

# Gender Violence in Kashmir

Master's Thesis

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# Abstract

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This thesis examines the escalating problem of violence against women in the region of Kashmir. The political stalemate of India and Pakistan has led to the abuse and suffering of women in this particular area. This political stalemate topic is important because of the grave situation it has put Kashmir in; it remains an integral issue to one of the most important global crises of our time. Without both nations united and working through together, the problem cannot be addressed and women will continue to suffer in silence. It is imperative that women are equipped with the tools necessary to help and empower themselves. Kashmir is just one of the many in the multitude of regions suffering from the abuse of human rights. Women, throughout Sri Lanka and the Congo are also victims of unspeakable crimes. Comparing the three case studies leads to the conclusion that the abandonment of human rights is leading to the suffering of women. These situations where women are abused and find themselves without recourse are becoming ever more systemic and globalized.

## Table Of Contents

Introduction

### 1. History

1.1 Nehru Family

### 2. Violence Against Women

2.1 Law and Violence Against Women

2.2 Violence as a Weapon

2.3 Religious Influence

### 3. Agency

### 4. Global Connections

4.1 Sri-Lanka

4.2 The Congo

### 5. Conclusion

# Introduction

There are conflicts occurring within and between countries that are long-standing and seemingly intractable. Top-down solutions or agreements do not easily emerge, and violence and economic and social destruction continue for decades, complicating the possibilities for peace and development in the future. An example of such a region that has been plagued by persistent conflict is Kashmir.

The dispute over Kashmir has been at the forefront of the hostilities between India and Pakistan since both countries won their independence from Britain. Three wars have been fought by the two nations over Kashmir. The implications of further conflict between the two nations are severe as both are armed nuclear powers. Due to the conflict between the two nations, Kashmir has fallen into a state of chaos. With little or no political order, the Kashmiri people are suffering from the lack of basic needs. Additionally, economic decline has contributed to debilitating poverty and a lack of services. The political instability, threat of attacks by rebels, occupation by troops from India and the breakdown of the rule of law has led to serious consequences for the Kashmiri population. The people who are most vulnerable are women and children who are often the targets of domestic and sexual abuse by family members as well as security forces and rebels. Due to the weakened political state, perpetrators are seldom brought to justice and victims live in constant fear of further violence and abuse.

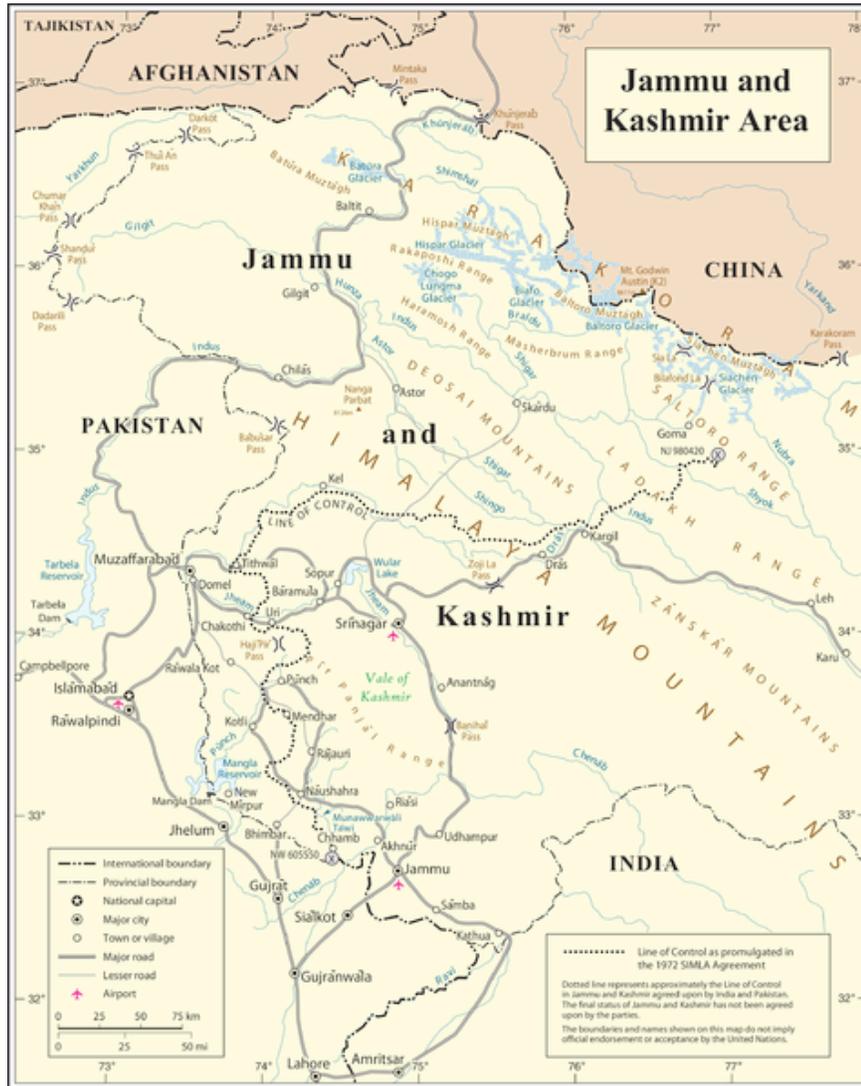
In this paper, I will address the background of the conflict and explain the root causes of violence in this area. Kashmir lies at the heart of India and

Pakistan's crisis and it is important to understand what led to the present quagmire. In studying the women in Kashmir, it is important to understand the role women play in society. This leads to a discussion on the patriarchal Kashmiri society as well as to the prevalence of violence against women in war torn regions. By assessing what laws and programs are out there to help victims of abuse in conflict areas we can better understand what can be done in the future to aid in the ending of violence and an establishment of a peaceful society. It is important to understand that steps needed to be taken are often more successful from a bottom up approach. In the case of Kashmir, it would be beneficial to examine if a bottom up approach to the problem would lead to a positive outcome. It would also be helpful to study other conflict areas where the bottom up approach has proven to be successful and examine what has worked and what has failed.

Many of these concerns go hand in hand with establishing peace in the region and furthering development in key areas such as education and health. Although the Kashmir conflict poses a complex humanitarian issue, the focus of this paper will be on Kashmiri women and what challenges of violence they face from domestic as well as outside forces. In analyzing the situation affecting Kashmiri women, it is important to connect the situation to the rest of the world. Conflicts that have arisen in other parts of the world can teach us valuable lessons in terms of measures taken by governments as well as the international community that have proven to be successful and unsuccessful in terms of protecting women. It is imperative to understand that preventing gender violence

goes hand in hand with establishing lasting peace in the area. Without laws in place to protect women from their own families, how can they be protected from hostile outside forces? Therefore, it is imperative to examine the causes of the violence and look deeply into the history and culture. In the case of Kashmir, the patriarchal society contributes greatly to why women do not come forward to face their accusers. Ending gender violence in Kashmir requires an end to the view that men are superior to women. Additionally, both India and Pakistan have to acknowledge the dangerous climate women in Kashmir have been living under and take responsibility for actions committed by both parties. Although this seems like an impossible task given the current political climate, it is the only way through which violence against women will become a priority within Kashmir.

# Chapter 1: History



*“Siblings by geography and history, they are linked by destiny. Together they can yet be masters of a sacred future of peace and prosperity. Locked in perpetual rivalry, they will remain objects of international intrigue”.*

- Ramesh Thakur

The conflict over Kashmir began when India and Pakistan received their independence from Great Britain in 1947. The fifty- six princely states had to decide if they wanted to join India or Pakistan post independence. As Jammu and Kashmir was comprised of largely comprised of Muslims (75%), it was expected that it would become a part of Pakistan. However, the Hindu Maharaja of Jammu and Kashmir, Hari Singh, could not decide if it was best to join India or Pakistan and therefore chose to do nothing. The Maharaja then chose to sign a “standstill” agreement with Pakistan but not with India. This agreement ensured that important services such as trade, travel and communication were uninterrupted. In October of 1947, as reports emerged of violence against the Muslim population, Pashtun tribesmen from the Northwest Frontier Province of Pakistan invaded Kashmir. The Maharaja troubled by the deteriorating situation, requested assistance from India. On October 26<sup>th</sup>, 1947 the Maharaja signed the Instrument of Accession, which was accepted by the Indian Government. This document stated that the disputed regions were officially a part of India. Pakistan has claimed that the document is invalid as it was signed under duress and because the Maharaja was fleeing Kashmir as the Pashtuns invaded, therefore, giving up his title (Datta, 31-45).

Argument over the historical background has not changed over the years as Indians and Pakistanis remain grounded in their beliefs over what really happened. The dispute has led to three wars being fought in 1948, 1965 and 1999 (Human Rights Watch). In attempting to aid the Kashmiri people, the United Nations has passed two resolutions calling for a plebiscite in Kashmir. However,

to this day no plebiscite has been held. The Kashmir dispute has been a cause for concern for the world as both India and Pakistan are armed nuclear powers. Kashmir, once called “a glistening prize” is now far from that. Marred in political controversy with India and Pakistan jostling for control, Kashmir has sunk into a state of despair. According to Urvashi Butalia, “the presence of the army, para-military and police forces is ubiquitous, and fear of violence and arrest has now become part of the daily lives of ordinary people”(xii). This backdrop of unresolved conflict has contributed to the deterioration of the status of women and children over the years.

## **1.1 Nehru Family**

The first prime minister of then newly independent India, Jawaharlal Nehru, had a vested interest in Kashmir. His family was from the Kashmir region and it appeared difficult for him to remain neutral on the issue. In an address to the Parliament in 1952 he declared, “We do not wish to win people against their will with the help of armed force; and if the people of Kashmir want to part company with us, they may go their way and we shall go ours. We want no forced marriages, no forced unions”(Khan, 33). However, in another speech to the Lok Sabha in 1953, Nehru stated, “ We have always regarded the Kashmir problem as symbolic for us, as it has far reaching consequences in India...if we disposed of Kashmir on the basis of the two nation theory, obviously millions of people will be powerfully affected”(Varshney,7).Reading the speeches given by Nehru at the time, it is apparent that the Prime Minister was conflicted on the

best course of action for the region. As prime minister, he wanted to establish peace in the region but his vested interest in Kashmir has led historians to conclude that Nehru took a soft stance on the issue.

The London Times (6 September 1950) observed:

Like most great men, Nehru has his blind spot. In his case it is Kashmir, the land of his forebears which he loves 'like a woman'. Because he is not amenable to reason on this subject, but allows emotion to get the better of common sense, Kashmir remains a stumbling block in the path of Indo-Pakistan friendship. So long as it is so India's moral standing is impaired, her will to peace is in doubt, and her right to speak for Asia is questioned by her next-door neighbor.

The ethnic makeup of the region was also a factor. The chart below represents census data from 1981. Muslims were the overwhelming majority in the region while Hindu's made up 4.59% of the population. The successor to the Maharaja of Kashmir was Sheikh Abdullah. The relationship that existed between Nehru and Abdullah was tumultuous. Abdullah was torn between accession to India and independence. Abdullah was concerned about the future of his Muslim constituency if Kashmir became solely a part of India. He noted, "certain tendencies have been asserting themselves in India, which may in the future convert it into a religious state wherein the interests of Muslims will be jeopardized"(Varshney, 9). In the same speech, he expressed concern about the future of Kashmir's if something was to happen to Nehru. His primary concern was the power wielded by Hindu nationalists in India at the time. Abdullah was unwilling to agree to Nehru's demands as he viewed the Hindu nationalists as a threat to the Kashmiri state.

TABLE 1 *Population of Jammu and Kashmir State, 1981\**

	<i>% of State Population</i>	<i>% Muslims</i>	<i>% Hindus</i>	<i>% Other</i>
Kashmir valley	3,134,904 (52.36%)	94.96	4.59	0.05
Jammu	2,718,113 (45.39%)	29.60	66.25	4.15
Ladakh	134,372 (2.24%)	46.04	2.66	51.30**
Total State	5,987,389 (100%)	64.19	32.24	3.57

Source: Census 1981, Government of India

On December 31<sup>st</sup> 1947, Nehru brought the Kashmir issue in front of the United Nations. The reasoning behind his decision to do so was to understand what Pakistan's role was in "participating in or assisting the invasion"(Varshney, 12). An impartial Committee was set up to look into both sides of the issue. The conclusions reached by the committee are detailed in Resolution 47. The Resolution called for an immediate ceasefire and asked Pakistan to withdraw all military personnel, as it was determined that the country had no say in the politics of Kashmir. Additionally, the committee concluded that India's role should be simply maintaining a military presence in the region. The resolution called for a democratic process in determining the future of Kashmir. The text stated, "that the final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people expressed through the democratic method of a free

and impartial plebiscite conducted under the auspices of the United Nations"(Text, Resolution 47).

The Resolution called on both India and Pakistan to gradually start withdrawing forces from the region. However, this was not the case as each country waited for the other to start withdrawing troops first. The stalemate caused widespread frustration among Kashmiri's and support for Abdullah plummeted. His cabinet members called for Abdullah to support fuller integration with India. His refusal led to his arrest. The embarrassment this caused Nehru was tremendous. His trusted ally in Kashmir was no longer available to support Delhi's secularist agenda. Abdullah's successor, Bakshi Ghulam Mohammed was in favor of a complete union with India. However, no steps were taken for full integration and the situation remained at a standstill (BBC News, 2004).

After the second war was fought over Kashmir in 1965, both India and Pakistan agreed to stick to the Line of Control that was established by Resolution 47. The countries agreed to respect the Line of Control until further discussions could be reached. However, the recent involvement of nuclear weapons has led to further trouble. In 1999, India detected intruders in their part of Kashmir and fought to regain their lost territory. The fighting continued for two months until both nations agreed to disengage their forces. Since the third war, talks have been held between Indian and Pakistani officials with no success. No joint agreement has been reached and the escalating violence in the region has become a topic of concern in the international community. Threats of nuclear force from both countries have resulted in fear in neighboring countries.

Currently, both countries have agreed to a cease-fire but Kashmiri's live in constant fear of further violence if one or both countries violate the cease-fire (BBC News, 2004).

By examining the long and complicated history of the region it is apparent that the Kashmir problem is indeed long standing and intractable. Both India and Pakistan are unwilling to give up their position within the region. Additionally, although the United Nations called for a plebiscite, there have been no signs of one being held. Currently, this is the situation in Kashmir with no solution in sight and a tense cease-fire in place by both India and Pakistan that can be broken by any action deemed by either state as a threat.

## **Chapter 2: Violence Against Women**

### **2.1 Law and Violence Against Women**

Violence against women (VAW), was not acknowledged as a human rights violation by the domestic and international community for a number of years. VAW was first addressed at the United Nations Nairobi conference in 1985. This was the first time violence against women was connected to the establishment of peace in war torn regions. "Violence against women exists in various forms in everyday life in all societies. Women are beaten, mutilated, burned, sexually abused and raped. Such violence is a major obstacle to the achievement of peace and other objectives" (Datta, 107). This acknowledgement provided a legal basis for punishment for crimes against women. However, VAW was not recognized as a violation of human rights until 1993. The World Health Organization (WHO) reports that "violence against women and girls is a major health and human rights issue" (WHO, 2009). The Convention on the Elimination of Discrimination Against Women (CEDAW) was an important development in the recognition of women's rights. CEDAW, "specifically obligates state parties to take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise" (Briceno, 52).

Since 1979, rape as a weapon of war has been considered a crime. Following these steps, the Declaration of the Elimination of Violence was adopted in 1993. It stated that, "any act of gender based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to

women, including threat of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life” (Briceno, 52). These are some of the legal steps taken by the international community to address and combat violence against women.

## 2.2: Violence as a Weapon



Women have been subjugated to violence in Kashmir for the past two decades from Indian Security forces as well as rebel groups. A study conducted in 2005 concluded, “There can be no two opinions that the women of Kashmir during the past two decades have been in the vanguard and have been fighting battles against all kinds of injustices and crimes against humanity committed by the State and by some dubious non-state actors” (Dabla,1). Although violence

against women has been prevalent in Kashmir for a number of years, it has been difficult to gather data on the number of women who have been tortured, raped and killed, as Kashmir has not had a census since 1981. Butalia notes, “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” (xv). Government data does not coincide with information supplied by human rights groups and activists. Although there is a lack of numerical data, the fact that women are being physically and sexually abused and tortured cannot be ignored. Nyla Khan notes, “numerous cases of rape are reported to have been committed by Indian security forces... a number of women have been ruthlessly violated by members of the paramilitary troops” (Khan, 101). In 1991, more than 800 soldiers of the Fourth Rajput Regiment raped 23-60 women in the course of one night in Kunan Poshpura. The Indian soldiers under the guise of interrogating local men raided the village and proceeded to separate the women and sexually abused them. Another incident took place in South Kashmir where an Indian army commander and his bodyguard raped an underage girl. A case involving a young bride is especially disturbing. The young girl was on her way to get married, dressed in bridal finery, when paramilitary personnel stopped her. They proceeded to rape her and kill the men who were escorting her to her groom (Dewan, 150). As in many other reports of rape, these cases have gone unnoticed by both Indian and Pakistani governments as well as the international community. As a result, the perpetrators were never brought to

justice and continue to serve for the Indian army and rebel groups (Ramachandran, 40-45).

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

### **2.3 Religious Influence**

According to Sudha Ramachandran, "In ethnic and nationalist struggles, women are regarded as the couriers of cultural and ideological traditions. Women are expected to dress and behave in ways that are prescribed by tradition" (22). In Kashmir, the militants have imposed traditional dress on women. Since the late 90's they have insisted that women cover themselves up with the *burqa* as it is viewed as a "part of Islam" (Ramachandran, 20-23). If women are seen outside without proper attire, they are attacked. Women who chose not to cover their hair or wear trousers have experienced acid and paint thrown on their faces. Militants have also shot women in their legs to teach them a lesson. Women are required to dress simply so as to not attract attention of men. As a result, there has been a

backlash against cosmetics and beauty shops. The draconian methods employed to enforce the *purdah* in another way through which the militants extend their control over Kashmir (Khan, 110).

By rendering women powerless, the long-term impacts are devastating. Many of the women who have experienced violence are suffering from post-traumatic stress disorder and live in constant fear of further attacks. Since the threat of violence comes from Indian security forces as well as Islamic paramilitary groups, it is difficult to identify a specific individual or group as an attacker. This has led to an immense psychological burden carried by women. With access to birth control and abortion restricted, women have been gradually losing more of their freedoms. The patriarchal society has grown stronger with men having much more power and control over women's choices in dress, reproduction and marriage. The clear delineation of gender roles in Kashmiri society has further alienated women. Ray concludes, "When women disobey the 'orders' given by men, they become victims of abuse and humiliation within their community and are completely segregated." (16). Isolation has become a common practice in Kashmir. Women who are deemed "bad" are looked on scornfully by society and are segregated from the rest of the community. Due to the heavy fundamentalist influence, women who choose to wear jeans, makeup or not cover their heads are labeled as "fast women".

This label also extends to women who have been raped. Women who have been raped are shunned by family members and are considered tainted and dirty. Ramachandran notes, "raped women are thus victimized by more than

one aggressor-the rapist and then their own society” (20). In the case of the women raped in Kunan Poshpura, most of the women remain unmarried ten years after the atrocities took place. The village has become known as the “village of the raped women”. The few that managed to get married were married off to men significantly older and are subject to being called vile names when they do not do what they are told. The stigma attached to this village and women who have been raped can never be shaken and extends to their children as well. In one case, a woman who was raped in Kunan Poshpura was unable to arrange marriages for her daughters as they too were seen as tainted. Her eldest daughter who was married at the time of the rape was sent back to the village, as her husband did not want to be married to someone who was from the “village of raped women” (Butalia, xxii).

The experiences suffered by these women give us a glimpse into what life in Kashmir consists of for the majority of the women. They suffer abuses directed at them by their own family members, men in the community as well as Indian Security forces and rebel groups. By analyzing the situation faced by Kashmiri women, it is apparent that violence is used as a weapon in conflict situations. Butalia writes, “rape that targets women as the cultural markers of their community, and is then used to humiliate the community through their women” (xvii). Rape is used by both sides of the law to strike fear and demoralize the community. “Protected by their power, and the Draconian laws under which they operate, and protected also by their guns, they use rape, as it has traditionally been used, as a weapon to humiliate the community through the violation of its

women” (Butalia, xvii). An example of the failure of the justice system can be seen through the investigation into the Kunan Poshpura rapes. The Indian government and the Press Council of India designated a fact-finding team to determine what really happened. After an investigation that lasted half an hour, the team concluded that the women had lied about the rapes. This is one example that demonstrates how the legal system has failed to protect Kashmiri women from their perpetrators (Butalia, xvii).

## Chapter 3: Agency

The previous chapters have outlined the background and the status of women in Kashmir as well as lay out some causes as to why the situation has worsened. Delving further into the research will help make the argument that ending violence against women in Kashmir is a step towards establishing long-term peace in the region.

Amartya Sen writes, “the most important argument for focusing on women’s agency may be precisely the role that such an agency can play in removing the iniquities that depress the well being of women” (191). Sen, observes that when women are given the opportunity to earn independently and to work outside their homes they are empowered by their positive contribution to society. By working outside the home, women are positively contributing to their families with an added income, which leads to an overall better prosperity for the family. This in turn leads to less dependence on the male head of household. Having a source of income is also beneficial as it gives women a voice in their households and in the larger community. Sen concludes, “economic independence as well as social emancipation-can have far reaching impacts on the organizing principles that govern divisions within the family and in society as a whole” (192). This twofold approach to geared towards agency will be beneficial to Kashmiri women as it will give them a voice in their homes and economic independence. Since Kashmiri society is patriarchal, the opportunities that will open up for women through agency oriented jobs will be beneficial in giving women a voice now and for future generations.

The spillovers of women's literacy can be observed in other aspects of family life. "Female literacy is found to have an unambiguous and statistically significant reducing impact on under five mortality" (Sen, 197). As women become more literate, they become more aware of issues relating to their children. Health outcomes, nutrition and other important aspects are improved through women's literacy. Women are also more aware of what resources are available in terms of advocacy if they or someone in their community is the victim of abuse. Rita Manchanda notes, "making the Kashmiri women's many -sided experience and response to conflict visible, that is creating new roles and meanings-from icon to agency-may be a step a step towards getting women to be taken seriously" (96). She notes that this is a necessity if conflict transformation is to take place in Kashmir and supports the assertion that a bottom up approach to the problem would be beneficial.

Empowering Kashmiri women goes hand in hand with a change in governance and an end to the conflict. Khan notes that "empowerment is a process that enables the marginalized to make strategic life-choices regarding education, livelihood, marriage, childbirth, sexuality" (114). For women to be successfully empowered in a patriarchal society, the core ideals of the society need to be re-examined. Violence against women is common in a patriarchal society during war and peace and therefore the root cause of the problem must be addressed. In her research, Krishna Misri found that one way women were taking control of their lives was through agency-oriented jobs. For example, Parveena Ahagar was desperate to find news on her missing son. Having tried

the usual channels for information she found that there was no organization set up to handle cases of missing persons. Therefore, she created the Association of Parents for Disappeared Persons. The Association has become an important resource for people searching for their loved ones. Additionally, women have become involved in self-help groups for victims of rape and widows (Ramachandran, 11-45). Others have become involved in social activism. Agency-oriented roles such as these are successful as they mobilize women and include them in the political process.

One such success story has been the organization of *Jammu and Kashmir Markazi Behboodi Khwateen*. The purpose behind this group is to provide women with literacy skills, training in arts and crafts and to understand the benefits of health care (Manchanda). Once women learned a skill and became more educated, they became more involved in their community. Economic empowerment is a powerful tool that leads many women to become businesswomen and activists. Additionally, once a woman is better educated they are more likely to understand the importance of nutrition and education for their own children. Success stories such as these are examples of Sen's argument that economic independence will lead to social independence. This particular organization is operating on a small scale but it is providing women with basic skills needed to succeed on their own.

In Kashmir, the patriarchal society, the general lack of law in addition to fundamentalism has all combined in propagating violence against women. Women were viewed as second-class citizens before the conflict reached this

magnitude. The situation for women worsened as the conflict became more widespread. Women were expected to fulfill certain roles within the family and society such as bearing children and staying home to look after the children when the husband went to work. Due to low societal standards, women's literacy was not taken seriously. Therefore, most women only have a third grade education. With marriage and children thrust upon them, women became dependent on their husbands for living expenses. If their husband was captured or mysteriously went missing, the women were often left helpless. These women are the most vulnerable to violence, as they do not have the protection of a male figure, which is essential in Kashmiri society. In her discussion of women in South Asia, Nyla Khan writes, "native women are constructed as a trough within which male aspirations are nurtured, and the most barbaric acts are justified as means to restore the lost dignity of women" (112). Since the woman's body is considered a part of the community and not her own, an attack on the body is considered as an attack against the entire community. That is why rape is such a powerful weapon in Kashmir. By attacking a woman, the security forces and rebels are decimating the culture and morale of all Kashmiri's. The power that is generated by these attacks is tremendous. Women who have been raped become outcasts in their own families and communities and can never live down the stigma attached to being a victim of rape.

Currently, steps are being taken by the international community to combat sexual violence against women in situations of armed conflict. Sexual violence against women in armed conflict was addressed in a resolution adopted by the

United Nations in 2009. UN Secretary General Ban Ki- Moon stated, “Sexual violence – in armed conflict or, indeed, at any time – should have no place and find no haven in our world...We must all do our part to fight and end discrimination against women and girls.” The resolution calls on states to implement certain measures that include bringing perpetrators of sexual violence to justice and to ensure that survivors of the violence have the access to justice they deserve. UNDP Administrator, Helen Clark, noted “It is important to provide women and children traumatized by these crimes access to justice, and to end the impunity afforded to perpetrators...it is also important to work with grassroots organizations, both in the prevention of and response to sexual violence.” This acknowledgement by the international community is an important step forward in combating VAW. However, in the case of Kashmir things are not as clear-cut as getting state actors to agree to the measures in the resolution.

First, the problem for Kashmir is that there are two state actors involved. India and Pakistan are bitterly divided over the region and it is extremely difficult to get both actors to agree on anything related to Kashmir. Also, if both actors do agree to the measures asked for by the UN, who is to implement these measures? Which government will take it upon itself to execute and monitor the programs implemented? Although these resolutions are important as they acknowledge the problem, the implementation is the most crucial and difficult part. This is where grassroots organizations and NGO'S become important. In addition, the women are themselves the greatest resources as only through collective action can real change be brought forward.

In an article published by the UN the author states the following:

“Widespread and systematic sexual violence also hampers sustainable post-conflict recovery. It does so in at least three ways: first, it undermines social stability by destroying families and communities; second, the fear of sexual violence restrains women’s mobility, leading them to retreat from economic activity, and causing girls to stay home from school; third, when perpetrators of sexual violence go unpunished, efforts to establish faith in the State’s ability to protect its citizens and establish the rule of law, is seriously undermined (Goetz, 1).

Although Kashmir is not at the post conflict recovery stage, this quote brings together important concerns that must be addressed for women in Kashmir. If a political peace agreement was to be reached for Kashmir, there will have to be acknowledgement of the crimes committed against women during the war. It will be difficult for India to offer protection for the Kashmiri people if the IDF forces were in fact a part of the problem. The first step should be acknowledgement that the crimes did occur as well as punishment for perpetrators. If such measures are not taken, the cycle of violence will continue with no consequences. Another matter for concern is fear; fear of rape deters women from taking an active role in their communities. Fear prevents their daughters from attending school and receiving a much needed education. Table 3.1 below shows the dropout rates for children in Kashmir. The numbers are undoubtedly high for both sexes, but there is a significant increase in the dropout rate for girls between grades 6 and 8. Although the high dropout rate could be attributed to a multitude of factors, the age of the girls in these grades are significant. Girls in their early teens are more susceptible to violence especially in rural areas and parents fearing for their safety pull them out of school. The data

shows that more than 50% of the female population dropout during these grades. Therefore, approximately half of the female Kashmiri population is not equipped with the skills necessary to advance to higher education and a better status in life; statistics for boys are equally low. The low dropout rates for girls do not bode well for a better future. If both boys and girls are not getting past grade 5, the region faces a questionable future with a low level of literacy among the citizens.

Table 3.1

Dropout Rate of children in Kashmir

Year	Class	Boys%	Girls%
1990-1991	1-5	40	45
	6-8	20	53
1996-1997	1-5	37	43
	6-8	17	52

Source: Mumtaz Soz, Director of Education, Jammu and Kashmir State Government, Srinagar, January 1999.

## Chapter 4: Global Connections

The world is fast becoming a smaller place as globalization takes effect. Technology and free trade has led to greater global connectivity. The impacts of living in a globalized world have its benefits and consequences. One such benefit is observing events occurring or that have occurred in other parts of the world and taking away important lessons so the same issues can be prevented in the future. Women all over the globe suffer persecution and violence at the hands of oppressive governments, rebel groups and religious zealots. There have been many case studies around the world where women were the targets of violence. Examining two such case studies will help build a clearer picture of the violence faced by women around the world and show how violence against women has been globalized.

### 4.1 Sri Lanka



One such country that has been plagued with war and violence is Sri Lanka. For the past twenty-five years, the country has been divided by fighting primarily in the North. The civil war has brought the plight of women living in the North and East to the forefront and was a cause for great concern as the situation deteriorated during the last few months of the war. In many families, survivors of the violence have been women. This has forced women to take on the role of head of household and provide for their children and other family members. Although this could have positive outcomes, the plight of these women has been especially bad. They are instant targets of sexual abuse especially in the Internally Displaced Persons (IDP) camps. Most women hide behind the veil of secrecy and do not report instances of abuse for fear of bringing further harm to themselves and their families. Additionally, women who have been forced to become the breadwinner have a difficult time providing for their family because they do not have skills necessary (Sri Lanka, 55). In their assessment of the conflict, the Asian Development Bank (ADB) noted that action must be taken to combat the abuses against women. The ADB concluded that women must be an integral part of reconstruction and rehabilitation efforts. Therefore, the Needs Assessment document of the Poverty Reduction Strategy “recognizes the key role of women as economic actors and in social development, the need to mainstream gender issues ‘to the extent possible,’ to pay special attention to single-headed households and the human rights of women affected by gender-based violence”.

To address the problem of poverty in female -headed households, women

must have access to income earning opportunities. As these women get back to their lives it is imperative that they are given the resources to make a living. As many do not have vocational skills, it would be beneficial to provide a few classes to teach them basic skills. ADB has identified a need for small loans to the poorest and most vulnerable. The loans can be used by women to develop a particular skill or to startup a small business. This loan in addition to the skills learned would give women a better chance of providing for their families and boosting capacity (Sri Lanka, 50). Although this program has begun in the region, there is no recent data to examine the progress. The success can be measured by how many women take out the loan and what they choose to do with the money. Since vocational training takes a few months, data will be available next year as more women get back to their lives and away from the camps. Focusing on the gender issue in this area will be most beneficial in taking steps forward. First, gender permeates all other issues. Women are integral to creating a sustainable environment in the North and East. Giving women the tools to succeed will create more jobs and stimulate the economy of the region. Additionally, women can market their skills and become more than simply a housewife. The concept of “feminization of poverty” holds true in Sri Lanka. Higher proportions of women are considered poor in comparison to men. Additionally, higher rates of life expectancy leave many elderly women with nobody to care for them (Sri Lanka, 54). Therefore, social programs need to be expanded to provide for destitute women and the elderly.

These are some of the problems that have affected and continue to affect

women living in the Northern and Eastern provinces in Sri Lanka. Although the civil war ended last year with the death of many of the rebel leaders and the subsequent government victory, the status of women needs to be a topic that is concentrated upon as the country rebuilds and attempts to successfully integrate Tamils into society.

Several parallel's can be drawn between the situation in Sri Lanka and Kashmir. In both case studies, women were found to be extremely vulnerable to abuse at the hands of outside perpetrators and lacked the resources to advocate for themselves. Additionally, the patriarchal society contributed to many women being silenced on situations surrounding violence. In both cases, observers called for agency-oriented jobs that would give women a voice in their families and communities and ensure they have an important part in rebuilding their communities.

## 4.2 The Congo



Another case study where women's rights were severely compromised was in the Democratic Republic of the Congo. In a report produced by Oxfam the author notes, "rape was being used as a weapon not only to degrade women, but to humiliate their husbands and whole communities" (McCabe, 1). The situation became so bad that often death was preferred to the horrific consequences suffered after the rape.

Alvin Powell notes,

"Those that don't die of their wounds tell stories of horrific atrocities, of gang rapes, of beatings, of stabbings, of violation with gun barrels and pieces of wood; of husbands, fathers, and sons being beaten, forced to watch, or lying dead nearby. They tell of kidnappings and sexual slavery, all perpetrated on women and girls no matter their age" (Powell, 1).

The Sydney Morning Herald writes, "These aren't just random acts of grotesque inhumanity; it is the systematic sexual and social destruction of whole populations in eastern Congo. And little, it seems, is being done to stop it" (Harris, 1). The situation in the Congo has led to Yakin Erturk, special rapporteur for the United Nations Human Rights Council on Violence Against Women, to declare that the sexual violence in this region was the worst she had ever seen. In an address to the General Assembly, Ertuk declared that the situation amounted to war crimes and crimes against humanity (Powell, 1).

The crimes are committed by Congolese military personnel as well as regular members of the community. With no deterrence and no consequences for their actions, the power wielded by these men is widespread. The root of the problem is the view of society that women are inherently inferior to men (McCabe, 1). This coupled with a weak judicial system has led to women being

treated as objects. If perpetrators are arrested for their crimes they can pay off the prison guards and be set free. The system also creates mass fear among women, as most women do not want to identify their attackers for fear of revenge. Women who are the victims of rape are outcasts in society. If married they are cast off by their husbands and young girls can never shake the stigma associated with being the victim of rape. Another consequence has been the spread of HIV (McCabe, 1). If a woman is found to be HIV positive they are further marginalized. Shunned by their community, these women have to find a way of supporting themselves. Another health consequence of rape has been a growing number of women with fistulas. In brutal gang rapes, perpetrators insert foreign objects into the body causing bodily harm. Therefore, an obstetric fistula is caused by the trauma. This caused a hole to form through which urine and feces pass uncontrollably. This can be easily fixed with surgery but women in the Congo are in short supply of doctors and surgeries. Therefore, they are further marginalized by society as the smell caused by the fistula is overpowering. In most cases, women with fistulas are ordered to live at the edge of the village so the smell will not enter the living quarters of the villagers (Nordland, 2006).

Giving women in the Congo the tools to help themselves has become extremely important. Oxfam has partnered with Congolese women to provide agency-oriented jobs that help women learn important skills. One such organization is Union des Femmes pour le Developpement. This organization is getting to the heart of the issue by educating community members on the

detrimental effects of social stigma. The group is also teaching victims of rape important skills such as basket weaving that can be marketed and in turn can create revenue for the women. Giving women a voice and teaching them life skills is crucial as it builds self-esteem and encourages women to speak out against the atrocities being committed.

The situation of violence against women in the Congo is another stark reminder of how little attention is paid to helping the victims of rape. Poor judicial practices, lack of accountability and cultural practices combine to help the perpetrators of the crimes rather than the victims.

The solution to the problem in the Congo lies with adopting an integrated approach. Similar to Kashmir, many reasons contribute to the situation and they must each be addressed to come up with a solution for the future. Examining the situation in Sri Lanka, the Congo and Kashmir brings to light the dire situation faced by women in developing nations. These three examples are case studies that represent the most horrific violence sustained by women. However, there are many other nations and communities around the world facing similar situations. The conclusion that can be drawn by examining these case studies are that all three areas although in different parts of the world represent what is wrong within societies. The view that women are inferior to men, the tool of rape as a weapon in war and a weak system contribute to human rights abuses that are virtually unnoticed by the globe.

## Chapter 5. Conclusion

Eqbal Ahmad writes,

“India and Pakistan have fought three wars and carried on an exorbitant arms race which now includes nuclear bombs and missiles. Full -scale war may break out again as the two countries’ armed forces come to blows almost weekly across the Line of Control in Kashmir. Their open hostility barely masks the identical failure of India and Pakistan to provide for the basic needs of citizens for food, employment, transport, housing and education” (403).

Ahmad gets to the heart of the argument over Kashmir. In their stubbornness over Kashmir, both India and Pakistan have failed to protect its citizens. The long complicated history over the region has resulted in three wars being fought. Various leaders in both countries have tried and failed to reach a bi-lateral agreement. Currently, the countries have agreed to a shaky cease-fire that could be broken any moment by either state. As India moves ahead and establishes herself as a prominent state actor the fact remains that grave human rights abuses are taking place within a region controlled by India with no acknowledgement by the state. As Pakistan deals with terrorism and fighting along the Afghan border, Kashmiri’s suffer in silence.

This long-standing and intractable problem offers no hope for the future. Communities have been destroyed by war, hunger and lack of basic needs. The group most vulnerable to the violence is women. Women in Kashmir are the victims of grave crimes against humanity. Using rape as a weapon, perpetrators go unpunished. The non -existent judicial system is far from a deterrent. Women are also victimized in their own communities after being abused as the stigma attached to being a raped woman is far reaching. If a woman survives the rape

they are shunned by their community. Women are viewed as being “dirty” and therefore are not marriage material.

Currently, these are the conditions affecting women in Kashmir. The solution to the problem is adopting an integrated approach to the problem. India and Pakistan have to come together and help Kashmiri's as development cannot be implemented by one state. However, this goal seems virtually impossible in today's political climate. Therefore, the change must come from below. Only through a bottom up approach can true changes be brought to Kashmir.

Empowering women is the first step towards this goal. Agency is critical as it teaches women important economic and social skills that they can channel into positive changes within their own lives and the community. Sen writes, “the extensive reach of women's agency is one of the more neglected areas of development studies, and most urgently in need of correction” (203). Women's agency has far reaching consequences. As a woman becomes a part of the economic cycle, she becomes more aware of important issues such as nutrition, birth control and equality. Having a job also ensures the woman a voice within her family and larger community. Issues that negatively affect women will be brought to the forefront and changes can be implemented.

Education must become a top priority and the patriarchal system must be challenged. Only through successful integration of women into the workforce and community will issues that affect women be brought into the limelight. This is where the work of Non Governmental Organizations (NGOs) becomes crucial. By supporting efforts for agency and by working with the community to teach women

important life skills a slow change will start occurring within society. Kashmir has a long way to go in ending the problem of violence against women. However, if these steps are implemented progress will be made.

Although the focus was on Kashmir the case studies of Sri Lanka and the Congo give us valuable insight into a growing global problem. Women are victims of violence all around the globe. The globalization of violence is an alarming epidemic that must be dealt with by all state actors. The three case studies are examples of extreme cases of violence against women. However, they are not the only cases. As the world becomes a smaller place it would seem that atrocities such as these would become less. However, that is not the case. It is difficult to imagine that as global citizens we allow these atrocities to take place. Action must be taken in the global stage to condemn and prosecute perpetrators of violence.

Globalization is bringing people closer together and we as global citizens must take it upon ourselves to not sit idly by and allow mass atrocities to occur. As Jeffrey Sachs wrote, "Let the future say of our generation that we sent forth mighty currents of hope, and that we worked together to heal the world".

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