



SWABHIMAAN

WOMEN IN CONFLICT
AREAS

SPECIAL EDITION

MISSED BEATS AND DISCORDANT NOTES: REVEALING THE UNFINISHED SYMPHONY
OF WOMEN'S STATUS IN CONFLICT AREAS



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UNRAVELLING THE THREADS: ASSESSING THE IMPACT OF POLICY AND LEGAL BLUNDERS



Although the understanding of gender has evolved simultaneously through progressive theories, the imposition of normative gender roles have been persistent throughout. Women are often seen as objects of war rather than warriors. Mahabharat and Ramayana stand still as exemplary evidence of such imposition. The characters like Draupadi and Sita have been built upon the narrative of ‘ideal women’. In an unsurprising turn of events, a woman's rage is criticised with a moral policing upholding the values “an ideal woman”. That being mature, understanding, calm, abiding, and a negotiator. The checklist of these emotions that “forms a womanhood” is yet taken into consideration by the policy makers. Women already being subjected to cultural suppression, are shoved beneath the policies that uphold them.

WOMEN AS OBJECTS OF WAR



The North-east region of India has been one of the most militarised regions of India since independence. Issues like tribal conflicts, terrorism, and changing demographic profiles have led to intense military deployment in the region. Exploitation coupled with negligence of these regions by the Central governments has caused extreme marginalisation. The Centre has enacted oppressive laws like the Unlawful Activities Prevention Act 1967 (UAPA), Terrorist and Disruptive Activities Prevention Act, 1958 (TADA), and Armed Forces (Special Powers) Act, 1958 (AFSPA) which further aggravates the situation. In the middle of these conflicts, women have been placed in the most vulnerable position, where they find themselves at the receiving end of violence on three fronts: from the State, the militants, and violence in their own homes. Sexual violence in the hands of the military is a common occurrence, who are ironically deployed to maintain peace and harmony.

Women's bodies have been a site of conflict, humiliation, and atrocity due to an absolute breakdown of social structures. In the North-eastern states of India and Kashmir, women experience marginalisation in multiple forms and layers due to their gender, class, caste, and geography. According to the Human Rights Watch (1991), the entire Kashmir population is under the threat of being stopped, detained, beaten, and stripped. Kashmiri women have historically been used as an object of war. The Indian-Pakistan partition in 1947, which gave rise to one of the greatest forced migration in history, saw hundreds and thousands of women raped, murdered, stripped, humiliated and tortured. The most common tool to subjugate and suppress women in every area of conflict around the world, including our country has been rape, through which a woman is viewed as a means to exert power and control.



RESILIENCE AMIDST POLITICAL CONFLICT

The AFSPA in the year 1958, was enacted as a temporary act which confined the powers of the Armed Forces to fight the “Naga hostilities”. The Justice Reddy Committee and the Supreme Court of India in 1997 upheld the validity of the act and further allowed the Union to deploy armed forces in “disturbed” areas for a prolonged period of time. Sixtyfive years after the enactment, the act has now almost become a permanent part of conflict-ridden states of India, most notably in North-east India and Jammu & Kashmir.

The act now provides the Armed Forces with multiple privileges like the right to fire, arrest, search and seize, along with legal immunity against such acts. Such a huge power vested with the military has given rise to various human rights violations, including murder and rape. Women especially, those who have been living in these areas are subjected to years of sexual violence, abuse, and other gender-based violence as a result of the provisions enjoyed by the Armed Forces. This takes a traumatic turn considering the economic and political inequalities of the women.



A study of women during the situations of armed conflict identified several categories of women who were affected: women relatives of armed activists, women relatives of State armed forces, women militants, women who shelter militants, and women who have been subjected to sexual and physical abuse. Many of these acts of violence have inflicted mental and emotional violence on the victims. Psychological and anxiety disorders like Post Traumatic Stress Disorder (PTSD), depression, and suicide have been viewed a common occurrence among women living in the these regions.



After the abrogation of Article 370, and the years following it, saw an immense rise in political and social conflicts in the Jammu and Kashmir region. The crimes against women failed to reach the national news and the general public due to an indefinite internet suspension in Jammu & Kashmir. Numerous cases of gendered crimes against women went under-reported due to the fear instilled by the military which is unfortunately still prevalent.



NAVIGATING THE LEGAL LANDSCAPE

Being stuck in a political condition that promotes performative nationalism, people living in conflict-ridden regions rely predominantly on the judiciary. As Nitasha Kaul notes in her article, the connotations surrounding anti-nationalism have been significantly based on the popular sentiments of Hindutva. However, an interpreter is bound to act within the laws that shelter the predators. In conflict areas, the accessibility of litigators or even the knowledge of such remedies seems like a luxury.

Soudiya Qutab, in their article, discussed the condition of a particular section of women who are identified as "half widows". They note that the complicated and tedious procedure prevalent in the legal system discourages these women from approaching the courts. While most of these women actively disregard the possibility of filing petitions for Habeas Corpus, a large section of the population remains unaware of such a possibility. Although this raises a concern about an increase in unreported disappearances, half-widows are left in the shadows as they are not a subject in the process of lawmaking.

Swabhimaan, an initiative by the Centre For New Economics Study, interviewed Prof. Priyanka Khushwah, an Assistant Professor at Jindal Global Law School as a part of the Samvaad series. The edition – “Women in Conflict Areas”, focuses on understanding the agency and experiences of women and gender minorities in conflict areas.

During her interaction with a Kashmir local she mentioned, “A woman, 21 years old, whose brother was rumoured to have joined militancy, was being constantly investigated. Armed forces with ‘special powers’ used to go to their houses at unreasonable times. They abused the family members and sexually harassed the woman. She was traumatised. We encouraged her to file a case and continue her education. Her case is still ongoing, and she is still fighting for her case. It is not untrue that the judicial remedy takes time, it takes a lot of your energy. But where else should we seek justice? This is the last resort.”



TRACING THE FALLOUT

The classification of genders has not only affected women but the gender minorities who do not “fit it”. The celebrated ‘heroic war’ of Mahabharat was initiated with several rules and regulations that eliminated several people from participating. Shikhandi, a woman, had to undergo gender transformation to suit the body and mental state of a warrior. Although this narration was shaped around vengeance, the concept of an ideal warrior is yet again masculinised. While this is a widely known text that has influenced various judgements and political decisions, we cannot ignore the role of caste, religion and class that has contributed to the marginalisation of women and gender minorities. Strategic politics that glorifies the ‘respectable women of the society’ has escaped the heat of subtle imposition of such definite gender roles.



**In the Shadows of Conflict: Women's
Resilience, amidst Sexual Violence in
Conflict Zones.**

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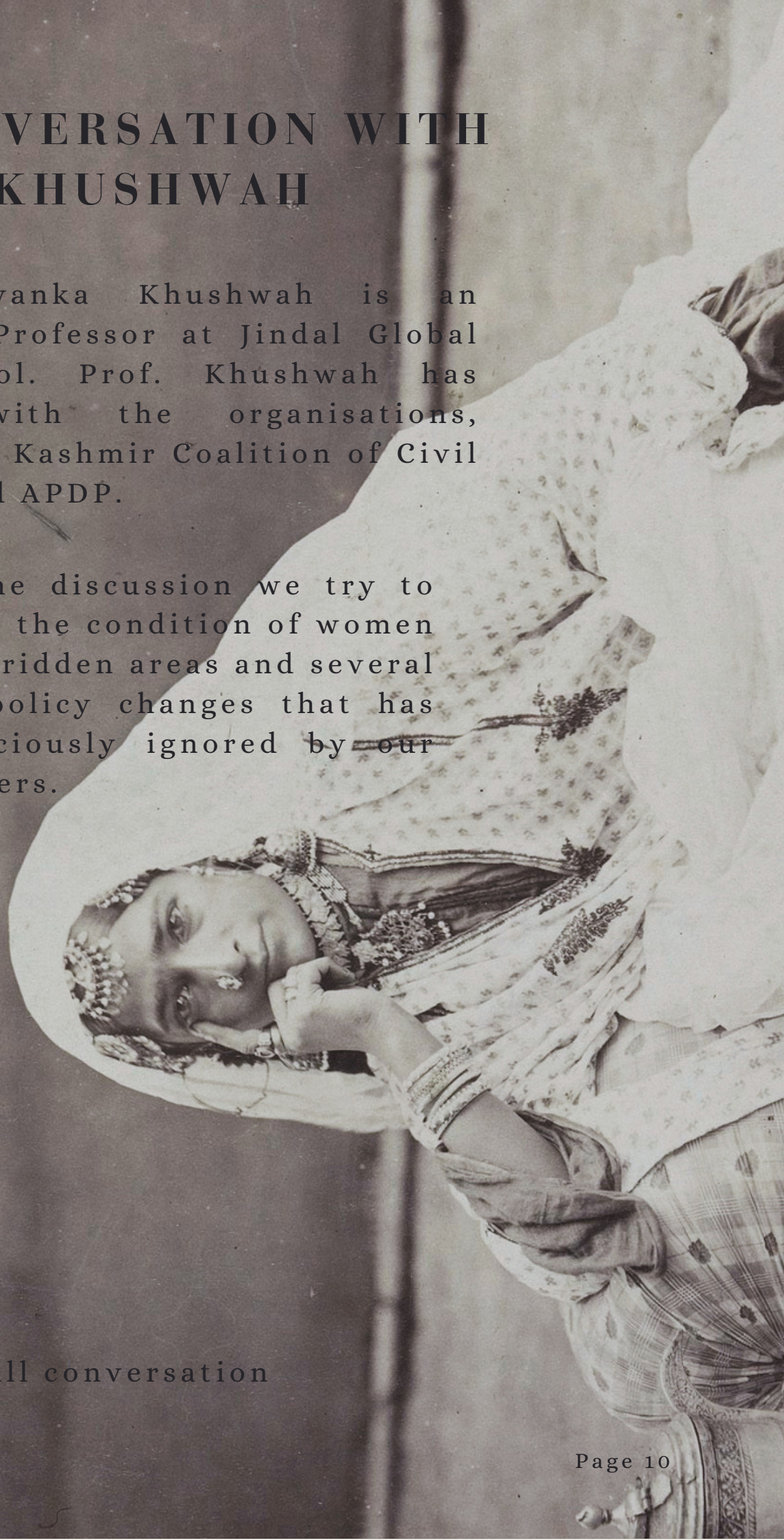
**“Nothing is balck and white.
When it comes to the system,
the people in power want the
conflict to persist because of
the kind of authority they
enjoy.”**

IN CONVERSATION WITH PROF. KHUSHWAH

Prof. Priyanka Khushwah is an Assistant Professor at Jindal Global Law School. Prof. Khushwah has worked with the organisations, Jammu and Kashmir Coalition of Civil Society and APDP.

Through the discussion we try to understand the condition of women in conflict ridden areas and several essential policy changes that has been consciously ignored by our policy makers.

View the full conversation [here.](#)





S A M V A A D

Escalation of Violence
in the Northeast Region:
Insights and Challenges

“What is peace
without justice?”

IN CONVERSATION WITH MS RITA MANCHANDA

Ms. Rita Manchanda, A journalist, writer, researcher, and human rights activist, she has dedicated much of her work to bridging the deep political and ethnic divides between India and Pakistan. She passionately promotes the inclusion of women peace builders in the policymaking sphere, driven by her strong belief in the concept of alternative, community-centered security and the transformative potential of participatory democracy.

The discussion aims to shed light on the underlying economic and social issues, focusing particularly on the north-eastern states of India, that frequently go unnoticed by mainstream media and the government, despite their promises to prioritise the well-being of the public.

view the full conversation [here](#):

N A Z A R I Y A

Untangling Narratives: Gender,
Religion, and Politics in Minority
communities



IN CONVERSATION WITH DR. KHUSHDEEP KAUR MALHOTRA

Anvitha B V Gowda

Dr. Khushdeep Kaur Malhotra, a research scientist at IIT Delhi, recently completed her PhD in Geography and Urban Studies at Temple University in May 2022. Her dissertation work, which serves as the basis for the interview, delves into the experiences of Kashmir's micro-minority Sikh community within the context of the region's militarism and violence. Her research also explores the dynamics of intercommunal and interreligious solidarities between Sikhs and Muslims, offering a counter-narrative to the often divisive narratives surrounding Kashmir.

The chapter under discussion “Kashmiri Sikh Women and their experiences with conflict”, featured in the Routledge Handbook of Critical Kashmir Studies, brings to light the experiences of Kashmiri Sikh women, a group whose stories have been overshadowed and invisibilized amidst the region's ongoing political conflict.

Dr. Malhotra's analysis centers on the enduring impact of violence, particularly the Chittisinghpora massacre in which 35 Sikh men were tragically gunned down by unknown assailants.





This impact is examined both among the women who were widowed as a result of the massacre and the younger generation of Sikh women who have grown up in its shadow.

Her research reveals that the pervasive uncertainty stemming from violence and militarism shapes the experiences of these two groups of women, albeit in starkly contrasting ways.

Through this work, Dr. Malhotra sheds light on the nuanced gendered dimensions of conflict and violence in Kashmir and strives to provide a platform for the voices and experiences of Kashmiri Sikh women that have long remained hidden.

RESEARCHER'S SPOTLIGHT: FIELD WORK EXPERIENCE

The study under consideration delves into the experiences of the Kashmiri Sikh community, a micro-minority group constituting approximately 2% of the population in the erstwhile state of Jammu and Kashmir. The research primarily focuses on the Kashmir Valley region, a predominantly Muslim area with around 60,000 Sikhs, although the accuracy of these figures is constrained by dated census data and the complexities arising from the ongoing conflict.



The researcher's journey commenced in the village of Chittisinghpora, South Kashmir, where they had few connections within the Sikh community. Soon realizing the need to broaden the scope of their study, they extended their fieldwork to Srinagar, Badgam, and North Kashmir, including Baramulla and surrounding villages, thereby encompassing a wide range of locales within the Kashmir Valley. Fieldwork presented its expected challenges and rewards.

The backdrop of militarization and persistent violence in Kashmir added a layer of complexity to the researcher's task. Surprisingly, however, gaining access to both the Sikh and Muslim communities did not pose significant hurdles. The researcher found lodging with a Muslim family who extended their hospitality beyond the fieldwork, fostering enduring relationships. Additionally, establishing contacts in local and state government offices, such as the revenue department and the district collector's office, proved relatively straightforward, facilitated by the presentation of appropriate research documentation.



In a society marked by a history of violence and pervasive ambiguity surrounding many incidents, trust was a scarce commodity. Suspicion sometimes clouded interactions, as locals scrutinized the researcher's origins and intentions. Nevertheless, with a year-long presence in the region and continued engagement over subsequent visits, the researcher gradually built substantial relationships and nurtured a degree of trust. They maintained transparency by involving the community in the evolving research process, inviting feedback and critiques to ensure stakeholders' involvement.

The research itself delved into the challenging terrain of revisiting and unpacking the traumatic experiences of violence endured by the Sikh community. This emotional burden weighed on both the participants and the researcher, highlighting the toll of fieldwork. Yet, the study also featured moments of camaraderie and enjoyment with the host family, providing a respite from the somber aspects of the work.





Dr Khusdeep provided insights into the complex dynamics between different communities in the Kashmir Valley, particularly focusing on the experiences of the Kashmiri Sikh community in the aftermath of the Chittisinghpora massacre. In this context, the state's role in shaping communal relations and the resilience of local interactions stand out as key themes. The Kashmir Valley represents a rich tapestry of cultural, ethnic, and linguistic diversity, with various communities coexisting for generations. This diversity includes Sikhs, Muslims, Pandits, tribal groups, and others, creating a complex socio-cultural landscape.

The Chittisinghpora massacre marked a pivotal moment in the region's history, as both Sikhs and Muslims found themselves targeted by violence. However, the exact details of the incident remained shrouded in confusion and ambiguity, as is often the case in such situations. This led to heightened tension between the two communities, particularly in Chittisinghpora. In the aftermath of the massacre, external Sikh visitors arrived from Punjab to offer support and investigate the incident. Meanwhile, local Muslim families temporarily left their homes due to fears of retaliation from outsiders, despite not being directly involved in the violence. This period was marked by charged relations and communal tension.

Surprisingly, despite attempts to exploit the situation for communal gain, the anticipated communal disharmony did not materialize. The researcher theorizes that this outcome may be attributed to the control exercised by the local Sikh and Muslim communities over the narrative that emerged after the Chittisinghpura incident.

This control over the narrative potentially mitigated the weaponization of communal narratives by external actors, including the state. This stands in contrast to the events during the Kashmiri Pandits' exodus in the 1990s, which resulted in a more communalized relationship with Muslims.

The concept of "precarity" plays a significant role in understanding the shared experiences of all Kashmiris, reflecting the ongoing violence and militarization in the region. Nevertheless, the local communities have mechanisms in place to address tensions and disputes, fostering mutual understanding and resolution. These mechanisms have made it difficult for external actors, including the state, to exploit the Sikh community's experiences for political or communal ends.

Furthermore, the state's limited political interest in the small Sikh community may have contributed to its ability to resist communalization. Unlike larger communities with greater political significance, the Sikh community does not offer substantial electoral advantages or voting power, leading the state to largely leave them unaffected by political instrumentalization.



An additional factor contributing to the peaceful coexistence of communities in the Kashmir Valley is the well-established boundaries of social interaction, known as "dyras." These boundaries respect the religious practices and customs of different communities, fostering day-to-day interactions without engendering communal tensions.



In contrast to the Sikh-Muslim relationship, the Kashmiri Pandit community has experienced a more communalized relationship with Muslims. Professor Ankur Dutta's work in "On Uncertain Ground" delves into the experiences of the Kashmiri Pandit community, shedding light on their displacement and the distinct communal dynamics that have emerged.

REFRAMING NARRATIVES: KASHMIRI SIKH WOMEN'S AGENCY IN A CONFLICT LANDSCAPE

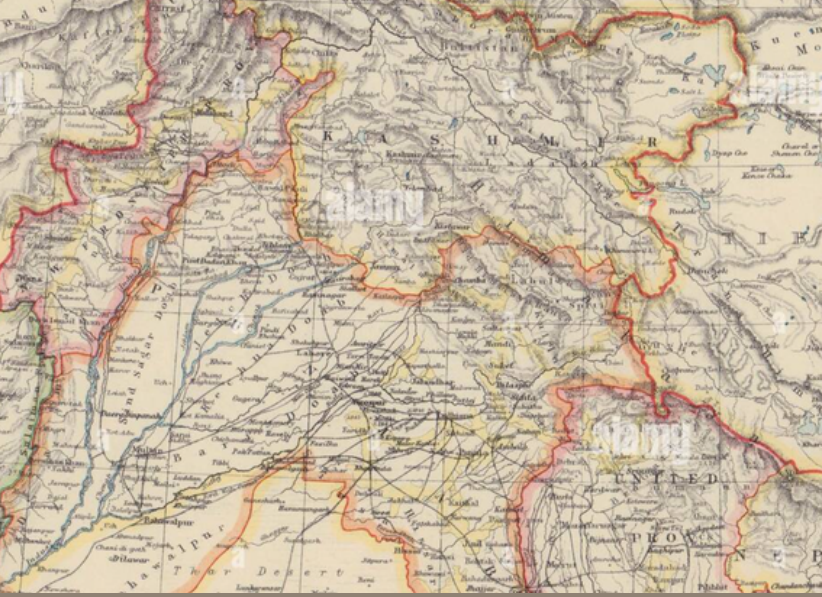
The information provided delves into the complex interplay between state influence, patriarchal norms, and the resilience of these women in asserting their identities.

Firstly, it's important to clarify that the term "state policy" might not accurately describe the dynamics at play in conflict zones like Kashmir.



The violence and communal tensions often occur outside the realm of formal state policy, with state involvement remaining largely implicit or unintentional. Communal violence is typically not addressed by official policies, as the state's role in such violence is frequently implicated. This inherent ambiguity complicates efforts to analyze the situation within the framework of state policy.

The experiences of Kashmiri Sikh women in conflict are influenced by the overarching patriarchal norms that prevail in such contexts. The violence and conflict in Kashmir are often justified and framed in terms of protecting women and their honour.



Paradoxically, much of the violence occurs on the bodies of women themselves, illustrating the dissonance between rhetoric and reality. One of the lasting effects of the Chittisinghpora massacre is the generational impact on Kashmiri Sikh women.

The widows of the victims, although vocal about their experiences, often find themselves overshadowed by the broader discourse surrounding the event. Their personal stories and struggles tend to take a backseat to discussions about justice, community implications, and the martyrdom of the slain men.

While commemorative events like the Chittisinghpora massacre attract attention and media coverage, the experiences of the women who survived and continue to endure are frequently marginalized. This highlights the need to refocus the narrative and give these women a central place in discussions about the aftermath of such traumatic events.

Comparatively, the experiences of women who survived the 1984 anti-Sikh violence are distinct. They have been actively engaged in advocating for justice and have been more visible in the public discourse, although this visibility has also often framed them as a political project.

Notably, among the younger generation of Kashmiri Sikh women, there is a resurgence of assertiveness in embracing their Khalsa identity. This identity emphasizes gender equality within Sikhism and encourages active participation in religious practices and community service. Young Sikh women are increasingly visible in the religious landscape, taking on roles traditionally reserved for men. This visible assertion of their Sikh identity challenges patriarchal norms that seek to protect women's honor and instead empowers them to actively engage with their culture and religion.

The decision of some young Sikh women to take Amrit, a significant ritual in Sikhism, further emphasizes their commitment to their faith and community. Their religious identity becomes a source of strength and resilience in a conflict-ridden environment.

BEARING HONOUR CHALLENGING BOUNDARIES

In the context of religious conversion, specifically the contentious notion of 'love jihad,' how do societal perceptions that women's bodies are bearers of honor impact the agency of women in minority communities, particularly in conflict-ridden regions?

The issue of inter-religious marriages, particularly within minority communities such as Kashmiri Sikhs, is a complex and multifaceted challenge that extends beyond a single group.

It is important to recognize that this issue is not unique to minority communities; rather, it is prevalent across India, where inter-religious marriages remain relatively low.

In the specific context of Kashmir, where communal tensions run high due to a history of conflict and violence, the dynamics surrounding inter-religious marriages become particularly intricate.

On one hand, there is a push to encourage young Sikh women to embrace their faith and adhere to the principles of Sikh equality, which emphasizes gender parity with men, including the right to make decisions, including marriage choices. However, the practical application of this principle is far from straightforward.

One of the complicating factors is the term 'love jihad,' which refers to alleged campaigns to convert non-Muslim women to Islam through marriage. While this term has gained prominence in public discourse, its actual prevalence and impact are subjects of debate and scrutiny.

This ambiguity further complicates the ability to distinguish between marriages based on genuine consent and those influenced by external factors or ulterior motives. It is crucial to emphasize that the challenge of inter-religious marriages extends to both Sikh and Muslim communities in Kashmir.

The prevailing sentiment within these communities appears to be one of reluctance or outright rejection of such unions. This resistance is underpinned by various factors, including demographic concerns and the fear of aligning with one community over the other.

In essence, maintaining a distinct identity becomes a paramount objective. By doing so, Sikh individuals aim to assert their unique identity and maintain a degree of separation from both the state apparatus and the Muslim community.



In the fraught socio-political landscape of Kashmir, where communal solidarities are tenuous and susceptible to tensions, preserving this distinctiveness is perceived as a means of safeguarding their interests and security.

Instances of intermarriage between Sikh women and Muslim men do occur, although they remain relatively infrequent. However, when such alliances do take place, they tend to evoke heightened anxiety and reactions from both sides. These marriages challenge established social boundaries, signaling a degree of proximity between the communities that is often met with resistance.

The core issue lies in the question of agency, particularly that of women in these communities. While Sikh women are accorded a high status within their faith, and Sikh principles advocate gender equality, practical decision-making autonomy in matters of marriage remains complex.

The assumption that women are easily influenced or "brainwashed" disempowers them, contradicting the principles of gender equality within Sikhism.

Moreover, in the context of Kashmir, the intersection of militarism and masculinity adds another layer of complexity to the issue of women's agency. Women are active agents in shaping their group identity, often expressing their Sikh faith through their actions and choices.



However, their bodies also become symbolic bearers of honor, further impacting their autonomy. This intersection underscores the profound consequences borne by women as conflicts are primarily waged by men, affecting their capacity to make independent decisions regarding marriage and identity.



EXTENDED DIALOGUE

Understanding women's agency in conflict and violence is a complex and evolving subject, with numerous valuable texts shedding light on the topic. Dr. Inshah Malik's work explores the agency of Muslim women in conflict situations, offering crucial insights into their experiences. Dr. Saba Mahmood's seminal text delves into the concept of piety, adding depth to our comprehension of women's agency in religious contexts. Prof. Mallika Kaur's research focuses on Punjabi Sikh women and their activism, particularly in the aftermath of the 1984 anti-Sikh violence.

These texts collectively challenge conventional notions of women's roles in conflict and underscore the dynamic nature of agency, which varies depending on the circumstances and contexts individuals find themselves in.

Additionally, the study of identities, while intricate and multifaceted, holds significant importance, particularly in conflict-ridden regions where identities can be instrumentalized or weaponized by various actors, including the state. Professor Mona Bhan's work, "Counter-Insurgency, Democracy and the Politics of Identity in India: From Warfare to Welfare," provides a comprehensive examination of how minority identities are shaped and manipulated in situations of violence, offering valuable insights into the politics of identity formation in regions like Kashmir. These texts collectively contribute to a nuanced understanding of women's agency and the complexities of identity in conflict contexts.

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