, need to be started in the rural areas. The energy policy has to be taken care of by women.
- New schemes for women need to be undertaken in the area of agro-processing. The state government should provide necessary financial, technical, and marketing support.
- University of Agriculture should quantify the contribution of women to the agrarian economy.
- Mahila Banks should be established in the state.

- Other than the absolute poor, a vast section of people are above poverty line but nowhere near prosperous. Hence, Integrated Community Development Scheme (ICDS) should aim at universal coverage of 0-6 years age group and all pregnant and lactating women. the number of Anganwadis should be enhanced as one centre cannot serve the needs of 150-200 children adequately. The allocation of Rs.1.5 per child per day is grossly insufficient to meet the desired norms of supplementary nutrition and needs to be increased. Women should be involved in these programmes.
- The need to purchase medicine from the market has a negative impact on the health of women who have little control over cash and of most girls whose families are reluctant to spend. Women and girls should be provided free health care by the government.
- There is a paucity of information about the incidence of common diseases and the incidence of breast cancer, cervical cancer and infection of the reproductive tract. It is important to ensure that the diagnostic and treatment facilities for these problems are available at the district level at least.
- HIV testing and counselling and support service for positive cases need to be established at the village and district level.
- Micro level studies and interpretation of hospital records are needed to provide focussed health care to women and girls. The new health problems, such as mental disturbances, peptic ulcers, hypertension, etc. which have emerged due to turmoil in

the valley need to be investigated and special measures need to be instituted to help women cope with these unfortunate problems.

- Total literacy drives should be launched in the state in which both men and women could derive benefits from adult education. Social awareness and notions of gender equality should be an element of adult education.
- Counselling and guidance services should be made available to women, especially, in the rural areas to deal with their problems which have emerged due to terrorist violence in the state.
- Women's leadership development programmes should be initiated in the state for effective leadership to emerge among rural women.
- Legal cells should be set up in each district to ensure that there is no violation of laws for the welfare of women.
- Family courts (Parivarik Lok Adalat) should be established in every district to deal with matrimonial and other cases and the presiding officer should be a woman judge. All the staff should also be women. In these family courts the victim does not need the services of a lawyer and the dispute is decided in a single go.
- Section 488 Cr.PC gives a divorcee woman a meagre sum of Rs.500 per month. The limit of Rs.500 per month should be raised keeping in view the financial status of the husband as well as the needs and the social status of the wife. There should be an amendment relating to jurisdiction so that women can file cases from their places of residence.

- Recommendations of National Commission for Women which gives Muslim women rights to adopt a child, seeks registration of marriages to prevent bigamy and polygamy, and setting up of counselling cells should be adopted by the state government.
- Programmes to sensitize the police, judiciary and policy makers towards gender issues should be launched by the state government.
- National Commission for Women's support should be sought for legal-literacy projects.

Conclusion

'Kashmir' has been the bone of contention for the past 56 years since Independence. When we talk of Kashmir problem, it means the question of final dispensation of the status of Jammu & Kashmir state; whether it should remain part of India, become part of Pakistan or remain independent. The positions of India and Pakistan are rigid. Nor those who are protagonists of an independent state seem inclined to change this stand. Pakistan treats the problem as an unfinished agenda of the Partition and insists that the whole state, including the part that it calls Azad Kashmir and northern areas, belongs to Pakistan. On the other hand India has always insisted that the state is an integral part of the country. In this political tug-of-war the destructive forces of terrorism and separatism has ripped the state apart into pieces. Undoubtedly, terrorism has affected women's lives, their experiences, realities and their very existence, as it has been discussed in the third chapter. It is also clear (from the fourth chapter) that a very miniscule effort has been put by the government to curb terrorism and relieve women's sufferings. Much more needs to be done in this regard. *Terrorism and state repression*, both have done irreparable damage to the state of Jammu & Kashmir and its people. Therefore, it is necessary to free the state from both. People of all sects and religions residing in the state have faced the wrath of militancy and militarization. It is not only the Hindus and the Muslims who live in terror today, but also the Buddhists (Ladhakis), the Sikhs, and the Christians. While, after a long span of state-repression against the Muslims, the Indian Army started the 'sadbhavana' movement, on a selective basis, to appease the Muslim community, no attempt has been made to reassure the Buddhists of the state, who are feeling very insecure following the influx of Afghani jihadis into J&K. They cannot forget that the Afghanis (Taliban) had destroyed the Bamiyan Buddha statues. They fear similar attacks on their monasteries in the state as well. The Sikhs and Christians also

have similar fears. Also the terrorist activities have not ceased to be disruptive till date. Therefore, it is obvious that despite all efforts by the government the menace of terrorism is growing, not only in the state of Jammu & Kashmir but also all over the world. Terror is everywhere today; it has become a universal social reality. *Terrorism is not a political issue but a social problem with deeper religious roots and cultural connotations. Terrorists want to establish their own socio-religious order.*

Although, government intervention is crucial because it wields all authority, yet it cannot be solved entirely through political negotiations between heads of governments. The efforts need to percolate down to the social realm at the grass-root levels. If not, then, the menace cannot be eradicated completely, with high risks of its recurrence remaining still. Therefore, all the steps taken so far cannot be called adequate because the problem had been dealt only at the political level without much conviction for speedy, practical and true solution to the problem. True solution to the problem implies socio-political initiatives with mass participation of the people of Kashmir through adequate representation of all groups and sections of society in the peace process.

Terrorism has been the worst enemy of women of Jammu & Kashmir. It has hampered the process of gender empowerment in the state and has, instead, introduced regressive trends into it. It is unfortunate that the women of the state have been forcibly kept in the state of ignorance and misery and have not been introduced to the modern developments and progressive trends in gender empowerment in other parts of the country and the world. *One of the main agenda of the terrorists is the introduction of a patriarchal, rigid, orthodox and obsolete social order through subjugation of women.* A society where both men and women are at par with each other is an advanced society with a spirit of

democracy, freedom and rule of law. Even while deriving benefits from liberal societies, the terrorists want to change such societies through the use of terror. *They want to subvert the entire humanity by subversion of women.* Therefore, terrorism is not only a menace for the women of Jammu & Kashmir but for the women of the world. *It is a challenge to the entire human society.* Thus, it is imperative to rout out this social evil for the benefit of women and the entire humanity at large.

The experiences of women of Jammu & Kashmir have been too horrific to recount. They have suffered at both hands, the militants and the armed forces. It has been shown to them that men, in general, irrespective of their role and status, are exploitative and torturous to women. Women are not treated as 'equals' by men but as 'lesser humans'. It is due to the inferior social status and position of women, which is again, a gift of this patriarchal society, that women have suffered so much till date. This has become a universal social reality. The popular cinema, particularly the movies on terrorism, has painted an entirely misleading picture of the role of the armed and security forces in their treatment of the women of 'Kashmir'. As long as women continue to look up to the patriarchal society for recognition, respect and equal status and position, their hopes will be shattered. Terrorism has revealed the extent to which men can be cruel to women. The very society which gives unbridled powers and privileges to men believes in rendering women totally powerless so that they can be exploited as and when required. In order to come out of such oppression and exploitation, women of the world should unite and express solidarity against all injustices done to women residing in any part of the world, however remote it may be. They should have concern for each other and take strong action to provide justice to the suffering women cutting across barriers of caste, creed, religion, class and nationality. The same principle applies in the case

of Jammu & Kashmir too. Women from rest of India and the world should launch a joint drive to uplift the miserable women of the state. Vigorous sensitization programmes need to be initiated by women themselves without any political biases or other motives and with an ardent desire to help the hapless. Left to the politicians themselves, the women of the state will continue to suffer the same fate. Even if terrorism ends they will continue to live and die under the *drudgery of patriarchy*. Women need to take strong action against terrorism. They need to occupy the fore front in the battle against terrorism. *A key contribution which the women can make is to uproot and discard completely the ideological sway that rules the state.* Terrorism thrives on the ideological conditioning of the minds of people. If women of the state, country and the world unite and launch intense agitations to negate the separatist ideologies and eliminate the “us” and “they” psyche that rules the minds of most Kashmiris, including women, terrorism will find no grounds for its survival in the state. The elimination of this particular psyche will go a long way in socio-cultural integration of the state with rest of the nation. The more the alienation of the state, the more will be the onslaught of terrorism. Conversely, more the integration with the mainland, lesser will be the hold of terrorism on the state.

There are various perspectives which suggest the possible ways of dealing with the problem of militancy. Liberal thinking on terrorism believes that the best way to respond to violence is by an imaginative programme of political, economic and social engineering. Essentially, liberals urge that the government arrive at some sort of accommodation with aggrieved groups. Conservatives, by contrast, think that any attempt at accommodation is the slippery slope to appeasement and concession and can only end in secession. They argue that the government must see terrorism as a ‘law and order’ problem and stamp out the

violence. Force and disruption of the terrorist group's activities by good intelligence work are at the heart of conservative prescriptions. For realists, the conservative prescriptions are substantially correct, with the addition that any viable course of action must include stopping India's neighbours from supporting terrorism. Diplomacy will not work, in their view, beyond a point; only force and coercion can persuade our neighbours from interfering in India's domestic quarrels.

All three viewpoints are partially correct. For instance, it is hard to get a programme of political, economic and social accommodation going if violence and other forms of intimidation are not brought under control. On the other hand, the policing of terrorist groups by itself cannot bring peace. It can only create the conditions within which a more thoroughgoing, political end to terrorism is achieved. The grievances of separatist and terrorist groups, as liberals insist, need to be addressed if terrorism is to be substantially eradicated. Violence and intimidation will only encourage more of the same, in return, if nothing is done to get at the root cause of the ethno-religious and political secessionism in the state. Finally, both the liberal and conservative programmes will fail if India's neighbours are determined to harbour and support terrorist groups.

'Kashmir' is essentially an internal problem of India. India will have to solve this problem—as indeed others—herself. There is no scope for confusing the issue by encouraging the misconceived belief that the problem can be resolved through a dialogue with Pakistan. We have the example of Punjab where we have realized that the solution is in our hands. The Punjab model, with minor variations, can be successfully applied to Jammu & Kashmir as well. People of Jammu & Kashmir deserve to live in peace and manage their own affairs. Therefore, the state should be given more regional autonomy; or in other words,

there should be more distribution of power and authority from the centre to the state. 'Autonomy', of course, does not mean a right to separate and secede from the Indian Union. While the state should be given ample freedom to manage its own affairs, yet, there should be constitutional provisions to ensure the accountability of the state to the centre. The problem in Punjab was solved not only because militancy but also because, in the public perception, a representative government was allowed to come to power. In the case of Jammu & Kashmir, an innovative and a bold new approach is necessary. While on one hand, militancy will have to be crushed with determination and a strong hand, simultaneously, the state will have to be given maximum autonomy and a representative government. However, it must be remembered that the situation in Kashmir became worse due to indiscriminate state-repression via army and security forces. Therefore, firstly, of all forms of state-repression on innocents should be immediately stopped and special care must be taken not to repeat the same. The problem has to be handled both, sensitively and with a strong hand as and when required. Special care should be taken to gender-sensitize the armed forces so that women should, by no means, be harassed and tortured by them. Arguably, there should be no objection in granting the pre-1953 status to the state which would essentially give the people full freedom to run their own affairs except in foreign policy, defence, communications and currency. This will also help heal the wounds of the past decades and restore the dignity of the people of Jammu & Kashmir. Pressure on Pakistan to grant similar autonomy to Pakistan Occupied Kashmir (POK) should be mounted. The proposal to trifurcate the state into autonomous regions of Jammu, Ladhak and Kashmir has merits and should not be dismissed, particularly as an alternative. The almost farcical drama of an on again and off again dialogue with Pakistan must end immediately as this only confuses the

people of the state and the country. The government must proceed on the premise that there is hardly any role for Pakistan in resolving this internal issue of India. The only aspect concerning Pakistan would be the management of the international border and the related issues. Too much time has been allowed to lapse with the result that the issue has become complicated and internationalized. Unilateral action, with a strong political will on the part of government of India, is the need of the hour to resolve Kashmir problem. All positive steps (as discussed in the fourth chapter) should be taken to uplift the women of the state and extend full justice to them. Those women who have taken up militancy should be tried to make them give it up and introduced into a lawful way of life.

This sociological study has looked at the problems of women of 'Kashmir' in restrictive, discriminatory and oppressive cultural spaces from a feminist perspective. But there are certain areas which need detailed analysis which is beyond the scope of this work. As for instance, could there be a possible causal link between the repressed sexuality of the terrorist and his acts of sexual violence and crimes against women? This calls for a psychoanalytical study of the problem.

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