

**BETWEEN DEMOCRACY AND NATION:
GENDER AND MILITARISATION IN KASHMIR**

By

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of the requirement for the degree of**

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Abstract

This thesis focuses on the militarisation of a secessionist movement involving Kashmiri militants and Indian military forces in the north Indian state of Jammu and Kashmir. The term militarisation in this thesis connotes the militarised state and, more primarily, the growing influence of the military within the state that has profound implications for state and society. In contrast to conventional approaches that distinguish between inter and intra-state military conflict, this thesis analyses India's external and domestic crises of militarisation within a single analytic frame to argue that both dimensions are not mutually exclusive but have common political origins. Kashmir, this thesis further argues, exemplifies the intersection between militarisation's external and domestic dimensions. Focusing on the intersection between both dimensions of militarisation in Kashmir, this thesis illustrates that the greatest and most grievous price of using the military for domestic repression in Kashmir and for military defence of Kashmir without (vis-à-vis Pakistan) is paid by Kashmir's citizens and society. Drawing on women's subjective experience of militarisation, this thesis highlights the intersection between state military processes at a 'national' level and social transformations at the local/ societal level. By way of conclusion, this thesis argues that Kashmir's humanitarian tragedy – exemplified by its gender dimensions – underlines why militarisation and over Kashmir has failed to ensure 'security' for the state or security and justice for Kashmiri citizens. A decentralised, democratic state with a plural concept of nation and identity, this thesis suggests, is the best safeguard against use of the military for domestic repression within and the extraordinary military and nuclear consolidation of the Indian state without.

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Chapter 1

Background, Limitations and Summary of Research

This research focuses on the militarisation of a secessionist movement involving Kashmiri militants and Indian military and paramilitary forces (hereafter referred to as the military) in the north Indian state of Jammu and Kashmir¹ (hereafter referred to as Kashmir). Between 80,000 to 100,000 people have been killed in Kashmir since the beginning of the crisis in 1989-90. In the year 2007, the conflict entered its seventeenth year with little hope towards cessation in the violence or human rights abuse that characterises militarisation in Kashmir. The term militarisation in this research connotes the crisis *of* the militarised state *and*, more primarily, the growing influence of the military *within* the state that has profound implications for state and citizen.

The end of World War II and the decline of colonial powers led to the emergence of a number of new states in the Global South based on the model of the European nation-state. This model centred on the concept of state security from external threat that was assumed to be predominantly *military* in nature (Azar and Moon 1988a, 3). The idea of military security was based on a realist interpretation of world politics premised on the assumption that states exist in an ‘anarchic’ world that, in turn, demands the possession and consolidation of military force in order to resist or deter attacks from rival states. “Such logic dictates that each nation develop, maintain and exercise coercive... power...The capacity to coerce, kill, and destroy becomes the important source of power, and thus the pre-eminent safeguard for national security” (1988a, 4).

¹ The conflict is situated in the Kashmir Valley in the north India state of Jammu and Kashmir. The term Kashmir here refers to the Valley, bound by the Jhelum River in the North to the town of Anantnag in the southeast. The Valley of Kashmir lies between the Himalayan Pir Panjal and Karakoram mountain ranges.

A range of states in Global South (including India) replicated dominant ideas of military security to reinforce the global trend towards militarisation for external defence. Militarisation for external defence, as Keith Krause notes, is “*systemic*, in the sense that it serves to reinforce militarisation at a systemic (international) level where both “Northern and Southern states participate in [a] ‘global military order’” (Krause 1996, 174). Critiques of militarisation – particularly during the Cold War decades – focused on its (external) military-strategic dimensions to underline the dangers of states’ attempt to seek ‘security’ through military means. These analyses highlighted the political and economic integration of new nation-states in the Global South within a Western-dominated global military-industrial order. While the demise of the Cold War signalled the end of a super-power rivalry defined primarily in military and nuclear terms, its implications for the Global South were not so profound. As Paul Bracken notes “the Cold War shaped Europe much more than it did Asia” (1999, xv). As Europe – “the locus of so many major wars” (Bracken 1999, 2) – became more secure and cut back on its armed forces, a range of states in Asia (China, India, Iran, North Korea, Pakistan) embarked on military (and nuclear) programmes.

In contrast to Western nation-states, military consolidation in the Global South was not driven *exclusively* by identifiable external (military) threats to the state but by a range of non-military/political factors. While a modern, professional military was a symbol of state sovereignty in the Global South in the immediate post-colonial period, this symbolism was subsequently overtaken by bombs and missiles as the new markers of modernity and nationhood. For instance, in Asia, Chinese testing of nuclear weapon in 1964 was matched by India in 1974 (Bracken 1999, 91). Further, as Paul Bracken notes, the pursuit of weapons of mass destruction by states such as India derived from a convergence between nationalism and newly destructive technologies where “mass politicisation of military competition...creates an overwhelming impulse to catch up, even if there is no catching up to do” (1999, 90). “Nationalism” in the Asian context, as Bracken argues “has made a second nuclear age” (1999, 93).

As mentioned already, among the modern institutions adopted by newly-independent states in the Global South was a professional military meant to defend the state against external threat. The actual role of the military in a great number of these states, however, has not been restricted to that of external defence. On the contrary, in many states across the Global South, the military is used to neutralise *domestic* challenges to the state.

While the nature of these challenges is diverse and historically contingent, what is of interest here is the *negotiation* of these challenges through military rather than institutional means – a trend that propels the military into an increasingly political role *within* states in the Global South. States' use of the military for domestic repression unfolds in ways such that "the very fabric of social life is torn by violence against civilians" (Kumar 2001, 7). In contrast to conventional, classic war where the military was subject to the laws of war designed to minimise direct violence against civilians, militarisation in the domestic context is neither subject to nor circumscribed by international law. The domestic variant of militarisation includes not only direct violence against civilian by the military but also patterns of gendered abuse such as rape – both of which constitute part of the *methodology* of war.

Direct violence (by the military) against citizens opposed to the state – including arbitrary detention, extra-judicial killing, torture, rape and sexual abuse – "profoundly affect the social, economic, and political status, roles and responsibilities of women and alter their relations with men during and after conflict..."(Kumar 2001, 7). In short, the domestic crisis of militarisation exerts a decisive and long-term influence on the societies within which it unfolds.

While the acquisition of arms and weapons by states across the world including the Global South constitutes an important and compelling area of analysis, the focus on militarisation's systemic (global) dimensions is often at the cost of the unit (national/state) level of analysis. This point is particularly significant vis-à-vis the Global South where a pattern of extraordinary military consolidation – ostensibly

for national defence – together with an increasing political influence (or dominance) of the military *within* is not so much a response to an imminent *military* threat to the state but influenced by *domestic* political considerations. Indeed, ever since their emergence, states in the Global South have witnessed wars that relate to state-formation and nation-building (Goor et al 1996a, 1).

These wars, as just explained, involve the military yet represent a departure from the norms, rules and conduct of classic, conventional war. “In contrast to the ‘classical’ inter-state wars which prevailed from the nineteenth until the early twentieth century, the various internal social conflicts now constitute the predominant form of war” (Jung et al 1996, 57). As Donald Snow writes: “One of the most dramatic ways in which the post-Cold War world differs from the Cold War international system is the pattern of violence that has been developing. Warfare in its most traditional sense has virtually disappeared from the scene...A different, darker pattern of violence has begun to emerge...These wars...seem...less principled in political terms, less focused on the attainment of some political ideal” (1996, 1). They constitute what this study refers to as the *domestic* crisis of militarisation *within* states in the Global South that has explicitly political (non-military) origins. Militarisation, as Roland Simbulan notes:

is the process of using the military ...to suppress the people’s just demands for a humane society. It logically connotes human rights violations by the physical presence or even saturation of soldiers ...a situation which, to the general perception, implies and results in coercion...The main pretext of militarisation is the achievement or maintenance of ‘political stability,’ national security,’ or other similar goals but whose real purpose is the maintenance of the regime in power (1988, 38).

The term militarisation is used across the disciplines of International Relations and Political Theory. Whereas in the former it is used with reference to the external military behaviour of states, in the latter it is employed in relation to the (domestic) institutional dimensions of state violence. Both are assumed to be mutually exclusive categories. This study however does not conform to this categorisation. The argument here is that military consolidation of the state (in the

Global South) *and* the growing political influence of the military within it are inter-linked processes. Accordingly, this research situates militarisation *of* and *in* the state within a *single* frame of analysis.

The case of India in this regard is particularly interesting. India's initial rejection of the normative icons of militarisation i.e. nuclear weapons was influenced by the themes of Nehruvian internationalism and Gandhian non-violence (Cohen 2001, 161). Paradoxically however, a state that achieved its independence by peaceful means and committed itself to the principles of peace and disarmament subsequently appropriated the weapons of mass destruction it had rejected. This transformation, this study argues, is the outcome of constructions and imaginings of the 'nation' and 'national 'power' that have a historical presence in Indian society (Roy 2003, 336).

Further, the idea of a (militarily) powerful 'nation' in the Indian context is underpinned by the construct of a centralised, *unitary* state and a "fictive homogeneity...predicated on the belief that each unit of territory is ideally occupied by a singular conception of the national citizen" (Krishna 1999, 231). This construct of state and nation is, in effect, a replication of the European model of the nation-state that is at odds with India's ethnic and cultural diversity. For precisely this reason, "the quest to 'secure' the nation is premised practices that that generate the multiple insecurities that unravel the nation even as it is being made" (1999, 209).

Kashmir exemplifies the intersection between militarisation for external defence and the use of the military for domestic repression that has transformed the Indian state into a source of deep insecurity for its citizens and converted the Indian military into an illegitimate agent of repression. Both, in turn, seriously undermine the democratic credentials of the state. In contrast to conventional approaches, this study illustrates militarisation in and over Kashmir as a complex, multi-dimensional, intersecting process: as a military impasse between the states of India and Pakistan with nuclear overtones, as a war between Indian soldiers and Kashmiri militants, a war between the Indian soldiers and militants supported by the state of Pakistan and

last, but by no means the least, as a war waged by the Indian state (i.e. the military) against Kashmir's citizens.

The primary focus of this study is Kashmir's citizens and society and in this respect it constitutes a departure from conventional analyses. By focusing on Kashmir's civilian dimensions, this study illustrates a contemporary context where militarisation *includes* yet also *transcends* its military-strategic and/or institutional dimensions. In effect, this research highlights that state military processes are not separate from but embedded *within* society. Militarisation in Kashmir – characterised by military consolidation, nuclear nationalism, the use of the military as an agent of domestic repression, the dissolution of civil-military distinctions, the destruction of civil society and gender transformations – cannot therefore fit within andro and state-male-centric theoretical perspectives. Indeed, such frameworks “legitimate a way of thinking about violence and conflict that...misses the dynamics associated with the actual experience of violence” (Nordstrom and Martin 1992, 4). This is not to deny or understate the importance of Kashmir's institutional/ military-strategic dimensions but to emphasise their deep and enduring intersection with Kashmir's society.

By placing women's subjective experience of militarisation at the centre of the analytic frame, this study highlights the intersection between state military processes at a 'national' level and gender transformations at a local/societal level. In contrast to dominant approaches that attempt to fit empirical reality within a particular theoretical framework, this study utilises women's experience in Kashmir to inform and widen theoretical perspectives on militarisation. “Field reality as presented here speaks simultaneously as context and theory. Interpersonal social interactions, state formations, and international power relationships are connected in the field context in ways ...[where] theory is drawn into the process of reflecting on ‘the causes, significance and implications of experience’” (Nordstrom and Martin 1992, 5). To quote Nordstrom and Martin again, a gender analysis illustrates that militarisation of and within the Indian state is “embedded in [political] and social processes...and cultural realities of the population at large” (1992, 5). Finally, a gender frame serves as a reminder that “the... task of the responsible intellectual

[is]... to make sure that the binary frame narrative does not pre-determine articulation of the experience (Cooke 1996, 40).

Methodology

Research Location: Srinagar

Srinagar is the capital of Kashmir. Apart from its importance as a capital city, Srinagar is an important historical, political, cultural and educational centre and is home to press and media offices, major political parties and militant factions, non-government and civil society organisations and the University of Kashmir. Srinagar is also an important centre for Kashmir's Sufi traditions. The 1990 revolt centred on and was influenced by events in Srinagar.

This research is not intended to be a representative study. By focusing on the experiences of a small group of women (and a smaller number of men) in Srinagar during the 1990s, this study illustrates the social and gender dimensions of militarisation in Kashmir. While I do not claim this experience to be the only valid experience of militarisation, I use it to highlight the deep and enduring intersection between militarisation in Kashmir and Kashmir's citizens and society.

Field research for this study was conducted during March – September 2004 and March – April 2005 in Srinagar. Primary data includes a total of 31 interviews (see Appendix for details) including 23 interviews with Kashmiri women, two group discussions with students and staff members of Government College For Women, Srinagar, four interviews with Kashmiri men and two interviews with officers of the Indian Army. My interviews with women and members of civil society were in-depth semi-structured whereas interviews with officers of the Indian Army followed a structured format. All except two interviews were conducted in Urdu, in Urdu, my mother tongue. In both instances, simultaneous translation from the Kashmiri was provided by Tahir Ahmed Mir.

Selection of Interviewees and other Details

The selection of interviewees was a considerably long-drawn process. It took some time to get used to the pervasive and intrusive military presence and familiarise myself with the centre and suburbs of Srinagar city. I had requested permission to stay on the campus of the University of Kashmir, Srinagar, but was informed by a professor who had forwarded my request to the Vice-Chancellor of the University that the latter had objections regarding my research on 'militarisation'. I therefore had to seek private accommodation with a local friend that was facilitated and arranged by the Jammu and Kashmir Coalition for Civil Society (JKCCS).

My daily interaction and voluntary work with JKCCS, visits to the Department of Sociology, University of Kashmir, the university library and meetings with acquaintances and friends in the city introduced me to an initial group of male and female interviewees. An initial selection of seven interviewees (six female and one male) and one group discussion was from this group. All female interviewees in this group came from an upper/middle-class background while the lone male interviewee was a human rights activist from Delhi, working with the JKCCS. Initial interaction with the interviewees was followed up by subsequent meetings at their residence during which I explained my own background, motivation for conducting the research, a written undertaking to protect the identity of interviewees and explicit consent for incorporating their words in my thesis. My interviews with members of this group which included teachers and students at the University of Kashmir, Srinagar's Government College for Women, an ex-principal of the same college and a well-known female human rights activist-cum-academic at the University of Kashmir, were relatively easy after the initial introductory session. The interviews were conducted during March – July 2004 and took place more or less on schedule with little logistical difficulties.

Having completed the first round of interviews which focused primarily on women from privileged backgrounds, it was subsequently easy for me to balance this by focusing entirely on working class/underprivileged women in the second phase. The second, more intensive phase of interviews, focused on eight women from underprivileged/ poor backgrounds. This class, as mentioned in the study, has not

only borne the brunt of militarisation but is more directly exposed to, and engaged with, dealing with its daily realities. My visits to the office of the Jammu and Kashmir Liberation Front (JKLF) and personal interaction with its president Yasin Malik was helpful in facilitating interviews with working-class women. I was personally introduced to two interviewees from this group by a member of the JKLF who also accompanied me for the interview and facilitated simultaneous translation from the Kashmiri into Urdu. Interviews with women from working-class backgrounds were conducted in the areas of Batamaloo, Khanyar and Maisuma. At the same time, my association with the department of sociology and Prof. Bashir Ahmed Dabla at the University of Kashmir was valuable in gaining access to female respondents from socio-economically deprived backgrounds. Students from the University accompanied me to Tengpora, a poor working-class suburb of Srinagar, where I conducted interviews with three women together with their family members.

Interviews with poor women were a time-consuming process and involved several logistical difficulties. Interviewees did not possess a telephone and therefore dates and timings for initial meetings and interviews had to be confirmed and reconfirmed by visiting the person's residence several times. On several occasions, the interview had to be cancelled due to unforeseen circumstances of the interviewee and fresh dates arranged involving the same process all over again.

Against the anxieties and pressures generated by a military occupation and my own identity as an Indian citizen which, in my opinion, could be conflated with the Indian state, I expected a sceptical reception from Kashmiri respondents. However, instead of the anticipated reluctance from respondents to share personal life-experiences with an unknown (Indian) citizen, it was moving and humbling to encounter a sense of keen empathy and receptivity from respondents, for many of whom my Muslim identity was an assurance that I would understand and empathise with the ordeal and suffering of Kashmiri Muslims. I was greatly moved by the generosity, hospitality and dignity of individuals and families who welcomed me in their house without hostility or resentment, underlining the fact that Kashmiri resentment is centred against the Indian state and not its citizens. Whereas my general experience with Kashmiri citizens was warm and cordial, an informal discussion with students in front of the University of Kashmir's Allama Iqbal Library

degenerated into unpleasant hostility on the issue of women's rights. Students' anger and resentment at the devastation wrought by Indian hegemony in Kashmir was expressed in Islamic terms. While appreciative of my sympathy for the suffering of Kashmir's people, students could not countenance criticism of doctrinaire Islam. The irony of being a (Muslim) woman and witness to crude hostility from Muslim men – who were ostensibly struggling for democracy and democratic rights – for criticising patriarchal dominance was bitter. Among other epithets, I was branded an Indian/Hindu-US-Zionist agent, shouted down and threatened. Friends advised me to keep away from the campus for a few days and not move around alone.²

The interviews with Yasmeen Raja of the women's group Muslim Khwateen-e-Markaz, and Islamic activist Asiya Andrabi were facilitated by a local friend, introduced to me by the JKCCS. The interview with Asiya Andrabi was conducted in a safe-house in Khanyar. Both interviews were conducted on time and with relative ease.

The interview with members of the military could not be conducted in 2004 due to a lack of time and also because it is not possible to interview individual soldiers without official permission from the authorities. I returned in 2005 with the required documentation to gain permission to interview military officers. Taking permission from the military authorities in Badami Bagh cantonment (Kashmir's Guantanamo) was time consuming and was finally granted after two visits. I was allowed to interview the Public Relations Officer (PRO) at Badami Bagh. I took this opportunity to conduct an informal interview with a Colonel of the Indian army who signed my entry papers and shared his views on the situation in Kashmir on condition of strict anonymity. Notwithstanding the testimonies of human suffering and indignity, my visit to the military headquarters was the most depressing and harrowing of all my experiences in Kashmir. I went to Badami Bagh in my capacity as an Indian citizen, wishing to ask for an explanation for Kashmir's tragedy inflicted largely by members of a vital institution of the Indian state. My questions were met with stone-walling and a persistent refusal to admit to any wrong doing by the military – exemplifying the complete absence of public accountability in Kashmir

² Informal discussion with students at the University of Kashmir, Hazratbal, Srinagar. 13 June 2004.

Nature, Length and Transcription of Interviews

All individual interviews were long, semi-structured interviews. Whereas the interviews in the first phase were completed in a single sitting, this was not the case with the second round. This was primarily due to logistical reasons mentioned above as well as my own decision, in some cases, to defer the interview because personal recollections of events evoked feeling of distress and anguish in the respondent. On such occasions, it was hard to maintain a sense of composure and equilibrium myself and best to reschedule the interview at a later date. All interviews were conducted with the explicit consent of the interviewees. My attempt to obtain written consent was abandoned as almost all individuals were uncomfortable, if not wary, of signing their consent. For reasons of personal safety and privacy, the identity of all interviewees unless otherwise stated is withheld.

The first section of the interview comprised basic details of the interviewee viz.,

- i] Name,
- ii] Age
- iii] Marital status
- iv] Address
- v] Educational and socio-economic background.

The second section focused on the exploration of views regarding the movement for azadi and the influence of militarisation on individual lives. It was not practical to stick to a structured interview format with respondents with whom I had to initially establish a personal rapport and who, given the nature of the questions (below), were likely to take time to frame a response which could, and in many cases was, emotionally draining. An unstructured format had the additional advantage of gaining information that was not related to specific questions in the questionnaire, but was nevertheless important and valuable towards facilitating a deeper understanding of the situation in the Kashmir. This aspect was particularly useful

towards understanding the relationship between Kashmiri women and Kashmiri society (during the first phase of interviews) and the enduring influence of militarisation on citizens from weaker socio-economic backgrounds (during the second phase of interviews). The questionnaire contained nine questions (below) and focused on personal/familial experiences of militarisation which, invariably, elicited long-winding responses. While the question regarding azadi generally evoked an immediate response, questions regarding personal experiences of militarisation took a great deal of time and emotion.

- i] The interviewee's own assessment of the situation in the Valley including his/her opinion regarding the movement for azadi.
- ii] Whether or not his/her family had been influenced by the post-1990 situation in Kashmir.
- iii] Whether or not s/he had been affected by the situation at an individual level
- iv] If yes, details of how the individual was affected.
- v] In case of the above, whether the victim had approached the authorities.
- vi] If yes, what was the response?
- vii] What do you think of the militant diktats against women?
- viii] Have you been affected by them personally? If yes, how?
- ix] What are your thoughts about the future of the struggle for azadi?

Audio-tapes were used to record all interviews. During my field research in Srinagar (March 2004 – October 2004), I visited Delhi on three occasions during which time I transcribed and systematised the interviews. This saved me a lot of time and facilitated writing up the thesis upon my return to London. The collection of field research interviews was augmented by the collection and systematisation of documentation on Kashmir from the Centre for Education and Documentation (CED) Bombay, and the Sapru House Library, New Delhi.

My affiliation with the Jammu and Kashmir Coalition for Civil Society (JKCSS) – an independent civil society organisation – allowed me to be a participant-observer and afforded me the opportunity to analyse my fieldwork from both an ‘inside’ and ‘outside’ perspective. I was also affiliated with the Department of Sociology, University of Kashmir. My affiliation with JKCSS was useful in undertaking field research and was a source of local support, knowledge and advice while the University of Kashmir allowed me access to the University Library and contact with the student community.

While this study challenges dominant frameworks of militarisation vis-à-vis Kashmir, the project of representing ‘others’ or of speaking on their behalf is not a neutral exercise. As Linda Alcoff notes: “There is a strong, albeit contested current...which holds that speaking for others – even for other women – is arrogant, vain, unethical and politically illegitimate” (1995, 98). This concern derives from fears of appropriating the voice and content of the speaker – rendering the latter ever more marginal. Against women’s diversity and the dangers of appropriating what one seeks to defend, the act of representation is, in short, a politically fraught exercise. Alcoff articulates the dilemma: “We must begin to ask ourselves whether there ever is a legitimate authority, and if so, is it ever valid to speak for others who are unlike us or less privileged than us?” (1995, 99). The following discussion centres on the political and epistemological dimensions of representing the experiences of a diverse group of (Kashmiri) women.

Representing Women: Empowering or Exclusionary?

The intersection between militarisation and women’s lives underscores the importance of challenging dominant narratives where the state is the *subject* of knowledge and where masculine (state vs male militants) experience is assumed as the dominant and valid experience of militarisation. While the conflation of male experience with human experience is justly criticised, the argument around gender cannot claim an “authentic” women’s experience, for it would then conform to the same essentialist argument that constitutes the basis of its critique. What gender does

legitimately seek is its validity as a constitutive element of national and international politics (Grant and Newland 1991a, 5). The political and epistemological claim of gender critiques, accordingly, is that they contain valid insights into the complexity of world politics (Keohane 1991, 41).

In her essay entitled 'The Problem of Speaking for Others' Linda Alcoff notes that there exists an inherent contradiction in the act of representation. Imparting agency or making women visible comes with the parallel risk and danger of speaking for others (women) as an exercise in power and arrogance – "politically and ethically illegitimate" (1995, 98). To the extent that (Kashmiri) women are absent in dominant narratives on Kashmir, reclaiming women's experiences is a step towards the larger project of challenging dominant narratives. Privileged locations i.e. "systematic divergences in social location between the speaker and those spoken for [may] have a significant effect on the content of what is said" (1995, 98). Representation may not accurately reflect the opinions or concerns of those spoken for. If representation does not achieve its intended objective, should it be undertaken at all? Should a gender critique resort to what Alcoff terms as the "retreat" option i.e. choosing not to speak for fear of establishing a privileged discursive position in the field and silencing "authenticity"? (1995, 107). Before answering this question, we need to ask whether or not Kashmiri women are the *only* legitimate or valid constituency to represent themselves.

The idea of a "pure" non-ideological "authenticity," Gayatri Spivak argues, is an essentialist construct. While invested with individual subjectivity, the "subaltern subject is irretrievably heterogeneous" (1988, 284). There is, accordingly, no "authentic" "non-ideological" subordinate/marginal subject and the pure authentic/original voice does not exist (1988, 307). The task of a gender critique accordingly, is neither to pursue an illusory "original/authentic" voice nor to supplant or appropriate the subordinate voice but rather, "listen to" instead of "speaking for" (Alcoff 1995, 110) in order to subvert the "authorising power" of dominant, positivist narratives. This may serve as a possible method of knowledge production, which essentially is a *partial* account within a larger collective of meanings, yet a

more desirable (and necessary) option than withdrawal. The counter-narrative, in other words, functions as a *means* to dislodge entrenched hierarchies, while the retreat or withdrawal option may only serve to “continue the imperialist project” (Spivak 1988, 298). To quote Spivak again: “Representation has not withered away. The female intellectual has a circumscribed task which she must not disown with a flourish” (1988, 308).

Representing Kashmiri women, therefore, is a *legitimate* exercise as long as it is cognisant of its own partiality within a larger, complex context. As Miriam Cooke notes: “There is no one history, no one story about war, that has greater claim to truth...history is made up of multiple stories, many of them herstories, which emanate from and then reconstruct events” (1996, 4). This research, to quote Cooke again, highlights “nuclear age wars [where] “women ... – whom the War Story had described as at home and safe because defended by their men at the front – are increasingly acknowledged to be attractive military targets” (1996, 38). In so doing, this research inserts women back into the story of militarisation in Kashmir. This act is not a purely ‘academic’ exercise but an undertaking invested with political responsibility *and* epistemic validity. The term political responsibility refers to the commitment on the part of the researcher towards non-hierarchical, politically grounded and accountable research while epistemic validity refers to the political project of reclaiming marginal voices. What follows is a brief discussion regarding the significance of both.

Political responsibility (of the researcher) derives from an acknowledgement of the partiality of research together with a commitment to the non-hierarchical, non-normative, counter-narrative. Accordingly, while fully conscious of the power relationship between researcher and researched as well as the partiality of research, as long as representation constitutes women’s *political* opposition to the dominant, normalising narrative of the “War Story” (Cooke 1996) it constitutes a legitimate (and necessary) basis of action. Political opposition or resistance, as Chandra Mohanty asserts: “is encoded in the practices of remembering and writing...The very practice of remembering against the grain of “public” or hegemonic history...the

struggle to assert knowledge which is outside the parameters of the dominant, suggests a rethinking of sociality itself (1991, 38-39). This scholarship, to quote Mohanty again, is:

not the mere production of knowledge about a certain subject. It is a directly political and discursive practice in that it is purposeful and ideological. It is best seen as a mode of intervention into particular hegemonic discourses: it is a political praxis which counters and resists the totalising imperative of age-old “legitimate” and “scientific” bodies of knowledge. [It is] a scholarly practice (whether reading, writing, critical or textual) ... inscribed in relations of power – relations which they counter, resist or perhaps implicitly support. There can of course, be no apolitical scholarship” (1991, 53).

Mohanty’s point regarding the ideological stance/motivation of the research/researcher is crucial for this essentially determines whether knowledge production/research reinforces or dismantles hierarchies and, by extension, whether or not the research is politically legitimate.

The epistemic validity of research on the other hand derives from the representation of the category ‘women’ and, by extension, from the project of reclaiming marginal voices/experiences. A problem associated with representation is the inherent contradiction contained in the term ‘women.’ Women do not constitute a singular, undifferentiated social group nor are they bound by homogenous experience. An emphasis on the importance of women’s subjective experience of militarisation in Kashmir should therefore come with the necessary clarification that it is not possible to make generalisations. Women in Kashmir experience conflict ‘differently.’ While it is essential to acknowledge and accept the diversity of women’s experience and the dangers of generalisation, the subjective experience of a small group of Kashmiri women *can* nevertheless be synthesised towards a larger understanding of gender vis-à-vis militarisation in Kashmir. Accordingly, while it is not possible to arrive at any definitive “conclusion” or “truth” (reflected in words such as “impact” or “effect”) regarding a diverse group’s experience of militarisation (indeed, such an approach conjures up a static, rather than dynamic picture reducing prospects of transformative change) what can be attempted is the “production of

women” (Mohanty 1991, 64) in terms of the social relations of gender underpinning militarisation in Kashmir. The particularity of (Kashmiri) women’s subjective experience of militarisation highlights the (re)production of gender relations of power within a situation of military conflict. Although this experience cannot be conflated with that of Kashmiri women in general, it does nevertheless illuminate the intrinsic link between state (and inter-state) military processes on the one hand and gender transformations on the other.

Without discounting the importance, or indeed the necessity, of inserting Kashmiri women’s experiences back into the story of militarisation in Kashmir, the act of representation, as mentioned already, is not a neutral exercise but a critical process defined by the researcher’s selective use and interpretation of individual interviews. One of the challenges in using women’s testimonies in this study relates to the sheer *volume* of field data. For reasons of focus as well as of space, all interviews in this research have not been reproduced in their entirety but selectively highlighted. While all interviews contained valuable insights and information regarding the realities of militarisation in Kashmir and its influence on citizen’s, especially women’s lives, information that was not germane to the focus of this research has not been reproduced in this study. On the other hand, there are that were considerably lengthy testimonies, pertinent to the focus of this study, in which case the effort has been to reproduce them in their entirety with as little editing as possible. In general, I have attempted to strike a balance between being inclusive (i.e. including *all* testimonies) on the one hand, and using certain *specific* testimonies to a greater extent as compared to others, on the other (for the just stated reason). While this selective choice is subjective and therefore open to criticism, the selective use of women’s testimonies in this research is informed by its theoretical arguments. More specifically, personal testimonies are used to substantiate and qualify the two major arguments made in this study, namely, i] Kashmir’s citizens have borne the brunt of militarisation in and over Kashmir and ii] militarisation has influenced gender relations. Almost all interviews testify to the deep and enduring influence of militarisation in women’s lives *and* more specifically, the manner in which the violence of militarisation is informed and imprinted by ideas of sexual difference. In this respect, and to this extent, my own interpretation and/or reproduction of

women's experiences is consistent with the respondent's experience and point of view, with little scope for interpretive error.

At the same time however, there was notable divergence in terms of the significance or relevance of militarisation's *multiple* dimensions for *individual* women. Accordingly, while all interviews contain the interviewee's response to the nine questions listed in the questionnaire, the selection of interview data for the thesis was determined not only by the particular issue that I wished to highlight but equally, by its relevance for the respondent. For example, while upper/middle class women were in a position to opine on the gender dimensions of the socio-economic implications of militarisation, the same was highlighted very vividly by the real life experiences of poor, working-class women, for whom this particular aspect was integral to militarisation's lived realities. Similarly, while all women had opinions regarding militant decrees and diktats, this issue was not as paramount to some as it was to others. Educated, middle-class women were more critically disposed towards the cultural politics of militarisation than respondents from the working class. I have therefore used interviews (and group discussions) with this constituency in order to highlight this particular aspect of militarisation. There are yet others, like Kashmir's half-widows, for whom both the just-mentioned dimensions of militarisation are not as important as the struggle to demand accountability from the state for missing or disappeared kin members. For yet others, like members of the women's group Muslim Khwateen-e-Markaz, the paramount issue at hand was the denial of civil liberties and the need to protect women's human right, even as Islamist activist Asiya Andrabi viewed Kashmir's struggle and its resolution in religious (Islamist) rather than political terms. The differential implications (and understanding) of militarisation for women in Kashmir cannot lead to a definitive, positivist conclusion regarding women's experiences; they do, nevertheless, effectively demonstrate how the *process* of militarisation is embedded within society and social relations.

Furthermore, even as this research claims to represent the voices of Kashmiri women as faithfully and sensitively as possible, there was an issue where my own assessment of the situation did not coincide with the views of most respondents.

Most interviewees were unwilling, if not implacably opposed, to any other explanation for the tragedy of the Pandits except to view the Pandit migration as a state-sponsored conspiracy to discredit the Valley's Muslims. Although the relocation of Pandits from the Valley to Jammu was encouraged and abetted by state authorities in 1990, as documented by various independent reports, the en masse Pandit exodus from the Valley cannot be attributed *entirely* to the state. The Pandit exodus, initially prompted by the political targeting of Pandits by militant groups, was subsequently reinforced by the corruption of a civic struggle for justice which assumed distinct denominational overtones. I have, therefore, refrained from reproducing interviews which subscribe to this particular interpretation of events, even when the viewpoint was expressed with much vehemence and conviction. While this can be viewed as an act of power and deliberate suppression, I feel strongly, that it would be intellectually dishonest and politically indefensible to reproduce and, by extension, legitimise a viewpoint that does not stand up to critical scrutiny.

In sum, this research does not understate or deny the challenges and problems posed by the use of personal testimonies of a small, heterogeneous group of women. Women's testimonies in this study are *not* representative of women's experience of militarisation in Kashmir; nor can they be claimed to be the 'authentic' voice of marginal subjects. The main aim of the selective (and sequential) use of women's testimonies is to expand normative frameworks of analyses by highlighting militarisation's gender dimensions. To this limited extent, personal testimonies are an ethical and effective method to demonstrate the intersection between militarisation and gender transformations.

Finally, given the importance of political responsibility and epistemic validity in an academic setting defined by dominant positivist frameworks, it is necessary to prevent the counter-narrative from being submerged within the latter. A difficult yet scrupulous method to do so would be *not* to resort to the conventional disclaimer acknowledging potential drawbacks of one's research, but "to remain open to criticism and attempt actively, attentively, and sensitively to "hear" the criticism (i.e.

understand it). A quick impulse to reject criticism,” as Linda Alcoff suggests, “must make us wary” (1995, 113). Any representation is accountable to limitations and problems and must be open to critique from other “locations”. Empirical work must emphasise the production of women as a “partial perspective” derived from, and accountable to, the researcher’s specific subjective *location* where “partiality is not universality, but constitutive of a particular knowledge claim” (Haraway 1988, 195). This is not merely a responsibility but a mandatory obligation of the researcher. Discharging this obligation is perhaps the only way to produce historically located, socially inclusive and politically legitimate knowledge constructions of a complex and changing world.

Summary of Chapters

Chapter 1 spells out the background, limitation and summary of research and the significance of analysing militarisation as state-society *process* informed by social constructions of gender. It underlines the significance of women’s subjective experience of militarisation as an effective and ethical method to analyse the intersection between empirical reality and theory (of militarisation). This is followed by details regarding research location, interviewees and limitations of this study and a discussion around the politics of representation where I engage with the political and epistemological dimensions of representing women’s subjective experience of militarisation in Kashmir. Methodological details are followed by a chapter layout that sums up the major arguments in each chapter.

Chapter 2 provides a historical and political background to Kashmir leading up to the present crisis.

Chapter 3 focuses on the academic debate regarding militarism where I argue that the early theories of militarism did not anticipate – and therefore could not explain – militarism’s dynamics during the first half of the twentieth century. The emergence of the post-1945 nation-state system, I argue, profoundly altered the

meaning of militarism. From being understood as an institutional anomaly and/or a province of capitalism, I illustrate how militarism transformed into a permanent attribute of the territorial nation-state with war or the threat of war being *the* ultimate guarantor of the freedom and autonomy of the state (Walker 1990, 4). The consolidation of the destructive capability of individual states, I argue, represents militarism's external (systemic) crisis is based on the misleading logic that "if you want peace, then prepare for war" (1990, 5). This paradox formed the backdrop against the emergence of post-colonial nation-states in the Global South, which, I go on to illustrate, replicated the logic and rituals of national defence to reinforce militarism at a global (systemic) level.

Militarism *within* states in the Global South – also the focus of this research – is, I argue, of a rather different order than its external (systemic) dimension. This crisis derives from *political* challenges to the state *within* national borders rather than from *military* threats (by rival states) beyond them. I illustrate how this crisis involves mobilisation of the military against social groups and/or communities opposed to the state – a mobilisation characterised by large-scale violence against citizens. One of the most important characteristics of this crisis, I argue, is the transformation of the military from a legitimate instrument of external defence into an illegitimate agent of domestic repression. In effect, my argument is that militarism *within* states in the Global South represents "the paradox of the state in which governments are a source of threat rather than security" (Jackson 1990, 140). As R.B.J. Walker notes: "[nation]-states themselves have become increasingly important sources of contemporary insecurity" (1993, 182).

The external and internal crises of militarism (in the Global South), I go on to argue, are not necessarily mutually exclusive but (frequently if not inevitably) interlinked. Militarism in the Global South encompasses the problem of military defence *of* the nation-state *and* the crisis *within* the nation-state itself – characterised by the penetration of civil society by the military, the dissolution of civil-military distinctions and violence against civilians.

Since this crisis has political rather than military origins, its empirical characteristics, I argue, does not fit within the explanatory framework of early (Western) liberal, Marxist or modernist theories (of militarism). Using empirical examples from Latin America, Africa and South Asia, I illustrate the profound implications of this crisis for citizens and society. Focusing on South Asia and India in particular, I illustrate that militarism in the South Asian context does not derive from conventional notions of external (military) threat to the state but from a specific historical context (of arbitrary and contested post-colonial frontiers) and a crisis of legitimacy within state borders. Using a range of theoretical literature – most particularly the work of Michael Geyer (1989) and John Gillis (1989) – I illustrate that the use of the military for domestic repression by the state is not a phenomenon confined to the military, but a state-society *process* characterised by the elimination of civil-military distinctions.

I further argue that the term militarism is too narrow to capture the complexity of this crisis and subsequently make the case for using the term militarisation. There are, I argue, four important advantages afforded by the term militarisation. The first relates to the limited relevance of the term militarism that connotes *military* dominance over civil authority and/or the undue emphasis on military power in foreign policy. This concept of militarism does not correspond with contemporary contexts (such as India) where formal control of the military rests in civilian hands even as the military is used as an instrument of domestic repression. In other words, although the term militarism connotes military dominance *over* (domestic) civil authority (i.e. military dictatorship/junta) and an undue emphasis on military force by states in international relations (symbolised by the military consolidation of states) it does not address the domestic (instrumental) role of the military *within* states.

Second, the term militarism does not address the socio-political dimensions of the crisis that flows from instrumental use of the military. This crisis, I argue, *involves* but is not confined to the military. It encompasses an assortment of military and para-military forces, insurgent groups, secret armies, rival militias, intelligence

outfits where civilians are not protected but are instead specific *targets* of violence. In this context, violence against women is not an *outcome* but a *constituent* of military conflict – a means to inflict defeat and humiliation on the ‘enemy’ through the appropriation of cultural meanings of gender. The concept of militarism, I argue, does not take into account a contemporary context where the military functions not only as an illegitimate instrument of state power but as a violator of the rule of law and the rules of war.

Third, militarism does not address the *ideological* dimensions underpinning domestic use of military. This may not be a universal characteristic yet as the very different empirical examples of Latin America and South Asia illustrate, domestic repression by the military is justified in ‘national’ terms. This dimension has special salience vis-à-vis India where constructions of ‘the nation’ and ‘national interest’ serve as an alibi for militarily-backed political repression.

Finally, I argue that the crisis of militarism in the Global South is not gender-neutral. Conventional militarism involved professional militaries whose conduct was subject to the laws of war that categorise women as non-combatants. These laws, as historical evidence suggests, were almost always breached. Women’s sexual slavery enforced by the Japanese army during World War II³ is a notable example of this breach while the wars in former Yugoslavia, Rwanda or Iraq are contemporary examples of the same. Although women have been and are used and abused by the military in conventional war, the military nevertheless remains a legitimate (and accountable) agent of the state subject to the Geneva Convention⁴. The contemporary (domestic) crisis of militarism within the nation-state however, has transformed the military into an illegitimate (and unaccountable) agent of the state not only *not* bound by the rules of war or the Geneva Convention but in fact empowered to violate both

³ “Between 1931 – 1945 the Japanese ‘conscripted’ at least 200,000 girls and women from Korea, China, Taiwan, Indonesia, and the Philippines as sex slaves or ‘comfort women.’ Japanese authorities refused to acknowledge that its military ran the programme until 1993.” Rhonda Hammer, ‘Militarism And Family Terrorism: A Critical Feminist Perspective,’ in *The Review of Education, Pedagogy And Cultural Studies* (2000), Vol. 25, p. 240.

⁴ The laws of war are subject to the 1949 Geneva Convention “relating to the ...protection of civilians in times of war.” David Sills (ed), *International Encyclopaedia of the Social Sciences Vol. 10* (London: Collier Macmillan 1968), p. 319.

with impunity. Rape and sexual abuse of women by the military is as much part of the crisis of militarism as the arbitrary and unlawful killing of civilians.

Given these complexities, I argue that the term militarisation is a more appropriate analytic concept. To begin with, the understanding of militarisation as a multi-dimensional *historical process* transcends normative disciplinary divisions to analyse the relationship between the state, the military and society within a *single* historical (national) context. By bridging the disciplinary distinction between International Relations and Political Theory (based on the academic distinction between inter and intra-state military conflict) and placing both within a *general* historical frame, militarisation highlights the converging crises *of* and *within* the militarised state.

Second, the understanding of militarisation as a historically contingent rather than ideal category, accommodates the context of states such as India where formal control of the military remains in civilian hands even as the military is used as an instrument of domestic repression. In this context, militarisation refers to those aspects of civilian life that result from direct military intervention in people's lives and behaviour⁵ including institutional measures such as special legislation or de facto impunity accorded to military forces that undermine the rule of law "making it possible for the authorities to control people and less possible for the people to control the authorities" (Zwick 1984, 129; International Peace Research Association 1978, 179).

Third, the concept of militarisation as a *social* process corresponds with a contemporary reality where violence, killing of civilians, rape and sexual abuse are intrinsic to its dynamics. It is in this context that gender critiques are crucial in that they highlight not just the social fabric of militarisation and but also the ways in which this fabric is informed and influenced by meanings and constructions of gender.

⁵ Such as arbitrary arrest, detention, rape, extra-judicial killing, torture, disappearance etc. Jim Zwick, 'Militarism and Repression In The Phillippines' in Michael Stohl and George A Lopez (eds), *The State As Terrorist* (Westport, Conn.: Greenwood Press 1984), p. 124.

Fourth, the concept of militarisation as an *ideological* process highlights the manner in which nationalist mobilisation is intrinsic to militarisation *of* and within the state. This dimension is particularly relevant in the case of India where nationalism functions as a powerful legitimising ground for military and nuclear consolidation without *and* use of the military for domestic repression within.

I proceed to develop a working definition of militarisation for this research which I define as the growing influence and institutionalisation of military power (but not military control of the state) in domestic and foreign policy that involves institutional, ideological and social transformations.

Chapter 4 focuses on the relationship between militarisation and the Indian state. Situating this relationship within a *general* historical frame, I highlight the paradox between the Indian state's moral commitment to disarmament and its pragmatic desire for international recognition and status. Elaborating on this paradox, I highlight how the initial pursuit of nuclear weapons by the Indian state was not, as IR theory would have us believe, based on realpolitik notions of state security but shaped by ideas of modernity, post-colonial identity and scientific achievement. Nuclear weapons, I argue, were part of a 'national' narrative premised on the idea of India as an "independent, great state...morally superior to its colonisers and the dominant states of the international system" (Perkovich 2000, 448). In short, nuclear weapons symbolised *Indian* identity, achievement and power; they were a measure of what modern India could accomplish.

In a (Cold War) context where state power was defined in primarily military terms – and to which India was no exception – I illustrate how military defeat at the hands of China in 1962 dealt a blow to the Indian state's self-perception of power and status in the international realm. The perception of India as a militarily 'weak' state, I argue, precipitated an extraordinary post-1962 military build-up. The consolidation of military 'power' propelled India into the front ranks of (militarily) 'powerful' states and resolved her (initial) contradiction between the moral and pragmatic. Yet, as I go on to argue, the possession of formidable military 'power'

does not insulate the Indian state from a greater and perhaps more perilous paradox. This paradox is the crisis of militarisation *within* national borders. Fortified by military (and nuclear) power, the Indian state is beset with an internal crisis of legitimacy that assumed full-blown proportions at a moment when it seemed militarily invincible.

I highlight the intersection between the internal and external dimensions of militarisation in India where I argue that the latter is informed and influenced by the former. More particularly, I illustrate how the eroding legitimacy of the Indian state together with a lack of democratic accountability generated a crisis of extraordinary proportions that was sought to be masked by its (the state's) self-projection as a *unitary* and militarily 'powerful' state in the realist tradition. The argument here is that the militarisation of India and the reinvention of India in exclusively Hindu terms is, in effect, "a rearguard defence of the Indian *state* as presently constituted"(Bose 1998, 158) (emphasis added) to what in great measure is a largely self-generated crisis.

While this crisis is manifest in a very diverse range of struggles and movements, my focus is limited to the wars or 'insurgencies' across the northern periphery of the Indian state where the military functions as an instrument of political power and domestic repression. Using a select range of secondary literature, I highlight the civilian dimensions of this crisis that subjects millions of Indian citizens to virtual military rule while depriving them of civil liberty and human rights.

I proceed to highlight the ideological dimensions of this crisis that originates from a 'national' imaginaire that places a range of social and/or cultural groups/communities beyond the pale of 'the nation.' A narrow and exclusivist meta-narrative of 'the nation,' I argue, *objectifies* state violence on a grand scale – a violence academically referred to as the nation-state building enterprise. The project of (unitary) nation-state building and its underlying 'national(ist) imaginaire is, I argue, at the heart of India's domestic crisis of militarisation. Military rule in Punjab, Assam, India's north-eastern region and Kashmir exemplify this crisis.

I subsequently link the crisis of the militarised (Indian) state with India's domestic crisis of militarisation. In order to illustrate the intersection between both, I situate India's domestic crisis of militarisation within the larger, multi-dimensional crisis of the Indian state where I illustrate how a wide-ranging crisis of legitimacy of the Indian state prompts the consolidation and assertion of military (and nuclear) 'power' in the international realm. In effect, I illustrate how the domestic and external crises of militarisation of the Indian State have common *political* origins.

Chapter 5 focuses on militarisation in Kashmir which, I argue, symbolises the intersection between the crisis *of* and *within* the militarised state. The attempt by the Indian state to maintain the political status quo *over* Kashmir (vis-à-vis Pakistan) by using over half a million soldiers, an assortment of high-tech weaponry and nuclear weapons, parallels its simultaneous use of the military for domestic repression *within* Kashmir. While I hold the Indian state primarily responsible for militarisation in Kashmir, I acknowledge Pakistan's (secondary) role and influence in Kashmir. Kashmir's citizens, I argue, pay the highest and most grievous price for the intersecting streams of violence unleashed by militarisation in and over Kashmir.

Focusing on the socio-political dynamics of militarisation *in* Kashmir, I highlight the discontents of centralised hegemony in Kashmir that assumed the shape of mass rebellion by 1990. I highlight the form and scale of the rebellion that constitutes a powerful challenge to the Indian state. I juxtapose the popular roots of Kashmir's mass revolt against an establishment response centred on use of the military for domestic repression.

I subsequently highlight the *ideological* underpinnings of the crisis of militarisation in Kashmir – where a state of virtual military rule in Kashmir is legitimised by an across-the-board political consensus that represents Kashmir in 'national' terms – a representation that successfully deflects the issue of state accountability even as it legitimises militarisation in Kashmir.

Moving on to the civilian dimensions of the crisis, I illustrate how the state's attempt to restore 'authority' and 'legitimacy' is at the cost of the violation of the rule of law and citizens' civil and human rights by an institution that is meant to protect civilians. Kashmir's judicial paralysis, I argue, exemplifies not just the violation of law by the military but also the violation rights of citizens' fundamental right to demand accountability and justice from the state.

Using interviews conducted in Srinagar, I highlight how the state's attempt to consolidate power and legitimacy in Kashmir is built on foundations of collective violence, terror and pain. Using a select range of secondary literature, I further highlight how militarisation *in* and *over* Kashmir has torn into Kashmir's social fabric to generate individual and collective trauma, social dislocation, cultural destruction, socio-economic devastation, ethnic fragmentation and the destruction of Kashmir's civil society.

Summing up the crisis of militarisation in Kashmir, I argue that Kashmir's landscape of missing or 'disappeared' young men, extra-judicial killings, widows and half-widows, orphans, ubiquitous graveyards, and collective fear, grief and trauma underscore the paradox of a democracy that *invests* the military with the power to derogate citizens non-derogable rights even as it simultaneously *insulates* the military from democratic scrutiny and accountability. Kashmir, in other words, symbolises the enduring contradiction between the Indian state's claim to democracy and legitimacy and its undemocratic and illegitimate violation of the rule of law.

Chapter 6 focuses on militarisation's gender dimensions in Kashmir. This chapter is based on two arguments. The first relates to mainstream IR or political analyses based on a (male) state-as-actor paradigm – Kashmir being no exception to this trend. My argument here does not suggest changing IR and/or political theory but addressing what I argue is an important absence across both disciplines. A gender analysis of militarisation in Kashmir, I maintain, is not about 'adding' women as it is about challenging the public-private dichotomies that construct militarisation as an essentially male domain. The gendered nature of contemporary military conflict, I

argue, underscores the importance of gender as an *integral* rather than a 'separate' or subsidiary category of analysis. In short, my argument is that gender is a *constituent* rather than consequence of militarisation in Kashmir.

My second argument in this chapter relates to women's (subjective) *political* experience of militarisation. This experience, I argue, is mediated by social constructions of gender though it comes with the necessary caveat that this experience may also be influenced by other factors such as class or location. The essential argument nevertheless is that militarisation in Kashmir is a *social* process informed and acted upon by meanings of gender in ways that reproduce and/or reinforce social hierarchy.

I begin the analysis by situating women within the struggle for *azadi* that, as I go on to illustrate, centres on women's conventional role as mothers, wives and sisters. I illustrate how these roles have become politicised in the face of a gendered onslaught of the Indian state that centres on Kashmiri men. I go on to highlight the essential paradox between women's public support for, and significant role in, the struggle for *azadi* on the one hand and their political marginalisation on the other. This contradiction, I argue, is shaped by a conservative and patriarchal social context as well as the instrumental relationship between Kashmiri women and the Kashmiri militant leadership.

Elaborating on the implications of this contradiction for women, I illustrate how militarisation produces a landscape of widows and half-widows whose conventional economic dependence on men is exacerbated by the temporary, if not permanent absence of the latter. I go on to illustrate how widowhood heightens economic insecurity, emotional stress and sexual vulnerability of women, influences women's right to property and custody of children, even as it simultaneously subjects women to greater social surveillance and policing.

Focusing on sexual abuse by the military in Kashmir, I highlight how rape and sexual violence by the military is at least tolerated if not also condoned by the establishment. Rape by the military, I argue, represents the appropriation of cultural constructions of 'honour' in order to inflict collective defeat on the 'enemy.' The politics of honour, I go on to argue, extend beyond the military. I illustrate how individual trauma of rape/sexual abuse and/or the threat of sexual violence is magnified by Kashmir's conservative social context that penalises its victims rather than the perpetrators.

I subsequently discuss and analyse what I term as the 'cultural politics of militarisation' where I argue that women pay an essentially *political* price for a military occupation centred on the humiliation and emasculation Kashmiri men. My argument here is that militarisation in Kashmir has generated a masculinist social environment that, in turn, subjects women to greater social policing and control and regressive versions of 'Islamic' identity. This trend, I argue, must not be taken as incontrovertible evidence of the 'fundamentalist' character of Kashmir's political struggle. Rather, it must be viewed within the larger context of the denial of democracy and democratic rights in Kashmir and the usurpation of the rule of law by the military that has, in turn, facilitated a parallel appropriation of secular space by Islamists. In short, my argument is that Kashmir's 'fundamentalist' politics are fuelled and sustained by a policy of militarisation that undermines the rule of law and citizens' democratic and human rights.

I go on to illustrate the sequential effects of militarisation that influence female education, render women vulnerable to sexual violence by the military, heighten women's economic insecurity, reinforce women's political marginalisation and, in general, threaten gains made by Kashmiri women over several decades. I further illustrate how gendered fears and insecurities produced by militarisation are compounded by an Islamist militancy whose perception of Kashmir as a social and religious (rather than political) struggle functions to the particular detriment of Kashmir's women.

In conclusion, I argue that Kashmir's gender dimensions underscore the basic illegitimacy of militarisation in Kashmir that is centred on the violation of the rule of law, the rules of war, and indeed the principles on which the military is based. The intrusion of the military into domestic spaces, I argue, underlines this illegitimacy. I conclude by highlighting the corruption of the struggle for *azadi* that has deviated from the dreams and longings of many Kashmiris who took part in it. These longings, I argue, are a symbolic defeat for the Indian state and its policy of militarisation even as they underline the urgent necessity to end Kashmir's unconscionable human tragedy. The impasse in and over Kashmir, I argue, offers an opportunity to the Indian state to extricate itself from its self-created abyss of violence – a theme I take up for further discussion in the concluding chapter.

Chapter 7 sums up the importance of a historical analysis of militarisation. I begin by underlining the clear limits of military power – both as an instrument of domestic repression and/or foreign policy. Moving on to the particular case of India, I argue that its emergence as a militarily “powerful” state in the external realm has been counterproductive. From being what Clement Attlee once termed as “the light of Asia” (Corbridge and Harriss 2000, 241) a militarised and nuclearised Indian state has transformed into a source of deep insecurity for Kashmiri, Indian *and* South Asian citizens. At the same time, the Indian state's use of the military as an agent of *domestic* repression has not arrested, but on the contrary, heightened and perpetuated the crisis of legitimacy within.

By way of conclusion, I suggest that the Indian state relinquish its disastrous pursuit of a unitary state in the European tradition that contains the seeds of militarisation (within and of the state). A decentralised, democratic Indian state based on a plural concept of nation and identity, I argue, can restore to Kashmir's people the dignity, self-identity and justice for which they pay so dear a price. A restored Kashmir offers the Indian state an opportunity to build a constructive, non-military relationship with Pakistan that, in turn, shall eliminate the principal cause of militarisation that is a source of fear and insecurity for Indian and South Asian citizens.

Chapter 2

An Introduction To Kashmir

There really is a beautiful country, called Cashmere (Kashmir), situated in Asia... Cashmere is not a mere name distinguishing a peculiar kind of shawl (Arthur Brinkman 1996, 11).

Kashmir is known for its singular beauty. Francois Bernier, the first European to set foot in the Valley of Kashmir in 1665 notes: “In truth, the kingdom surpasses in beauty all that my warm imagination had anticipated...It is not indeed without reason that the Mogols call Kachemire the terrestrial paradise of the Indies...” (Bernier 1996, 400). A more contemporary description echoes that of Bernier: As the Himalayas extend across a grand thousand-mile sweep across northern India, “it is in Kashmir alone that, in a special degree, the gentler and wilder aspects of nature are united in harmony” (Ferguson 1961, 9). Kashmir physical beauty complements its historical and cultural importance as the confluence between the three great religious traditions and cultures of South Asia namely, the Buddhist, the Hindu and the Muslim that are not consigned to past history but co-exist till today. Kashmir’s history, culture and geography defines its pre-eminence in the South Asian region and beyond. Only by recognising these multiple dimensions can we accord to Kashmir the importance it deserves.

Early History

Kashmir is the only place in possession of a Sanskrit historical record. This is Kalhana’s *Rajtarangini* – a historical treatise in verse comprising eight volumes composed during 1148-1150 C.E. The *Rajtarangini* cannot be considered an authoritative historical text, yet it does offer a glimpse into Kashmir’s early history, with its last section providing a historical account of that period. Kalhana was a Kashmiri (Hindu) Brahmin yet his description of Kashmir reveals his sympathy and regard for Buddhism. James Ferguson quotes Kalhana’s description of Kashmir in

the first book: “The sun does not burn fiercely while learning, lofty houses, saffron, icy water and grapes – things that even in heaven are difficult to find, are common there” (1961, 13).

Kashmir’s earliest documented history begins from the third century B.C. when it was part of the great Ashoka⁶ empire with considerable Buddhist influence – a historical legacy that continues in present day Ladakh. Asoka is credited with founding the city of Srinagari – present day Srinagar – the capital of Kashmir. Kashmir was subsequently ruled by the Kushans⁷ – a period marked by intellectual resurgence and prosperity during which Kashmiris came to be known throughout Asia as learned, cultured and humane (Schofield 2004, 2). Most notable among the Kushans was Kanishka (120 – 160 C.E.) whose capital was Peshawar (in present day Pakistan) and whose domains included the Punjab, the Kashmir Valley, the Indus and upper Ganges valleys, Afghanistan, and tracts in what is now Chinese Turkestan. Buddhism achieved its zenith under Kanishka with Kashmir developing close links with Central Asia and China that were destinations for Buddhist missions. During this period, as historian Percival Spear writes, Kanishka summoned the third great Buddhist Council in Kashmir:

Kanishka followed the example set by Asoka in convening a council of theologians to settle disputed questions of Buddhist faith and practice. The decrees of the council...were engraved on sheets of copper, enclosed in a stone coffer, and placed for safety in a *stupa* erected for the purpose at the capital of Kashmir where the council met” (1958, 151).

With the end of Kanishka’s reign, approximately six centuries of Buddhist eminence in Kashmir drew to an end as northern India succumbed to an invasion of Huns from Central Asia. Presaging Buddhism’s decline in Kashmir was the ascent of Mihiralka – the ‘White Hun’ – whose reputation for cruelty and devastation was, according to Kalhana, symbolised “by the vultures which flew ahead of him, eager to

⁶ Ashoka (268-231 B.C.) was one of India’s great kings whose empire included the greater part of northwestern India including present day Kashmir.

⁷ The Kushans were from Central Asia and ruled north India during 1 C.E. Romila Thapar, *A History of India Vol.1* (London: Penguin, 1966), p. 97.

feast on the carnage which they had by experience come to associate with his presence” (Ferguson 1961, 14). According to historian Romila Thapar, “there are local traditions surviving in Kashmir where various places are associated with acts of cruelty and tyranny attributed to Mihiraluka” (1966, 141). Mihiraluka’s ascendance (515 – 550 C.E.) marked the end of Buddhism and the beginning of a period of Hindu influence in Kashmir that lasted for over seven centuries.

Lalitaditya (700 – 736 C.E) was among Kashmir’s noted Hindu monarchs. He was a successful general and is credited with conquest in north India, the submission of Tibet and an invasion of Badakshan, Central Asia (Ferguson 1961, 15). Irrigation was improved, dams and canals built on Kashmir’s main rivers, and large areas of the Valley brought under cultivation. Among the enduring legacies of this period are the spectacular ruins of the famous temple of Martand described by Francis Younghusband during his travels through Kashmir during the early twentieth century:

But it is at Martand that there is the finest of Kashmiri architecture at its best, built on the most sublime site...On a perfectly open and even plain, sloping away from a background of snowy mountains and looking directly out on the entire length of the Kashmir Valley and the ranges which bound it, stand the ruins of a temple second only to the Egyptians in massiveness and strength and to the Greek in elegance” (1917, 136).

Another notable monarch was Avantivarman under whose reign Kashmir prospered. “Learning was encouraged and scholars...treated with honour” (Ferguson 1961, 16). Avantivarman’s rule gave way to a clutch of rulers whose brief reigns were marked by political instability. The Lohara dynasty, established in 1003 C.E. was a period of relative respite during which Kashmir retained a semblance of political unity while Jayasinha’s twenty-one year rule (1128 – 1139 C.E.) brought brief stability but left the countryside in a shambles together with a feudal culture, rivalry and intrigue at the court, and an exhausted population (Ferguson 1961, 26).

Kalhana's chronicles end in the twelfth century presenting us with a picture of Kashmir as forbidding terrain and a physical barrier to external interference yet also in possession of a life of its own. Ferguson mentions Kalhana's description of the social conditions in medieval Kashmir – the great authority and power of landlords over productive resources at the expense of the cultivator and population, the power of bureaucrats over ordinary people and the deception practised by merchants, while the Brahmins who were supposed to be above worldly matters keenly pursued the accumulation of wealth (1961, 27-29). The lack of internal cohesion and effective administration foreshadowed the decline of Hindu influence in Kashmir.

Medieval Kashmir

At the beginning of the fourteenth century, Kashmir's Hindu king Sinha Deva employed two men – Rinchin Shah and Shah Mir – both of whom significantly altered the course of history in Kashmir. Rinchin emerged as ruler of Kashmir and was succeeded by Shah Mir from Swat (present day Pakistan) who dislodged Kashmir's last Hindu king Udayanadeva to become Kashmir's sovereign in 1346 C.E. (Ferguson 1961, 29-30). Kashmir subsequently entered a period of Muslim influence that lasted till the early nineteenth century and included the reign of independent Sultans, Afghan rulers and Mughal emperors.

Notable among the independent Sultans was Shah Mir himself whose liberal reign secured his dynasty until the end of the century. Shah Mir's successor Sikander's reign during the end of the fourteenth century is associated with the destruction of Hindu temples and the forcible conversion of Hindus. This period witnessed a marked change in Kashmir's population that became predominantly Muslim with a small albeit significant minority of *Pandits*⁸ (Kashmiri Brahmins).

⁸ "It was the Brahmins (*Pandits*) on whom Hinduism had the strongest hold and who had the most to lose by conversion to Islam. Accordingly, while many of the lower castes became Muslim, a small number of the Brahmins – eleven families according to some authorities – remained steadfast, and managing to escape death, secured the survival of their caste till more favourable times restored their prosperity and influence... This accounts for the curious situation today whereby the Hindus of

This period also coincided with the arrival of numerous Muslim preachers into the Kashmir Valley from Persia and Central Asia – most notable among them being the Persian Mir Syed Ali Hamdani – who consolidated the dominance of Islam in the Valley (Lamb 1991, 9). In contrast to his predecessor, Kashmir's king Sultan Zain-ul-Abidin (1420 – 1470 C.E.) ushered in a period of religious harmony and intellectual resurgence. His reign of fifty years witnessed rural and urban consolidation, promotion of Kashmiri art, culture and handicrafts, patronage of literature, and the translation of Sanskrit texts into Persian (Ferguson 1961, 33-34). James Ferguson quotes Mirza Haider's (a Mughal from Central Asia who ruled Kashmir during the mid-sixteenth century) memoirs: its physical beauty and resources, its splendid temples, buildings, silk production, and "those arts and crafts which are, in most cities, uncommon, such as stone-polishing, stone cutting, bottle-making, window cutting and gold-beating" (1961, 37). Kashmir retained its independence under a succession of kings until its annexation by Akbar (1586 C.E.) upon which it became part of the Mughal empire – an annexation that marked the end of Kashmir as a kingdom in its own right.

While Kashmir's surrounding mountains acted as a natural barrier against foreign incursion and preserved its relative isolation and independence, the Mughals ended this seclusion. Routes across the Pir Panjal mountains (separating Kashmir from the plains of India) transformed into channels of governance and commerce. Writing in the 17th century, Francois Bernier describes the Kashmiris as "celebrated for wit, and considered much more intelligent and ingenuous than the Indians. In poetry and sciences they are not inferior to the Persians. They are also very active and industrious. The whole kingdom wears the appearance of a fertile and highly cultivated garden" (1996, 402). Among Kashmir's best-known products were its shawls that were part of a flourishing trade with Europe till the nineteenth century. The first shawls to reach Europe were brought by Napoleon during his campaign in Egypt.

Kashmir are almost entirely Pandits." James P. Ferguson, *Kashmir: An Historical Introduction* (London: Centaur Press 1961), p. 32.

As Mughal influence over India began to wane during the eighteenth century, so did its hold over its dominions. Kashmir lapsed into a period of Afghan rule with Kabul replacing Delhi as the centre of authority. Seven decades under the Afghan rule (1752 C.E. – 1819 C.E.) were scarred by political violence, cultural destruction, religious intolerance and non-governance. Hindus had to pay a special tax with restrictions on their religious practice, while Shi'a Muslims were deemed heretics and considered worthy of death. Unable to resist an Afghan onslaught characterised by brutality and coercion, the Kashmiris appealed to Ranjit Singh – ruler of the northwestern kingdom of Punjab – for help. A plea for deliverance from one oppressor drew Kashmir into a fateful and tyrannical bondage that extended for over a century.

Upon annexing Kashmir from the Afghans in 1819 C.E., Kashmir constituted part of Ranjit Singh's great Sikh empire in the Punjab with Lahore as the seat of government. The condition of Kashmir under the Sikhs was an improvement over that under the Afghans yet the Sikh regime was not overly concerned with governance or administration. The Sikhs, as James Ferguson notes, were conquerors who owed their power purely to their military capacity and were interested only in reaping the advantages of their conquest (1961, 50). In his book on Kashmir, Francis Younghusband quotes a visitor to Kashmir in 1824 who notes that: "everywhere people were in the most abject condition, exorbitantly taxed by the Sikh government, and subjected to every kind of extortion and oppression by its officers. Not one-sixteenth of the cultivable surface is in cultivation, and the inhabitants, starving at home, are driven in great numbers to the plains of Hindustan" (1917, 160). In his autobiography, Sheikh Abdullah – modern Kashmir's first Prime Minister – quotes poet and philosopher Allama Iqbal's couplet that captures Kashmiri poverty in the early twentieth century:

In the bitter chill of winter shivers his naked body
Whose skill wraps the rich in royal shawls (1993, 3).

The advent of the British and a series of Anglo-Sikh wars culminated in the dismemberment of Ranjit Singh's Sikh empire. Unable to extract the desired

indemnity from Lahore, and as reward for collusion with colonial authority, the British transferred the territory of Kashmir to Gulab Singh (*Dogra*⁹ ruler of Jammu) in lieu of this deficiency. In 1846, in what came to be known as the infamous Treaty of Amritsar, Kashmir was sold '*forever*' by the British to Gulab Singh for the sum of £500,000.¹⁰ Thus also did the Kashmir Valley pass from Sikh into Hindu hands. In vain did Robert Thorp, a British visitor to the Valley protest his government's betrayal:

But oh! British reader! Forget not that these and other frightful miseries are produced by a government which the British power *forced* upon the people of Cashmere; by a government into whose hands British statesmen *sold* the people of Cashmere (1868, 42-3) (emphasis original).

The British-Dogra alliance in Kashmir was perfect counterpoise to Muslim ambition in the south and Sikh power to the east. James Ferguson quotes Governor General Hardinge who argued that the sale of Kashmir was a "convenient way to recover the costs of the Anglo-Sikh wars for which the Sikhs themselves were unable to pay" and a "most expedient measure" by which a Rajput dynasty could act as a deterrent against Sikh and Muslim power (1961, 57-8). Dogra possession of Kashmir also served as a convenient British buffer against Russian, Afghan or Chinese expansion in the north without incurring any of the economic costs necessary for such a defence.

Much like his predecessors, Gulab Singh was a skilled soldier, yet he and his *Dogra* successors lacked the political ability to administer Kashmir.¹¹ The disastrous economic and social effects of Sikh misgovernance were exacerbated by a series of natural disasters. The state suffered a famine during 1877 during which two thirds of

⁹ The Dogras were Rajputs from central India from where some migrated to the north. Among them were Gulab Singh's ancestors who, in the eighteenth century, settled in Jammu. Ferguson, *Kashmir: An Historical Introduction*, p. 52.

¹⁰ The Valley was sold for a sum of Rs.75,00,000 that approximated to £500,000. Alastair Lamb, *Kashmir: A Disputed Legacy 1846 – 1990* (Karachi: Oxford University Press, 1991), p. 8.

¹¹ After being given possession of Kashmir, Gulab Singh's general Zorawar Singh is credited with the conquest of Ladakh and Baltistan by 1841. Gulab Singh's son Ranbir Singh added Gilgit to Dogra territory during 1860. Ferguson, *An Historical Introduction*, pp. 61-63.

the population is believed to have died due to starvation. An official ban on migration prevented people from migrating to places where food was available (Younghusband 1917, 181). This was also, as Ferguson notes, “a time for the Muslims to suffer. Mosques were closed and the call to prayer forbidden” (Ferguson 1961, 49). No Muslim in the Valley was allowed to carry a firearm and Muslims were not allowed in the army (Schofield 2004, 17). A grinding tax regime,¹² a corrupt bureaucracy, stifling state monopoly over all commercial enterprise, religious persecution and indifference to human suffering marked a deeply unpopular Dogra regime in Kashmir at the turn of the century.

Territorially, the Kashmir Valley added to the already existing Dogra dominions of Ladakh, Baltistan (annexed earlier) and Gilgit (retaken in 1860) together with the kingdoms of Hunza and Nagar which received an annual subsidy in return for their recognition of Dogra suzerainty. The jagir or fiefdom of Poonch¹³ was a district associated with the Punjab that was eventually brought under Dogra control by 1936. In 1947, all these territories constituted the principal regions of the Princely¹⁴ State of Jammu and Kashmir under Maharaja Hari Singh – Kashmir’s last Dogra monarch.

Kashmir at Independence

On the eve of India’s independence, Kashmir constituted India’s largest Princely State. Though all Princely states theoretically reverted to sovereignty, their real choices were confined to merger with either India or Pakistan (Brass 1994, 216). For

¹² “Production and manufacture of silk, saffron, paper, tobacco, wine and salt were all state monopolies. No product was too insignificant, and no person too poor to be taxed. Prostitutes were taxed and coolies engaged to carry loads for travellers had to give up half their earnings.” Francis E. Younghusband, *Kashmir* (London, 1917), pp. 178-9.

¹³ “The people of Poonch had little in common with the Valley or indeed with Jammu. They were Pathans and had close relations with other Pathan regions of North-West India and eastern Afghanistan. Poonch formally became a part of Jammu and Kashmir during 1935-36 – a point of resentment for its Muslims who never reconciled themselves to being subjects of that state.” Alastair Lamb, *Crisis In Kashmir: 1846 – 1990*, p. 14.

¹⁴ The Princely States were not formally part of British India as their territory was not annexed by the British Government. This particular aspect of British hegemony meant that in return for their recognition of and allegiance to the British Crown, the latter recognised the authority of these rulers over their respective fiefdoms.

most states, for practical and political reasons, independence was never an option. Some merged to form larger federating units while some princes were allowed to remain titular heads sans power. There were however, three exceptions to this general pattern of accession and absorption. They were Kashmir, Junagadh and Hyderabad.¹⁵ Whereas Junagadh and Hyderabad had Hindu majority populations under a Muslim sovereign, Kashmir's Muslim majority was ruled by a Hindu Maharaja. Adding to Kashmir's significance were its contiguous territorial borders with the newly independent states of India and Pakistan and common frontiers with China and Tibet.

Maharaja Hari Singh was not particularly concerned about the welfare of his subjects. Sumantra Bose quotes Kashmiri Hindu writer G.N. Kaul who "paints a Dickensian picture of Srinagar in the early 1920's – prostitution, thievery, beggary, disease, illiteracy and unemployment were apparently rife, while '90 per cent of Muslim houses [were]... mortgaged to Hindu moneylenders.' The 'plight of Sikhs is equally frightful', according to Kaul, while *Pandits* (Kashmiri Brahmans) seemed a 'little better off'" (1997, 24). Kashmir's Prime Minister Sheikh Abdullah quotes Albion Banerjee who summed up the condition of Kashmir's citizens in 1939:

In the state of Jammu and Kashmir, injustices of various kinds are prevalent. The Muslims, who form an overwhelming majority, are illiterate, steeped in poverty, and driven like dumb cattle. No rapport exists between the government and the people. There is no system to redress their grievances. Public opinion is not permitted. Newspapers are generally non-existent (1993, 16).

Impending British withdrawal from India and the emergence of new political and social formations foreshadowed change in the old order. Yet Hari Singh was "too much of a feudalism" (Schofield 2004, 25) to contemplate or accommodate political change. Sensing, though not sensitive to, the precariousness of his position,

¹⁵ "The Nawab of Junagadh opted for Pakistan but subsequent objections raised by India led to a referendum that established near unanimity in the state's accession to India. The Nizam of Hyderabad on the other hand, evaded a negotiated settlement which provided India an excuse to assimilate his territory into Indian Union by force." Percival Spear (ed), *A Oxford History of India* 3rd Edition (Oxford: Clarendon Press, 1958), p. 241.

Hari Singh's first instinct was self-preservation. For over two months he prevaricated between the choice of acceding to the dominions of India or Pakistan, briefly toying with the idea of working out an association with Pakistan, "if Pakistan would agree to leave his throne intact" (Bose 1997, 26).

Meanwhile resistance against Hari Singh was spearheaded by Sheikh Abdullah whose party, the All India Muslim Conference subsequently transformed into the National Conference. The National Conference launched a 'Quit Kashmir' agitation against Hari Singh and called for the establishment of representative government. It further declared its intent to "end communalism" by ceasing to think in terms of Muslims and non-Muslims, and invited "all Hindus and Sikhs to participate as equals in the democratic struggle" (Lamb 1966, 31). In a public speech, Abdullah declared that "the time has come to tear up the Treaty of Amritsar... sovereignty is not the birthright of Maharaja Hari Singh. Quit Kashmir is not a question of revolt. It's a matter of right." (Bose 1997, 25). For his defiance and resistance, Abdullah was imprisoned by Hari Singh's regime.

The communal holocaust which accompanied the partition of the subcontinent in 1947 created the greatest refugee crisis of the twentieth century (Talbot 2000, 157).¹⁶ Kashmir too reverberated with partition's violence and communal passion. Hari Singh increased his Hindu and Sikh forces and instructed Muslims to surrender their weapons. Members of the Rashtriya Swayam Sevak Sangh (RSS) – a Hindu right wing organisation – used the condition of Hindu refugees fleeing violence from north-west Pakistan as an opportunity to connive with the Maharaja's police in the massacre and expulsion of Muslims in Jammu's eastern districts (Bose 1997, 26). The crisis climaxed with the entry of several thousand Pathan tribesmen from the North West Frontier Province (NWFP) into the town of Baramulla, on the road towards the capital, Srinagar. Pleading inability to defend his kingdom, Hari Singh acceded to India on condition that Delhi send troops to defend his territory, with the understanding that this accession was provisional and

¹⁶ "Some seven million people migrated to Pakistan from India. Around 5.5 million Hindus and Sikhs crossed over in the opposite direction from West Pakistan to India. There were an estimated one million fatalities." Ian Talbot, *India and Pakistan: Inventing The Nation* (London: Arnold, 2000), p. 156.

“conditional on the will of the people being ascertained as soon as law and order were restored” (Noorani 1964, 31). Sheikh Abdullah, who had recently been released by Hari Singh, organised the defence of Srinagar against the invasion with members of the National Conference and the Indian Army.

Hari Singh’s decision to accede to India was immediately contested by Pakistan. This initial dispute led to the first Indo-Pak war over Kashmir during 1948 and a subsequent 1949 cease-fire supervised by the United Nations. During 1948-49, three United Nations resolutions called upon the governments of India and Pakistan to hold a plebiscite in order to ascertain the wishes of the Kashmiri people and allow them to determine their own future. Lawyer A.G. Noorani quotes Jawaharlal Nehru who spelled out government policy: “Our view which we have repeatedly made is that the question of accession in any disputed territory or state must be decided in accordance with the wishes of the people” (1964, 34). By 1954 however, Nehru had veered towards a volte-face on Kashmir by submitting the dubious argument that Pakistan’s entry into the CENTO and SEATO¹⁷ military alliances foreclosed the possibility of a plebiscite in Kashmir (Noorani 1964, 66). By 1956, the volte-face was complete; Nehru virtually ruled out a plebiscite in Kashmir (Noorani 1964, 72). The plebiscite was eventually never held. In this way, a temporary accession was subsequently proclaimed by the Indian establishment to be ‘permanent.’

In the aftermath of the 1948 hostilities, a cease-fire line (Line of Control or LOC) was demarcated in July 1949 with roughly two-thirds of Kashmir falling within India and approximately one-third in Pakistan (see Appendix for map). Accordingly, the territories of Gilgit and Baltistan became part of Pakistan while Jammu, Ladakh and the Kashmir Valley fell within India. This division of Kashmir achieved militarily by India and Pakistan was neither reversed nor affirmed. Accordingly, the 1949 Line Of Control (LOC) that divides Kashmir constitutes the de-facto ‘border’ between India and Pakistan. The rhetorical statement that Kashmir is ‘an integral part of India’ became the trademark of successive regimes in New

¹⁷ The CENTO and SEATO alliances were United States sponsored security blocs against the Soviet Union and its allies. Sumantra Bose, *The Challenge In Kashmir: Democracy, Self-Determination And A Just Peace* (New Delhi: Sage), p. 38.

Delhi. For Pakistan, Indian appropriation of Kashmir symbolised the unjust and illegal occupation of territory that, in its view, was rightfully hers. These seemingly divergent positions, as Eqbal Ahmed points out, “share one key characteristic: both perceive Kashmir’s realities and interests as subservient to their own” (1996, 16).

Democracy in Kashmir: Promise and Betrayal

No other state in India had to wait so long for democracy as Jammu and Kashmir (Widmalm 2002, 56).

Sharing borders with China, Pakistan and Tibet, Kashmir includes the regions of Jammu, the Kashmir Valley and Ladakh. Each region is not culturally distinct but contains within it majority religious and ethnic groups with smaller minorities.¹⁸ The Kashmir Valley – the location of the present crisis – is overwhelmingly Muslim with a small but significant Hindu (*Pandit*) minority.

Post-1947 constitutional provisions limited Indian jurisdiction in Kashmir to the areas of defence, foreign affairs and communication.¹⁹ In 1949, the Indian Constituent Assembly moved to adopt Article 306A as a temporary extension of autonomy to Kashmir pending a plebiscite.²⁰ Sheikh Abdullah went on to become Prime Minister in Kashmir’s first government in 1951. The highlight of Abdullah’s government’s manifesto *Naya Kashmir* (New Kashmir) was a land reform programme that promised ownership rights to (mainly Muslim) peasants “who tilled the land, had no security of tenure and had, in the past, been obliged to migrate to India during the winter season or starve” (Schofield 2004, 74). By 1953, the reforms led to a redistribution of 230,000 acres of land²¹ – a factor that greatly enhanced

¹⁸ Ladakh constitutes the largest area of all the three regions and is home to Ladakhi Buddhists and a small Shia Muslim minority. Jammu is largely Hindu with Sikh, Muslim, Dogra, Pahadi and Gujjar minorities. The Kashmir Valley is largely Muslim with a small Pandit (Hindu) minority.

¹⁹ The jurisdiction of the Supreme Court of India did, however, extend to Kashmir.

²⁰ “The Constituent Assembly was meant only to give a representative Government to Kashmir and was not intended, likewise, to be an alternative to a plebiscite.” A.G. Noorani, *The Kashmir Question* (Bombay: Manaktalas, 1964), p. 47.

²¹ “If one takes into consideration the small population of Jammu and Kashmir at the time; this may be considered the most extensive land reform program in India ever.” Sten Widmalm, *Kashmir In*

Sheikh Abdullah's popularity and stature (Widmalm 2002, 120). Subsequently, Prime Ministers Abdullah and Nehru negotiated the 'Delhi Agreement' that ratified Kashmir's autonomy as Article 370 of the Indian Constitution (Bose 1997, 32).

While Sheikh Abdullah's secular and socialist leanings brought him close to the Nehru administration, his articulation of the independence option – that remained unresolved and therefore open to consideration – was interpreted as high treason by the Indian establishment. This extreme reaction reflected Indian fears of Kashmir's independence, rather than the alleged subversive inclinations of Abdullah himself. Indeed, as long as the issue of accession remained unresolved, the theoretical option of Kashmiri independence remained open. The communal and reactionary positions among members of the ruling elite were evident in representations where "India was seen to have acceded to Kashmir" (Abdullah 1993, 118) and in allegations of the National Conference being a (Muslim) "communal party and a cover for the extension of communist ideology" (Lamb 1991, 197). New Delhi's increasing suspicion and hostility towards Sheikh Abdullah ended in his dismissal provoking widespread protest across Kashmir. The Indian establishment's imperious attitude towards democracy in Kashmir and the resentment such a policy provoked among Kashmir's citizens foreshadowed the tragedy that followed.

During the unremarkable tenure of Abdullah's successor (installed by Delhi) Bakshi Ghulam Mohammed, Indian jurisdiction was extended to all areas beyond those spelled out in Article 370. Not only was this a clear violation of the Article itself; it also underlined the lack of commitment on the part of the Indian state to safeguard Kashmir's autonomy. The abrogation of Article 370 was compounded by the denial of civil liberties.²² On 26 January, 1957 the "duly constituted" Constituent Assembly of Kashmir adopted a new Constitution that declared: "The State of

Comparative Perspective: Democracy And Violent Separatism In India (London: Routledge Curzon, 2002), p. 182 n 68.

²²As K.G.Kannabiran – an Indian civil liberties scholar notes: 'Freedom of speech, assembly and association in the state could be suspended at any time on 'grounds of security'. No judicial reviews of such suspensions would be allowed...What we in India experienced for a brief period ..during Mrs. Gandhi's emergency, Jammu and Kashmir has suffered for ..years.. We cannot deny a people rights that flow out of citizenship and then expect their allegiance.' The Slow Burn in *The Illustrated Weekly Of India* (New Delhi: July 1, 1990).

Jammu and Kashmir is and shall be an integral part of the Union of India” (Article 3). A subsequent constitutional amendment in 1958 brought Kashmir under the purview of central administrative services (Bose 1997, 34). In 1963, it was considered expedient by New Delhi to replace Bakshi Ghulam Mohammed with G.M.Sadiq whose regime presided over the extension of Articles 356 and 357 of the Indian Constitution to Kashmir – empowering the Central government to dismiss an elected state government. Through such legalese, New Delhi eroded the letter and spirit of Article 370 that it was legally bound to safeguard. As a result, as Sumantra Bose notes, “Kashmir’s political arena came to be dominated with politicians installed at New Delhi’s behest and its day-to-day administration gradually usurped by people with no roots among the population” (1997, 34). The erosion of Kashmir’s autonomy and its integration within the Indian Union was thus written into law *without* Kashmiri affirmation. C.P. Surendran sums up the ‘legal’ charade succinctly: “Clearly, no hegemonic power could be more ‘legal’ in its efforts to convert a sphere of dominance into territorial acquisition” (1991, 59).

After 23 years of enforced political oblivion by New Delhi, during which Kashmir’s autonomy was systematically and substantively eroded, Sheikh Abdullah concluded an agreement with Mrs. Gandhi whereby Kashmir’s ‘special status’ became a mere formality. In a 1975 agreement between both leaders, Kashmir was “made a constituent unit of India...legitimising the usurpation of the right of self-determination and thereby making India and Pakistan the arbiters of Kashmir’s destiny” (Bose et al 1990, 35). With the legal incorporation of Kashmir as a constituent of India, the option or possibility of self-determination virtually ended. Abdullah can be faulted for consenting to an agreement that eroded Kashmir’s autonomy. Aged and ailing, he perhaps realised that a plebiscite and/or self-determination were practically impossible options at that point in time and settled for the best of a bad bargain.

For all it was worth, the 1975 Accord did, however, ensure Kashmir’s first reasonably free and fair elections during 1977 that voted in an administration headed by Sheikh Abdullah until his death in 1982. In the ensuing 1984 elections, Sheikh

Abdullah's son Farooq Abdullah won a decisive mandate despite a concerted communal campaign by Mrs. Gandhi that centred on the alleged secessionist, anti-national 'threat' posed by minorities in Punjab (read Sikh) and Kashmir (read Muslim). Under tremendous pressure in the aftermath of her ill-fated assault on the Golden Temple in Amritsar,²³ and in panic against growing opposition unity (that included Kashmir's Chief Minister Farooq Abdullah) to authoritarian politics and the dismissal of duly elected governments by her regime, Mrs. Gandhi played her final, fateful card in Kashmir. In 1984, she dismissed Farooq Abdullah's legitimately elected government.

New Delhi's subversion of democracy in Kashmir preceded Farooq Abdullah mending fences with New Delhi that he subsequently rationalised as an acceptance of a reality whereby Kashmir's political future was contingent on approval by New Delhi. Farooq's preference to abandon principle in order to gain power evoked widespread Kashmiri resentment since his alliance was with the very (Congress) party that had so cynically undermined democracy in Kashmir. Farooq Abdullah returned as Chief Minister of Kashmir – but at the cost of considerable erosion in the political and moral base of the National Conference and the legacy of his father Sheikh Abdullah.

An immediate outcome of Farooq's catastrophic rapprochement with Delhi was the formation of a broad coalition of political groups under the banner of the Muslim United Front (MUF). Though MUF did not have a clear-cut ideology; it represented a cross-section of disaffected "educated youth, illiterate working-class people and farmers" who expressed "anger against family rule, corruption, lack of development" (Bose 1997, 45). In the (1987) elections, Farooq Abdullah's National Conference won a majority of seats amidst widespread allegations of rigging (electoral fraud) by the MUF. Allegations of rigging were never investigated while the arrest of several MUF leaders fuelled public resentment and anger. Sten

²³ In 1984, Mrs. Gandhi ordered the storming of the Golden Temple in Amritsar by the Indian Army – allegedly to remove militants – an operation that ended in large civilian casualties and her eventual assassination.

Widmalm quotes Abdul Ghani Lone who summed up Kashmiri anger against 'democracy' in Kashmir:

It was this [subversion of democracy] that motivated the young generation to say "to hell with the democratic process and all that this is about" and they said, "lets go for the armed struggle" (2002, 80).

As simmering resentment transformed into mass rebellion, the response of the Indian state centred on virtual military rule in Kashmir. In one of the most infamous and gruesome incidents, unprovoked firing by military forces at a large unarmed demonstration in Srinagar in January 1990 ended in over a hundred deaths. Kashmir slipped under the shadow of military rule – marking its descent into a state of violence and chaos from which it is yet to emerge.

Chapter 2

Militarism and Militarisation

Traditional warfare has today been superseded by conflicts of unspeakable violence conducted by regular armies...As a result, violations of humanitarian law are increasingly frequent and serious (International Committee of the Red Cross 1995, 4).

We wish to stress once again that women's rights are human rights, that human rights are above national interests, and that the state must not kill its citizens (Belgrade Women's Lobby, 10 December 1993).²⁴

The terms militarism and militarisation are used frequently and interchangeably with reference to war and violence: in many instances, both are used synonymously. Even as their respective meanings derive from the military establishment (hereafter referred to as the military) there exist important differences between both terms. Since the word militarism predates the concept of militarisation, I begin this section with a discussion of the academic debate on militarism in the early twentieth century.

In the first part of the discussion, I elucidate the broad contours of this debate, arguing that the theories of militarism do not fully explain its complexity in the modern (twentieth century) world and illustrate why the term 'militarism' – insofar as it is based on the idea of dominance of the military over civilian authority and the classic civil-military distinction – is inappropriate. I highlight how militarism in the post-1945 (western) world *transcended* the military and was transformed into an attribute of the nation-state and its attendant logic of national, territorial defence. Notwithstanding the continued salience of this logic, this study conforms to a traditional disarmament position and does not, therefore, subscribe to the latter. In taking this position, I do not suggest a dismantling of the military, nor do I deny the

²⁴ Opening Statement of the Autonomous Women's Centre Against Sexual Violence. Lepa Mladjenovic and Donna M. Hughes, 'Feminist Resistance To War and Violence In Serbia' in Marguerite R Waller and Jennifer Rycenga (eds), *Frontline Feminisms: Women, War And Resistance* (Garland Publishing Inc.: New York, 2000), p. 267.

existence of external threats (to the state). My point simply is that military power has failed to achieve 'security' for the state and contributed to what I term militarism's external dimension.²⁵

The second part of my discussion focuses on militarism *within* the nation-state in the global south. I demonstrate that militarism's domestic variant in the global south is very different from the western European or North American context, which is why early theories of militarism cannot fully account for its empirical dynamics. The crisis within states across the global south that translated into the replacement of civil governance by military rule where "the enemies are fellow citizens"²⁶, erodes state legitimacy, blurs the civil-military distinction and creates an alienated and resentful citizenry, all of which perpetuate the original crisis. Militarism's domestic crisis must therefore be understood in *political* rather than *exclusively* military terms. I proceed to explain the difference between militarism and militarisation and argue that the external and domestic dimensions of militarisation are not mutually exclusive; rather they are mutually reinforcing.

In the third and final section, I use gender critiques of war and militarism to highlight militarisation as a gendered process, underpinned by meanings and constructions of gender. I highlight the importance of gender as a category of analysis that not only illustrates militarisation's social dimensions and its inextricable link with society but also the manner in which militarisation exacerbates gender inequalities.

²⁵ "The history of the nation-state has also been the history of warfare. War thus appears not as abnormal but as being pre-eminently normal in international politics. However, the paradox that makes this apparently sensible policy create the condition which it most wishes to *avoid stems from the notion of security*. Security only exists when a state possesses the capacity to fight successful wars against any potential aggressor, and defence policy is concerned in the main with relative military *capacities* and not the *intentions* of other nations. Clearly, if all nations share this concern then the result is a condition of permanent insecurity in the world...The consequence is a competition between states which takes the form of arms races ...and social and economic preparation for war, *which can only be finally resolved by war itself*." Jan Oberg, 'The New International Military Order: A Threat To Human Security' in Asbjorn Eide and Marek Thee (eds), *Problems Of Contemporary Militarism* (London: Croom Helm, 1980), pp. 69-70, (emphasis original).

²⁶Bowman 2002, p. 14.

By way of conclusion, I underline the paradox of the nation-state in the global south whose attempts to achieve 'security' remain unrealised even as its domestic crisis of militarisation has transformed it into a source of fear and *insecurity* for citizens (Walker 1993, 3).

Militarism in the Modern World

The term militarism is used with reference to a range of developments including interstate military conflict, the transnational arms race, the military-industrial complex, military juntas, militant nationalism, and so on. This rather broad category shares a single attribute that links them to each other, namely, their relationship with the military (Skjelsbaek 1980, 78). Two clarifications are in order here. First, the term military in this study refers to state military forces that are used for the purpose of external territorial defence. Second, the term militarism is used not in its legal sense, i.e., the presence of a national army or military, but rather, in its sociological sense, i.e., the use of the military *within* states as a means to achieve *political* objectives (Skjelsbaek 1980, 81). In other words, the "mere existence of a military does not imply a militarist state" (Chenoy 2002, 6); It is when the military assumes extra-legal powers and functions as an instrument of political repression that militarism assumes a meaning beyond the military. In this context militarism "pertains to values, attitudes and practices which connote a bias or *preference* for military means where they are *unnecessary* from the standpoint of territorial defence" (Wolpin 1986, 2) (emphasis original).

The debate on militarism during the early twentieth century was based on the Liberal and Marxist positions. According to the former, militarism was a political and constitutional problem, a remnant of a pre-capitalist, pre-industrial age where political dominance of the military over civilian institutions constituted a deviation from representative government based on a civil-military distinction. The establishment of constitutional government accordingly, was deemed an appropriate remedy for militarism. Civilian rule, liberals argued, would not only remove the undue influence of the military in civil affairs but also generate industrial production

and economic prosperity that would, in turn, render military power superfluous. Industrial capitalism and parliamentary democracy, in other words, were perceived to be the perfect antidote to militarism (Berghahn 1981, 18).

Marxist analyses, on the other hand, emphasised militarism's economic dimensions, i.e., class relations within a particular mode of production. Karl Leibknecht's formulation is succinct:

A history of militarism in the deepest sense discloses the very essence of human development and its motive forces...[it] is ...the history of the political, social, economic and, in general, the cultural relations of tensions between states and nations, as well as the history of class struggles within individual states and national units (1973, 17).

Volker Berghahn quotes Rosa Luxemburg who extended the Marxist argument to analyse militarism not just in relation to capitalism and class relations, but as an instrument of colonialism and imperialism (1981, 24-25).²⁷

Despite their contrasting arguments, both Marxists and Liberals viewed militarism in terms of the undue emphasis on military power by states and regimes. For Marxists, militarism was an instrument of capitalist interests and an impediment to working-class opposition to war; for Liberals, on the other hand, it was a relic of autocratic/monarchic political orders and the dominance of the military within them. For proponents of both positions, however, militarism was a passing anomaly that would be overcome with the passage of time. The debate, accordingly, was "not merely when and under what circumstances militarism could be seen to exist, but also when and under what circumstances it would disappear" (Berghahn 1981, 27).

²⁷ Militarism according to Luxemburg was "a province of capitalism" where its economic function within a capitalist system was to "implement a foreign and colonial policy in order to appropriate the means of production of non-capitalist countries." Rosa Luxemburg, *The Accumulation of Capital* (Berlin 1913) cited in Berghahn, *Militarism: The History of an International Debate*, pp. 24-25.

The experience of war in Europe however exposed the limitations in the respective arguments. As Berghahn notes, this was primarily because “neither the Liberals nor the Marxists had fully anticipated the impact of modern warfare upon the material life and psychology of the participating nations” (1981, 27). Germany’s defeat and the dismantling of its military power – considered by Liberals to be *the* source of militarism – did not extinguish the latter. On the contrary, post-war Germany witnessed a growing consensus regarding the role and position of the military in German politics and society, justifying it as a political necessity and “a principle of German life and culture” (Berghahn 1981, 32). For Marxists, the post-war dilemma was equally acute. Working class solidarity and the labour movement had not prevented Europe’s descent into war, and lay completely collapsed during it. Emotions of patriotism and nationalism had, in the end, proved stronger than class loyalty or solidarity (Best 1989, 25).

A major problem with the Liberal argument was that its explanation for militarism was confined to the arena of *formal* politics. Liberals overlooked the fact that militarism did not necessarily have purely institutional origins; indeed, post-war analyses revealed how inter-war socio-economic dislocation in Germany and Japan precipitated “repression at home and expansionist wars abroad,” both of which laid the basis for German and Japanese militarism (Berghahn 1981, 68). These analyses situated militarism within its specific *historical* context: they were unpopular because they challenged the notion that Nazi Germany and Imperial Japan were militarist in ways that others were not. To this extent, the Liberal position ‘externalised’ militarism and represented it as a characteristic of ‘other’ nations or anomalous political formations – Bonapartist France, Nazi Germany, Imperial Japan and subsequently totalitarian Soviet Union.

The Marxist position, too, was not without flaws. Even as Marxist analyses explained militarism in historical terms, the classical Marxist argument emphasising militarism’s class dimensions faltered as it obscured its own contradictions by removing socialist countries from its frame of analysis (Skjelsbaek 1980, 84-5). The

denial of non-capitalist militarism could be said to represent the major mistake of the Marxist school on militarism.²⁸

Finally, both Liberal and Marxist arguments made an explicit distinction between militarism and its *social* context. This distinction, or rather the civil-military divide as it subsequently came to be known, was inconsistent with the historical experience of modern Europe, whose nation-states were forged not just through inter-state military conflict but also through mass nationalist mobilisation and the socialisation of hostile national identities. The civil-military distinction obscured the fact that the ‘national’ armies that fought at the front during World War II were, at the same time, symbolic repositories of the prejudice and hostility of fellow nations and citizens. It ignored the blurring of combat zones (during aerial bombardment) that dissolved the difference between soldiers and civilians. Nor did it take into account “the censorship, the criminalisation of opponents of the war, the internment of enemy civilians or the state-sponsored patriotic mobilisation that were all part of the process of militarism” (Geyer 1989, 74). In other words, Europe’s experience of war was embedded in its social fabric. Militarism, thus, was not merely about the *political* eminence of militarist or fascist orders that waged war; nor was it *only* a process of capitalist accumulation based on exploitative class relations. Rather, as Michael Geyer notes, it embodied the mobilisation of resources and people based on the idea of defending a perceived collectivity. “As a result, what we got were not calculated military confrontations for specific gains, but wars over ‘identity’; that is, wars in which societies defined themselves in opposition to a mortal ‘enemy’” (1989, 99).

Geyer’s argument highlights the civil-military distinction that served to obscure the *social* foundations of European militarism – a perception that perpetuated the notion of militarism as an ‘external’ anomaly. This perception was further reinforced in post-war Europe; war and aggression “civilianised Western states” and spelt the end of regimes identified with militarism as civilian rule became

²⁸ Jan Oberg 1982, p. 59. “A weakness in the Marxist approach is found in its disregard for important group or class criteria other than the relationship to the means of production... The conflicts which nevertheless exist within and between these countries are therefore either denied, or blamed on imperialist subversion, and in any case, poorly understood” (Skjelsbaek 1980, 86).

established as one of the cornerstones of the modern European state (Tilly 1985, 75-76). The emergence of representative government, together with the absence of war within and between European states, served to validate the Liberal argument in which civilian rule was perceived to be *the* safeguard against militarism. Seen from this perspective, “the Western case was clear-cut: it was wrong to talk of militarism when there existed legitimate governments” and “strong civilian institutions that guaranteed civilian control of political decision-making, including military affairs. In short, Western parliamentary democracies could not be called militarist” (Berghahn 1981, 85).

While this seemed to be a convincing argument, a closer scrutiny does not bear out its assumption. The post-1945 period did not spell the *end* of militarism, it reflected a *shift* in its meaning and dynamics. The *meaning* of militarism was still linked to military power but, in a post-war period, where the nation-state was no longer being extended, the new militarism came to centre on its *defence*.²⁹ This shift was not necessarily an inherent virtue of *civilian* rule; rather, the stabilisation of the European state-system *required* an end to (inter-state) wars of territorial expansion. The demise of the latter *altered* both the nature and course of militarism, symbolised by the transformation of War Departments into what were subsequently termed Departments of Defence.³⁰

The establishment of civilian rule in western nation-states did not *eliminate* militarism; it *masked* its transformation from an age of open aggression and glorification of war to an era of muted preparation for the latter. This preparation was characterised by a military-industrial collaboration that came to be known as the military-industrial complex (MIC).³¹ The MIC was not restricted to the United States or (some) western European states. Organising for war came to be a central economic and industrial feature of the Soviet Union that one writer aptly described as

²⁹ The nation “was no longer being extended, but it need[ed] defending.” Michael Mann, ‘The Roots And Contradictions of Modern Militarism,’ in *The New Left Review*, vol. 1/162, 1987, p. 48.

³⁰ Buzan 1988, p. 15

³¹ This link was “not merely an idea” but characterised by “the weapon system” that “implied the existence of an entire supporting cast – scientists to invent the weapons, workers to build them, soldiers to use them and technicians to repair them.” Mary Kaldor, *The Baroque Arsenal* (London: Andre Deutsch, 1982), p.12.

“militarised socialism” (Mann 1987, 36). For the Soviet Union, the race towards the production and accumulation of the weapons of war “served to endorse Western ...criteria of what constitutes military power and, by the late 1970s, to establish the Soviet Union as the second superpower, on the basis of those criteria” (Kaldor 1982, 100).

Militarism’s military-economic dimensions were linked to its political-ideological dimensions. Just as the alleged Soviet ‘threat’ served as an ideological justification for the MIC in the United States the Soviet military-industrial complex was, in turn, legitimised by the latter. Both were “not in conflict but were *complementary*, tied together by the same historical experience. Both needed the other. Both required a high level of civil-military collaboration, military spending and a permanent external threat. The existence of each provided a legitimisation for the other” (Kaldor 1990, 33) (emphasis original). The global military order forged by the United States and the Soviet Union symbolised a complex, interconnected web between government, economy, industry, technology and, by extension, society.³²

As the dynamics of militarism moved beyond the military, explanations for the new militarism did not quite fit existing Liberal or Marxist frameworks. The proposition that militarism was attributable to a particular class, economic or political system was invalid; nor could the new militarism be characterised as the ‘other’ or a remnant of the ‘past.’ Indeed, both assumptions centred on the “artificial separation between social and political history” and “obscured deeper *social processes* that transcend national political boundaries” (Gillis 1989, 2) (emphasis added). If anything, such assumptions only “serve to shift the blame on to others and divert attention from society’s own condition” (1989, 3) This is as true of the contemporary world as it was six decades ago.

³² See Gillis 1989, p. 9 and Thee 1980, p. 22. The civilian base of militarism reflected a shift in the relationship between the military, the state and society where the confluence between them constituted the basis of this shift. “Military research and development absorb an estimated 20 – 25 percent of all the world’s manpower and material resources...Around the globe, about five hundred thousand highly skilled scientists and engineers devote their talents to organising for violence.” John Gillis, ‘Introduction,’ in Gillis (ed), *Militarisation of the Western World*, p. 9. See also Marek Thee, ‘Militarism And Militarisation In Contemporary International Relations,’ in Eide and Thee, *Problems of Militarism*, p. 22.

To sum up, militarism in the modern (twentieth century) western world was a dynamic process shaped by its own particular historical context that, in turn, influenced the political, economic and social life of its constituent nation-states. Militarism began with the political dominance of imperial orders and militarist regimes that fuelled the great wars in Europe. These wars were not confined to the military but encompassed a wider arena of social and ideological mobilisation. The forces unleashed by western militarism could not, however, be contained within Europe, for European militarism “fed on itself, ultimately destroying those national units that had given it birth, in order to create an entirely new international order dominated by the superpowers” (Gillis, 1989, 8). This new international order had profound implications for militarism in the global south.

Militarism in the Global South

The post-1945 period coincided with the emergence and consolidation of a number of post-colonial states in the global south, many of whom replicated the structures of their former colonial masters – namely, constitutional government, civilian institutions, a civil bureaucracy and a subordinated military. In the immediate absence of theoretical and empirical studies on militarism in the region, analyses of militarism here during the 1960s – 70s centred on the experience of state-making in Europe. Accordingly, it was analysed with reference to the political dominance of the military in formal politics. The old Liberal argument regarding constitutional government and the civil-military distinction was reiterated to explain the *coups d'état* and military dictatorships in Asia, Africa and Latin America. Among its earliest and most notable proponents was Vagts who attributed post-1945 “Eastern militarism” [sic] to “the failure or patent weakness of democratic-parliamentary governance in most countries between Turkey and China” (1959, 490).

The problem with the extension of the Liberal argument to the global south is that it was based on a (western) model of the state “where there was far less distance between state organisation on the one hand, and society and citizens on the other” (Buzan 1988, 16). In the absence of inter-state wars – other than the larger East-West

(Cold War) conflict – military power in (western) states in the immediate post-1945 period came to centre on the physical protection of the state. The concept of militarism centred on military defence of the state did not, however, quite correspond with the empirical realities of states in the global south – including South Asia – where the creation of new, often artificial, post-colonial ‘national’ frontiers and/or the lack of internal political cohesion within the latter, meant that the sense of insecurity from which these states suffered emanated much more from *within* than without. In other words, although states in the global south emulated the formal (western) structures of governance and the attendant concept of (external) territorial defence, their internal empirical reality remained inconsistent with the latter. For precisely this reason, the establishment of *civilian* rule in states across the global south did not spell the *end* of political dominance of the military. On the contrary, the military shot into prominence in a number of new states and, by 1981, it dominated 54 of the world’s 141 independent states (Tilly 1985, 76).

A second problem with the Liberal argument vis-à-vis the global south is that it was ahistorical. Since Liberals viewed militarism in institutional, not historical terms, they failed to take into account *internal* state processes that precipitated the emergence of not just the proverbial military junta, but also the frequent resort to military rule by civilian regimes. Further, the uncritical acceptance of civilian government by Liberals as *the* indisputable safeguard against militarism was based on the notion of state legitimacy – a notion that has historically been keenly contested by citizens in states across the global south. In sum, *because* the Liberal argument did not address the *historical* context of militarism in these countries, its explanation for it remained limited.

Proponents of the modernist school, on the other hand, proffered an alternative explanation which mirrored the emerging debate on ‘modernisation’, whereby newly independent states in the South were assumed to follow the political and economic trajectory of the West, i.e., industrial capitalism and liberal democracy. To this extent, the modernist argument was no different from the Liberal perspective; where they differed was in their respective views of the military

establishment. In contrast to traditional liberal hostility towards the military, modernists considered it an instrument of political stability and a 'progressive' force in the implementation of national social and economic transformation (Pauker 1958, 342; Pye 1962, 80).³³

Apart from the contentious assumption that new states were static entities prior to the introduction of modern technology and the development of (western) institutions of government, the modernist position was politically conservative. It endorsed greater military aid and closer military ties between the global south and western industrial powers, together with the implementation of a neo-liberal economic policy.³⁴ Much like its Liberal counterpart, the modernist position too, was ahistorical. For precisely this reason, empirical evidence was not in consonance with its central theoretical premise regarding the military as an agent of social transformation. Enforced political stability by it did not necessarily translate into economic or social transformation. On the contrary, the record of governance by military regimes across the Global South has generally been poor (Ball 1985, 17; Bowman 2002, 4, 253, Nordlinger 1970, 1148).³⁵

The third position in the debate is the Marxist critique of militarism which argued that militarism in the global south was an outcome of historical and institutional particularities, part of a global system of militarism symbolised by the MIC (Albrecht and Kaldor 1979, 1-15; Luckham 1979, 232-234; Thee 1980, 21-22). The Marxist 'world system' approach viewed it as a capitalist superstructure

³³ For instance, Pauker argues that "ways must be found to utilise the organisational strength of the national armies and the leadership potential of their officer corps as temporary kernels of national integration, around which other constructive forces of the various societies could rally during a short period of breakthrough from present stagnation into a genuine takeoff." Guy Pauker, 'Southeast Asia as a Problem Area,' in *World Politics*, vol. 11 (1958), p. 342.

³⁴ According to Lucien Pye (an advocate of the modernist school), the military is "one of the more modernised of the authoritative agencies of government in transitional societies" that can "play key roles in the process by which traditional ways give way to more westernised ideas and practices" (1962, 80).

³⁵ According to the evidence, even in instances where the military stated "their cause in terms of modernisation... they become conservatives only a few short months after their coups... They were not convinced reformers to begin with; they simply used the call for economic and social change for the realisation of their own class and status interests." Eric A. Nordlinger, 'Soldiers In Mufti: The Impact of Military Rule upon Economic and Social Change in Non-western States,' in *The American Political Science Review* (1970) vol. 64, no.4, p. 1148.

embodying a hierarchy between a 'core' of western industrialised states and a range of poorer ones at the 'periphery' whose lack of industrial capacity served to integrate them within a global (capitalist) military order. The result of this integration, Marxists argued, was the establishment of a relationship of economic dependency between 'core' and 'periphery' and a flow of weapons towards the latter. Militarism, in other words, was a system of western military-industrial production that simultaneously functioned as an exploitative international economy order to create "enclaves" or "subsidiaries of the military-industrial complex all over the world" (Kaldor 1982, 139).

Amongst all the approaches, Marxist critiques alone offered a historically grounded analysis of militarism as a (global) system of military-industrial production. Notwithstanding this advantage however, they still focused more on militarism's economic and political dimensions at an *international* level rather than on the relationship between militarism and state processes *within* national boundaries. In other words, their "almost exclusive concentration on the systemic level of analysis" was "at the expense of the unit level" (Ayoob 1995, 2).³⁶

The relationship between militarism and (domestic) state processes has special significance in the global south where a crisis of state legitimacy rooted in the state's failure to effect social and distributive justice is exacerbated by forces of modernisation that reinforce social, ethnic, linguistic, cultural and religious divisions.³⁷ This crisis involves the use of the military against political opponents of the state – an aspect that is relatively unexamined in Liberal and Marxist analyses. Francis Deng describes the *political* origins of the crisis of militarism within states in the global south where "'normal politics' has broken down [and] the real nature of politics is a war between society (or a faction of the society) and government, which continues even when a new group of society becomes the government" (1996, 227). These wars have taken millions of lives and generated humanitarian crises of

³⁶ Even neo-Marxist analyses particularly of the dependent development sub-school insist that the salience of militarism derives from specific economic actors and not from state political elites. Mohammed Ayoob, *The Third World Security Predicament: State-Making, Regional Conflict and the International System* (Bo. Colorado: Lynne Rienner, 1995), p. 2.

³⁷ Azar and Moon 1988a, p. 2.

extraordinary proportions. This (domestic) variant of militarism mandates closer analysis in a context where the use of the military as a “reservoir of political power” (Krause 1996, 185) has important implications for states and citizens as well as the relationship between them.

In sum, militarism in the global south embodies external and internal dimensions. It must therefore be examined at least as much in terms of the (domestic) *political* crisis of the state that is negotiated through *military* means as in the external defence of the state from *military* threats. Both dimensions, as I proceed to demonstrate, are interlinked.

Inside/Outside the Nation-State in the Global South

The creation of nation-states in the global south, reinforced a state-centric international military order characterised by the military consolidation of individual states. Their integration into the international state-system binds them to a system whose underlying logic is that “one state’s security is another state’s insecurity...The consequence is a competition between states that [takes] the form of arms races” (Oberg 1980, 69-70). This logic translated into a progressive consolidation of the (external) military capacity of states across Asia, Africa and Latin America³⁸ and in this respect, militarism in the global south mirrors the characteristics of *global* militarism.³⁹

At the same time, however, militarism’s *domestic* crisis in the global south is rooted in internal state processes that unfold *within* the latter. McLaurin sums up its essence:

³⁸ In this respect “both Marxist and non-Marxist analysts agreed that more than economic advantage was at stake when arms were being exported to developing countries.” Berghahn, *Militarism*, p. 90.

³⁹ Several states in the Global South became producers. They included South Africa, Israel, Argentina, Brazil and India. Kaldor 1982, *The Baroque Arsenal*, p. 140. “The arms transfer system had transformed into a commodity market much like any other, without the political or moral opprobrium applied to such sales during the height of the Cold War.” David J. Louscher and James Sperling, ‘Arms Transfers And The Structure Of International Power,’ in Norman A. Graham, *Seeking Security And Development: The Impact Of Military Spending And Arms Transfers* (Boulder and London: Lynne Rienner, 1994), pp. 59-60.

Throughout the Third World the fragility of institutions, the shallowness of political legitimacy, the divisions of society, the disjunctions between real political culture and the new political institutions, and the inability of these institutions to meet popular aspirations and expectations ...creates a state of constant political crisis...[where] the government ...use[s] violence to suppress such a challenge (1988, 267).

This crisis challenges one of the fundamental attributes of the nation-state: its claim to legitimacy and, by extension, its monopoly over violence; it also contains an essential paradox in that the resort to violence against citizens by the state serves to further erode state legitimacy.

The use of the military as an instrument of domestic repression in states across the global south is not disconnected from its external military/security dimensions. The *external* military consolidation of states in the Global South, as Miles Wolpin notes, is contingent upon the *internal* restructuring of national armies according to the political norms, organisational patterns and weaponry of (western) powers (1986, 13). While the former integrates states in the Global South within a western military-industrial order, the latter is oriented towards dealing with the discontents of this integration (Kaldor 1982, 162).⁴⁰ To quote Mary Kaldor again: “The primary function of the industrial army is not so much combat as political intervention...The major weapons may have prestige significance and they may be used in external war... but, first and foremost, they orientate the soldier toward a particular political tendency” (1978, 70). Accordingly, the world military order – based on heavy military spending and consolidation – not only reinforces the economic hierarchy between the global north and south and/or the global military system, but has *political* implications for citizens in the global south.⁴¹ Miles Wolpin quotes Adolfo Perez Esquivel, winner of the 1980 Nobel Peace Prize, whose words best capture the political implications of the interface between militarism’s external and internal dimensions: “You should try to prevent the sale of armaments to Latin America because they are used to oppress the people” (1986, 1).

⁴⁰ “The spread of the weapons system draws Third World countries into [a] stagnant industrial structure and, at the same time, creates an interconnected world military order which can more or less cope with the dissatisfaction engendered by the process.” Kaldor, *The Baroque Arsenal*, p. 162.

⁴¹ Albrecht and Kaldor, 1979, p. 14.

A militarism that embodies use of the military against citizens and the denial of citizens' civil and political liberties represents what Michael Randle calls as militarism's instrumental dimension: "The instrumental level refers not only to the self-evident fact that the military in many countries [is] a major arm of repression⁴² used directly to keep the population in subjection and carry out repressive practices, but also to the way liberties are threatened or infringed upon in the process of doing so" (1980, 2). What mandates attention here is not just the *institutional* abuse of the military by the state but also the *conduct and nature* of violence that closely approximates Mary Kaldor's concept of 'new wars' that she defines as "a mixture of war, human rights abuse and the privatisation of violence" (2001, 5).⁴³ Militarism's domestic dimension is characterised by the elimination of conventional military-civil, combatant-non-combatant, inside-outside, public-private and external-internal distinctions. In other words, militarism within states reflects a pattern of violence based on complete ignorance if not utter disdain for the laws of war.⁴⁴

Militarism in the global south, is thus not "confined to the acquisition of dangerous and sophisticated weapons." It is simultaneously "associated with...the political and social structure...a trend towards authoritarian regimes relying on military (and paramilitary) force as an instrument of governance" (Luckham 1979, 232) where the military functions as an illegitimate instrument of political power and domestic repression that is an abuse of its legitimate role of external defence.

⁴² I use Randle's definition of the term repression to refer to: "(i) the use of government sanctions to deny basic human freedoms, such as the right to live; to have access to the basic necessities of life; to hold, discuss and propagate opinions; and to associate with others to achieve social, economic and political objectives and (ii) the use of inhuman sanctions such as torture for any objective whatsoever." Michael Randle, *Militarism And Repression* (Boston, Mass.: International Seminars On Training For Nonviolent Action, 1980), p. 4). "Domestic repression in the form of surveillance, arbitrary arrest, and torture is widespread in the Third World, and the instruments of repression are supplied by advanced industrial countries." Kaldor, *The Baroque Arsenal*, 1982, p. 154.

⁴³ Against the erosion of political legitimacy and a simultaneous rise in criminality, corruption and inefficiency, violence is increasingly privatised as a result of organised crime and the emergence of paramilitary groups. Mary Kaldor, *New And Old Wars: Organised Violence In A Global Era* (Cambridge: Polity, 2001), p. 5).

⁴⁴ See Kaldor 2001, p. 8 and pp. 17-18; Snow 1996, pp. 110-111. "The law of war comprises that branch of international law which governs the rights and obligations of belligerents. Its basic objective is to protect combatants and non-combatants from unnecessary suffering and to safeguard the fundamental human rights of victims of war, such as prisoners of war, the wounded and the sick, and civilians, including the inhabitants of occupied territory." David Sills, *International Encyclopaedia*, p. 317.

A 'State' of Militarism

Latin America during the 1980s exemplifies the intersection between militarism's internal and external dimensions; indeed, they have a far more institutionalised history than states in other regions of the global south.⁴⁵ Victor Alba notes that the Latin American "militarist tradition, ...has turned armies into instruments of political manoeuvre and has encouraged military men...to believe that their proper role is one of politics and power" (Alba 1962, 178). Against a notable absence of external threats to the state, arms and military transfers in the region were used primarily for internal repression than for external defence.⁴⁶ The consolidation of the external military capacity of the state concentrated political power in the hands of the military to breed a vicious cycle of authoritarian and repressive military regimes.⁴⁷ The ensuing crisis unfolds as an assault on citizen's political and human rights and exemplifies a 'state' of 'total' war where:

There are no clear battle lines...no large concentration of arms and men, no final battle to signal victory. Waged against ideological frontiers this 'total' war threaten[s] the most elemental spheres of daily life: the family, the school and the work place. ...Civil society itself [is] threatened...The modalities of a free and open society could have no place in this war...Parliaments would have to be dissolved and judiciaries disabled; political and union activity suppressed; the media censored; and universities purged. Civil guarantees including the right to a fair trial [have] to be suspended...War could not abide by the paralysing mechanism of democratic society (Egan 1988, 189)...A "state of war' involve[ing] armed attack against the physical integrity of the citizen makes a legitimate tactic of war out of what in civil society would be considered an illegitimate derogation of human rights" (Egan 1988, 196).

⁴⁵ For a fuller discussion regarding democracy and militarisation see Kirk Bowman, *Militarisation, Democracy And Development: Perils of Praetorianism in Latin America* (Pennsylvania: The University of Pennsylvania Press, 2002), pp. 69-141 and pp. 183-207.

⁴⁶ Among the notable features of militarism in Latin America was "the absence of credible threats of war from neighbours." See Bowman, *Militarisation, Democracy and Development*, p. 34.

⁴⁷ Among others, Guatemala 1954, Brazil and Dominican Republic 1965, Chile 1973, Argentina, 1974, El Salvador 1979. See Bowman, *Militarisation, Democracy and Development*, pp. 207 - 234. See also Azar and Moon 1988c, p. 293.

A range of states in Africa experienced a crisis of militarism during the latter half of the twentieth century. Wars in states such as Angola and Mozambique which were legacies of the South African apartheid regime were replaced, among others, by wars in Rwanda, Somalia and Sierra Leone that derived from a crisis of state legitimacy or from the demise of the state itself. In Ethiopia, for instance, internal fragmentation and a lack of political legitimacy generated a series of violent internal wars during the 1970s and 1980s. Between 1974 – 1984 annual military spending in Ethiopia increased by 420 per cent to half a billion dollars (Cheatham 1994, 230-236). Like Latin America, militarism in Africa is characterised not so much by external (military) threat to the state as by (ethnic, tribal, or religious) challenges to state legitimacy and the rise of groups and factions that are organised to provide protection where the state cannot.⁴⁸ The absence of what Francis Deng terms a “framework of consensus within the nation-state” (1996, 226) is negotiated through military means and corresponds with high military spending and self-perpetuating cycles of authoritarianism and repression.⁴⁹ While the empirical context of Africa is very different from that of South Asia, the lack of a democratic consensus within the nation-state in South Asia, including India, has generated domestic challenges to the state that are negotiated through military means.

State against Nation

Militarism in the South Asian region⁵⁰ is, in a way, the opposite of Latin America and Africa. Unlike the latter where the military usurped civil authority, the crisis is characterised by the misuse of the military by *civilian* regimes.⁵¹ With the exception

⁴⁸ See Lemarchand 1987, pp. 149-165

⁴⁹ See Cheatham 1994, pp. 230-232. To pay for the military, African governments have distorted their agricultural and foreign exchange policies that in the long term have depressed food production and slowed down economic growth. The lack of economic and social justice generated challenges to the state by various separatist and irredentist groups. Marcus Cheatham, ‘War, Military Spending And Food Security,’ in Norman A Graham (ed.), *Seeking Security and Development: The Impact of Military Spending and Arms Transfers* (Colorado; London: Lynne Rienner), pp. 229-232.

⁵⁰ South Asia incorporates the countries of the South Asian Association for Regional Cooperation (SAARC). Its members are Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. In this discussion I use the term South Asia primarily with reference to India and Pakistan.

⁵¹ South Asia has is one of the world’s most multiethnic regions. Out of 18 conflicts, within the span of five decades, India witnessed ten (Khalistan, Kashmir, Metei, Mizo, Naga, Assamese, Dravidistan, Gorkha, Tripura, Bodo) followed by five in Pakistan (East Pakistan, Sindh, Mohajir, Baluch, Pakhtun) and one each in Sri Lanka (Eelam), Bangladesh (Chittagong Hill Tracts) and Bhutan (Lhotshampa).

of Pakistan where there is far greater institutionalisation of the military, civilian regimes in India, Sri Lanka, Bangladesh (and Pakistan) share a record of using the military as an instrument of domestic repression. Before elaborating on militarism's domestic dimensions in South Asia however, it is useful to situate it within its historical context.

The external crisis of militarism in South Asia⁵² derives from the militarised and nuclearised rivalry between its two largest states, India and Pakistan and is linked to the process of de-colonisation and the creation of post-colonial 'national' frontiers that do not correspond with 'the nation' within. A bitter and violent political division between India and Pakistan in 1947 assumed military dimensions and generated an 'insecurity' that originates in part from the division of a sub-national community (i.e. the Kashmiris) between the two 'sovereign' states of India and Pakistan. An essentially *political* impasse *assumed* military (and nuclear) dimensions to precipitate an unprecedented arms race in the region. As Mahmud Ali notes:

In the first four decades of their independence, South Asian political leaders devoted much of their diplomatic efforts towards the acquisition of a military capability while seeking to neutralise the effects of such action on others. A 'my pre-emptive capability before yours' rationale appeared to drive the dynamic of regional interactions (1993, 5).

The crisis of the militarised state in South Asia parallels the just mentioned crisis of militarism *within* its borders. The latter derives from what is referred to as the discrepancy between state and nation in the South Asian context. "The idea of the nation-state," as Barry Buzan notes, "was a western one and...western states themselves played such a large role in transplanting their political self-image all around the planet" (1988, 16). Post-colonial states were "created in the western

For a discussion and analysis of the above see P. Sahadevan, 'Ethnic Conflict and Militarism in South Asia.' Kroc Occasional Paper No. 16:OP:4 (Notre Dame: Joan B Kroc Institute For International Peace Studies, 1999), pp. 5-7.

⁵² The continuing arms race between India and Pakistan in the South Asian region tends to overshadow militarism in other states of the region. The military has been used as a means for internal counter-insurgency in Sri Lanka, Bangladesh and Bhutan even though these states' (external) military consolidation does not match that of India or Pakistan.

image but did not have nations to fit them. The political legacy of most of Third World governments was therefore a state without a nation or a state with many nations” (1988, 26).

Subsequent attempts by the state to forge a homogenous ‘nation’ from component groups in South Asia became fraught with violence not because of cultural diversity but because of a ‘national’ imaginaire premised on the concept of a European nation-state that views the state and nation in singular terms. In contrast to the European nation-state however, the modern state in South Asia contains within it a number of sub-nationalities.⁵³ As a result of this disjuncture, the state has sought to “discipline and punish anyone wavering on the issue of singular allegiance to the twin monoliths of state and nation” (Jalal 1995, 247). The state’s failure to accommodate sub-national aspirations heightened the misfit between state and nation and paved the way for a crisis that pits state against citizen. This crisis is reinforced by the centralisation of power in ways that deepen the divide between state and nation (citizens). Centralisation of the state generates fears of assimilation and marginalisation among minorities in South Asia, and assumes the shape of ethnic rebellion. Over the years these rebellions have been viewed with increasing suspicion and hostility and are perceived as a threat to the existence of the state.

While a discussion on the diverse and complex conflicts in South Asia is neither possible nor feasible, a few examples serve to illustrate the point. In India, the people of Nagaland, Mizoram, Manipur, Assam and Kashmir have resisted coercive integration within the Indian Union and made a strong case for separate statehood.⁵⁴ In Sri Lanka, Sinhala hegemony precipitated a political conflict with the island’s Tamil minority.⁵⁵ Feelings of discrimination and alienation among Pakistan’s Baluch

⁵³ The emulation and adoption of the Western state-system has caused serious problems and conflicts in the Global South. “In the Third World, the form of the modern state was adopted without necessarily the concomitant emergence of a dominant nationality in each society.” Yoshikazu Sakamoto, ‘Conditions for Peace in the Asia-Pacific Region,’ in Yoshikazu Sakamoto (ed.), *Asia: Militarisation And Regional Conflict* (Tokyo and London: Zed Books, 1988a), p. 237.

⁵⁴ For a fuller discussion regarding this point see P. Sahadevan 1999. *Ethnic Conflict And Militarism In South Asia*. In *Kroc Occasional Paper No 16: OP:4*. Joan B Kroc Institute For International Peace Studies: University of Notre Dame.

⁵⁵ For a cogent analysis between constructions of nationhood and ethnic rebellion, see Sankaran Krishna 1999, especially pp. 59-60 and pp 66-77.

minority generated demands for 'independence' from what in Baluch eyes was an authoritarian and increasingly repressive (Pakistani) state.⁵⁶ In Bangladesh, the hegemony and control of the Bengali 'nation' over the non-Bengali population of the state dispossessed tribal communities of the land that "constitutes the basis of their economic, social and cultural lives" (Mohsin 2000, 11) – a discord that involves organised violence against non-Bengali tribal citizens. In short, the record of the (South Asian) post-colonial state in accommodating the aspirations of its culturally diverse citizenry is poor. This failure is compounded by states' attempt to counter political grievance through military means. Mahmud Ali sums it up as follows:

As the post-colonial state accentuated rather than bridged the class/caste, gender and ethnic divide, and as the appeal of inclusionary nationalism waned, resistance to what was now perceived as an enforced identity was treated as a threat to the status quo and met with all the resources at the disposal of the state (Ali 1993, 19).

While the empirical contexts of Latin America, Africa or South Asia are not similar, they nevertheless reflect two generic similarities. First, all three contexts are (differentially) integrated within a 'world military order' where there has been an extraordinary diversion of economic resources towards military consolidation for the purpose of external, territorial defence. Second, militarism's domestic dimension (particularly in South Asia) is defined by challenges to state authority and legitimacy symbolised by powerful dissident (or secessionist) movements where the state resorts to its only other base of authority – coercion. Since this challenge has popular (i.e., civilian) roots, the state's counter-offensive is not limited to the political (or military) challenge mounted by dissident groups but its social base i.e., citizens as well. The ensuing crisis is characterised by a form of warfare that "avoids large-scale direct clashes with main units of a conventionally organised government force, which generally would be organised along classic European lines and have superior firepower" (Snow 1996, 65). Instead, it targets and engages with small, isolated government (military) units where the form of warfare is not synonymous with the

⁵⁶ For a fuller discussion regarding the Baluch rebellion see Iftekhhar H. Malik 1996. The Politics of Ethnic Conflict In Sindh: Nation, Region And Community in Pakistan. In *Subnational Movements In South Asia*, edited by S. K. Mitra and R. A. Lewis. Boulder, Colorado: Westview Press. Pp. 68-74.

norms of conventional warfare but approximates a form of political violence characterised by:

[i] a blurring of the distinctions between war (usually defined as violence between states or organised political groups for political motives)

[ii] organised crime (violence undertaken by privately organised groups for private purposes), and

[iii] large-scale violations of human rights (violence undertaken by states or politically organised groups against individuals) (Kaldor 2001, 2).

In sum, militarism in the global south is not necessarily a characteristic of *military* regimes, it can and does co-exist with representative democracy. Whereas Latin America and Africa represent the extra-legal appropriation of civil power by the military, South Asia symbolises the civilian endorsement of military rule⁵⁷ that contradicts the liberal view of parliamentary democracy being inimical to militarism. In short, the domestic crisis of militarism in the global south is shaped at least as much by the *political* history of the nation-state, as by the military within it. For precisely this reason, this crisis cannot be explained *only* in institutional (Liberal) or economic (Marxist, structuralist) terms. Militarism in the Global South is not merely a *phenomenon*, nor does it relate *only* to the dominance of the military; it is a *process* encompassing the state, the military and society. The term militarisation encapsulates this convergence.

Militarisation

While militarism and militarisation shared a conceptual relationship over a period time, militarism is the older and more conventional concept that generally refers to military-based values and ideals⁵⁸ without addressing its social dimensions. Indeed this connection is not possible given that the concept of militarism is premised on a

⁵⁷ Militarism, in this instance originates within civilian government, rather than from the military. Regehr, 'What is Militarism?,' in Eide and Thee, *Problems of Contemporary Militarism*, p. 132.

⁵⁸ Regan 1994, p. 5; Geyer 1989, p. 79; Gillis 1989a, p. 1.

civil-military⁵⁹ distinction, with a deeply popularised image of a powerful military set against civil society (Geyer 1989, 67). But the contemporary context is characterised by a *dissolution* of civil-military distinctions in the production, preparation and execution of war. The erosion of the boundary between civil society and military organisation is a central attribute of the modern state and a defining feature of modern politics. It is therefore inappropriate to continue to use the term militarism in the era of the nation-state, where civilian government and professional militaries are no longer institutionally separate but collaborate jointly in the pursuit of war.⁶⁰ Unlike militarism that is understood as a *phenomenon* based on the use of coercive force in international politics and a clear civil-military divide, militarisation is a complex, multi-dimensional, *process* encompassing the state, the military *and* society.

The concept of militarisation as a multi-dimensional *process* allows us to discern the “*interconnections*”⁶¹ that are part of its overall dynamics. War, the ideology of war, or the economic, political or social mobilisation for war, are all integral to the process of militarisation. Militarisation therefore is not a *temporary* (institutional) aberration, but a *continuous* process that flourishes in peace-time as well as during war. “What is distinctive about the era in which we are currently living in is that militarisation is no longer conceived of as a wartime, short-term anomaly; it is the new normality. The present post-war era is militarised peacetime” (Enloe 1983, 190).

Conceptually, militarisation reconfigures the meaning of war to illustrate it as not merely a function of the *military* but a ‘national’ or even ‘international’ undertaking that operates in breach rather than in conformity with the civil-military distinction. Current wars in Iraq and Afghanistan by a coalition of civilian regimes, or legislatively sanctioned wars in Sri Lanka, Chechnya or Kashmir where they

⁵⁹ “With the collapse of the boundaries between civil society and the military, there was no longer a place for ...the transfer of military values into civil society; for civil society has reconstituted itself on the basis of violence, that is, in the pursuit of war. In this it differs profoundly from nineteenth-century militarism...” Micheal Geyer 1989, ‘The Militarisation of Europe’ 1914 – 1945, in Gillis, *Militarisation of The Western World*, p. 80.

⁶⁰ For a fuller exposition of this argument, see Geyer 1989, especially pp. 70-75

⁶¹ Gillis, p. 5.

function as a source and symbol of 'national' identity or 'sovereignty,' reflect this trend. In an age where war can secure civilian approval, and nationalism can endorse collective violence, the claim that (civil) society is *always* a victim of warring states, military elites, or an ever-expanding military complex seems tenuous; this is not to overlook or deny the institutional dimensions of war/military conflict or indeed its socio-economic implications, but to emphasise its *societal* foundations.

The concept of militarisation as a *state-society* process is particularly useful given the *nature* of contemporary crises where war/military conflict is not conducted along a clear civil-military distinction but is characterised by an *elimination* of the distinction between war and human rights abuse.⁶² Militarisation embodies the intersection between the crisis of the militarised state *and* the use of the military an instrument of domestic repression *within* the state. Although militarism's domestic dimension is context-specific and historically contingent it is also, simultaneously, integrated within and influenced by the dominant values of a "world military order."⁶³ For precisely this reason, while the former remains the principal focus of this research, it is placed in constant reference to the latter.

Militarisation and the Nation-State

The concept of militarisation as *historical* process is particularly useful in examining the relationship between the nation-state,⁶⁴ the military and society in the global south. This relationship is mediated by two factors. The first relates to militarisation's systemic (external) dimension, i.e., the consolidation of the military capacity of the state – militarisation for external defence is assumed to be a guarantor

⁶² "At the turn of the century, the ratio of military to civilian casualties in wars was 8:1. Today, this has been almost exactly reversed; in new wars of the 1990's, the ratio of military to civilian casualties is approximately 1:8." Kaldor, *New And Old Wars*, p. 8.

⁶³ "The World Military Order ...serves to uphold current hierarchies of international political and economic relationships." Ulrike Albrecht and Mary Kaldor, *The World Military Order: The Impact of Military Technology on the Third World* Kaldor (London: Macmillan 1979), p. 15.

⁶⁴ "The nation-state...is a set of institutional forms of governance maintaining an administrative monopoly over a territory with demarcated boundaries, its rule being sanctioned by law and direct control of the means of internal and external violence." Anthony Giddens, *The Nation-State and Violence: A Critique of Historical Materialism* Vol. 2 (London: Polity, 1987), p. 171.

of state security in an 'anarchic' world.⁶⁵ This (realist) view of the state and the international state-system is based on the logic that the survival of the state depends on the maximisation of military power. By characterising the state-system as anarchic and according primacy to the idea of military security of the state, realism justifies militarisation of the state as both necessary and inevitable.

Normative political analyses, on the other hand, view the mobilisation of military power to negotiate domestic challenges to the state as a measure of state legitimacy. This argument takes the European experience of state-making as its benchmark to insist that the coercive function of the state is a necessary pre-requisite for "the twin processes of state-building and nation-building" (Ayoob 1994,25). Much like the concept of the military security of the state, the argument for state-sanctioned organised violence is fixated on ends rather than means, and ignores the implications of coercive state-making and nation-building (hereafter referred to as nation-state building) for citizens and society. Before summing up, I elaborate three points regarding the project of nation-state building that have a crucial bearing vis-à-vis militarisation within the nation-state in South Asia.

Militarisation and Nation-State Building

First, there exists deep disenchantment with the project of nation-state building in South Asia, including India, with little possibility of this crisis being resolved militarily. The resort to organised violence by the state against citizens reinforces collective grievance and prompts greater repression, generating the very conditions it seeks to eliminate: an enduring fissure between state and nation in the form of alienated and embittered citizens and/or communities. For precisely this reason, it is difficult to defend, much less advocate, militarisation as a necessary or inevitable price of nation-state building. Second, the project of nation-state building by military means is not a political abstraction but has important human rights and social implications and raises important questions regarding state legitimacy and the

⁶⁵ For instance, see Robert J Art, 'The Fungibility of Force,' in Robert J Art and Kenneth N Waltz (eds), *The Use of Force: Military Power and International Relations* (Lanham, Md: Rowman and Littlefield, 2004), pp. 3 – 22.

relationship between citizens and the state. Further, militarisation associated with nation-state building is synonymous with not only the physical dimensions of political repression but also its *social* implications that contribute to and/or reinforce already existing structural inequalities within society. In effect, the project of nation-state building is not only a political process but also encompasses *social*⁶⁶ transformations. Third, militarisation contains an ideological element i.e. the mobilisation of nationalism for political purposes. This mobilisation corresponds closely to the “instrumentalist” use of nationalism that must be understood as a reaction to the growing impotence and declining legitimacy of the state and the struggle on its part to neutralise this challenge (Kaldor 2001, 35). In this context, nationalism does not function as an inclusive, progressive imaginary, but as a means to retain and consolidate political power through extra-legal means.

In sum, although the external and internal military behaviour of states is not necessarily mutually exclusive, the division between both is reified by a disciplinary (and disciplining) distinction which suggests that “what goes on between states is in principle quite different from what goes on within states” (Walker 1993, 63). Contrary to what normative IR and political theory would have us believe, however, military defence *of* the state, as mentioned already, is as much a source of human insecurity as the nation-state *itself*. Nor, as the aforementioned examples of Latin America, Africa and South Asia illustrate, are they both mutually exclusive processes. Militarisation *of* the state, as we have seen, is not separate from militarisation *in* the state; both function as an interconnected and intersecting arena.⁶⁷ For this very reason, the relationship between militarisation and the nation-state must be situated within a *single* historical and analytic frame.

⁶⁶ See Zwick 1984, p. 124.

⁶⁷ Warren 2000, p. 229. Ted Gurr, for instance, defines the militarised state as one that “maintains a large military establishment and is ruled by an elite whose policy agenda is dominated by preparations for war and national defence.” Ted Robert Gurr, ‘War, Revolution and the Growth of the Coercive State’ in *Comparative Political Studies* (1988), Vol. 21, no. 4, p. 51. Michael Geyer on the other hand, emphasises militarisation’s societal origins to define it as a “social process in which civil society organises itself for the production of violence.” Geyer, ‘The Militarisation of Europe 1914 – 1945’, in Gillis, *Militarisation of the Western World*, p. 79. I do not assess the relative importance of each against the another, but highlight the importance of both to the overall *process* of militarisation.

In this study, I define militarisation as the privileging of the military in domestic *and* foreign policy, with a progressive increase in the military capacity of the state, *and* the use of domestic [military] force by the state to secure the acquiescence of social groups.⁶⁸ By understating militarisation's economic dimensions, I do not imply its insignificance; it remains an important dimension of militarisation. However, given that the case against disproportionate allocation of economic resources towards military consolidation is generally accepted, this dimension is highlighted selectively.

For the purpose of this study then, militarisation obtains when:

- [i] there is a marked increase in the consolidation of the destructive capacity of the state;
- [ii] the state uses organised violence against citizens as a means to negotiate domestic challenges; and
- [iii] the state resorts to nationalist manipulation in order to legitimise military intervention in civil affairs.

This definition is in keeping with a contemporary (domestic) context where militarisation is legitimised by constructs of 'the nation' that resonate at the local (societal) level. By addressing the social dimensions of state violence, militarisation dismantles the public-private dichotomies of war: it is precisely in this context that gender functions as a particularly crucial category of analysis.

War, Gender and the State

War has become a terrain in which gender is negotiated. As we reinterpret and redefine gender roles and identities in war, it becomes clear that...the certainties constructed by binary thinking are revealed to be subject to question (Cooke and Woollacott 1993a, xi)

The relationship between war and the state in the Global South is generally addressed by two separate disciplines: International Relations theory views war as a function of

⁶⁸ Tanter employs a similar definition. See Richard Tanter 1984, p. 163.

the state; “Men, states and wars,” accordingly, are “the basis of theory, not women” (Grant 1991, 21). Political analyses on the other hand, explain war *within* state boundaries in institutional terms or as the inevitable outcome of the project of nation-state building. Gender is assumed to be about interpersonal relations between men and women, as belonging to the family or household and therefore “antithetical to the ‘real’ business of politics” (Tickner 1997, 614). The absence of gender as a category of analysis across both disciplines is informed by the singular assumption that matters of defence/security and/or political violence are ‘male’ arenas, dominated by men.

Gender critiques contest this paradigm⁶⁹ at several levels. First, they highlight the link between gender and the *discourse* of war. On the face of it, there seems little in International Relations (realist) theory that provides an entry point for gender “grounded as it is in an epistemology that takes social relations as its central category of analysis” (Tickner 1997, 616). Yet, by highlighting how the military behaviour of states is constructed *through* gender, gender analyses contest the notion of war as a gender-neutral domain. In an incisive analysis of the centrality of gender to the discourse of (nuclear) war (in the United States), Carol Cohn illustrates how gender functions as “a symbolic system...that not only shapes how we experience and understand ourselves as men and women, but that also interweaves with other discourses and shapes *them* – and therefore shapes other aspects of our world – such as how nuclear weapons are thought about and deployed” (1993, 228). Cohn’s essential point is not that nuclear discourse is masculine, rather that gender discourse is interwoven *through* nuclear discourse in ways that distort public debate regarding war (1993, 228) (emphasis added).⁷⁰

⁶⁹ Jill Steans quotes Kuhn’s definition of a paradigm that refers to a shared understanding and way of approaching problems, accepted by scholars and used to explain ways of “knowing the world.” “Paradigms do not describe the world, they construct it.” Jill Steans, *Gender and International Relations: An Introduction* (Cambridge: Polity Press, 1998), p. 41.

⁷⁰ “In an ‘objective,’ ‘universal’ discourse that valorises the ‘masculine’ and de- authorises the ‘feminine’, it is only the ‘feminine’ emotions that are noticed and labelled as emotions, and thus in need of banning from the analytic process. ‘Masculine’ emotions – such as feelings of aggression, competition, macho pride and swagger, or the sense of identity resting on carefully defended borders – are not easily identified as emotions, and are instead invisibly folded into ‘self-evident,’ so-called realist paradigms and analyses. It is both the interweaving of gender discourse in national security thinking *and* the blindness to its presence and impact that have deleterious effects.” Carol Cohn, ‘War, Wimps and Women: Talking Gender and Thinking War’ in Miriam Cooke and Angela Woollacott (eds.) *Gendering War Talk* (Princeton, Princeton University Press, 1993), p. 242 (emphasis original).

The example of South Asia is no less instructive. Runa Das writes: “Indian nuclearisation has been justified not just to protect (Hindu) India, but also (the Hindu) woman who constitutes an important segment of the Hindu culture as *snehamoyee patni/mata* (nurturing wives and mothers)” (2003, 81).⁷¹ Rubina Saigol quotes former Foreign Minister of Pakistan, Sardar Assef Ali, who declared: “To us, the nuclear programme is similar to the honour of our mothers and sisters, and we are committed to defending it at all costs” (2000, 109). The construction of women as repositories of ‘national culture’ or ‘honour’ is the gendered sub-text underlying militarisation in South Asia in much the same way as patriarchal visions of the nation-state justify military aggression as a legitimate ‘defence’ of the ‘nation.’ Both examples illustrate how the discourse of (nuclear) war is constructed and legitimised *through* meanings of gender in ways that pre-empt democratic debate and, as the examples of India and Pakistan indicate, in ways that uphold social hierarchy. While this particular aspect is not the focus of this study, it nonetheless illustrates the theoretical convergence between the discourse of war and constructions of gender.

A second point of entry for theorising the relationship between war and gender is the cultural argument that views war as a function of male masculinity. Men, in other words, are responsible for war and violence while women are its victims. Nancy Chodorow notes: “Historically and cross-culturally, they [men] make war. Men are soldiers and, as politicians and generals, those who instigate and lead the fighting” (2002, 252). The analogy between war and masculinity is a powerful one with considerable contemporary resonance. The intersection between both reveals that “in a range of cultures, being a ‘proper’ man is inseparable from the capacity to wield weapons” (Jacobs et al 2000a, 11). In her research on the convergence between war and masculinity, Cynthia Cockburn quotes Rada, a woman from Bosnia who said that “masculine culture and patriarchal inheritance... the too-

See also Cohn, ‘Clean Bombs and Clean Language in Jean Bethke Elshtain and Sheila Tobias (eds.) *Women, Militarism & War: Essays in History, Politics and Social Theory* (Rowman and Littlefield 1990), pp. 33-44.

⁷¹ “It provides the Hindu right to discursively utilise the image of Hindu women as an authentic tradition of India, to establish Islam as an outsider/threat to India, and bestow upon the Indian state as a patriarchal institution the task of protecting the rights and status of women in India.” Runa Das, ‘Engendering Post-Colonial Nuclear Policies Through the Lens of Hindutva: Rethinking The Security Paradigm of India,’ *Comparative Studies of South Asia, Africa And The Middle East*, vol. XXII no. 1&2, 2002, p. 82.

valued manly traits of pride, bravado, superiority ...were deeply implicated in the war” (1998, 221). A similar analogy is made by men in Colombia where “ex-combatants revealed [that] the gun had become so much part of male identity that it was almost a part of their bod[ies]” (Pearce 2006, 50).

Notwithstanding the important intersection between constructions of masculinity and war, it would nevertheless be a mistake to reduce the latter to an innate (and unchangeable) manifestation of the former. The assumption of universal male aggression and female victimhood is ahistorical as it essentialises a historical context where women are both victims *and* collaborators in the politics and ideology of war. Just as there are women and men in peace movements so women have been part of war and national liberation struggles whether or not they participated in combat. Historically, both men and women have supported war and war-effort; By casting women as “the first victims” of “a patriarchal state of war,” this argument ends with questionable conclusions regarding women as a morally superior and innately ‘peaceful’ constituency. To quote Micaela Di Leonardo:

Our first, radical ...response that rival state military behaviour is simply masculine rivalry writ large – the ‘boys with toys’ is too limiting” ...This frame does not tell us much about war except that it is male, and wrong (1985; 607, 615). [What we] need to ...consider [are] the possible links between nation-state behaviour and gender contradictions. [Gender] theorists must ...develop complex theories of the state...because gender is at the centre of ...the militarisation process (1985, 615).

The intersection between war, gender and the state as Liz Kelly says “has become increasingly the concern of women from the Global South where their states are explicitly militarised. Indeed how gender is deployed in the development, and changing forms, of militarisation has become an important arena of investigation” (2000, 49). Kelly underlines what, in effect, is a third point of entry for gender theory, based on the concept of war as a gendered dynamic.⁷² Social history contests

⁷² In this discussion, I do not distinguish between inter and intra-state war. This is not to deny the difference between both in terms of definition, but rather to emphasise the dissolution of civil-military distinctions in contemporary warfare.

normative constructions of war/military conflict as an essentially male arena by highlighting the gendered fabric of war. There exists compelling historical evidence regarding the relationship between war and gender across diverse historical contexts. Enforced sexual slavery by the Japanese army during World War II, the widespread rape of Bangladeshi women by Pakistani soldiers during the 1971 civil war, or more recently, patterns of gendered violence played out in such diverse locales as Bosnia⁷³, Rwanda⁷⁴ and post-war Iraq⁷⁵ highlight this intersection and defy conventional notions of war based on a civil-military distinction and the protection of women and civilians. These wars are part of a general pattern where “women continue to face abuses associated with armed conflict and civil unrest. Rape and sexual assault, in particular, [are] employed to achieve specific military or *political* objectives” (Human Rights Watch 2002, 9) (emphasis added).

These characteristics correspond with a contemporary context where war/military conflict mostly occurs in the global south. Between 1990 and 1999, there were 118 military conflicts in the region during the course of which approximately six million civilians were killed (Skjelsbaek and Smith 2001a, 3). They derived from political crises within the state and involved the deployment of the military against civilian populations to perpetuate a vicious cycle of state repression and societal violence. The characteristics of *this* crisis, as Miriam Cooke notes, “approximate less and less the glorious War Story with which many of us were raised” (1996, 297); indeed, they reflect a darker reality with no clear battle-front or enemy, with war being waged in spaces conventionally designated as ‘outside’ the combat/war-zone, against civilians – legally bound to be protected by the military – who are explicit *targets* of violence. In short, these wars “deny two critical boundaries: home versus front and civilian versus combatant” (Cooke 1996, 296). It is in this context that gender critiques illustrate how even as “women have been

⁷³ According to estimates, between 20,000 and 60,000 women were raped in former Yugoslavia. Anuradha Chenoy, *Militarism and Women in South Asia* (Kali For Women, New Delhi, 2002), p. 28. In Kosovo there was repeated incidence of homosexual rape in special rape camps. Grateful thanks to Mary Kaldor for this point.

⁷⁴ An estimated 60,000 women were raped in Rwanda. Chenoy, *Militarism and Women in South Asia*, p. 28.

⁷⁵ “Three years after the US-led invasion of Iraq, women’s secular freedoms...have been snatched away...” Terri Judd, ‘For the Women in Iraq, The War is Just Beginning,’ in *The Independent*, London, 8 June 2006.

officially separated” from collective violence “in the era of modern nation-state” they are, nonetheless, “essential to it” (Elshtain and Tobias 1990, ix).

Gender, Militarisation and the State

In her essay on gendered violence in the war in former Yugoslavia, Vesna Kesic writes:

Many characteristics of the wars that appeared in sequence from 1991 to 1999 bear the characteristics of ‘dirty wars.’ The term originates in Latin America and implies the emergence of physical and psychological terrorism unleashed against the civilian population [characterised by] flows of refugees...extra-judicial killings, threats to civilian populations, disappearances, the appearance of paramilitary groups and armed civilians...War conventions and customs of war [are] not respected (2000, 24).

There exist close correspondences between Kesic’s description and the wars that arise from states’ domestic crisis of militarisation in the global south characterised by the elimination of the distinction between war and human rights abuse. While the concept of militarisation examines political violence in terms of the intersection between its institutional and civilian dimensions, gender critiques of militarisation take the analysis further to illustrate how violence by the state combines with “social-patriarchal violence” to shape “gender-specific forms of ...violence” (Kesic 2000, 26).

The state, as Spike Peterson notes, is not just a political process related to the centralisation of political authority but also a *social* process marked by the institutionalisation of gender relations (1992, 3). The coercive apparatus of the state accordingly, is “part of a wider structure of gender relations that embody violence or other means of control.” In other words, the state is a structure of power and an “organiser of the power relations of gender” (Connell 1990, 520). An emphasis regarding the significance of the state must, as R.W.Connell goes on to note, come with the necessary caveat that “state action cannot be reduced to an innate

‘masculinity.’” Rather, the relationship between gender and the state lies in “the perception that patriarchy is embedded in *procedure*, in the state’s ways of functioning...[where] sexual politics [is located] in the realm of social action” (Connell, 1990, 517) (emphasis original).

Gender critiques challenge the epistemological basis of state and male-centric approaches that overlook militarisation’s gender dimensions. Their basic argument is that women’s invisibility and absence are *not* an *empirical* oversight but an *epistemological* claim based on a public-private dichotomy and the denial of gender as a structural constituent of militarisation. By removing women from the canvas of war, normative analyses reinforce the public-private and civil-military spatial dichotomies that simply do not exist. Using the public-private dichotomy as a point of departure, gender analyses reconstruct and (re)present the meaning of militarisation “as a space that is restricted neither to men nor to women but [includes]...the presence of both...Women have always been *in* war (Cooke and Rustomji-Kearns 1994a, 1-2) (emphasis added); they are part of what Miriam Cooke (1996) calls as the “War Story;” their experience of militarisation highlights not just the dissolution of the combatant-non-combatant dichotomy, but the crisis of the state that deploys the military against ‘non-combatants’ whom the state and the military are legally and morally bound to protect.

Further, in contrast to normative androcentric narratives, the War Story for women is not synonymous with heroic ‘combat;’ rather, as Miriam Cooke notes, it is “a story of chaos, not revolution, of daily surviving, not of relentless hatred and fighting” (1996, 4). This story dismantles the public-private dichotomy of normative narratives to emphasise the importance of challenging gender stereotypes and “the dichotomous social production and reproduction of male and female identities and behaviours [that] symbolise the ideological construction of military conflict rather than its subjective experience” (Cooke 1996, 14). It therefore follows that women’s absence is not an ‘anomaly’ or empirical oversight that needs to be redressed; what it really amounts to is a denial of women’s *political* experience (of militarisation) *as women*. Gender critiques expand the meaning and construction of militarisation to

highlight how violence by the state is not only deeply anchored in society but combines with “the everyday violence of patriarchy” (Kesic 2000, 26) to generate and/or reinforce patriarchal social relations.

Gender critiques also highlight gender-specific *forms* of violence experienced by women. Sexual violence/abuse is the most extreme and frequent form of direct violence against women that is also simultaneously employed as a means to terrorise and humiliate political opponents of the state through the sexual subjugation of women. In contexts such as South Asia where the notion of ‘honour’ has strong cultural resonance, its appropriation by the military deprives women of protection by the state *and* the community that, in turn, renders them ever more vulnerable to predatory violence by men. Rape by the military exemplifies not just the sexualised contours of militarization but also the illegitimacy of a state that uses sexual violence against female citizens.

Furthermore, gender analyses illustrate how militarisation’s sequential effects are disproportionately borne by women. Deprived of traditional protection from men *and* support from the state, the loss (or disappearance) of male kin is not only a source of personal trauma for individual women and their families, it can be catastrophic for poor women for whom traditional economic dependence degenerates into destitution. Empirical studies illustrate the gender implications of the destruction of human capital⁷⁶ where female education and health are seriously affected because teaching and nursing are generally female-dominated professions (Moser 2001a, 43). Moreover, the collapse of primary health services leads to appalling rises in maternal and child mortality and morbidity (Cockburn 2001, 21). In general, the violence associated with militarisation’s political dimensions has grave negative gender implications for women.

⁷⁶ “Human capital includes investments in education, health and the nutrition of individuals...When violent conflict reduces access to, or the quality of, education and health services, there are important gender-related implications.” Caroline O N Moser, ‘Gendered Continuum of Violence and Conflict’ in Caroline O.N. Moser and Fiona C Clarke (eds.) *Victims, Perpetrators or Actors? Gender, Armed Conflict and Political Violence* (Kali For Women: New Delhi, 2001), p. 42.

Finally, gender critiques reveal how forms of ‘public’ or institutional violence reinforce ‘private’ gender power relations. Violence and the abuse of male citizens (including illegal detention, torture, disappearance, extra-judicial killing) associated with militarisation undermines notions of masculinity centred on dominant power relations and the logic of male protection of women. Frustrated, often humiliated, by the failure to ‘protect,’ and unable to resist a powerful state/military, a besieged masculinity seeks redemption by exerting greater control over women. As the state’s assault against the male population fosters what Patricia Albanese terms the “militarisation of every day life,” (2001, 1017), “male power grow[s] at the expense of female power” (2001, 1018).

Gender critiques enhance our understanding of militarisation to demonstrate the manner in which gendered inequalities uphold and sustain militarisation’s social fabric. Rape and sexual abuse of women, the denial of women’s political rights or the policing of women’s behaviour and mobility, illustrate how militarisation both shapes, and is shaped by, constructions of gender. By highlighting these dimensions, gender critiques validate the claim that state and inter-state military processes are not gender-neutral but have important implications for women’s position in society. In short, they argue that gender is an integral *constituent*, rather than an external *consequence* of war. The significance of gender analyses lies in illustrating how the social subordination of women is integral to the *process* of militarisation (Chenoy 2002, 17-19; Turpin and Lorentzen 1996a, 2). The essential point here is *not* that state-centric (IR and political) analyses are superfluous; gender analyses do not advocate re-theorising IR or political theory; rather, they are critical of reductive and positivist frameworks that do not take into account militarisation’s gender dimensions.

While gender critiques emphasise the enduring intersection between state military processes and society, this argument comes with the necessary caveat that gender is not “a template” that can be readily applied to produce a gender perspective on militarisation, nor does it suggest any “grand conspiracy theory” (Zalewski 1995, 341, 351). Essentially, they highlight the social complexities of militarisation; with

reference to this study, a gender analysis underlines the *illegitimacy* of militarisation and, by extension, the illegitimacy of a state where “just warriors are not fighting to protect women in a somewhere else but are targeting them at home and physically” (Cooke 1996, 296).

Chapter 4

Militarisation and the Indian State

In the mass of Asia, in Asia ravaged by war, we have the one country that has been seeking to apply the principles of democracy. I have always felt that political India might be the light of Asia (Clement Attlee 1946).⁷⁷

Independent India's status in the world derived from her position as a post-colonial state committed to a democratic future and the principles of peace and disarmament. India positioned herself as "a moral exemplar, a state that could lead the transformation of the international system from over-militarised power politics toward a more equitable global order" (Perkovich 2002, 26-27). Towards the end of the century however, India was again the focus of world attention – this time in breach rather than in keeping with her pledge to the world. From being "the leading exponent of peaceful initiatives," India had transformed "into a nation vitally concerned with military security" (Rudolph and Rudolph 1964, 5). In just over five decades, India came to be perceived as a threat to the South Asian region and the world at large.

It is argued that one of modern India's achievements is to have remained a democracy in a region where military intervention is the norm rather than exception (Sen 2006, 13 - 14). India's success in forestalling military rule is notable, although its inheritance of a geographically vast territory and culturally diverse society renders the possibility of a military take-over improbable if not impossible. At the same time however, the *practice* of formal democracy in India – expressed in the holding of national and state (regional) elections – *coexists* with frequent and widespread use of the military for domestic repression. "One reason why this [aspect] has been less conducive to detection and dissection is that the structural authoritarianism of a state made tolerable by a formally democratic system tends to be more enduring and

⁷⁷ Speech by Clement Attlee, 15 March, 1946 cited in Corbridge and Harriss, *Reinventing India: Liberalisation, Hindu Nationalism and Popular Democracy* (Cambridge: Polity, 2000), p. 241 n 1.

diffuse than the one based on direct military rule” (Jalal 1995, 43). The contradiction between civilian control of the military on the one hand and the military’s intrusive influence in citizens’ lives on the other is a striking paradox of modern India albeit a less examined one.⁷⁸ This discrepancy is rendered more vivid if we consider the fact that despite military control firmly in civilian hands, direct intervention by the military (and paramilitary)⁷⁹ forces in state and local matters has steadily increased and led to military rule in several states (Cohen 1990, 124). “In 1984, there were at least 40 million Indians living under military rule, if not military law, making India one of the world’s largest military-dominated states – while it was simultaneously the world’s largest democracy”(1990, 100).⁸⁰ This chapter addresses both contradictions.

My main argument is that the just mentioned external and internal dimensions of militarisation in India are not mutually exclusive but interlinked. In order to make this argument, I draw upon three points elaborated in the previous chapter. The first concerns analysing the relationship between militarisation and the Indian state within a *single* historical frame – an approach that bridges the disciplinary dichotomy between International Relations and Political Theory (Walker 1993, 13-18) and allows for an examination of this relationship in its *totality*. The second point concerns militarisation *of* the Indian state where a *historical* frame of analysis reveals that the acquisition of the instruments of ‘security’ by the Indian state was not an *exclusive* function of external defence but informed by ideas of ‘national’ identity and ‘power’ (Perkovich 2000, 14; Roy 2003, 337). The third point relates to the disjuncture between state and nation that has particular salience vis-à-vis the Indian state’s domestic crisis of militarisation. This crisis, I argue, is the outcome of a centralised and militarised state’s attempt “to produce citizens out of recalcitrant

⁷⁸ “India’s large army and almost all of its paramilitary forces (which alone number almost one million men) are devoted to checking the many separatist movements that have cropped up.” Stephen Cohen, *India: Emerging Power* (Washington D.C.: Brookings Institute, 2001), p. 127.

⁷⁹ “By the mid 1990s, close to 700,000 officers and men of paramilitary forces were assisting the military during [internal] war.” Apurba Kundu, *Militarism in India: The Army and Civil Society in Consensus* (London; New York: I.B.Tauris, 1998), p. 172.

⁸⁰ “The question,” as Cohen notes “is not merely whether there will be a coup, changing India from ‘democracy’ to ‘military dictatorship.’ Democracy has a participatory dimension, involving elections and change in leadership at local and state levels, not merely at the national level. Democracy also has a libertarian dimension: is the ordinary citizen free police harassment, unlawful search and seizure; are civil rights protected; does one have the right to travel and assemble, and is the press free?” Stephen P. Cohen, *India: Emerging Power* (Washington D.C.: Brookings Institution Press), p. 101.

peoples” (Krishna 1999, 194). The essential argument linking all three points is that militarisation *of* and *within* the Indian State is the story of producing ‘the nation’ and ‘national’ identity.

In order to substantiate this argument, this discussion is divided into three parts. The first part focuses on India’s state-led nuclear programme – where I illustrate that the initial drift (1947 – 1962) of the Indian state towards nuclear weapons was *not*, as International Relations discourse would have us believe, driven by specific *military* concerns but informed and influenced by ideas of post-colonial identity and secular modernity. The pursuit of nuclear weapons by the Indian state in other words was an attempt to recast a socially diverse and fragmented ‘nation’ around the project of secular modernity and national (scientific) achievement (Abraham 1999, 20, Ch.3; Sahni 1996, 88).

The second part of the discussion focuses on the post-1962 period of aggressive military consolidation of the Indian state which, I argue, was shaped at least as much by the Indian state’s *domestic* constraints and ambitions as by the requirements of external defence. I highlight the paradox of the Indian state whose status as a front-rank military ‘power’ during the 1970s and 1980s masked a deepening crisis of legitimacy within. I subsequently focus on one crucial dimension of this crisis i.e. a state of militarisation that pits the state against ‘the nation’ (citizens) (Krishna 2001, 45; Shapiro 1996, xx).

The third section draws links between India’s domestic and external crises of militarisation. I begin by providing a background to the *general* crisis of state legitimacy where I argue that it is *this* crisis rather than explicit security concerns that precipitated India’s 1998 nuclear tests (Pokharan II). In other words, my argument is that the assertion of military (and nuclear) ‘power’ without has the same *political* origins as the project of nation-state building through military means within. Kashmir, I go on to argue, symbolises the interface between both. The inscription of the ‘national’ idea through military means *in* Kashmir paralleled the attempt to secure Kashmir’s territory *without* – to the extent that nuclear weapons were not just

instruments of diplomacy and deterrence but came to be declared as items of actual use (Cohen 2001, 60).

A Requiem for Non Violence (1947-1962)

Whatever might happen, whatever the circumstances, we shall never use atomic energy for evil purposes (Jawaharlal Nehru, Prime Minister, 1957)⁸¹

Raj Chengappa: You, more than anyone else, had the unique choice of building vehicles of peace at the space department or making weapons of war in defence. Why did you choose the latter when you know that it is capable of so much destruction and bloodshed?

Dr. Kalam: I had no qualms. By building such an arsenal I actually ensure peace for my country. Now no nation dare attack us. These are truly weapons of peace.” (Dr. A.P.J. Abdul Kalam, President of India)⁸²

The words of India’s first Prime Minister symbolise the legacy of Nehruvian internationalism⁸³ and Gandhian non-violence where India took the lead in calling for the suspension of nuclear testing, the ending of the arms race, and the abolition of nuclear weapons. Aabha Dixit quotes Nehru’s speech to the United Nations General Assembly on 3 November, 1948: “I am not afraid of the bigness of great powers, and their armies and fleets and their atom bombs...We stood as an unarmed people against a great country and a powerful empire” (1996, 54). India’s criticism and renunciation of the nuclear option was based on a rejection of the weapons of war, guided by the belief that nuclear weapons could not ensure ‘security.’ This position was informed by a Gandhian rejection of the bomb. Aabha Dixit quotes Gandhi: “the

⁸¹ Jawaharlal Nehru cited in Dharendra Sharma, *India’s Nuclear Estate* (Lancers Publishers: New Delhi), vii.

⁸² Dr. A.P.J. Abdul Kalam interviewed by Raj Chengappa. Cited in Raj Chengappa, *Weapons of Peace: The Secret Story of India’s Quest to be a Nuclear Power* (New Delhi: Harper Collins), p. xi.

⁸³ “Convinced that world peace was essential to Indian development and survival, Nehru refused to become involved in the emerging conflict among power blocs. This policy became known as ‘non-alignment.’” Stanley Kochanek, ‘India’s Changing Role in the United Nations,’ in *Pacific Affairs* (1980), vol. 53, no. 1, p. 49.

moral to be legitimately drawn from the supreme tragedy of the bomb is that it will not be destroyed by counter-bombs even as violence cannot be met by counter-violence” (1996, 54). In this respect, “India was different, and this difference reflected well on humanity’s capacity for moral reasoning, for resistance to temptation, for moderation and forbearance” (Perkovich 2002, 55).

The public disavowal of nuclear weapons by the Indian state was, however, paradoxical. A closer examination reveals an enduring tension between the state’s *moral* position against nuclear weapons and its pragmatic *desire* for international recognition and power by acquiring the weapons of war. George Perkovich sums up the essence of the dilemma:

The moralist visionary Nehru abhorred the wanton destructiveness of nuclear weapons and saw them as anathema to the unique spirit of India...At the same time however, there was another Nehru, the ambitious, realist prime minister who recognised that nuclear capability could enhance India’s status and power in the Western-dominated world (2000, 14).

The rejection of nuclear weapons by the Indian state thus sat uneasily with its realpolitik desire and ambition. George Perkovich notes the ambiguity in the Prime Minister’s statement in the Constituent Assembly in 1948: “Indeed I think we must develop it (atomic energy) for peaceful purposes...Of course, if we are compelled *as a nation* to use it for other purposes, possibly no pious sentiments of any of us will stop *the nation* from using it that way” (2000, 20) (emphasis added).

It is not my contention that this course was pre-determined or pre-ordained. Indeed, the confluence between the Indian state and nuclear weapons has multiple histories and was as much a consequence of historical conjuncture as of state design (Abraham 1999, 18, 48). The point I wish to emphasise however is that the essential *motivation* to acquire nuclear weapons – particularly the ambition that set India on course to her “tryst with nuclear destiny” (Sharma 1983, 22) – was unrelated to military or security concerns. Rather, the initial pursuit of nuclear weapons by the

Indian state was informed by perceptions of modernity, post-colonial identity and international power. As Perkovich notes: The “early interest in ...nuclear weapons stemmed from a desire to manifest Indian prowess, modernity and sovereignty than a sense of military threat” (2002, 27). In effect, nuclear weapons were part of the modernist narrative of India based on the perceived analogy between science and post-colonial modernity. This analogy subscribed to the idea that colonialism had retarded Indian industrial and scientific potential and prevented her tryst with modernity. Science (read modernity) or rather the lack of it was an explanation for colonialism. Perkovich quotes Prime Minister Jawaharlal Nehru’s statement in the Indian Constituent Assembly:

Consider the past few hundred years of history, the world developed a new source of power, that is steam – the steam engine and the like – and the industrial age came in. India with all her virtues did not develop that source of power. *It became a backward country in that sense; it became a slave country because of that* Now we are facing the atomic age; we are on the verge of it. And this is obviously something infinitely more powerful than either steam or electricity... The point I should like the House to consider is this, that if we are to remain abreast in the world *as a nation* which keeps ahead of things, we must develop this atomic energy (2000, 20) (emphasis added) .

The argument was that science – represented by the ability of Indian scientists to tame the atom – would not only symbolise ‘modern’ India but also place it at the forefront of scientific ability and achievement. As Perkovich argues: “By claiming the technical capacity to build the bomb, India (and its scientists) would win international prestige on scientific-technical-military grounds...” (2002, 27). In this post-colonial nuclear cosmology, nuclear weapons were icons of modernity and their appropriation by the Indian state was an authentication of nationhood itself (Abraham 1999, 12, 20). “As India gropes its way towards modern nationhood which implies a modern state *and* a modern society, the bomb... become[s] a proud and seductive symbol of national achievement” (Sahni 1996, 88) (emphasis original). In sum, nuclear weapons during the 1947 – 1962 period were *not* instruments of external defence, nor did they connote military ‘power.’ Rather, their appropriation by the Indian state was an attempt on its part to recast a diverse and socially fractured

‘nation’ around the project of secular modernity and national achievement (Perkovich 2000, 6, 448; Dixit 1996, 54; Roy 2003, 336-339).

The attempt to (re)mould national identity around science and modernity was fraught with contradictions. A notable anomaly was that of a *formally* democratic state with an institutional legacy that functioned through coercion and dominance (Abraham 1999, 26).⁸⁴ Further, even as nuclear weapons *appeared* to be an assertion of ‘modernity,’ they were, in essence, an imitation and replication of “a global condition where the rules were set by someone else” (1999, 19). Apart from these contradictions, the ambiguity that characterised India’s nuclear programme during the Nehruvian (1947 – 1962) period rendered the state’s insistence between ‘peaceful’ and military uses of nuclear energy increasingly untenable. The contradiction was manifest in a piece of legislation (in 1962) that withheld and denied information regarding India’s nuclear weapons programme to her citizens, Parliament and Press (Sharma 1983, 7). The stifling of public debate regarding state nuclear policy foreshadowed the rise of realism during subsequent decades.

The Giant and the Dwarf

The year (1962) that accorded legal sanction for blanket secrecy vis-à-vis the Indian state’s nuclear project witnessed a border dispute with China that ended in disastrous defeat for India (Cohen 1976, 221).⁸⁵ Military defeat at the hands of China and nuclear tests by the Chinese state in 1964 dealt a blow to Indian political elites’ sense of India’s status and significance in the world. Both events triggered an animated debate regarding the salience of military power in India. Military defeat deepened elite anxieties about India being overtaken by a militarily superior China. The lesson drawn by this particular constituency in the wake of the Chinese defeat was that

⁸⁴ The essence of the contradiction was voiced by Dr. B.R Ambedkar: “On the 26th January 1950 [the founding of the Indian Republic with its new constitution], we are going to enter into a life of contradictions. In politics we will have equality and in social and economic life we will have inequality.” See Amartya Sen, *The Argumentative Indian: Writings on Indian History, Culture and Identity* (London: Penguin 2006), p. 36.

⁸⁵ For a good analysis of the 1962 war see Neville Maxwell, *India’s China War* (London: Cape, 1970). See also Maxwell, *The Threat From China, International Affairs* (1971), vol.47, no. 1, pp. 37-38.

military power was paramount and could not be traded off for other concerns or interests. It also strengthened the case against those opposed to the bomb. Advocates of the bomb represented the moment as a competition for global eminence between India and China that India could ill afford to lose. George Perkovich quotes U.M. Trivedi, a Member of Parliament, who likened the situation between India and China as a realist competition between a giant and a dwarf: “In Asia there are two giants; one of them is India and the other is China. If one giant grows and the other remains a dwarf, certainly the dwarf will be killed, [as] there will be no time for the dwarf to arm himself” (Perkovich 2000, 78-9).

The post-1962 period witnessed a markedly aggressive phase of military and nuclear consolidation of the Indian state. As mainstream public opinion veered towards rapid militarisation, realism’s security-first logic gained ground with calls for a more robust and assertive military (and nuclear) policy. As Aabha Dixit notes:

The defeat at the hands of the Chinese in 1962 strengthened the case of those opposing the Nehruvian model...Realpolitik demanded a thorough review of the country’s security policy, including the atom bomb option. The Chinese test at Lop Nor two years later cemented this trend....The argument for weaponisation ...gained new legitimacy and support (1996, 58).

Perkovich quotes a Parliamentarian who beseeched Nehru in the wake of the 1962 military debacle: “Only those who wish to see Russians or Chinese ruling India will oppose the development of nuclear weapons. I beg the Prime Minister to make full use of our research in atomic energy. Yet Nehru demurred: ‘On the one hand, we are asking the nuclear powers to give up their tests. How can we, without showing the utter insincerity of what we have always said, go in for doing the very thing which we have repeatedly asked the other powers not to do?’” (2000, 46). “The Nehruvian world” however, as Cohen notes, “did not survive the trauma of the 1962 loss to China” and was “supplanted by a tougher attitude concerning the use of force against alleged ‘threats’ facing India” (Cohen 2001, 41).

Retrospectively, 1962 was a watershed in terms of its implications for Indian self-perceptions of 'national' pride, power and self-confidence. From that year onwards, India became "a psychologically militarised state" (Cohen 2001, 49). A strong sense of realism and pragmatism pervaded the polity. Military power was projected to be *the* new basis of India's relationship not only with China but also with the rest of the world. Stephen Cohen notes the new realism:

If military weakness was the source of extreme shame, then India would pursue a policy of overwhelming military strength, turning to several outside sources for assistance. Defence studies burgeoned, *realpolitik* became the guiding star, and the military was elevated to a place of honour, despite its defeat in 1962 (1976, 212).

Post-1962 military consolidation dissolved the tension between India as a non-violent force in the world and India's new self-image as a military power. "While the defeat in 1962 by the Chinese resulted in a sharp diminution of idealist rhetoric...the incipient idea of regional hegemony gained currency and became the dominant self-perception of Indian state elites after 1971" (Krishna 2001, 49). The view that defence spending was detrimental to socio-economic growth and undermined the consolidation of state power was supplanted by a new emphasis on the consolidation of state *military* power. By 1969, India had doubled its defence expenditure to \$2 billion that amounted to "28 percent of the national budget...It would keep rising thereafter leading to inflation and price rises from 1963 onwards" (Perkovich 1999, 46). In a perceptive account of the times, writer Ved Mehta recounts state priorities enunciated in the 1969 – 1974 budget:

\$173 m: Research and Development of nuclear devices
\$200m: Housing \$300m: Family planning
\$9 billion: Defence (emphases mine)
(Mehta 1978, 140).

The extraordinary fiscal support for militarisation of the state during the 1962 – 1972 decade coincided with a war with Pakistan that culminated in the emergence of Bangladesh. The Bangladesh war came to be represented as a 'successful' military operation that, in turn, assuaged feelings of military inferiority and reinforced a sense

of confidence among state elites. As Stanley Kochanek notes: “The Bangladesh war of 1971 ...restored Indian confidence and demonstrated that the nation could no longer be treated as a weak giant” (1980, 54). Bangladesh consequently served to legitimise and entrench a policy of military assertiveness by which, it was argued, India ought to govern its external relations *and* with various domestic and social movements *within* the country (Krishna 2001, 50). Military ‘weakness,’ according to this point of view, accounted for India’s problems with neighbouring countries and the state’s inability to overcome domestic challenges. The essential script of this worldview, as Sankaran Krishna points out, was that “India had been militarily weak...Once she showed herself capable of defending herself and gaining military victory, her problems either disappeared or became more tractable” (2001, 50). From the 1970’s onwards, the dominant strategic theme of the Indian establishment centred on the projection of India as a firm, militarily powerful state in the domestic and international realm. Sankaran Krishna quotes K Subrahmanyam – the doyen of India’s strategic enclave – who explained the twin-track policy of military assertion:

Nations which are not in a position to defend themselves effectively and do not project an image of effective defence capability are not likely to have a credibly active foreign policy...Following India’s military reverse in the border clashes with China in 1962 the image of India as a military power suffered a major setback....The Nagas⁸⁶ got in touch with the Chinese for arms and the Mizos⁸⁷ started their insurgency in 1966...The Indian image and stature regained their losses following the Indian victory in the Bangladesh war ...It is not just a fortuitous coincidence that the Kashmir accord with Sheikh Abdullah, the Shillong agreement⁸⁸ and the first dialogue with the Mizo leadership came after the above events...Pakistan likely to swear by the Simla Agreement⁸⁹ as long as there is a credible image

⁸⁶ Nagaland is home to the Naga people and is one of India’s seven northeastern states. Nagaland was absorbed into the Indian Union despite a 1951 plebiscite in favour of Naga self-determination. The Indian state’s decision to crack down on Nagaland’s dissident movement in 1953 led to “full-scale counter-insurgency operations” in the state.” A.R. Desai (ed.), *Violation of Democratic Rights in India* (Sangam: Bombay, 1986), p. 573.

⁸⁷ Mizos belong to Mizoram – another of India’s northeastern states – that was carved out of Assam in 1972. In the wake of a famine in 1959, economic mismanagement and tribal discontent, the Mizos launched a movement for an independent state that led to ‘counter-insurgency’ operations in the state. See Desai, *Violation of Democratic Rights*, pp. 578-584.

⁸⁸ The Shillong Agreement was signed in 1975 between the Indian government and two factions of the Naga rebel movement.

⁸⁹ The Simla Agreement on Bilateral Relations between India and Pakistan was signed by Indira Gandhi and Zulfikar Ali Bhutto on 3 July, 1972 after the 1971 war over Bangladesh between both states.

of Indian military power adequate to deter any adventurism on their part' (2001, 51).

By the 1970s, state power was being increasingly defined and crafted in military terms. During a period that lacked any credible 'threat' (particularly after the 1971 defeat of Pakistan) India's officially declared 'peaceful' nuclear explosion (PNE or Pokharan I) in 1974 had a rather hollow ring. Pokharan I generated considerable euphoria within the country. Perkovich notes the mood of aggressive self-assertion in a national daily which declared: "India's nuclear blast has catapulted her into the front rank of nations. No longer is she dismissed as a 'pitiful giant' (2000, 179).

The bomb continued to be rationalised as a 'national' achievement and cast in populist anti-colonial terms. Perkovich quotes Prime Minister Indira Gandhi: "We did it to show ourselves that we could" (2000, 175). Yet, even the state's most valued 'power' icon could barely mask the contradiction between an official rhetoric of 'power' and 'achievement' and the unfolding crisis of state legitimacy within. Writer Ved Mehta notes the discrepancy between both:

The [nuclear] 'device' it seems, was intended to lend prestige at home to Mrs. Gandhi's hard pressed government at a time when the country was confronting perhaps the worst food emergency in its history – yet nuclear 'devices' could not grow wheat and rice (1978, 140).

Acknowledging that the 1974 Peaceful Nuclear Explosion (PNE) had no meaning for India's underprivileged masses, the Prime Minister nevertheless maintained that it was the *message* that mattered. George Perkovich quotes Indira Gandhi again: "Of course they [people in the villages] would not understand the PNE as such. But they would understand India's *achievement* and that it was done despite the big powers trying to prevent India" (2000, 520 n.107) (emphasis added). Even though the bomb was still being cast in anti-colonial/imperial terms, the rhetoric and imagery of a military strong and defiant Indian state could not efface a looming political and economic crisis within.

The new military assertiveness was a primarily state-led process yet it was not entirely removed from its social context. Indeed, as mentioned already, the move towards military and nuclear consolidation by the Indian state “created interests, beliefs, perspectives, and expectations within the state *and* society” (Perkovich 2000, 7) (emphasis added). The influence of public opinion on state policy remained marginal, yet several surveys conducted during this period reveal considerable interest in the nuclear issue. Ashok Kapur quotes a survey (conducted in the aftermath of the 1965 war with Pakistan when India faced one of its worst food shortages) which found 7 out of 10 Indians who believed India should produce its own bomb (1976, 179).

The claim of a state-society consensus regarding militarisation of the Indian state must necessarily come with the strong caveat that the latter is *not* synonymous with *mass* approval for nuclear weapons. Indeed, in a country where almost half the population lacks formal education, the knowledge of nuclear issues and national security is severely restricted (Cortright and Mattoo 1996, 11). Accordingly, while public acquiescence or approval for military/nuclear consolidation is not representative of the country as such, it does nevertheless reflect acquiescence of the Indian version of the Monroe doctrine⁹⁰ across politically influential sections of Indian public opinion. The narration and production of ‘national’ power through military means – termed as the “Indian variant of Monroe doctrine in South Asia” (Krishna 2001, 54; Gupta, Anirudha 1994, 104) – endorses the exercise of central coercive power as the optimal means to negotiate external relations with states and domestic social and political movements (Krishna 2001, 50). This “doctrine ha[s] powerful support within important sections of Indian civil society as well: news media, the academic community, urban middle classes [a]re all, to varying degrees,

⁹⁰ According to the ‘Indira’ version of the doctrine, “India will not tolerate external intervention in a conflict in any South Asian country if that intervention has any implicit or explicit anti-Indian implication. No South Asian government must therefore ask for external military assistance with an anti-Indian bias from any country. If a South Asian country genuinely needs external help to deal with a serious internal conflict situation or with an intolerable threat to a government legitimately established, it should ask for help from a number of neighbouring countries including India. The exclusion of India from such a contingency will be considered to be an anti-Indian move on the part of the government concern.” Bhabani Sengupta, ‘Regional Security: The Indira Doctrine,’ in *India Today*, (31 August, 1983).

complicitous with an exaggerated sense of India's 'legitimate' role in the region" (Krishna 2001, 54; Gupta, Anirudha 1990, 711).

By the late 1970's, the idea of a militarily strong Indian state in the realist mode was firmly entrenched. The national defence budget more than doubled from \$4.09 billion in 1980 to \$9.89 billion in 1988-89 (Cohen 2001, 145). In 1987, the Indian state purchased weaponry to the tune of \$5.2 billion – "more than Iran and Iraq combined and twelve times as much as Pakistan" (Gupta, Amit 1990, 711). During the 1985 – 1995 decade, arms sales from the Soviet Union to India touched \$13 billion, with India emerging as the world's top arms importer (Cohen 2001, 142; Gupta, Amit 1990a, 856). The desire to project India as a militarily 'powerful' nation mirrored the idea of "...a strong masculine India, an India which would develop ...a military-industrial capability that would befit its status as a great power" (Corbridge and Harriss 2000, 18).

The new military assertiveness of the Indian state was advanced by an establishment and bureaucratic elite that perceived its own security in terms of 'the nation'. The role that this constituency sought for India was very different from the Nehru years that had been more sensitive to world opinion and the needs of a militarily weak, economically backward, and socially unintegrated post-colonial state (Gupta Anirudha 1990, 711). The vision of Indian elites centred on the idea of India as a major international 'power' and it used its privileged position as the basis for turning India into [that] power" (1990, 711). The quest for a "rightful place" became a reason for phenomenal hikes in India's defence expenditures – "so much so as to outstrip the government's ability to fund them" (1990, 711).

During the 1980's, the idea of a *militarily* strong state was advanced by military intervention in northern Sri Lanka (Operation Pawan and Ravana), large-scale military exercises and a game of military brinkmanship with Pakistan (Operation Brasstacks), and military exercises in close proximity to the eastern frontier with China (Operation Checkerboard) igniting fears of a second Sino-Indian military clash (Cohen 2001, 147-48; Sen Gupta 1997, 301). The extraordinary

military build-up and progress in missile technology paralleled the development of an undisclosed chemical weapons capability that came to light when India had to prepare to sign the Chemical Weapons Treaty (Cohen 2001, 345, n.59).

By the 1980s, India was among the world's most 'powerful' states in military terms. Whether a policy of aggressive military consolidation had enhanced the Indian state's strategic interests was debatable. What was clear nevertheless was that the economic costs of militarisation (for external defence) were inordinately high.⁹¹ Militarisation more than trebled India's external debt during the 1980s from \$20 billion to \$70 billion (Gupta 1994, 115). High military spending during the 1980's contributed to large government deficits that had an adverse effect on India's fiscal reserves. In a 1993 report, the head of India's Reserve Bank partly attributed India's balance of payments crisis in the 1990's to arms imports during the 1980's (Cohen 2001, 38).

To sum up, military consolidation during the post-1962 period did not originate from explicit military threats to the state. Rather, as we have just seen, militarisation of the Indian state during this period was a historically contingent process shaped by ideas of state 'power' and identity that were increasingly defined increasingly in military terms. Paradoxically however, the notion of 'national' power upon which this recasting centred, submerged within it a domestic context where challenges to 'national' (state) power pit the state (military) against 'the nation' (citizens) (Alker 1996, xi). This paradox – of military consolidation without and a state of militarisation within – was, as we shall see, interlinked. In order to understand the link between both, we need to examine the nature of *domestic* challenges to 'national' (state) power.

⁹¹ India has six times more soldiers than doctors. In 1997, per capita expenditure per student was US \$39 while per soldier it was US \$5,714. Chenoy, *Militarisation, Women and Conflict*, p. 174.

A 'State' of Militarisation

The domestic challenge to state power during the 1970s and 1980s symbolised what in effect was the unfolding crisis of legitimacy of the Indian state. While a discussion on the origins and trajectory of this crisis is beyond the scope of this research,⁹² suffice it to state that “the post-independence nationalist-secular consensus that had defined the Indian political mainstream” during the Nehru era (1947 – 1964) no longer commanded a reliable majority and ha[d] been replaced by regional, social and sectarian divisions in a “diverse body politic” (Schaffer and Saigal-Arora 1999, 143). The attempt to unite India around secularism, modernity and progress had begun to unravel and one of its immediate casualties was an overall decline in the *legitimacy* of the political system – reflected in the widening chasm between state power and state authority. “The state still wielded enormous *power*, but its commensurate *authority* was increasingly on the decline” (Kothari 1989, 93). The authority of the Indian state subsequently came to “rest more and more on the non-elected institutions of the state including...the military” (Jalal 1995, 169). It was in this context that the *domestic* variant of the Monroe doctrine – characterised by an increased willingness on the part of the state to negotiate *political* challenges through *military* means – was put into effect. Stephen Cohen notes the trend of military intervention in the political system that stemmed from the erosion of “the legitimacy, integrity and competence of the central political system” (1990, 122) and an increase in “aid-to-civil” operations where “military support for political authority” translated into “actual military rule in more than one state” (Cohen 1990, 124; Kundu 1998, 171 - 185).

Among the manifestations of the unfolding crisis were a range of secessionist movements across the northern periphery of the Indian state. In each of these contexts, a failure in democratic governance was exacerbated by military intervention as a means to counter the collective discontents of centrally-backed authoritarianism. Cohen notes the grassroots implications of this policy: “For

⁹² For an excellent analysis of this crisis see Sumantra Bose, ‘Hindu Nationalism and the Crisis of the Indian State,’ in Saugata Bose and Ayesha Jalal (eds.), *Nationalism, Democracy and Development: State and Politics in India* (New Delhi: Oxford University Press, 1998).

millions of Indians the effective government has been the local area or sub-area commander” (1990, 128). Further, as Gautam Navlakha notes, the frequency and scale of political consolidation through military means created a situation where “India’s armed forces remain the busiest ‘peacetime’ army fighting internal wars...more than one-third of the army is engaged in counter-insurgency...if paramilitary forces are added to this, no less than 50 per cent of the security force is deployed against our [sic] people” (Navlakha 2000, 1713). This crisis is particularly dangerous in terms of its political implications whereby the distinction between the role of the military and norms of civil governance is increasingly blurred (Thapar 1985, 41). A few of this crisis are in order:

A movement for Assamese sub-nationalism during the 1980’s precipitated military intervention during which thousands of people were killed. An independent investigation notes:

The shortsighted tendency of the [central] Government to avoid tackling the problem, [that] [was] directly responsible for the havoc in Assam. The reaction of the Central Government ...[was] to invoke extraordinary powers to suppress the movement.” In 1980, the state invoked the Assam State Legislature (Delegation of Powers) Act whereby “Legislative powers with respect to Assam were entrusted to the Central Executive...Having assumed such extraordinary powers, the Central Government proceeded to treat the whole issue raised by the Assam movement as one of ‘law and order’ and subjected the state of Assam to arbitrary and repressive laws” (Nayar et al 1986, 119).

In 1990, the Indian army launched ‘Operation Bajrang’ in Assam that continued until 1992. An Asia Watch report confirmed patterns of wide-spread abuse by the military:

The Indian Army has conducted massive search-and-arrest operations in thousands of villages in Assam. Many victims of abuses are civilians...often relatives or neighbours or young men suspected of militant sympathies. Villages have been threatened, harassed, raped, assaulted and killed by soldiers attempting to frighten them into identifying suspected militants...Dissent was

severely curtailed and ...human rights activists and journalists arrested for reporting abuses in Assam or for criticising the government's reliance on security legislation. Freed from normal, legal restraints on arrests and detentions and on the use of force, the Indian Army has little reason to fear accountability for its abuses in Assam (No End In Sight 1993, 1).

In Nagaland – a culturally and ethnically distinct region – popular aspirations for autonomy and adequate safeguards against central dominance by New Delhi could not be realised. Nagaland was absorbed into the Indian Union in 1947 – an action that reflected the Indian state's intent to treat Nagaland as an area under central jurisdiction. The assertion of central authority in a region that had long enjoyed de facto independence fostered feelings of Naga nationalism and generated a popularly backed insurgency against the Indian state. The state on its part “adopted a policy of suppression by military means, which at times involved an entire Indian Army division and various other paramilitary...forces [and] the complete suspension of civil liberties” (Brass 1994, 202). As an independent investigation notes:

Under the pretext of fighting Naga ‘insurgents, the Government of India has disrupted the entire socio-economic structure of Naga society and inflicted the worst kind of repression on the Naga people” (PUDR 1986, 573).

Nandita Haksar – one of India's noted human rights advocates – had this to say about the ‘state of militarisation’ in Nagaland:

the Indian state has tried every dirty trick to divide the Nagas against each other, undermine their unity by psychological warfare and ...tried to crush the Naga national movement by using its military might (2005, 15).

Between 1967 – 1977 the northeastern state of Mizoram witnessed mass discontent in the wake of a famine. Public anger directed at what an independent report termed as the “callous indifference” and “brutal neglect” of state authorities towards the death of thousands of Mizo citizens evoked feelings of estrangement and resentment and paved the way towards demands for secession (PUDR 1986, 579).

The state's refusal to negotiate with the Mizo leadership and its resort to political brinkmanship during the crisis, served to consolidate state power at a moment when it was vigorously challenged. The political costs of this consolidation for Mizoram's citizens were extraordinarily high. According to an independent investigative report:

[Mizoram] was saturated with Indian troops...The Indian army's military strategy of economic suppression was meant to further disable the tribal economy. New laws on habitation were passed as a matter of policy. Their purpose was to cut off the tribal people from their source of food and livelihood, the forest, and to make Mizo people wholly dependent on the government for food and drinking water, for their very survival...Villages were surrounded by the army and quick notice to take bedding was issued. Villages with all their grain stock were then razed to the ground...Grain stocks hidden in the jungle were searched out and destroyed and people going out to work were not allowed to take their meals with them" (PUDR 1986, 579-580).

During the 1980's, there were over 16,000 people killed in a long drawn and extraordinarily violent crisis in Punjab – a considerable proportion of whom were Sikh youth (Brass 1994, 200). This crisis originated from a disregard for constitutional propriety by the central government that paved the way for Sikh separatism and demands for Khalistan (a separate Sikh state). As Paul Brass notes:

This crisis "was reached because the struggle for power at the centre of the Indian Union passed the limits required for the functioning of a balanced federal parliamentary system. The crisis in Punjab is a crisis for ...the Indian state" (1994, 200).

The demand for Khalistan by Sikh extremists was exploited by the incumbent (Congress) regime to legitimise military intervention in Punjab together with the imposition of a range of repressive legislative measures depriving the state's citizens of civil and political liberties. In Punjab, according to Paul Brass, a state of "total war which did not spare the family members of combatants was being waged in the late 1980's and early 1990's ...in which the death toll continued each year to range in the thousands" (1994, 199). Cynthia Keppley Mahmood describes the political

implications of militarily backed central authoritarianism in Punjab for Punjab's citizens:

At one point ...so many bodies of 'disappeared' Sikhs were being dumped in the state's waterways that the Governor of neighbouring [state] Rajasthan had to issue a complaint that dead bodies from Punjab were clogging up his canals (2000, 72).

By 1980, the range of rebellions against the Indian state - from Punjab in the north to Assam, Manipur, Mizoram, Nagaland, Meghalaya and Tripura in the north-east – were a graphic illustration of how “the vulgar display of the state's armed capacity bec[a]me a normal part of governance, coexisting with elections and other rituals of democracy” (Baruah 1999, xiv). Entire infantry brigades and battalions of the Indian Army have been employed to quell these rebellions (Cohen 2001, 29; Cohen 1990, 123). Although each rebellion is defined by its respective political context, the *origin* of *all* rebellions, as Cynthia Keppley Mahmood notes, derive from a *single* political order:

The fact is that Punjab, Kashmir, Assam, ...and every place else in India are part of a *single political order*. It speaks to the great success of those who dominate that order that rebellions against it are couched in particularistic terms that can quite effectively be dealt with from the centre on a case by case basis. A more insidious form of success is the fact that the academic vision of India has been refracted into similarly particularistic visions, which is asking why Sikhs are rebelling, why Kashmiris are rebelling, why tribals are rebelling, and so on. It seems to put the burden of explanation on the rebels rather than *the order* against which they all chafe (2000, 86) (emphasis added).

The centralisation of political power and the means of coercion meant that while the state retained the raw power to crush political opposition, its commitment to democratic procedure, civil liberty and secular nationalism has been severely eroded together with its international credibility as a democracy (Brass 1994, 200).

Noting the extraordinary levels of state violence and political repression just three decades into independence, writer Ved Mehta posed the question: “how could the suspension of all civil liberties and human rights ever be justified in a democratic society?” (1978, 111). Mehta goes on to quote lawyer H.V. Kamath who echoed similar concerns: “The suspension of fundamental rights,” notes Kamath, “was a very grave matter...it is even graver than the gravest emergency with which the state may be confronted” (1978, 60). A decade later, political scientist Rajni Kothari concluded that in political terms the Indian state had ceased to be a democracy: “It is an illusion to think that it is any longer a democracy...it is based on a centralised and increasingly brutal state apparatus, backed by ...sophisticated military hardware” (Kothari 1989, 296). Even as the erosion of state legitimacy and state reliance on organised violence against citizens precipitated a domestic crisis of militarisation, the latter was legitimised by instrumental manipulation of constructions of ‘the nation.’

Between Democracy and Nation

Democracy is not more important than the nation. There is no choice between democracy and the nation (Indira Gandhi, 1977)⁹³

During the 1980's, the theme of ‘threat’ to the nation legitimised the consolidation of state power through military means. Political challenges in Punjab, Assam and the north-eastern region were blamed on the disloyal and reactionary tendencies of ‘other’ ethnic/religious groups. Instrumental use of the ethnic/religious card by the state to promote the idea of an endangered ‘nation’ coincided with coercive assertion of central authority – particularly in states where the challenge to state legitimacy was vigorous. Congress regimes (1966 – 1977 and 1980 – 1984) typified this trend. Regional (state) demands for a re-negotiation of centre-state relations were not engaged with directly. Instead, what in effect were secular demands for greater autonomy and/or decentralisation were painted in religious colours as a strategy to neutralise challenges towards an increasingly centralised and authoritarian political dispensation (Balachandran 1996, 116-125).

⁹³ Indira Gandhi cited by Ved Mehta, *The New India* (Harmondsworth: Penguin, 1978), p. 90.

For instance, in the 1983 elections to Kashmir's State Assembly, "where the Congress faced the rival National Conference – a predominantly but not exclusively Muslim political party" – Mrs. Gandhi won the elections on an explicitly parochial campaign where the Conference was accused "of harbouring 'anti-national' and 'pro-Pakistani inclinations'" (Bose 1998, 121). During the same period, demands for the "long-promised inclusion of the Union Territory of Chandigarh in the state of Punjab and a greater share of the river waters for the state ...[was given] a religious colour" (Balachandran 1996, 120). Instrumental use of an essentially secular agitation in Punjab culminated in military rule and an ill-fated military assault on the Golden Temple in Amritsar in 1984. Soon after, "Mrs Gandhi ...said openly and directly that Hindu *dharma* (religion) was under attack...She made an impassioned appeal to save the Hindu *sanskriti* (culture) from the attack that was coming from the Sikhs, the Muslims and the others" (Kothari 1989, 247). As Cynthia Keppley Mahmood notes:

The fact that such rebellion is occurring in all the peripheral and non-Hindu areas of the Indian nation implies...that the causes of such rebellion are not to be sought in the internal attributes of the peripheral groups themselves. What we are seeing is a concert of reactions against the centre, whose own characteristics are to be seen as the prime mover" (1989, 336).

Domestic challenges to the state were blamed on "external instigators" and "foreign hands" (Krishna 1992, 859) – an imagery that facilitated consolidation of central power through military means. The use of organised violence against citizens was legitimised by a state narrative premised on the concept of a unitary 'nation.'

Increased influence of the military in domestic politics paralleled the consolidation of a foreign policy based on the view that "military might is the basis of any sound relationship between [India] and the military superpowers, [including] Pakistan and China" (Cohen 1976, 212). This consolidation as Cohen adds was normalised by "stress[ing] the danger of penetration by foreign powers...that such powers (and their intelligence agencies) regard India as a threat and wish to destabilise or otherwise weaken it through cultural, political or military action" (1976, 212-213). The representation of 'the nation' as threatened without and

besieged within legitimised militarisation *of* the state *and* domestic repression by the military *within* the state. To quote Cohen again:

There is no doubt that she (Mrs.Gandhi) believes that internal and external enemies require continued vigilance, militancy and preparedness. In the face of such enemies, even the enemy poverty and civil liberties are expendable and in fact might obstruct progress....Although India lacks a garrison states discipline or resources, Mrs. Gandhi is attempting to use internal and external threats and enemies to mobilise those resources and that discipline (1976, 211).⁹⁴

The transformation of the military into a locus of state power is explained in terms of institutional weakness and/or decay that allowed successive regimes to escape democratic accountability. As Atul Kohli observes: “during the 1970s and the 1980s, some of India’s established institutions were battered especially by leaders in power” (1998, 16). The decline of institutional integrity that facilitated non-institutional methods of political consolidation is, however, a *consequence* of centralised power politics. In other words, it is the centralised, centrist imaginaire and its underlying concept of a unitary state that undermines institutional integrity and distorts the institutional framework of mediation between state and society in India. As Zoya Hasan notes the significance of the unitary construct of the state to its compulsions for centralised power: “the *centralising* tendency of the Indian state *requires* a [homogenizing] ideology of [national] unity” (1991, 152) (emphasis added). Accordingly, while militarisation in Punjab, Assam, Nagaland, and Mizoram *embody* institutional failure, this failure is not the cause but rather the *consequence* of a centralised state and its attendant hegemony of a unitary ‘nation.’

Centrally backed military intervention in states across India endorsed military rule and the denial of civil and political liberty to a wide range of citizens. A.R. Desai notes the disturbing trend of *legislatively sanctioned* democratic subversion:

⁹⁴ “Mrs.Gandhi and her circle often argued that to preserve the Indian state, they as the central government needed overwhelming power. Indeed, during the ‘emergency’ of 1975-7, they decreed that democracy and federalism had to be curtailed to save the state.” Robin Jeffrey, *What’s Happening to India? Punjab, Ethnic Conflict, Mrs. Gandhi’s Death, and the Test for Federalism* (London: Macmillan, 1986), p. 204.

Violation of democratic rights has proliferated in India on a fairly large scale. It is characterised as 'Government Lawlessness.' This category of assaults on Democratic Rights comprise deliberate den[ial] or non-implementation of the rights legally granted to citizens through legislative enactment by the government itself (Desai 1986, ix).

The political and ideological hierarchy that undermines institutional integrity in the name of 'national unity' is, in other words, the same hierarchy that disciplines citizens for resisting centralised hegemony. Invocations of 'the nation' or 'national' unity in this context served as a convenient and effective alibi for militarisation. Underlining the significance between ideology and (state) power Spike Peterson notes:

Legitimation processes become key to maintaining (reproducing) state power – and are therefore pivotal to our understanding of that power... Ideologies assume centrality on our analyses not because they are more potent than physical coercion but because they secure the reproduction of ...hierarchy with less resort to (but no less reliance upon) physical coercion (1992, 39).

The "monological imagination" (Krishna 1999, 242) of the centralised state that demands citizens subordinate all other loyalties and interests to those of the state is, in the case of India, deeply problematic. Not only is the assumed congruence between state and nation ahistorical and inconsistent with India's empirical reality, but the idea of a 'unitary' Indian nation is in perpetual conflict with India's ethnic, linguistic, cultural and religious diversity. The Indian state's domestic crisis (of militarisation) derives from an ideological fixation around the production of a unitary state and a single 'national' identity where every social and political movement for greater state or regional autonomy and alternative identity "has invited the charge of being anti-national and potentially secessionist, hence deserving of a hard line response" (Krishna 1999, 233-4).

The misfit between state and nation is an empirical feature of the post-colonial nation-state in South Asia⁹⁵ where “states have had to manufacture Indian and Pakistanis” after independence and “ensure they inhabited nations” (Mustafa and Murthy 2001, 111). The division of sub-national communities between both states – most notably the Kashmiris between India and Pakistan – meant that the narrative of the ‘nation’ could never correspond with, or be contained within, the territorial limits of the state. The disjuncture between state and nation explains the empirical absence of internal political cohesion so central to the European/ Westphalian⁹⁶ concept of the nation-state. The attempt by the Indian state to forge a unitary state and a single ‘national’ identity in modern India is, for this very reason, an exercise fraught with incredibly high levels of state and societal violence.

Normative International Relations theory does not address militarisation within the state – embedded as it is within the concept of the sovereign, territorial nation-state.⁹⁷ It is in the realm of (normative) political theory that this violence is recognised – not so much because of its political dimensions for citizens, as for threatening the cardinal principle (of legitimacy) of the nation-state itself. For challenging and resisting its attempt to produce a unitary state and a homogenous ‘nation,’ the Indian state disciplines individuals and communities for aspirations, hopes, needs, longings and interests that are not necessarily in keeping with its desired prototype of the loyal citizen-subject (Udayakumar 2001a, 2). Sadly, this is also the reason why “thousands have been killed for being on the wrong sides of the borderlines; for suggesting that they wish their own imagined realms; for dreaming alternative futures” (Krishna 1992, 859).

⁹⁵ Other examples are Sindh, Baluchistan and the Northwest frontier province in Pakistan; northern and eastern provinces of Sri Lanka and the Chittagong Hill tracts in Bangladesh. For an analysis of state military intervention vis-a-vis sub-national movements in South Asia see Sahadevan, ‘Ethnic Conflict and Militarism,’ pp. 2-49.

⁹⁶ The concept of the Westphalian state derives from the European Treaty of Westphalia in 1648 that is considered a cornerstone of modern International Relations theory. The Westphalian model (of the nation-state) emphasises the concept of absolute territorial sovereignty with relations between states determined primarily by the military capacity of individual states.

⁹⁷ In the dominant IR tradition, the world is divided into unitary nation-states that interact with each other in a climate of anarchy. “The discursive universe of international relations is built upon the endless reproduction of the inside/outside antinomy. The deployment and reproduction of this opposition constitutes one of the fundamental principles of state legitimacy, autonomy, and monopoly over the instruments of coercion.” Sankaran Krishna, ‘Mimetic History: Narrating India Through Foreign Policy,’ in S.P. Udayakumar (ed), *Handcuffed to History: Narratives, Pathologies and Violence in South Asia* (Westport, Conn; London: Praeger, 2001), p. 45.

This violence is academically legitimised as the project of nation-state building whereby states in the Global South are supposedly struggling to translate their “juridical statehood into empirical statehood” (Ayoob 1996, 74).⁹⁸ A brief analysis of Mohammed Ayoob’s influential work ‘The Security Predicament of the Third World’ (1995) and his advocacy of coercive state-making (1996) in the Global South illustrates the dangers of militarily-backed nation-state building as “an inevitable and indispensable part of producing a nation” (Krishna 2001, 56).

According to Ayoob:

Third World state elites’ commitment to Westphalian values derive from ...a lack of adequate stateness “defined as demonstrated centralised control over territory and population, monopoly over the means of violence within the state’s boundaries, and the capacity to significantly permeate the society encompassed by the state (Ayoob 1995, 27).

In order to achieve these objectives – or “adequate stateness” – Ayoob recommends a concerted effort “by states to reach [this] goal within the shortest time possible or risk international ridicule and permanent peripherality within the system of states” (1996, 72). Yet, as we have just seen, the replication of this “geopolitical imaginaire” (Krishna 1999, 225) endorses a highly centralised and authoritarian concept of the state and an international system of “statist sovereignty” (1999, 5) that seeks to undermine and destroy alternative forms of community. Its stark prescription for creating the ‘modern state’ in the Global South objectifies the incredible levels of violence contained in the nation-state building exercise in what Ayoob terms as the Third World:

To replicate the process by which modern national states are created, Third World state makers need...a relatively free hand to persuade and coerce the disparate populations under their nominal rule to

⁹⁸ Ayoob defines juridical statehood as “the inalienability of juridical sovereignty...conferred by international law and symbolised by membership of the United Nations” and empirical statehood as “a capacity for effective and civil government.” Mohammed Ayoob, ‘State-Making, State-Breaking and State Failure,’ in Goor et al (eds) *Between Development and Destruction: An Enquiry Into the Causes of Conflict in Post-Colonial States* (London: Macmillan, 1996), p. 74.

accept the legitimacy of state boundaries and institutions, to accept the right of the state to extract resources from them, and to let the state regulate important aspects of their lives (1995, 29) (emphasis added).

With reference to India, Ayoob endorses the “significant amount of coercion – as witnessed in Punjab, Kashmir and the Northeastern region” – as a necessary and legitimate means – “to consolidate the authority of the state in regions in which it...[the state] face[s] major challenges” (1995, 29).

Ayoob’s endorsement of the state-making enterprise in India is, as Sankaran Krishna points out, informed by the European narrative of nation-state building (2001, 46). Yet, as Charles Tilly notes, the European nation-state building enterprise was an ambiguous, long-drawn and immeasurably violent process – which Tilly likens to “organised crime” (1985a, 169, 183-184). To overlook or downplay the political implications of this exercise for citizens is to suggest that citizens’ human rights and dignity are dispensable against the greater moral imperative of nation-state building. It is to further argue that the state’s quest for “empirical statehood” (Ayoob 1996, 74) shall remain incompatible with the protection of the human rights and dignity of its putative citizens. Indeed, as Ayoob reminds us: The attempt to produce a politically coherent, unified nation-state “prescribes standards of political behaviour that most Third World states, struggling to maintain political order, will not be able to meet for many decades” (Ayoob 1995, 85; Ayoob 1996, 73).

The unitary state that is assumed to be realised through the nation-state building enterprise legitimises and objectifies state violence on a grand scale even as it diminishes the possibility for alternatives. As Sankaran Krishna notes: “The making of the nation serves as the universal alibi for the violent unmaking of all alternative forms of community” (2001, 47). To highlight the link between the domestic crisis of militarisation and the nation-state building enterprise is not to suggest dismantling, but rather, a re-imagining of the state that is accommodative of alternative forms of community and identity. Nowhere is this more relevant than in India where as Sankaran Krishna succinctly puts it:

The project of constructing a unified state has reached its *reductio ad absurdum* in the subcontinent. The final verdict of state elites has come down to this proposition: we will maintain the integrity of the nation-state even if we have to kill large numbers of people within its borders to do so” (1992, 862).

The attempt at violent and coercive nation-state building has, as just mentioned, succeeded in alienating large numbers of Indian citizens and communities. The pursuit of this project, as Barbara Crossette, notes is a dangerous folly:

Indian leaders failed to recognise ...that force alone...cannot hold the nation together. Increasingly, the Indian Army and paramilitaries of the Central Reserve Police Force, the Border Security Force, or the Indo-Tibetan Border Police were brought in to quell civil disruptions that cried for creative and conciliatory political solutions. Large areas of the country fell under effective martial law...In Punjab, Kashmir and the north-eastern state of Assam ...abuse of human rights ...are commonplace. Lives are taken, property destroyed, women and children abused. Day by day, year by year, thousands more Indians taste alienation, or turn to violence themselves (1993, 31).

The violence unleashed by the state-nation making enterprise in India cannot be reconciled, healed or contained within a unitary and exclusivist rendering of the nation-state in the European tradition. Indeed, the attempt to do so has generated a crisis of militarisation within and, as I proceed to illustrate in the case of Kashmir, reinforced militarisation of the Indian state without.

Notwithstanding the phenomenal violence associated with the nation-state building exercise, the Indian state has continued to use the latter as a means to contain or ward off challenges to its legitimacy. By enforcing – on pain of death – a unitary vision of India that is implacably opposed to alternative expressions of self-identity, the theme of “ethnicity as danger” (Krishna 1999, xxxiv) functions as an effective alibi for consolidating state authority and regime security in contexts where both are vigorously challenged. In other words, by casting any sub-national aspiration as antagonist (‘anti-national’) and therefore illegitimate, the concept of a

unitary state and a pan-Indian identity serves to consolidate state power through an extraordinarily violent nation-state building exercise. This exercise is an opportunity for the state to avoid democratic scrutiny. As Mansfield and Snyder note: the “exclusion of opponents from political participation on the grounds that they are the “enemies of the nation” is the means by which state elites escape democratic accountability even as they consolidate political power (2002, 301). State invocations of alleged ‘threats’ to ‘the nation’ and/or ‘national unity’ legitimise the implementation of a range of repressive, anti-democratic legislation depriving citizens of fundamental rights including the right to *habeas corpus*. Kashmir, as we shall see, is a telling example of the instrumental use of the “ethnicity as danger” (Krishna 1999, 29) theme with grave implications for citizens rights and liberties.

Paradoxically, in seeking to align territory with identity the ‘national’ imaginaire of the Indian state hastens precisely that very outcome it wishes to avoid: disunity and fragmentation (Krishna 1999, 241). Militarisation across India’s northern periphery (including Kashmir) is tragic testimony to the centralised, majoritarian impulse of the Indian state that eventually produced what it feared most – irredentist violence and demands for secession (1999, 232). Secession, in other words, is “a *direct consequence*” of the very imagination that animates the unitary, nationalist impulse of the Indian state (1999, 242) (emphasis added). Sankaran Krishna sums up the relationship between the Indian state’s domestic crisis of militarisation, the manipulation of ‘ethnicity as danger’ and political power:

Within and without the nation, ethnicity [has come] to be regarded not merely as a danger to the principle of statist sovereignty, but equally as an opportunity that allowed for the acquisition and retention of state power in specific ways (1999, 5).

To conclude, I refer back to Mohammed Ayoob to emphasise the persistent, albeit unsuccessful, attempt by the Indian state to forge an ever elusive “empirical statehood” (1996, 76). This enterprise, according to Ayoob, is characterised by much anxiety regarding the putative shortage of time – a constraint that in his view legitimises pursuit of the objective with ever greater vigour (read violence):

The drastic curtailment of the time available to Third World states to complete [the] twin processes of state-building and nation-building enhance the political importance of the coercive functions of the state and, therefore, of the agencies that perform such functions (Ayoob 1994, 25).

Ayoob misses the irony in his analogy between the 'democratic' claims of the Indian state and its undemocratic legacy of nation-state building. India, according to Ayoob, is an exception by virtue of being "a democratic political system" where "the important and increasing dominant role of the security apparatus is clearly visible in states such as Punjab and Kashmir, in which the Indian state faces major overt challenges in the state-building and nation-building arenas" (1994, 25). The paramilitary forces, Ayoob argues, "play extremely important roles in the sphere of ...regime maintenance [that] has almost doubled between 1970 and 1990" (1995, 23). For Ayoob, the high levels of violence associated with nation-state building are as necessary as unquestioned investment in the agencies that execute it. In effect, the Indian state's attempt to craft a unitary state in the European tradition underlines the dangers of coercive nation-state building legitimised by an overarching, grand of a 'national' identity.

On the other hand, the Indian state's possession of a formidable military capacity on which rest its claims to international 'power' does not correspond with its *domestic* base of power, which, as we have seen, has been progressively eroded. This erosion was symbolised by (Congress) regimes during the 1970s and 1980s for whom political consolidation through military means within and invocations of 'national' 'power' and 'strength' without were attempts to mask a crisis of state legitimacy. State invocations of a militarily 'powerful' state on the one hand and the state's declining (domestic) legitimacy on the other are not merely an interesting paradox. Rather, it is a reflection of how the Indian state's *domestic* crisis of militarisation transformed the Indian military into an instrument of domestic repression within and precipitated extraordinary military consolidation without.

The military (and nuclear) consolidation of the Indian state during the 1990s must therefore not be perceived *only* as an expression of the Indian version of the

Monroe doctrine. Rather, it must be understood in terms of the (unsuccessful) attempt by a centralised, coercive state to balance its ambitions of (international) power with its multiple domestic constraints. This balancing precipitated the consolidation of political power through military means in the domestic realm and the projection of military (and nuclear) 'power' in the external/international realm. More particularly, this crisis highlights the discrepancy between the Indian state's claim to political legitimacy and, by extension, 'national' identity in the domestic realm and its assertion of 'national' 'power' in the international arena. George Perkovich notes the contradiction between national 'power' and identity during the 1990s: "At the ...time that India is generating the ...military resources to become a major global power, the Indian political system struggles to clarify the nation's essential identity" (2003, 135). This contradiction deepened during the 1990's – a development that, as I proceed to illustrate, served to reinforce India's external crisis of militarisation.

The 1990s: The 'State' of 'the Nation'

By 1990, India was the third largest arms recipient in the world after Iraq and Saudi Arabia (Louscher and Sperling 1994, 69). Possession of the world's fourth largest military propelled India into the front ranks of world military powers (Gupta, Amit 1990, 846 n.1). The formidable military capability of the Indian state including an undeclared nuclear capability and a developing missile programme defined its emergence as a pre-eminent military 'power' (Gupta, Amit 1990, 856).

The emergence of the Indian state as a military power during the 1990s unfolded in a post-Cold War context where the emphasis on military (and nuclear) power as the principal determinant of global power was beginning to shift. George Perkovich quotes Prime Minister Narasimha Rao in 1991, who emphasised that "economic development and integration into the global economy were more important than nuclear weaponry in strengthening India... 'If we cannot make our economic sinews strong,' Rao said, India would have no 'political clout and no one is going to take it seriously'" (2002, 39). Economic growth had replaced military

power as the key determinant of 'national' and 'international' 'power' with China's rapid rise as an economic power serving to highlight the economic disparity between both states. This disparity heightened the sense of anxiety and urgency among state elites to bridge the gap between India and China and project Indian power onto the world stage. George Perkovich quotes K.C. Pant, former Defence Minister of India whose comment encapsulated elite anxiety: "China inspires awe far and wide. India, in contrast, is perceived to be a soft state, a country wide open to external pressure and hesitant to take hard decisions" (2000, 389).

In 1991, the Indian state embarked on a programme of economic reforms. The emphasis on the economy was not an acknowledgement of the folly of militarisation but a realisation that political power and status in the world of states was a function of economic, not military power. With economic strength being the new marker of global standing, the Indian state faced the challenge of fulfilling certain *domestic* objectives that were a precondition towards wielding 'power' in the international system (Perkovich 2003, 47). In order to gauge progress towards this end we need to turn our gaze within 'the nation' so to speak and undertake a brief overview of the balance-sheet of state achievement by 1990. It is useful to split this evaluation into three broad fields: (i) the practice of democracy, (ii) removal of social inequality and (iii) economic progress.⁹⁹ What follows is a brief overview of each of these dimensions.

While India remained a democratic state with regular and reasonably fair elections, its record in democratic *governance* – as we have just seen – was not impressive. By 1990, the record had not improved. Despite elections (where national parties did not fare very well) Punjab came under President's (Central) rule in 1990. In the same year, the Governor of Assam dismissed the state government to place the state of Assam under military rule, followed by the imposition of military rule in Kashmir. The trend of replacing governance with centrally backed military rule epitomised the enduring contradiction of "the modernising, developmental mission of an elite which was not notably democratic in its own attitude and actions and

⁹⁹ This categorisation is based upon Amartya Sen's categorisation of India's record since 1947. See Sen, *The Argumentative Indian*, pp. 193-250.

which had a history of negating expressions of popular will” (Corbridge and Harriss 2000, xviii). In his analysis of democracy in India during the 1990’s, Arthur Bonner writes: “Frequent – ostensibly democratic – elections merely serve to legitimate a[n]...elite with a total monopoly of power... that, without hesitation, uses all its force to suppress ...dissent” (1994, 38).

At the same time, old problems were reinforced by existing ones to create new conflicts across India’s complex and diverse society. The initial contradiction between a formal democratic structure and an inequalitarian social context had served to reinforce social inequality. Far from being eradicated by the modernisation impulse, caste had become an entrenched reality of social and political life in India – most notably in northern India (Bose 1998, 113). Continuing caste discrimination rendered Constitutional guarantees of equality mere statements of intent divorced from a social reality defined by increasing inter-caste conflict. The proliferation of caste *senas* (private armies) in northern India reflected rising militancy among upper and lower castes and the great potential of inter-caste violence in the country (Ayoob 1992, 176). “As the legitimacy of state institutions and their ability to accommodate diverse groups within the system began to erode, caste...interests were pursued militantly and through extra-constitutional channels” (1992, 175).

The attempt at economic development had not gone much further. In 1991, the United Nations Development Programme (UNDP) ranked India 123rd among 160 nations in the Global South on a Human Development Index measured by longevity, access to knowledge, and reasonably decent living standards (Crossette 1993, 36). Educational progress in India was markedly uneven with the goal of universal literacy remaining distant. At a general level, the pattern of economic development was skewed in favour of privileged sections of society. As Sumantra Bose notes:

A substantial urban middle-class, estimated by some to be around 150-200 million, has emerged in the big cities and medium-sized towns.” This group has benefited from easy access to economic opportunities and resources to the extent that “it [was] now possible to talk of ‘middle class’ values and aspirations. On the other hand,

mass poverty and illiteracy ...remained permanent features of much of the landscape of rural India (1998, 113).

The pattern of uneven and skewed development, as Rajni Kothari writes, was a “phenomenon of ‘Two Indias,’ one on the path of ‘progress,’ having access to resources, information and technologies...the other very much left behind” (1989, 220). By 1990, the state had dispensed with the rhetoric of development. The new emphasis was on “technological modernisation” expressed by the catchy slogan, “Moving Into the 21st Century” – a ‘vision’ that appealed only to the urbanised upwardly mobile classes of Indian society...’The phenomenon of the ‘Two Indias’ in other words was “being given the stamp of state policy” (Bose 1998, 125).

Apart from the just mentioned political and socio-economic challenges, the project of nation-building was central to the Indian state’s notion of power and identity. This project centred on two principal dimensions, namely, Hindu-Muslim relations and the ability of the Indian State to overcome perceived challenges to national unity that are crucial to state perceptions of “national greatness” (Brass 1994, 266). A brief overview of both is in order.

“The Muslim quandary in post-independence India,” writes Ayesha Jalal, “is an especially acute one” (1998, 101). The general socio-economic status of Muslims across India remains poor. Poverty, low educational levels and high levels of unemployment among Muslims translated into a markedly higher Muslim share in rural poverty and urban disparity as compared to ‘Hindus.’ Predictably, Muslim representation in public institutions remained poor. On its part, the state ignored the economic needs of Muslims and focused instead on issues of Muslim identity and religion – a policy that subsequently transformed into a propaganda weapon for the Hindu nationalist claim of state ‘appeasement’ of Muslims. The concentration and ghettoisation of Muslims in urban areas together with economic competition with the Hindu petty-bourgeoisie assumed violent turns across towns in northern India during the 1980’s. By 1989, this violence was increasingly backed by supporters of a ‘Hindu’ India (Akbar 1985, 310). The same year witnessed a wave of anti-Muslim violence in north India – the worst of which was in the state of Bihar - where at least

2,000 (mostly poor) Muslims were killed and dozens of predominantly Muslim villages razed to the ground (Bose 1998, 129 n.75). “The tremendous increase in communal riots (a euphemism for anti-Muslim...pogroms) during the [1980-1990] decade demonstrat[ed] the capacity of Hindu chauvinist organisations like the BJP, the Vishwa Hindu Parishad (VHP), and the Shiv Sena to channel popular energies towards destructive ends” (Ayooob 1992, 178). The “bigotry and organised violence” against a “socially and economically underprivileged and politically divided minority,” (Jalal 1998, 101) was, in effect, an incipient version of the parochial impulse of the Indian state that was crafted into a more potent political ideology during the 1990’s.

The second axis of ‘national’ power, namely, the project of overcoming political challenges to the state had, as we have seen, was not particularly successful. The project of nation-state building across India’s northern periphery precipitated long drawn, self-perpetuating cycles of militarisation within state borders. “Militarisation” notes Anuradha Chenoy, is an entrenched element of state policy ever since the 1980’s”... during which “the regime in power began to use the military on a more regular basis as a substitute for administration and governance” (2002, 127). A ‘state of militarisation’ – officially termed as ‘insurgency’ – is rooted in local grievance towards what is perceived as an increasingly authoritarian central order. The state, as Chenoy goes on to explain:

...invariably responds to these movements by ignoring ...and refusing to acknowledge the basic problems that have alienated these regions. The option of a resolution negotiated through the Constitution and federal structures is never considered...The state then resorts to military solutions, calling in the army, treating the entire matter as a ‘law and order’ problem, and substituting civilian authority with a military one...The first casualty is invariably the basic fundamental rights of citizens.” Abrogation of the rule of law is a notable feature of the militarisation process. “Accountability, transparency and basic aspects of civilian rule are suspended in favour of terror, torture, unaccounted killings and rape (2002, 129).

If anything, the project of nation-state building underlined the extraordinary human costs of the Indian state’s quest for a *unitary* nation. Rajni Kothari’s

prediction – regarding the crisis of political legitimacy that engulfed the Indian state during the 1990's proved to be prophetic: "Who will win out is not certain. What is clear is that the state as we have known it – and on which we had pinned such hope – is in a shambles and not likely to endure...except by brute force in which case it ceases to be a legitimate instrument of power" (Kothari 1989, 97).

The erosion of democratic governance – never strong at the best of times – was overtaken by an over-centralised, militarised political order – itself a manifestation of the *general* crisis of legitimacy of the Indian state. This crisis underscored what Sumantra Bose terms as the increasing "powerlessness of the centralisers" (1998, 125) where the *means* by which a centralised and militarised political order sought to consolidate power revealed its essential weakness and illegitimacy. The use of the military against citizens not only eroded state legitimacy but also placed significant sections of 'the nation' in direct opposition to the state.¹⁰⁰ The policy of centrally-backed military coercion was precisely the reason that prevented the state from forging a nation. This crisis, as Rajni Kothari notes, is "the crisis of the Indian state and with it of the Indian nation" (1989, 101).

Enduring divisions across class and caste, military rule in Punjab and the Northeast where the military waged war against Indian civilians, together with a full blown economic recession and a fiscal crisis that peaked during the early 1990's, deepened anxieties among influential social groups and urban middle classes regarding the 'state of the nation.' The concern of this constituency was that "the regime, while ceaselessly asserting the 'oneness' of the Indian 'nation' and the inviolability of the Indian state, was actually, through its policies, gradually bringing about the disintegration of that nation and the collapse of that state" (Bose 1998, 130). This perception facilitated the rise of a new (Hindu) nationalism whose political appeal was further reinforced by two key conjunctural developments during

¹⁰⁰ "In the last decade of the twentieth century, India's increasingly transparent failures to honour and protect its people's civil and humanitarian rights incurred the opprobrium of a lengthening list of international human rights organisations and several foreign government watchdog bodies, including committees of the British Parliament and American Congress." Barbara Crossette, *India: Facing The Twenty-first Century* (Bloomington: Indiana University Press, 1993), p. 32.

1990. While it is not possible to discuss both at length, I highlight, very briefly, their significance vis-a-vis this discussion.

The first development relates to the decision by the government to implement the recommendations of the Mandal Commission – a government-appointed body – to reserve a proportion of Central Government jobs for members belonging to intermediate castes – a decision that prompted violent agitation and caste riots by upper caste groups in north India. The relevance of the anti-Mandal stir derived from the *political* import of an agitation that not only placed the politically divisive issue of caste at the forefront of national politics but more fundamentally “cleaved the monolithic façade of (mythical) Hindu unity right down the middle” (Bose 1998, 147). In this respect, the anti-Mandal agitation threatened to seriously undermine the growing momentum of Hindu nationalism and its underlying idea of ‘national’ (read Hindu) unity.

The second development was the 1990 mass rebellion in Kashmir – an uprising that challenged state authority and legitimacy in much the same way as it had been challenged in Punjab, Assam and Northeastern states. The timing of this rebellion however, was crucial. For Kashmir served as a convenient foil *against* the potentially threatening (to status quo oriented groups) issue of caste that effectively dismantled the idea of ‘national (Hindu) unity.’ Kashmir’s revolt served to vindicate a growing (Hindu) nationalist consensus that represented the rebellion as a Pakistan-led, pan-Islamic conspiracy to splinter the Indian nation. What essentially was a *failure* of secular and democratic governance in Kashmir transformed into a particularly violent nation-state building exercise within that state. Like Punjab, Assam and the Northeast, Kashmir slipped under the shadow of military rule.

This then, very briefly, was the context against which the Indian state’s claim to (unitary) nationhood, identity, legitimacy, and ‘power’ needs to be assessed. The record, as we have just seen, was far from impressive. From unresolved structural problems (caste, class, and ethnic fragmentation, centralisation of power, economic stagnation and recession, militarisation) to conflicting ideas of ‘national’ identity, the

crisis of state legitimacy had not abated but intensified. Richard Sisson and Munira Majumdar sum up the situation in 1990:

The Indian polity ...witnessed increased polarisation among major segments of the political community...While regionally based ethnic-cultural conflict has continued unabated in Punjab and the states of the Northeast, there has been a resurgence of sustained and violent divisiveness in the country on the basis of religious communalism in Hindu-Muslim relations, regionalism and religion in Kashmir, and upper-backward caste conflict as the former see their access to public positions increasingly constrained by augmented entitlements of the latter (1990, 112).

How could the Indian state reconcile its multiple crises and eroding legitimacy with the desire for global 'power' and status? A fractured social context could hardly connote 'the nation' or 'national' power. If anything, it underlined the impossibility of amalgamating India's cultural and ethnic plurality into unitary nationhood. This limitation was further exacerbated by the disinclination on the part of the state towards decentralisation, democratisation and accountability that was, in fact, the only way to consolidate its eroding legitimacy – so crucial to state claims to 'national' power.

The economic front was not cause for much optimism either. George Perkovich quotes a 1997 report in *The Economist* which noted that "much of the developing world – especially in Asia – has left India far behind" (2000, 403). Yet, as Perkovich goes on to argue: "For India's three hundred million illiterate adults and scores of millions of malnourished children comparisons with other states meant nothing. The nation needed at least \$200 billion in new infrastructure investment... Without this, economic development would be stifled" (2002, 403). The *economic* constraints of the Indian state essentially meant that it could not narrow the economic gap between India and China. "The possibility of maintaining sustained economic growth that would place India on par with the smaller South East Asian states seemed daunting. Catching up with China seemed difficult, if not impossible (Perkovich 2000, 442; Perkovich 2002, 47). In short, the economic route to global powerdom for the Indian state was too distant to be realised.

The Indian state's domestic political and economic constraints during the 1990's were, as we have just seen, major impediments towards realising its ambitions of global 'power' and status. A fractured society, a discredited polity and a crisis-ridden economy could hardly be reconciled with claims to international 'power.' One option that remained open however, was the military or rather the nuclear option. Nuclear weapons as Perkovich notes, "offered a very simple short cut" out of the dilemma (Perkovich 2000, 442). "Nuclear weapons could be exploded within weeks, allowing India to insist that it now receive the long-denied international respect and deference it deserved as a major power...China was a motivating factor, but less for reasons of national military security than for reasons of national identity...and power..." (Perkovich 2002, 47).¹⁰¹ There remained however the question of reconciling nuclear powerdom with Indian identity. How could the idea of nuclear India in the 1990s correspond with a definition of Indian identity in a political context that was radically different from the time when the analogy between both symbolised post-colonial secular modernity? In its attempt to re-position India in the wider space of international relations, the Indian state would, as we shall see, *militarise* the political identity and cultural geography of India (Corbridge 1999, 233).

Militarised (Nuclear) Nationalism: Inside/Outside the Nation-State

With the concept of 'national sovereignty' under considerable siege in a globally restructured world, the nation-state is weakened by powerful global forces and no longer remains the principal locus of identity or loyalty. Changes wrought by the erosion of 'national' power generated and fostered a range of 'new' nationalisms. These nationalisms, as Kaldor notes "can be viewed as a reaction to the growing impotence and declining legitimacy of the established political classes. From this perspective, it [nationalism] is a politics fostered from above which plays to and inculcates popular prejudice. It is a form of political mobilisation, a survival tactic,

¹⁰¹ In an elaboration of "the non-nuclear origins of the pro-nuclear attitude of Indian elites, Srirupa Roy quotes Achin Vanaik who argues that the liberalisation of the economy beginning in the late 1980's resulted in considerable socioeconomic upheaval and generated new sets of socio-economic insecurities. In this context, the valorisation of the bomb can be seen as an attempt to resolve (individual and group) insecurity through the acquisition of (international) status" (2003, 352 n. 32).

for politicians...” (Kaldor 2001, 78). India, as we shall see, was no exception to this trend.

The 1990 anti-reservation stir exacerbated anxieties among influential social groups and the urban middle classes. The issue of caste threatened notions of ‘national’ unity. The revolt in Kashmir, combined with the just mentioned structural crises, served to reinforce the idea that the ‘unity of the nation’ could now no longer be entrusted to regimes that were not only incapable of resolving the multiple crises at hand but had, in fact, exacerbated the latter. In this context, the invocation and promise towards forging a united, ‘powerful’ Indian nation had considerable resonance – especially among those disillusioned and anxious social groups who were critical of what in their eyes was a weak and feeble state (Kohli 1990, 6-8). The gathering political crisis together with the insecurity engendered by rapid socio-economic change created a political climate where the idea of Hindu nationalism gained ground. The rise of Hindu nationalism, accordingly, must not be viewed as a sudden or transient anomaly; nor can it be solely ascribed to the political eminence of the Hindu nationalist Bharatiya Janata Party (BJP) party during the 1990’s. Rather, Hindu nationalism, as Sumantra Bose argues, is as a “rearguard defence of the *Indian state*” (1998, 153) to what in great measure was a self-generated crisis (emphasis added).

Against the crisis of state legitimacy, and against the political and ideological space ceded by the Congress Party and the discrediting of secular nationalism, the new national narrative sought to (re)map India in exclusively Hindu terms based on a shared Hindu identity. The idea of Hindu nationalism was reinforced by increased insecurity on the part of state elites against the emergence of politically assertive social groups *and* anxieties generated by global processes. As M.V.Ramana notes: “the rise of Hindu nationalism ... is due to a new elite insecurity arising from the increasing social and political assertion of marginalised groups, and the uncertainties associated with economic liberalisation” (Ramana, 2003, 215).

The new nationalist reinvention of India centred on an assumed cultural (Hindu) unity where India “is the sacred land of Hindudom, within which other religions are welcomed only to the extent that their adherents behave as Muslim-Hindus, or Sikh-Hindus or Christian-Hindus...The public space of ...India is Hindu” (Corbridge 1999, 242). The re-mapping of India in exclusively Hindu terms represented a departure from the concept of civic nationalism based on the secular state. It was also a rejection of the idea of Indian nationalism as a modern concept forged during the anti-colonial struggle. The demolition of the Babri Masjid (mosque) in Ayodhya in 1991 by the BJP-Vishwa Hindu Parishad (VHP) combine reasserted the concept of the “Hinduised nature of Indian territory” (Corbridge 1999, 237) and presented a forceful challenge to the idea of secular India that, for at least a brief period of time, seemed in shreds. By the late 1990’s, the project of reinventing India as a quintessentially ‘Hindu’ nation was in advanced gear.

The *militarisation* of the Hindu nationalist imaginary was the means by which the Indian state chose to reposition India onto the wider sphere of international relations. Emphasising the link between nuclear weapons and international power, India’s leading strategic analyst K. Subrahmanyam told writer Amitava Ghosh: “India wants to be a player, not an object of this global nuclear order...A nuclear weapon acts like a million-pound note. It is of no apparent use. You can’t use it to stop small wars. But it buys you credit, and that gives you the *power* to intimidate” (1998) (emphasis added). The repositioning was symbolised by a state (nuclear) discourse centred on ‘national’ ‘strength’ and ‘power’. In the wake of his government’s 1998 nuclear tests, Prime Minister Atal Behari Vajpayee declared: “India is now a nuclear weapons state...The tests ...have given India *shakti* (power), they have given strength, they have given India self-confidence” (Ram 1999, 2).

Militarised Hindu nationalism represented a departure from the Nehruvian concept of national power that had privileged science yet stopped short of “an over commitment to nuclear armament” as a marker of state power and identity (Roy 2003, 338). As Perkovich notes:

Where Nehru ...hoped and claimed that India could achieve global recognition and power by helping transform the international system through moral leadership, the BJP [a party committed to the idea of Hindu nationalism] argued that India would receive its due only when it displayed a more robust and militarily stout sense of national purpose. Becoming a nuclear weapons power [for the BJP] was the only way to demonstrate the resolve, the purposefulness, strength and defiance necessary to be taken seriously by the leaders of the new world order” (Perkovich 2002, 43; Ramana 2003, 215).

Support for nuclear nationalism was not restricted to supporters of the BJP but reverberated *across* the entire Indian political spectrum. As Shiv Viswanathan notes, “The BJP got it right. It knows nationalism is tough to beat as a populist idea. After all, caste is fragmentary and class is divisive but the Nation represents the whole” (2001, 180-81). Viswanathan goes on to highlight the remarkable *consensus*¹⁰² for nuclear weapons *across* the Indian polity that included the BJP’s most trenchant critics:

Every political group wants to be implicated, get a lick of the nuclear ice-cream. The Congress insists it was Rajiv and Indira who made the ice stick. The UF [United Front] insists it is a three-in-one ice-cream. The first layer belongs to Indira, the second to Gujral and the third to the BJP. A truly coalitional ice-cream. (180 - 181)

The acquiescence for nuclear weapons across the Indian polity mirrored the irony of the eager appropriation of weapons that the Indian state had once rejected as immoral and dangerous. The other officially stated motivations for the 1998 nuclear tests relate to a discriminatory NPT and India’s ambition for membership in the United Nations Security Council but essentially, the (new) international message, as

¹⁰² “On ...11 May 1998, Prime Minister Vajpayee said: I warmly congratulate the scientists and engineers who have carried out these successful tests...India is proud of you”...The former Prime minister I.K.Gujral, the man who had cultivated the image of a crusader for peace and friendship...with Pakistan in particular, joined the chorus: I heartily facilitate the scientists in charge of our nuclear facility on this historic occasion. It is a matter of national pride...A joint statement by the Communist Party of India (Marxist) and the Communist Party of India (CPI) declared: Our two parties have been appreciating the contribution of Indian scientists in the development of nuclear research...which has led to India developing its independent nuclear capability *without any relaxation in our defence preparedness...*” Krishna V. Ananth 2003, ‘Politics of the Bomb: Some Observations on the Political Discourse in India in the Context of Pokharan II,’ in M.V.Ramana and C. Rammanohar Reddy (eds.) *Prisoners of the Nuclear Dream* (Hyderabad: Orient Longman, 2003), pp. 327-32. Emphasis added.

Shiv Viswanathan notes, was: “We have the fourth largest army in the world...Beware. We are one of the six in the nuclear club” (2001, 179). Vinay Lal captures the irony of the moment:

By signalling its departure from the body of world opinion, India has sought to arrive on the world stage....The recent nuclear tests may represent the shallow triumph of India as a civilisation, an irony made all the more bitter by the posturing in which Vajpayee’s Bharatiya Janata Party engages as the vanguard of ‘Hindu civilisation’ (1998).

The attempt to reconfigure India in the external realm as a militarily ‘strong,’ nation was based on the theme of militarised (Hindu) nationalism where “in order to take its rightful place amongst the nations of the world India must truly be herself, which is Hindu” (Harriss 2003, 7). The emphasis on Hindu identity and an essentialised ‘Hindu’ past reduced India’s cultural and ethnic diversity to a single dichotomy: the distinction between Indians and non-Indians. N Ram quotes Dr. A.P.J. Abdul Kalam’s whose statement in the wake of the 1998 Pokharan nuclear tests mirrored the parochial heart of nuclearised Hindu nationalism:

A nuclear armed India will be free of foreign invasions which have remoulded the ancient Hindu civilisation’...For 2,500 years India has never invaded anybody. But others have come here, so many others have come” (1999, 65).

The imagery contained in this representation is that of India as a powerful, quintessentially Hindu state equipped to withstand ‘invaders’ (a euphemistic reference to India’s Muslim past).

The message of a militarised and nuclearised Hindu state, however, was not confined to the international realm. Indeed, it was in the domestic arena that militarised Hindu nationalism assumed a particularly sinister edge. Essentially, nuclear nationalism sought to unify ‘Hindus’ by casting Muslims as the other/enemy and by extension, beyond the pale of ‘the nation.’ By “unify[ing] the Indian masses against the apparition of the evil Islamic Pakistan” (Mathur 2001, 4) nuclear

nationalism essentialised the antagonism between India and Pakistan, defining Indian identity exclusively in opposition to Pakistan and, by extension, the Indian Muslim community. As Prakash Karat points out: Pokharan II is part of a political project based on the mobilisation of people “around an aggressive anti-Muslim platform ...to create a permanent divide between Hindus and Muslims that can justify an authoritarian state” (1998).

Yet perhaps the most insidious dimension of the Hindu nuclear nationalist imaginary was the analogy it drew between nuclear weapons and Indian nationalism. By projecting the nuclear tests as a show of independence and defiance against Western power and prospective US sanctions, Hindu nationalism used the bomb to appropriate the mantle of Indian nationalism itself. Opponents of the bomb, according to this logic, were not merely anti-BJP but ‘anti-national.’ Aijaz Ahmed puts the new nuclear nationalist offensive in perspective:

This is a crucial moment in our history...Everyone knows...that defiance of imperialism is a basic ingredient in Indian nationalism. For the BJP to graduate from ‘Hindu’ nationalism to ‘Indian’ nationalism, and thus to become a nationally hegemonic power, it too must go through this baptism of fire. The real fire it will not go through, but such fires can be simulated by organising mass frenzy...These nuclear fireworks help it to cut across the Hindu/secular divide and reach out to claim the mantle of Indian nationalism (Ahmed 2001, 208).

The redefinition of Indian nationalism in militarily aggressive and culturally exclusivist¹⁰³ terms ran counter to the secular and democratic traditions of nationalism forged during the struggle against colonialism – a re-invention that revealed the extent to which the old nationalist imaginary had been appropriated by parochial jingoism and crude nationalism.

¹⁰³ “The Hindu nationalism which has emerged in India ...poses a clear threat to India’s Muslim population...It maps India in exclusively Hindu terms...” Stuart Corbridge, “The Militarisation of all Hindudom? The Bharatiya Janata Party, the Bomb and the Political Spaces of Hindu Nationalism,” in *Economy And Society* (1999) vol. 28, no.2, p. 240.

The nuclear dimensions of this redefinition were notable. From being a symbol of secular modernity and national achievement, the bomb transformed into a symbol of 'national' (read Hindu) power and identity. As Bracken notes: "The first Indian bomb was designed to reinforce secular nationalism, showing that India was a modern power...It was a statement of what India could do" (1999, 92). The erosion of secular nationalism altered the context of India's nuclear bomb. The second bomb (Pokharan II) no longer symbolised secular modernity. Rather, the *politicisation* of the bomb meant that it was not only perceived as "an important symbol of Indian identity" but also as a proactive instrument to eliminate alleged threats to 'the nation' (Cohen 2001, 176).

The concept of 'threat' in the Hindu nationalist cosmology was both external and internal. Much like its predecessors, the BJP constructed social movements for greater autonomy as (internal) 'threats' to 'the nation'. But it was in Kashmir that the Hindu nationalist construct of the 'threat' to the nation acquired an ominous and dangerous *external* edge. By reducing the indigenous roots of Kashmir's rebellion to a territorial conflict with Pakistan, the Indian state embarked on a massive military mobilisation to 'secure' Kashmir's territory. This mobilisation paralleled Kashmir's representation in 'national' terms – informed by the twin themes of "ethnicity as danger" (Krishna 1999, xxxiv) and the alleged threat posed by Kashmir to 'national unity and integrity' – both of which endowed the Indian state's nation-state building exercise in Kashmir with special significance. Pakistan's territorial proximity with Kashmir and its support for a section of the separatist movement in Kashmir reinforced a situation whereby the attempt to *secure* the nation (Kashmir) without merged with the attempt to *produce* the nation in Kashmir. Militarisation *in* Kashmir became inextricable from militarisation *over* Kashmir.

By 1998, this convergence acquired a nuclear edge. As nuclear weapons policed the *external* borders of Kashmir, state (military) power sought to bridge the dichotomy between 'state' and 'nation' *within* Kashmir. Accordingly, even as the Indian Prime Minister justified nuclear weapons in terms of the alleged external threats to the Indian state (primarily China and secondarily Pakistan), Union Home

Minister L.K.Advani declared that: “India’s decisive step to become a nuclear weapons state has brought about a qualitatively new stage ...*particularly in finding a lasting solution to the Kashmir problem*” (Ram 1999, 3) (emphasis added). Nuclear nationalism was not only a symbol of state ‘power’ but also a means to consolidate the political status quo *within* Kashmir. As Paul Bracken notes: “By ordering the nuclear tests, and heating up the war *in* Kashmir, the BJP appealed to India’s new, darker form of nationalism to *gain support for its regime*” (Bracken 1999, 92) (emphasis added).

Concluding Remarks

To conclude, militarisation *of* the Indian state is *not*, as we have seen, an exclusive function of *military* defence (of the state). Rather, as this discussion illustrates, militarisation of the state has been shaped and informed by ideas of ‘the nation,’ ‘national’ power and identity. Whereas the Nehruvian privileging of nuclear weapons was primarily symbolic (nuclear weapons as symbols of post-colonial identity/modernity), the demise of secular nationalism and the crisis of the centralised state and the rise of Hindu nationalism reconfigured the secular imaginary to recast state power in primarily military (and nuclear) terms.

The factors that precipitated this recasting are, as this discussion illustrates, the *same* as those that precipitate a domestic crisis of militarisation within the borders of the Indian state. In short, the state that seeks to define ‘power’ in military (and nuclear) terms in the international arena is the same that underwrites a domestic crisis of militarisation pitting Indian soldiers against Indian citizens. Militarisation in Assam, Punjab, Manipur and Nagaland is, accordingly, a manifestation of a ‘national’ imaginaire whose assertion of ‘power’ through nuclear means in the international realm is but an extension of its consolidation of centralised power through military means in the domestic arena.

Kashmir symbolises the intersection between both dimensions. Militarisation *in* Kashmir is inseparable from militarisation *of* the (Indian) state. In the following chapter I highlight how the exigencies of ‘national’ defence (*of* Kashmir) merged with domestic consolidation through military means *within* Kashmir – an intersection that, as we shall see, is being played out in blood.

Chapter 5

Militarisation in Kashmir

Ours is a vibrant, living democracy. The people's voice rules through the legislature. The rule of law prevails. Our courts of justice are vigilant protectors of the rights of the individual. Our press is free. Ours is a great secular democracy in which every individual of every community is an equal Indian, equal in the enjoyment of civic and political rights" (Prime Minister Rajiv Gandhi, 1987).¹⁰⁴

Today, the ruling party is faced with the rising discontent of the people... and the people are more conscious than before. The government is looking for a war out of this impasse...It is only through war that the government can smoothly suppress all civil liberties... An ex-Chief Minister warned the nation that the 'politics of agitation is wholly irrelevant in Parliamentary democracy – when the very stability and security of India are at stake'...In the meantime, India has been quietly shopping for arms around the world and readying the war machine at home (CPDR 1987, 207).¹⁰⁵

State claims to democracy and its simultaneous subversion of democracy at home symbolised the discrepancy between rhetoric and reality at the turn of the 1980s. During a period of deepening political crises, consolidation for external defence reflected the impotence of a state whose political legitimacy was eroding in direct proportion to its consolidation of military power. The link between both was summed up by a citizen's report on war and civil liberties which expressed the fear that "a war psychosis is sought to be created to divert people's attention from the problems at home" (CPDR 1991, 207). The concerns were not unfounded. "In the late 1980s, India held large-scale military exercises in close proximity with the Pakistan border in Rajasthan generating fears of another India-Pakistan war" (Sen Gupta 1997, 301).

¹⁰⁴ Speech by Rajiv Gandhi, August 13, 1987. A Citizen's Guide to Rajiv Gandhi's India, PUDR (1987) in A.R. Desai (ed.) *Expanding Governmental Lawlessness and Organised Struggles* (Bombay: Popular Prakashan, 1991), p. 319.

¹⁰⁵ Report by Committee For the Protection of Democratic Rights (CPDR). Ibid. p. 207.

But it was in the domestic arena that war continued unabated. Kashmir's rebellion in 1990 added to the crises of militarisation in Punjab, Assam and the Northeast. The state's failure to address the grievances of the Sikhs, the Assamese, the Mizos and the Nagas – as explained in the previous chapter – derived from a centralisation of power, a rigid and hierarchical ideology of 'national' unity and a lack of democratic accountability. In this respect and to this extent Kashmir was no different from the latter. Indeed, as described in Chapter 1, Kashmir has a history of political manipulation by successive regimes in New Delhi that fostered Kashmiri grievance over decades. By 1990, democratic channels to articulate popular grievance in Kashmir were no longer available. In that year, "a section of Kashmir youth took to arms with the illusion that an independent Kashmir or its merger with Pakistan would safeguard Kashmiri cultural identity and improve the life chances of fellow citizens" (Brass 1994, 225). The slogan of *azadi* (freedom) symbolised not just popular resentment and protest against the denial of democracy in Kashmir, but also 'freedom' from Indian rule over Kashmiri land and the restoration of the dignity that the Kashmiris felt had been violated by the Indian state.

This chapter focuses on militarisation in Kashmir. More particularly, it focuses on the interface between militarisation's domestic (institutional) and external (Pakistan) dimensions on the one hand and the subjective experience of this intersection for Kashmir's citizens and society on the other. I conclude by reiterating the importance of gender that illustrates how militarisation serves to reproduce and reinforce the power gap between men and women (Nikolic- Ristanovic 1996, 198). Before proceeding with the discussion, I delineate three points that relate to the background of militarisation in Kashmir and to some of the arguments made in this section.

The first point concerns the *origins* of militarisation in Kashmir. While this particular issue has been discussed already in the previous chapter, it is nevertheless important to reiterate the 'central' origins of militarisation in Kashmir. As Patricia Gossman writes: "the emergence of ...conflict in ...Kashmir can be traced to the government's effort to *centralise* power at the expense of democratic processes and

institutions” (2000, 261) (emphasis added). As Abdul Aziz – a citizen of Kashmir – told writer Victoria Schofield: “We were trying to change the political framework by democratic and peaceful methods, but we ...failed in this...The people of Kashmir got disgusted and disappointed and disillusioned” (Schofield 2004, 138). Militarisation in Kashmir must, accordingly, be understood in terms of the collective discontents generated by an undemocratic *central* order and its associated hegemony of ‘national’ unity that transformed its greatest fear (of secession) into an ironic, self-fulfilling prophecy.

My second point relates to Kashmir’s *external* dimension. This dimension concerns Kashmir’s (1948) accession to India that was contested by Pakistan and has, since then, been subject to a continuing military impasse between both states. Against the unresolved India-Pakistan dispute over the *territory* of Kashmir, Kashmir’s rebellion against the Indian state served to inflame the former. Accordingly, while militarisation *in* Kashmir (like in Punjab and Assam) has indigenous roots, it simultaneously differs from the latter in terms of being invested with an ‘external’ dimension. By highlighting Kashmir’s external (Pakistan) dimension, I do not suggest moral equivalence between both. Indeed, as just mentioned, the *origins* of militarisation in Kashmir are wholly indigenous. As Stephen Cohen clarifies: “Pakistan’s role was not the decisive factor in starting the uprising, although a critical one in sustaining it” (Cohen 2001, 217). It is necessary however to acknowledge the *exploitation* of Kashmiri grievance by the state of Pakistan because of its profound influence on Kashmir’s citizens and society.

My third point concerns the inside/outside (Walker 1993, 63, 151-152) dynamics of militarisation in Kashmir – particularly the way in which mobilisation for *external* defence (of Kashmir’s territory) served to consolidate state power *in* Kashmir. The construction of Kashmir’s revolt as a threat to ‘the nation’ legitimised a violent nation-state building exercise *in* Kashmir even as the Indian state’s representation of Kashmir as a Pakistan instigated conspiracy reduced Kashmir’s struggle against state tyranny to an issue of ‘national’ territorial defence. This inside/outside duality transformed Kashmir into the most heavily militarised region

in the world (Ahmed 2002, Mishra 2000).¹⁰⁶ Over half a million Indian soldiers are deployed to suppress the rebellion within Kashmir *and* secure the frontiers of the Indian state without.

Kashmir: Between Democracy and Nation

Journalist: What is your understanding of the bomb blasts that have been taking place (in Kashmir)? There have been reports that this is on account of the frustration among the youth because they are denied democratic rights including free and fair elections.

G.J. Pandit (Director General of Police): This is not correct. What has happened is that these anti-national elements, in collaboration with the neighbouring country, thought of creating a Punjab-like situation in the Kashmir Valley (Frontline 1989).¹⁰⁷

The emergence of the Muslim United Front (MUF) as a conglomeration opposed to both the Congress in New Delhi and the National Conference in Kashmir threatened both dispensations. The MUF manifesto did not mention secession but “stressed the need for a solution to all outstanding issues according to the Simla Agreement”¹⁰⁸, ...It assured voters it would work ...against political interference from Delhi (Schofield 2004, 137). Kashmir’s Chief Minister – by now firmly aligned with New Delhi – threatened to jail MUF leaders “for some time so they get a taste of it,” (Indian Express 1987)¹⁰⁹ which he eventually did – a decision that served to erode state legitimacy further. Although the Congress-National Conference combine won the 1987 elections, the victory was marred by allegations of widespread rigging (fraudulent voting). The highest ever turnout – 75 percent of the electorate voted (Dasgupta 2005, 250) – could not retrieve Kashmir’s last chance for a democratic

¹⁰⁶ “The Indian troops-to-Kashmiri people ratio in Kashmir is the largest soldiers-to-civilian ratio in the world.” Junaid Ahmed 2002.

http://www.zmag.org/content/SouthAsia/junaid_ahmed_kashmir.cfm. Accessed 24 March, 2004.

¹⁰⁷ ‘They Are On The Run.’ *Frontline* (Madras: April 15-28, 1989).

¹⁰⁸ The Simla Agreement was signed between India and Pakistan in 1971 in the wake of the Bangladesh war and resolved to settle outstanding issues between both countries by peaceful means. The Agreement endorses the Line of Control (LOC) as the de facto border between India and Pakistan.

¹⁰⁹ Farooq Abdullah quoted in ‘Farooq takes tough stand on MUF.’ *Indian Express*, 4 April, 1987.

alternative or redeem the faltering credibility of the Indian state. “The rigging [electoral fraud] was blatant,” writes Tavleen Singh. “In the constituency of Handwara, for instance, Abdul Ghani Lone’s traditional bastion, as soon as counting began on 26 March, Lone’s counting agents were thrown out of the counting station by the police” (1995, 102).¹¹⁰ While the exact impact of electoral malpractice during on the eventual outcome remained uncertain, 1987 was a turning point for politics in Kashmir. In the eyes of the Kashmir’s opposition parties and Kashmir’s citizens, the election was perceived as “fraudulent and illegitimate. Many opposition candidates drew the conclusion that democratic politics offered no channels for redressing their grievances. Among those who decided to forsake electoral politics were future militant leaders like ... Yasin Malik” (Dasgupta 2005, 250).

Yasin Malik – current president of the Jammu and Kashmir Liberation Front (JKLF) – was a polling agent for the MUF during the 1987 elections and was among those arrested by the state government. For Malik it was not only the election but the political system itself that was flawed. He writes of his disaffection vis-à-vis ‘democracy’ in Kashmir:

Each Kashmiri is today aware of how the 1987 elections were rigged, destroying the last hope that Kashmiris were clinging on to, dreaming of getting their right through the so called democratic process... We had lost all hope in opposing any oppression by means of demonstrations since we were arrested before these could be staged. That is when I and my colleagues decided to take up guns for the protection of Kashmiri masses and for our fight for independence and also for bringing the issue of Kashmir, which we believe is a dispute, into the world limelight (1994, 2).

Journalist Meera Sharma echoes Malik’s viewpoint regarding the 1987 elections: “The breaking point as far as the present (1990) crisis was concerned came

¹¹⁰ “Every election since except two (in 1977 and 1983 and the first in 1957) was marked by corruption and deceit.” Sumit Ganguly, *Kashmir: Portents of War, Hopes For Peace* (Cambridge: Cambridge University Press, 1997), p. 39. “Independent accounts speak of intimidation of voters with doubtful loyalty, attack on polling agents, curious stoppage of countings whenever Opposition candidates were in the lead, summary rejection of candidates’ complaints and midnight announcement of results. Either by design or accident, delays of over ten days in announcing the results occurred in constituencies where the MUF was leading.” *The Hindustan Times*, 15 April, 1987.

in 1987 when the rigged election destroyed whatever little faith people had in Indian justice” (Sharma 1990).¹¹¹ By 1990, the form and scale of popular discontent in Kashmir gained considerable momentum and assumed a distinctly anti-state disposition. Acts of sabotage by militants – at this stage led by the JKLF – provoked retaliation by the military – more often against civilians in the vicinity than against militants themselves.¹¹² Writing in 1990, journalist Tavleen Singh notes that Srinagar “resembles a war zone...their (military and paramilitary) presence in the empty, silent streets is even more ominous and pervasive” (1990). Against popular defiance of state authority, it is “the presence of security forces, whose representative – the khaki-clad, self-loading rifle toting *jawan* [soldier] – imposes the authority of the state” (The Hindu, 1990).¹¹³ At night “while the capital’s streets remained eerily silent except for the occasional patrol car or the CRPF/BSF truck, in the distance, almost without pause...sounds of protest from mosques...to defy curfew orders were audible” (Gupta, Smita 1990).

Popular support for the rebellion was apparent in widespread public defiance of state-imposed curfew and the complete observance of calls for *hartals* (strikes) by militants. In a report upon his visit to Kashmir, journalist Shekhar Gupta notes: “...the ordinary Kashmiri ...in the past few weeks ...has not just been a witness, ...[but] also a participant in the protest movement, and increasingly with a new spirit of defiance” (1990). Journalist Meera Sharma describes the popular mood in Srinagar in 1990: “the cry for freedom echoes and re-echoes across the Valley almost without pause...they all speak as one, ‘Go and tell them in India – we don’t want roads, jobs, development, concessions – only freedom’” (1990). Shekhar Gupta quotes an officer of the Central Reserve Police Force (CRPF): “In the past you fired one shot in the air and they disappeared. Today you kill one demonstrator, then a second, and yet the mob keeps coming at you” (1990). “Teachers, doctors, lawyers, civil servants, students, all came out on the streets to protest” (Schofield 2004, 149). Women and school children joined men in mass protests and marches to the United

¹¹¹ “Many people point to the 1987 election as the turning point, arguing that had it not been rigged, Kashmiris may not have turned *en masse* against the Indian state.” Amit Prakash, ‘The Fight Is Far From Over.’ *The Pioneer*, 18 April, 1993.

¹¹² For example on 1 October, 1990 in Handwara where retaliation for the killing of one BSF soldier, 300 houses and shops were gutted with 14 civilian casualties. ‘Kashmir: Nursing A Shattered Dream.’ *The Hindustan Times*, 22 August, 1993.

¹¹³ ‘Valley where Normality Is Enforced’ *The Hindu*, 8 September, 1990.

Nations Observers office in Srinagar. A senior state official admitted: “We have been forced to close down schools on numerous occasions owing to the protest potential” (The Hindu, 1990).¹¹⁴ Journalist Smita Gupta describes the popular appeal of the movement for *azadi* during her visit to Kashmir in February 1990:

But it is at Nowshera...that we get a ringside view of what to all appearances is a liberation movement. Young men, old men, women, teenagers march in an unending stream through the streets in complete defiance of the prohibitory orders that are in force. They are coming from Ganderbal and Kangan, 25 kms. from Srinagar and their destination is Lalchowk in the heart of the city [of Srinagar]...Women, peeping out of the homes that overlook the street, softly echo the slogans being shouted. It is the most incredible sight (1990).

In her book on Kashmir, Victoria Schofield quotes The Guardian, London, that describes what reportedly was the largest demonstration in the Kashmir Valley in 1990 when 400,000 Kashmiris marched to the United Nations Military Observer Group in Srinagar to hand in petitions demanding the implementation of the UN resolutions (2004, 150). On 1 March, 1990, a massive crowd estimated at one million took to the streets in Srinagar in defiance of curfew orders during which forty people died in firing by the security forces (2004, 150). In an interview to journalist Shiraz Sidhva, Dr.Abdul Ahad Guru, a neurosurgeon at the Sher-e-Kashmir Medical Institute in Srinagar and a member of Kashmir’s professional intelligentsia summed up the sentiment in Kashmir: “We are determined to have our own country. And I have faith in my people...I have nothing against the people of India. I am against the Indian Government” (1991).

Kashmir’s challenge to the authority (and ideology) of the Indian state that Smita Gupta characterised as “a war between the masses and the men in uniform” was dismissed by Kashmir’s Governor as “not an issue of freedom but of improper

¹¹⁴ ‘Valley Where Normality Is Enforced.’ *The Hindu*, 8 September, 1990.

development” (1990).¹¹⁵ Meera Sharma underlines the futility of state representations of Kashmir’s revolt in administrative terms:

Governor Jagmohan may insist that the present turmoil is the creation of a handful of disgruntled, unemployed youth taking advantage of the inefficiency and corruption of the previous regimes...and that clean drains and playgrounds for children and jobs for young men will banish all thoughts of succession, especially if it is accompanied by strong arm measures to ensure a return for respect for ‘authority.’ But the truth...is that this is neither the time to offer civic amenities nor attempt to crush what has all the appearance of a mass uprising (1990).

The representation of Kashmir’s uprising in administrative terms did not offer a way out for the Indian state except to retain and rule Kashmir by force. The contradiction between official representations and the situation on the ground was bridged by the imposition of state censorship. As Meera Sharma notes, “the administration decided to impose a form of censorship. It first withdrew curfew passes to all journalists and photographers, shut down and closed the Central Telegraph Office, confiscated all film rolls and finally ordered foreign media out of the state on the ground that their continued presence in Kashmir was ‘prejudicial to the security of the state.’ Since then...restrictions on the free movement of journalists continued – except those who [were] willing to dish out government propaganda” (1990).¹¹⁶

As the military enforced state authority on the streets of Kashmir, popular resistance against militarily-backed centralised hegemony began to be cast in ‘national’ terms. Against a deepening crisis of state legitimacy and state invocations of territorial nationalism and “nation-state consciousness” (Balachandran 1996, 122) Kashmir’s insurrection came to be represented as evidence of Kashmiri (read Muslim) disloyalty to the Indian state and the danger this allegedly posed to

¹¹⁵ Mr..Jagmohan, Governor, Jammu and Kashmir, 1990 cited in Smita Gupta, ‘Storm Over Srinagar.’ *The Independent*, 17 February, 1990.

¹¹⁶ Meera Sharma, ‘Why is Kashmir Burning?’ *The Indian Express*, 11 February, 1990. “News reports might be datelined Srinagar, but they were little more than handouts drafted by the state’s then governor Jagmohan.” Rita Manchanda, ‘Facts And Propaganda,’ *Far Eastern Economic Review*, 19 July, 1990.

‘national’ unity. Kashmir’s rebellion, as Sumantra Bose notes, came to be constructed as “Kashmiri Muslims’ attempt to inflict a ‘second partition’ on Mother India in connivance with Pakistan” that, as Bose goes on to argue, must “be understood in terms of the desperate imperative to unite a hopelessly divided and fractured ‘nation’ by invoking the common threat allegedly posed by the pan-Islamic fundamentalist conspiracy” (1998, 141). Accordingly, a political struggle that was about (the denial of) democracy came to be represented and viewed in parochial ‘national’ terms.

This representation as Snyder and Ballantine point out symbolise “the attempt to use dubious arguments to mobilise support for nationalist doctrines or to discredit opponents.” Such representations “exaggerate the threat posed to the nation by other groups, ignore the degree to which the nation’s own actions provoked such threats, and play down the costs of seeking nationalist goals through militant means” (1996, 11). Arguing that the consequence of a democratic mandate in Kashmir would threaten the ‘unity’ of the Indian federation, the Prime Minister Vishwanath Pratap Singh declared that if it came down to a choice between local-level democracy choosing self-determination, or the preservation of the union, he would choose, and fight for, the latter (Clad and Bowring 1990, 12). India was at war in Kashmir and at stake was not democracy but the ‘unity’ and integrity’ of ‘the nation.’

The tenuous hold of the Indian state over Kashmir was a propitious moment for the *entire* political spectrum to arrive at a ‘national’ consensus on Kashmir. Kashmir’s Chief Minister – whose discredited regime was one of the principal reasons for the revolt – claimed that the source of popular discontent in his state lay across the border. He accordingly expressed his resolve to “strike against Pakistan and Pakistan Occupied Kashmir (POK) as Israel did in Lebanon” (Khayal 1989, 30). Kashmir’s Governor Girish Saxena – in effect New Delhi’s nominee in Kashmir – declared: “We are fighting a guerrilla war on our soil thrust on us by Pakistani war-mongers in their bid to grab the Kashmir Valley” (The Hindu 1990).¹¹⁷ By invoking the alleged danger of the ‘external’ threat to ‘the nation’ (from Pakistan), the Indian

¹¹⁷ ‘Security Forces Foiling Plans Of Militants: Saxena.’ Girish Saxena, Governor, Jammu and Kashmir interviewed in *The Hindu*, 14 September, 1990.

state sought to retrieve its flagging legitimacy *in* Kashmir. As Stephen Van Evera notes:

nationalist representations “emanate largely from nationalist political elites, for whom it serves important political functions...other-maligning myths bolster the authority of elites by supporting claims that the nation faces external threats” (1994, 30).

The characterisation of Kashmir as an ‘anti-national’, Pakistan-led terrorist insurgency reverberated across the Indian political spectrum. The Prime Minister declared in the Indian Parliament that “Pakistan wants to achieve its aim of Indian Kashmir becoming a part of Pakistan without having to go to war” and urged Indians to be ‘psychologically prepared’ for war” (Clad and Ali, 1990). The President of India, Zail Singh, appealed to “rally round to save the nation in its moment of crisis” (The Hindu 1990).¹¹⁸ In a visit to the headquarters of the Indian Army’s Northern Command in Jammu, Dr. Raja Ramanna, Minister of State for Defence called upon army men “to be in combat readiness to meet any challenge to the sovereignty and integrity of the country” (The Hindu 1990).¹¹⁹ In March 1990, an all-party motion passed in the Rajya Sabha (upper house of Parliament) called on “Indian patriots to set aside their ideological and political differences and act unitedly for defending the unity and integrity of the country” (Bose et al 1990, 42).

The leader of the Bharatiya Janata Party (BJP) Atal Behari Vajpayee counselled Kashmir’s Governor to “crush militancy” (Joshi, 1990). On its part, the Communist Party of India (CPI) declared that “there are no two opinions regarding the fact that insurgency in Kashmir should be suppressed with a heavy hand” (The Hindu 1990).¹²⁰ For the Communist Party of India (Marxist), Kashmir represented the “challenge from extremism”, that mandated mobilisation of all “pro-national

¹¹⁸ President Zail Singh cited in ‘Bid for national stand on J&K.’ *The Hindu*, 6 March, 1990.

¹¹⁹ Dr. Raja Ramanna, Minister of State for Defence cited in ‘Tight Security for Kashmir Bandh’ in *The Hindu*, 11 February 1990.

¹²⁰ Mr. M. Farooqi, CPI leader and Secretary statement at a press conference in Jammu cited in ‘Security Forces Foiling Plans Of Militants’, *The Hindu*, 4 September 1990.

unity, anti-separatist forces” (The Hindu 1989, 1991).¹²¹ As a national daily noted with some satisfaction:

the very fact that parties as different in their political approach as the Bharatiya Janata Party (BJP), the Communist Party of India (Marxist) and the National Conference, could agree on a common resolution reflects the overwhelming *national* consensus on the Kashmir question (Indian Express 1991) (emphasis added).¹²²

Mansfield and Snyder note the instrumental use of ‘the nation’ by political elites:

elites ...often use nationalist appeals to attract mass support without submitting to full democratic accountability(2002, 298)... Leaders of various stripes find that appeals to national sentiment are essential for mobilising popular support...Both old and new elites share this incentive to play the nationalist card. Often such appeals depend upon their success on exaggerating foreign threats. Allegations that internal foes have treasonous ties to...external enemies of the nation help the regime to hold on to power...” (2002, 299).

The extraordinary consensus across the Indian political spectrum for militarisation in Kashmir must, accordingly, be understood in this context.

The ‘national’ consensus for militarisation in Kashmir was echoed in the national press that toed the government line to characterise Kashmir as a ‘law and order problem’ – a characterisation that, as Tomiyama Ichiro notes, derives from the rationalisation of military violence as “law-making” violence (2000, 352). Rita Manchanda quotes India’s leading newsmagazine India Today to illustrate how the political consensus for militarisation in Kashmir was endorsed by one of the most important organs of Indian civil society - the Press:

¹²¹ Statement of Harkrishan Singh Surjeet, member, CPI(M) cited in ‘Change in Kashmir’, *The Hindustan Times*, 26 December, 1989. In 1991, Mr. Surjeet attributed the conflict in Kashmir to “Imperialism, specially U.S. imperialism” that was “bent upon destabilising the country and is working for its balkanisation..” Harkrishan Singh Surjeet cited in ‘The Need For A Political Approach In J&K,’ *The Hindu*, 26 July, 1991.

¹²² ‘Unambiguous Signals,’ *The Indian Express*, 15 November, 1991.

In Kashmir, where the Centre has invested 70,000 *crores* in subsidies, not to speak of the blood of Indian soldiers in two wars, the nation faces what is the gravest challenge to the idea on which its integrity [sic] is moored. There are no soft options left. Any temporary reverses must not be allowed to invert the process of sustained reclamation. The country can no longer afford to behave like a tenant on notice to vacate somebody else's property (1990, 26).

An editorial in a national daily, *The Times of India*, declared: "By stating clearly and loudly that the status of Jammu and Kashmir is not negotiable the entire political class of the country has left the secessionists in no doubt of its determination to fight them to the bitter end" (1991).¹²³ In this representation, the image of the Kashmiri had transformed into a secessionist-cum-terrorist-cum-fundamentalist traitor. To quote Rita Manchanda again: "In the present climate of patriotic jingoism, where propaganda has taken the place of news, an individual who dares question whether all militants are trained by Pakistan invites the accusation of being anti-national or a foreign agent" (1990, 26).

The across-the-board national(ist) consensus on Kashmir and state censorship of media reports on developments in the Valley mirrored official endorsement of a policy of militarisation in Kashmir. New Delhi hoped that brute force would keep the Kashmir Valley within the Indian Union, yet the trouble was that "virtually no Kashmiri Muslim any longer wished to remain in India" (Clad 1990). As military power consolidated state power in Kashmir, this consolidation coincided with the imposition of virtual military rule together with the implementation of a range of legislative measures depriving Kashmir's citizens of civil liberty and human rights. Victoria Schofield quotes journalist Shiraz Sidhva who wrote upon her visit to Kashmir: "If this is not war, what is it?" (2004, 150).

On its part, Kashmir's militant movement affected daily life in the capital Srinagar where a series of bomb blasts, sniper fire, sabotage and strikes caused considerable civic and administrative disruption. Acts of subversion by militants

¹²³ 'Moves on Kashmir,' *The Times of India*, 15 November, 1991.

prompted greater repression by the state. The movement for *azadi* led by the JKLF successfully challenged and paralysed state authority yet the organisation's secular claims were tarnished by its killing of Kashmir's (Hindu) Pandits and unarmed civilians.¹²⁴ Beyond the mobilisation for independence, "the JKLF leadership faced the question: what next?" The future of the movement for *azadi* seemed ambiguous (Bose et al 1991, 27). Events across Kashmir's western border however, pre-empted further development on this front.

In contrast to the 'national' consensus (in India) regarding Pakistan's support for the revolt in Kashmir, the struggle for *azadi* evoked alarm rather than elation within the Pakistani establishment. For "if a Muslim majority state of Kashmir could seek independence, what message would it send to restive Sindh, Baluchistan and the North West Frontier (NWFP) province [in Pakistan]?" (Noorani 2000). Pakistan's motivation to intervene in Kashmir was fuelled by its discomfiture and deep fear of Kashmiri nationalism that could, possibly, threaten its own political status quo. The primary *intent* of the Pakistani state therefore was to *displace* rather than support the JKLF-led movement for *azadi*. Accordingly, as Kashmir's young men turned towards Pakistan – a state that rhetorically upheld Kashmir's right to self-determination – for assistance against the Indian state – they negotiated an establishment with rather different perceptions and designs regarding their struggle. As Robert Wirsing notes:

a conscious policy decision appears to have been taken very quickly in Islamabad, in fact, to curb the *independence* sentiment that clearly lay at the foundation of the movement. In early February 1990, a meeting was held in Islamabad, with Prime Minister Benazir Bhutto in the chair, and with the Chief of the Army Staff, General Aslam Beg, and the President and Prime Minister of Azad Kashmir in attendance. They considered the possibility that the uprising could boomerang on Pakistan, and that Pakistan could lose not only Jammu and Kashmir but the Northern Areas as well. They decided they had

¹²⁴ The JKLF was responsible for killing Pandits and unarmed civilians. During 1990, the JKLF was responsible for the killing of Lassa Kaul, director of Doordarshan (state television station), Srinagar, H.L.Khera, General Manager, Hindustan Machine Tools (HMT), Mushirul Haq, Vice Chancellor, University of Kashmir and his secretary Abdul Ghani. It was also responsible for the kidnapping, rape and killing of nurse Sarla Bhat.

to curb the azadi forces, meaning they would not equip them and not send them into the Valley (1994, 122-123) (emphasis original).

Accordingly, at the very moment when popular movement for *azadi* was at its height in Kashmir, the Pakistani establishment – notwithstanding its rhetorical support for Kashmiri self-determination – moved against the JKLF and its cadres. Pakistan's intervention led to the decline of the Jammu and Kashmir Liberation Front (JKLF) that favours an independent Kashmir and the concomitant rise of militant factions that support either a theocratic state or Kashmir's merger with Pakistan. Not only did Pakistan successfully rein in the JKLF; it simultaneously floated "a rival Hizbul Mujahideen, which set about spreading communal hate through sheer terror. Eventually, "the Hizb did its job. It decimated the JKLF" (Noorani 2000).

In this way, Pakistan successfully appropriated a struggle against state tyranny in Kashmir to reinvent it in denominational terms – a policy that thoroughly undermined the moral and political cause of the very people it championed. Pakistan's intervention provided the Indian state with the opportunity to reduce Kashmir's struggle as one between (secular) India and (fundamentalist) Pakistan.¹²⁵ This distortion cast Kashmir's citizens – already under formidable military siege – as "not just disloyal to India, but much worse, in league with the enemy state across the LOC [Line of Control]" (Bose 2003, 112-113). In an article in the New York Times, Salman Rushdie summed up the painful dilemma for Kashmir's citizens: "Pity those ordinary, peaceable people, caught between the rock of India and the hard place Pakistan has always been" (1999).

In sum, while it would be a mistake to overlook or deny the role of the state of Pakistan towards supporting a section of the movement for *azadi*, it is also an

¹²⁵ "Such an effort is a ...recreation of the enemy in the shape of India's choice. A force that fights for Kashmiri nationalism would be difficult for India to de-legitimise morally. It would be difficult to argue before the world in defence of India's war against such a people. But a force that fights for unification with Pakistan is an easier target in this sense, especially because the West fears[s] pan-Islamism these days. India therefore prefers a Kashmiri fundamentalist over a Kashmiri nationalist, and a pan-Islamist fundamentalist over a Kashmiri fundamentalist as its enemy. That Pakistan is also interested in the same transformation brings about the strange unity of aims between these two supposed enemies." *Blood in the Valley, Kashmir: Behind the Propaganda Curtain: A Report to the People of India* (Bombay: Lokk Shahi Hakk Sangathana, 1995), p. 63.

error to impute Kashmir's insurrection against the *Indian* state to Pakistan. India's denial of democracy in Kashmir presented Pakistan with an alibi to utilise Kashmiri disaffection towards its own ends. Having made this point, it is necessary to acknowledge the influx of arms, *mujahedin* fighters and 'Islamic' ideologies from across the Line of Control (de facto border between India and Pakistan) that influenced the political and societal dynamics of militarisation in Kashmir in specific ways. Accordingly, although this analysis places militarisation in Kashmir firmly within the parameters of the centralised and militarised (Indian) state and its attendant hegemony of 'the nation,' it also examines the political influence of Pakistan's involvement in Kashmir on Kashmir's society.

The political formation that spearheaded a secular movement for independence could not survive the joint onslaught of the Indian and Pakistani states. The Indian state's policy of militarised repression, imprisonment of the JKLF's political leadership and a ban on the organisation was matched by Pakistan's ruthless pursuit of JKLF cadres through the Hizbul Mujahideen. The divergent motivations and interests of the Indian and Pakistani establishments ironically converged to create the political space for a militancy which – in the years that followed – neither state could subdue or control. The political neutralisation of the JKLF did not render the scenario any less daunting for either India or Pakistan. The Indian state has to contend with a *local* sentiment whose desire and aspiration for independence remain undimmed *and* an Islamist militancy with a partisan agenda and a formidable capacity for armed combat. Pakistan's success at marginalising the JKLF was short-lived for it has to contend with the task of controlling the very forces it unleashed in Kashmir – forces that threaten Pakistan's own polity. As the struggle for *azadi* is appropriated by advocates of pan-Islamic jihad, Kashmir's *people* are victims of a brutal, militarised conflict over which they have little control. Waged in their name and on their behalf by two militarised states, Kashmiris pay a grievous price for a resistance that amounts to daily survival against occupation by the world's fourth largest army and the ruinous effects of a violent and parochial Islamist militancy.

As militarisation in Kashmir reinforced the desire for *azadi*, this, in turn, evoked greater repression by the state. This cycle of violence achieved no purpose other than further undermining India's flawed democracy. As the attempt to secure Kashmir without merged with the attempt to enforce the 'national' idea in Kashmir, the tangible effects of these intersecting streams of violence played out in the societal domain. A range of human rights literature¹²⁶ bears testament to Kashmir's enduring human rights tragedy. It is not my intention to reiterate the *scale* of this tragedy that remains reasonably well documented. Rather, I attempt to highlight its myriad *forms* – more particularly the ways in which militarisation permeates across and into Kashmir's society to shape and influence people's lives. In order to do so, it is useful to begin with a brief description of the setting.

Kashmir: State of Fear and Fear of State

In a society and polity that we have in India, there is no way an administration can think of tyrannising the people into submission. (Girish Saxena, Governor, Jammu and Kashmir, 1990).¹²⁷

India ...is a state-party to the international covenants and to most of the Conventions relating to human rights. This indicates the priority India attaches to human rights problems (Government of India Document, 1993)¹²⁸

Don't tell my father I have died,' he says,
and I follow him through blood on the road
and hundreds of pairs of shoes the mourners
left behind, as they ran from the funeral,
victims of the firing.

From windows we hear
grieving mothers, and snow begins to fall

¹²⁶ Among others, The Human Rights Crisis In Kashmir: A Pattern of Impunity (Asia Watch and Physicians for Human Rights 1993), Kashmir Under Siege (Asia Watch May 1991), The Crackdown In Kashmir (Human Rights Watch, 1993), Behind The Conflict: Abuses By Militants And Indian Forces in Kashmir (Human Rights Watch, 1996), Asia Watch and Physicians For Human Rights: Rape in Kashmir – A Crime of War (1993), India's Kashmir War (1991), Blood In The Valley (1995), Undeclared War On Kashmir (1991), Wounded Valley, Shattered Souls (1997), Grim Realities (2001), and Patanjali M. Vardarajan, Kashmir: Rapport (Paris: FIDH, 1993).

¹²⁷ 'There Is A Definite Change Of Mood.' Jammu and Kashmir Governor Girish Saxena interviewed by Shiraz Sidhva, *Sunday*, 26 October 1990.

¹²⁸ Government Document cited in Vardarajan, p.84.

on us, like ash. Black on edges of flames,
it cannot extinguish the neighbourhoods,
the homes set ablaze by midnight soldiers
(Agha Shahid Ali 2000, 11).

The Kashmir Valley is the smallest albeit the most densely populated region of the state with a population of approximately 4 million people. The total area of the Valley is 8,639 square miles.¹²⁹ By 1990 – the first year of Kashmir’s rebellion, there were approximately 150,000 soldiers in the Valley – seventeen for each square mile and one for every twenty-seven civilians (Undeclared War on Kashmir 1991, 10). By 1993, “six Indian Army divisions were operating in Kashmir with a total strength of 130,000. In addition, there were almost an equal number of paramilitary forces comprising the Border Security Force (BSF), the Central Reserve Police Force (CRPF) and the Indo-Tibetan Border Police (ITBP)” (Bhinda 1994, 66). Nils Bhinda cites two independent estimates of 4,00,000 soldiers in Kashmir representing “just under half or 44 percent of total Indian army strength,” with “almost one soldier for every ten Kashmiris” (1994, 66). Fourteen years later in 2004, the estimate ranged between 500,000 – 700,000 soldiers – with roughly one soldier for every ten civilians with approximately fifty-seven soldiers per square mile, making Kashmir the most heavily militarised place in the world (Jaudel et al 1993, 4; Mishra 2002, *Wounded Valley Shattered Souls* 1997, 18).

Members of an all-India fact-finding team describe Kashmir as an area under military occupation (Undeclared War on Kashmir 1991, 10). Srinagar, the state capital, looks like occupied territory with army bunkers in every street corner and armoured vehicles patrolling the streets (1991, 10). The capital as well as the villages are like war ravaged places. There is a predominance of security forces patrolling with guns. Military occupation of civilian areas is a prominent and almost permanent feature of Kashmir. The military continues to occupy civil buildings – migrant houses, office buildings, hotels, cinemas, industrial areas, college hostels, university guest-houses and so on (Kashani et al 2003, 16, *Wounded Valley Shattered Souls* 1997, 18). To drive home the message of military power and presence, military

¹²⁹ Ministry of Home Affairs, Government of India. <http://mha.nic.in/ove.htm>. Accessed 7 November, 2005.

bunkers are pasted with slogans hailing victory to Mother India (*Bharat mata ki jai*) while military vehicles bear names such as *Agni* (Fire), *Mahakaal* (Calamity), *Toofan* (Storm). Members of the military have little contact with the local population except during searches and interrogations. “In casual conversation they often use the words ‘Muslim’ and ‘terrorist.’ There is a sense they are in the Valley not to protect Kashmiris, but to keep them in line. It is a sense the Kashmiris feel keenly” (Blank 1999, 43).

Since 1990, Kashmir has been subject to a slew of legislative provisions. These are the Armed Forces Special Power’s Act (AFSPA), the National Security Act (NSA), the Public Safety Act (PSA) and the Terrorist and Disruptive Activities Act (TADA).¹³⁰ Among these, The Armed Forces Special Powers Act – AFSPA (Jammu and Kashmir) – promulgated in September 1990 – declares Kashmir to be a ‘disturbed area’ empowering the military to search homes and arrest citizens without warrant, destroy homes and villages and shoot unarmed civilians with the intent to kill. The extraordinary provisions of the AFSPA are reinforced by the accordance of complete immunity from prosecution to members of the military who commit any of the above-mentioned violations. The AFSPA (Jammu and Kashmir) violates the non-derogable provisions of international human rights law including the right to life, the right to be free from arbitrary deprivation of liberty, and from torture and cruel, inhuman or degrading punishment as enshrined in the International Covenant on Civil and Political Rights (ICCPR) to which India is signatory. The AFSPA also violates of Article 21 of the Indian Constitution (Amnesty International 2005, 2). Other legislative measures such as the Public Safety Act¹³¹ contravene India’s own Constitutional provisions, the Geneva Convention and Articles 9 and 14 of the International Covenant on Civil and Political Rights (ICCPR). A national newsmagazine notes the implications of legislative provisions in Kashmir for Kashmir’s citizens and society: “The Jammu and Kashmir Public Safety Act and the Armed Forces (Special Powers Act) grant...the security forces...considerable license

¹³⁰ Although TADA lapsed in 1995, detainees continue to be charged under TADA on the claims that the crime was committed before TADA was repealed.

¹³¹ The Public Safety Act allows for a non-renewable two-year detention without trial. Once the detention order expires, new charges are brought against the detainee with s/he being rearrested on ‘new charges’ for a period of two years. As a result, detainees may be held indefinitely without trial. See *Behind the Kashmir Conflict: Abuses by Indian Security Forces and Militants Continue* (Human Rights Watch, New York, 1999), p. 2.

and, in the absence of safeguards, this could degenerate dangerously in its implications for civil society” (Frontline 1993).¹³²

The extraordinary powers invested with the military in Kashmir are reinforced by an institutional context that restricts civil jurisdiction over military authority. Apart from conferring blanket impunity on the military, institutions like the National Human Rights Commission (NHRC) or its local counterpart the State Human Right Commission (SHRC) lack powers of scrutiny or jurisdiction over the military. The recommendations of both institutions are non-binding and neither can take up legal cases pending in the courts. The access of the International Committee of the Red Cross (ICRC) to detention centres in Kashmir remains restricted. Repeated requests by the United Nations Special Rapporteur on Torture and Amnesty International to visit Kashmir have met with official refusal (Amnesty International 1996).

The extraordinary legislative measures in Kashmir were justified as a necessary step to restore ‘state authority.’ In 1990, Governor Jagmohan defended military rule in Kashmir: “this is not repression...the situation is such [that] the authority of the state ...has been challenged [and] has to be restored” (Saraf 1990). The attempt to restore state authority, however, centres more on civilian repression than institutional revival. A decade later, in 2000 the situation was unchanged. As writer Pankaj Mishra notes: “Human rights violations by the military, instead of being punished, became the accepted means of reasserting Indian authority over the state” (2000a). Mishra quotes an officer of the paramilitary outfit – the Border Security Force (BSF) – who did not mince his words: “Isolate the Muslims in Kashmir and then we will have a free hand to deal with them” (2000a). The demand for a ‘free hand’ is particularly ironic in a context where the assertion of state ‘authority’ is, as we shall see, synonymous with violence and terror.

During 19-20 January, 1990, about 400 people were dragged out of their houses in Habbakadal, Srinagar, in a midnight raid and taken away by the military.

¹³² Terror in Sopore: An Indictment of the BSF. *Frontline*, 12 March, 1993.

The raid took place without the knowledge of the Divisional Commissioner of Srinagar – a measure of the degree of impunity accorded to military authority in Kashmir. During a protest against the arbitrary arrests in Habbakadal by 20,000 people the following day, paramilitary forces gunned down more than a hundred unarmed protestors at what has since been known as the infamous Gowkadal massacre (Bose et al 1990, 5-6). A was among those who lost her husband that day. Sitting in her one room tenement, A speaks of a tragedy that has haunted her for fourteen years. She does not think of the tragedy that befell her in terms of the high politics of Kashmir or indeed even in terms of the struggle for *azadi*. Her life has been shattered by the arbitrary arrest of her twenty-year old nephew Riyaz who never returned and the subsequent death of her husband who went to protest Riyaz's disappearance:

My nephew was among those taken away by the military in Habbakdal...we tried to find out where he was but there was no information....it was a tragedy for my sister and our family...he was such a young and good boy. We don't know what he had done...if only they would tell us. There were many people in the demonstration the next day...We were protesting injustice but I lost my husband...[cries] they were shooting to kill... I have had such a hard time living and bringing up my children. My life ended that day. I am not very well educated so I cannot earn much money. We only wanted a better life...and justice but we have had to bear severe injustice. Is this what we get for asking for justice? Are we not human beings? (A)¹³³

A citizen's report documented the testimony of a survivor of the Gowkadal massacre:

As I lifted my head, a CRPF man shouted: 'He's still alive!' I pleaded: 'I am a government officer. Please don't shoot!' The officer shouted abuses at me and said: '*Islam mangta hai?*' (Do you want Islam?) and fired back at me...Another para-military moved up to me and shouted: '*Tum sala zinda hai – mara nahin?*' (you are still alive – not dead yet?) and aimed his sten gun at my chest...The other officer said 'He will die soon.'...Soon after a truck was brought...a tarpaulin was thrown over us, and two security forces sat upon

¹³³ Personal interview with A, Gowkadal, Srinagar, 30 June, 2004.

it...After some time, the tarpaulin was lifted and we saw a Kashmiri constable, who discovering us alive, said: 'My God! There are living bodies here...We later heard he had suffered a heart attack (India's Kashmir War 1990, 6-7).

Shiraz Sidhva writes of the fate that befell young Parvez Ahmed Khan in Srinagar during May 1990. "They chased him into a stream and pushed him in the water with their rifle-butts screaming: '*Azadi chahiye? Wahi milegi*' (You want freedom? That is what you will get)... We recovered his body ...later, recalls Ghulam Ahmed his close friend, sadly. There was nothing we could do to save him" (1990). The story of fourteen year old Nazeer Ahmed Sofi, as Ayesha Kagal narrates, is not any different. On 31 March, 1990, Nazeer had gone to take lessons from a neighbouring teacher when there were gunshots and commotion outside. "Nazeer ducked under the bed. When the Central Reserve Police Force (CRPF) broke down the door Nazeer, hidden in the first floor room of the ground floor, was hauled out and shot" (1990).

B and her parents recall their experience of a midnight raid in 1997 when, according to them, officers of the 20th Grenadiers regiment burst into their small two room household on the outskirts of Srinagar:

It was around two o'clock in the morning. We were asleep. They [the military] came in and locked all of us up in one room with the children. We could hear them beating my husband in this [adjoining] room. ...My husband was not a militant. We are poor daily wage earners and we do not have much money...That was the last time we saw him....Later, the military came and asked us for money. They said they will let my husband go if we give them money. Our family have paid Rs.15,000 but my husband is still missing. We are surviving on a single income since then (B).¹³⁴

Unable to hold back his grief, B's father X pleads:

We don't want compensation but just the truth...First we are punished for being Kashmiri...we lost our son because he is

¹³⁴ Personal interview with B, Khanyar, Srinagar, 15 June 2004.

Kashmiri ...now we suffer a second punishment because we are poor and have no one to turn to...[cries] (X).¹³⁵

A sense of raw grief pervades those who have lost their children. Over tea, amidst silent tears, Parveena Ahanger holds a photograph of her son, seventeen year old Javed Ahanger who went missing in 1990. Parveena is a housewife who has the additional burden of taking care of her husband whose illness worsened ever since Javed went missing. Parveena visited jails in Kashmir and across India but is unable to get any information about Javed. Parveena describes her failure to secure judicial justice against the illegal and arbitrary disappearance of her son by the military:

I want the Army officer's responsible for the disappearance of my son to be punished...Although the Srinagar High court has issued warrants against the culprits they have never been produced before the court or prosecuted...The Indian army offered me ten lakh rupees (Rs.10,000,000) not to file a case against the culprits but I refused (Parveena Ahanger).¹³⁶

Parveena's search for her son and prosecution of the guilty continues.

Srinagar's Jammu and Kashmir Coalition For Civil Society (JKCCS) documented the arbitrary murder of Afroza's husband Tahir who was apprehended from his house in Sopore on the night of 11-12 September, 2003 just after his marriage ceremony, by members of 22 Battalion of the Rashtriya Rifles (RR). Tahir never returned alive. After handing over Tahir's body to his family, the military declared his murder to be a 'mistake.' An intervention by India's National Human Rights Commission (NHRC) which took *suo moto* cognisance of the crime could not secure justice for Afroza and Tahir's family since the NHRC does not have powers of jurisdiction over the military. In her moving personal testimony to JKCCS, Afroza said: "My life is ruined. I can never forget the moment when the RR arrested him and I could not show any resistance as I was a one day bride...I became a widow even before knowing marriage" (Imroz 2003, 3).

¹³⁵ Personal Interview with X, Khanyar, Srinagar, 15 June 2004.

¹³⁶ Personal interview with Parveena Ahanger, Batmaloo, Srinagar, 23 March 2004.

The state's attempt to assert authority is not limited to individuals or families but extends into forms of collective punishment. The imposition of indefinite twenty-four hour curfews in Srinagar during 1990 – 1991 for months on end was a measure without precedent elsewhere in India. Curfew relaxation – if allowed – started at 5 a.m. when it was still dark and cold, and ended at 9 a.m. making it impossible for ordinary citizens to buy daily supplies, prevented those needing medical attention from reaching a hospital and inflicted enormous hardship on poor, daily-wage labourers (Vardarajan 1993, 7). The damage caused by this to social and cultural life, and to morale was incalculable (1993, 7; Farooqi 1994, 25). Frequent and prolonged 'crackdowns' are another form of collective punishment. Barbara Crossette of The New York Times describes a 'crackdown' in Batmaloo, Srinagar:

For three days in March, the people of Batmaloo...were victims of India's war against the independence movement. They call it 'the crackdown,' and it can happen, without warning anywhere...An area is surrounded, shops are closed, people are confined to their houses or made to stand for hours, other houses are ransacked, women abused, graveyards dug up, mosques violated... In Batmaloo, where more than 100 young men were rounded up on March 27, mothers came out the next day to wail in rage and panic...When they began to march, they were driven back with tear gas and blows from rattan poles. By mid-morning, one woman was dead and twenty hospitalised (1991).

These are but a few of a vast number of ordinary martyrs of the attempt to 'reassert' state 'authority' in Kashmir. These victims did not brandish Kalashnikovs or AK 47's, nor were they killed during relentless combat. They were ordinary citizens who were direct or indirect victims of the state's drive to restore 'law and order' through illegitimate means backed by judicial decree. The trials and tribulations of ordinary Kashmiris do not hit the national headlines in New Delhi, yet the individual and collective anguish and anger they generate keeps the fires of *azadi* smouldering. Independence is perceived as a means to escape state repression. According to an independent poll conducted in the Kashmir Valley during 1995, 72 percent of respondents were in favour of independence.¹³⁷ Like S – an employee of

¹³⁷ "After a protracted spell of severe economic deprivation brought about by militancy, the Outlook-Mode poll found that the quest for freedom remains undiminished. Contrary to popular notions, the

Kashmir's State Human Rights Commission (SHRC). Before our meeting in his office, S had to ascertain my bonafides with a hostile para-military picket posted at his office. In a gentle tone that belied the intensity of his feelings, S voices his experience of militarisation in Kashmir:

I am neither for India nor Pakistan... I wish for independence after experiencing this hell but I know that is impossible. ...The military occupation of Kashmir has been an exercise in collective humiliation and denigration. I have lost count of the number of times I have been stopped, even detained by the military on suspicion of being a terrorist...Showing them my official card does not help...The military want to use the situation to humiliate us. Every time they stop me, I lose my self-respect, my dignity. Many times they humiliated my wife but I had to keep silent because I was scared they might arrest me and humiliate my wife further....I have witnessed young teenagers being taken away by the military but I did not intervene for fear of retribution towards my own family...I feel a sense of guilt and helplessness. I want to, yet cannot help people. What change can you bring about in this situation?...Who can bear this prolonged assault on men, women and children in Kashmir?...No one can raise their voice against the army...is this the way you [India] wish to rule us? By the gun? (S).¹³⁸

The transformation of Kashmir into a war zone and the routine harassment and abuse experienced by Kashmir's citizens at the hands of the keepers of 'law and order' is a source of deep anger and resentment. After sixteen years of unrelenting violence, the ongoing diplomatic entente between India and Pakistan has not altered the situation for Kashmir's people. The impunity accorded to the military continues to undermine judicial process in Kashmir and, by extension, the legitimacy of the Indian state, even as it magnifies Kashmir's human rights tragedy by impeding the course of justice. With approximately one soldier to every ten civilians (European

average Kashmiri does not seem worn down by the years of hardship. An overwhelming majority of people (72%) polled put it down on paper that they are determined to dig their heels in for a long haul." Altogether 504 adults were interviewed in Srinagar, Sopore, Baramulla, Bandipora, and Anantnag during the second half of September 1995 'Till Freedom Come,' *Outlook*, 8 October 1995, New Delhi.

¹³⁸ Personal interview with S, 17 March, 2003. Dal Gate, Srinagar.

Parliament 2004),¹³⁹ the battle to secure the nation *and* forge a unitary nation continues at the cost of civilian lives. As Inpreet Kaur notes:

no day passes when the people of the Kashmir Valley or the hilly Muslim-majority areas in Jammu do not bury half a dozen of their loved ones who have perished in the continuing violence... Sand bunkers continue to mark Srinagar and its surroundings. The Disturbed Areas Act (1990) and Armed Forces Special Powers Act (1990) continue, granting the Indian security forces a *free hand*' (2006, 15) (emphasis added).

Violence by the state parallels violence by members of militant groups. Militant groups in Kashmir are guilty of kidnapping, killing of civilians – both Hindu and Muslim – and alleged informers accused of supporting the Indian government and rape. Patricia Gossman of Human Rights Watch notes: "Militant groups – which continued to obtain arms and training from Pakistan – stepped up their attacks, murdering and threatening Hindu residents, carrying out kidnappings and assassinations of government officials, civil servants, and suspected informers, and engaging in sabotage and bombings" (2000, 272). Since 1992, members of militant groups have executed members of the military in retaliation for the increase in custodial deaths. Militant groups also attempted to enforce their own interpretation of 'Islamic values' such as the *burqa* (a long, loose garment with a veil) and a ban on abortion (Asia Watch and Physicians For Human Rights 1993, 147-149, 160-162). It is difficult to obtain reliable information regarding violence and sexual abuse by militants because civilians are reluctant to speak of militant violence for fear of reprisal.

Brutal as militant violence is, it cannot justify state violence, any more than state violence can justify militant violence.¹⁴⁰ The essential focus (of this study) is the *political context* of militant violence. As lawyer Siddharth Vardarajan notes in his report on Kashmir:

¹³⁹ European Parliament, 2004. Summary Report of the Visit of the ad hoc delegation of the European Parliament to Kashmir, 8-11 December 2003 and 20-24 June 2004, p.5. Grateful thanks to Marjan Lucas for this information.

¹⁴⁰ Grateful thanks to Mary Kaldor for this point.

The argument ...that human rights groups are in dereliction of their duty in not condemning militants ...must be condemned as the cynical diversionary tactic that it is...The focus of human rights is the state...citizens have rights ...in relation to the state. The *state* is legally, politically and morally duty bound to protect those rights...The state violates *human rights*, militants violate *law*" (1993, 28) (emphasis original).

Judicial Paralysis

The principle of impunity accorded to the military undermines the integrity of Kashmir's judiciary, erodes the integrity of the Indian state and extinguishes hopes for justice for a large number of Kashmir's citizens. Unable to call into account or exercise restraint on the military, Kashmir's courts remain mute spectators to a reign of repression.¹⁴¹ Members of the Bar Association of Srinagar are unable to pursue cases of human rights violations where no, or improper First Information Reports (FIR),¹⁴² are filed by the police. On their part, police sources pleaded inability to file FIRs saying they are under instructions from "higher authorities" not to do so (Vardarajan 1993, 24). Those admitted, faced inordinate delays in response by the state. The scale of petitions makes it virtually impossible for the Valley's three judges to respond to them. In 1993, there were 7000 *habeas corpus* petitions pending in the Kashmir High Court (1993, 24).¹⁴³

By 2001, there were more than 35,000 civilians were under detention in Kashmir (Oberoi 2001, 196). Interrogation centres run by military and para-military

¹⁴¹ For instance, in a 1990 ruling, the High Court in Srinagar directed Kashmir's Governor to list all people detained after 6 April. The Governor refused to respond on the ground that the Court had "trespassed into issues of state security." James Clad, Valley of Violence, *Far Eastern Economic Review* (1990, 24 May). In 1991 Governor Girish Saxena admitted to delays in filing replies to complaints. *Undeclared War on Kashmir* (Bombay, 1991), p. 21.

¹⁴² An FIR contains details of the case filed by the complainant in a police station.

¹⁴³ In 1991, Governor Saxena "admitted that hundreds of people were being arrested on suspicion ...[that was] *arbitrary, but added that the government had powers to do so under TADA*...He admitted that the government had not filed replies to ...*habeas corpus* petitions which require the government to produce the people if they are in its custody." *Undeclared War on Kashmir*, p. 30. (emphasis added). See also *Wounded Valley...Shattered Souls* (Bombay: Indian People's Tribunal on Environment and Human Rights, 1997), p. 12.

forces remain beyond judicial scrutiny¹⁴⁴ making it virtually impossible for Kashmir's citizens to ascertain the whereabouts or welfare regarding those who are in custody or have quite simply 'disappeared'. According to the Association of the Parents of the Disappeared (APDP), Srinagar, a civil society group founded by Parveena Ahanger among others, approximately 8000 Kashmiris have disappeared in custody over the past fourteen years (Noorani 2003). Like D's husband Mushtaq, a resident of who is missing for seven years. D's family is economically underprivileged, with little knowledge of law or legal procedure. According to D:

We are not in a position to initiate any action against the army...we do not have the money to pay legal costs, nor do we know whom to approach. We have been to the Army Headquarters many times but they do not give us any information...Sometime ago a human rights group noted our complaint...I do not think that helped for there is still no news of my husband (D).¹⁴⁵

Kashmir's judicial crisis exemplifies the crisis of militarisation that is based on the violation of the rule of law. A report in The Times, London, encapsulates the crisis:

Something is rotten in the state of Kashmir. At least 12,000 people have been killed there since 1990, mostly civilians. India is at war in Kashmir [with] the presence of half a million soldiers...Indian soldiers violate human rights with impunity. They conduct extra-judicial executions (a euphemism for murder), torture, make citizens 'disappear' (in the sense of Latin American *desaparecidos*), and engage in rape, arbitrary imprisonment, theft and arson...Contrary to the propaganda of the Indian Government, the rule of law has collapsed in the region. The judicial process in Kashmir is in a state of permanent paralysis. Constitutional rights and guarantees exist on paper alone (The Times, 1993).¹⁴⁶

In its May 1999 report on Kashmir, Human Rights Watch notes:

¹⁴⁴ The Disturbed Areas Act and the Armed Forces Special Powers Act permit the military and paramilitary forces to operate their own network of lock-ups and interrogation centres.

¹⁴⁵ Personal Interview with D, Tengpora, Srinagar, 27 June, 2004.

¹⁴⁶ The Times, London, August 12, 1993 quoted in 'Other Opinion' *The Pioneer*, 17 August 1993.

Hundreds of *habeas corpus* rulings ordering the security forces to produce detainees in court have been ignored. This crisis is symptomatic of the magnitude of Kashmir's human rights crisis where such a fundamental protection under the law is treated by government officials with contempt (Behind The Kashmir Conflict 1999, 2).

In their 2004 report, members of Lawyers Without Borders (LWB) and the Interchurch Peace Council (IKV), The Netherlands note:

the shocking and serious reality in which disappearances, non-judicial executions, torture, rape and illegal detention in jails and military 'interrogation centres' exist on a large-scale...Statements of judges insisting on respect for the rule of law are neglected, critical judges are intimidated or even maltreated and risk being transferred or even dismissed (IKV 2004).

The LWB/IKV report quotes the statement of the High Court of Jammu and Kashmir, Srinagar, regarding Kashmir's judicial crisis:

the administration...appear[s] to have thrown to the winds the rule of law, there is a total breakdown of the law and order machinery...Even this Court has been made helpless by the so-called law enforcing agencies. Nobody obeys the orders of this Court. Thousands of directions have been given to top administrative and law enforcing agencies who have not even responded (IKV 2004).¹⁴⁷

In its report to the Jammu and Kashmir High Court in 2004, a nine-member team headed by the High Court Bar Association (HCBA) Srinagar notes:

the scores of inmates who are suffering from a fear psychosis that they are not ready to talk...Detainees have turned into mental wrecks who require psychiatric consultation and treatment for their rehabilitation...The team found many juvenile detainees. Trial courts have already acquitted them and there are no cases pending against them. And yet they are kept under...detention...The state Home

¹⁴⁷ Press Statement on return of delegation of IKV/Lawyers Without Borders, dated 7 June 2004. Grateful thanks to Marjan Lucas for the information.

Department issued a written order in July 2000 not to honour court orders seeking their release (Ashiq 2004a).

A European Union Parliamentary delegation that visited Kashmir during 2004 described it as “the world’s most beautiful prison.”¹⁴⁸

By the mid-1990s, Pakistan-based Islamist militant groups had appropriated the movement for *azadi*. The Pakistan factor meant that the attempt by the Indian state to consolidate ‘authority’ *within* Kashmir paralleled the rituals of *external* territorial defence of Kashmir (against Pakistan).¹⁴⁹ While dominant understandings of militarisation in Kashmir are monopolised by military-militant encounters, gun battles, bomb blasts and the Indo-Pakistan nuclear impasse over Kashmir, relatively little attention is paid to the profound and lasting damage inflicted by the just mentioned intersecting streams of violence on Kashmir’s citizens. As a Kashmiri analyst maintains: “No one can fully fathom the trauma to the ...Kashmiris, living for years now with gunfights between warring militant groups or between insurgents and counterinsurgent forces. A new generation has been brought up in the shadow of the gun, deprived of a normal social life...”(Oberoi 1997, 7). For precisely this reason, the human and social costs of militarisation in Kashmir are borne not so much by ‘militants’ but by Kashmir’s citizens and society.

¹⁴⁸ “The EU report refers to Jammu and Kashmir as ‘Indian-occupied Kashmir’ and expresses concern at the huge military presence with approximately one soldier to every ten civilians. ..Furious with a ‘biased’ ...report by a European Parliamentary delegation, whose leader called Jammu and Kashmir ‘the world’s most beautiful prison’ India withdrew official patronage to such visits.... ‘The Government of India rejected the report by the Parliamentary delegation, headed by John Cushman of Ireland, saying its understanding was ‘inaccurate.’” See India Withdraws Patronage To EU Visits In J&K, *The Times of India*, 21 August 2004.

¹⁴⁹ “Troop deployment crossed the 5,00,000 mark with three divisions of the Indian Army, 1,20,000 paramilitary forces, 50,000 Rashtriya Rifles (a division of the Indian Army) even as the number of militants operating in Kashmir went down from a high of 10,000 in 1992-93 to less than 5,000 post-1996-97 and today it is said to be less than 3000...Thus it is the massive Indian military presence that confronts Kashmir.” Gautam Navlakha, ‘Limits and Scope of Dialogue,’ in *Spotlight* (2004), vol. 23, no. 39. <http://www.nepalnews.com/contents/englishweekly/spotlight/2004/apr/apr16/viewpoint.htm>. Accessed 31 March, 2007.

Inside/Outside the World's Most Beautiful Prison

Until 1994, the *Hizbul Mujahideen* was the principal militant group engaged in armed operations against state security forces in the Valley. After 1995 however, the composition of the militant movement witnessed a shift, with the induction of a newer, younger set of militants committed to *jihad* against what they perceive as the Hindu state of India (Zeb 2006, 65 - 79). The emergence of Islamist militancy coincided with the diversion and proliferation of light weapons from what was termed as the Afghan pipeline – a system formerly used to channel weapons to the Afghan resistance against the erstwhile Soviet Union. Pipeline weapons made their way into Kashmir via Afghan fighters as well as through Pakistan's military and intelligence establishment and were used in hit-and-run tactics against patrols, pickets, convoys or bunkers of the Indian Army in Kashmir (Human Rights Watch 1994, 3). "Based in Pakistan, trained in Afghanistan and motivated by pan-Islamic fundamentalism rather than Kashmiri nationalism, Islamists wage war on behalf of a people whose language they do not even speak" (Blank 1999, 42). This shift worked to the advantage of both Indian and Pakistani establishments. Pakistan, because militant Islamic ideology is also pro-Pakistani and India because JKLF's secular nationalism is a threat to India's democratic claims while it is easier to discredit the Islamists (Grim Realities 2001, 5; Blood In The Valley 1995, 15).

The appropriation of the movement for *azadi* by Islamists served to vindicate state representations of Kashmir as an essentially *territorial* dispute between India and Pakistan where the Indian state is fighting a 'proxy' war against Pakistan-trained 'terrorists.' Islamist militancy in Kashmir also "supplied the growing Hindutva [Hindu nationalist] movement with an unrivalled propaganda weapon. "For here was 'evidence' of the diabolical designs of a group of Muslims living in India to destroy India's unity in conjunction with the historical enemy, Pakistan. The 'enemy within, enemy without' (where the Indian Muslim is the fifth-columnist for Pakistan) conspiracy theory, a long-standing staple of the 'Hindu nationalist' world-view, was ostensibly finding some vindication" (Bose 1998, 144).

By the mid-1990s, there were at least 300,000 paramilitary troops together with at least 100,000 Indian Army troops in Kashmir (Human Rights Watch 1996, 11). The massive military mobilisation within Kashmir coincided with military consolidation for external defence that “was prompted, in part, by the continuing conflict in Kashmir” (Human Rights Watch 1994, 4). By the mid-1990s, Israel replaced the Soviet Union as India’s largest arms supplier, with India set to purchase a range of military hardware from Israel estimated at over US \$ 1 billion (Luce and Morris 2003). The India-Israel military relationship had special significance for Kashmir where “3,000 soldiers of a new Special Forces group are being trained by Israeli specialists to fight separatist militants in disputed Kashmir,” (South Asia Monitor Newsletter 2003) even as an “Indian defence team travels to Israel to study the four-tiered barbed wire system in Gaza” with an eye to its construction on the Line of Control in Kashmir” (Prashad 2003, 51; Ghosh 1995). By casting Kashmir’s political struggle in exclusively territorial terms, the Indian state “wills away the local politics of discord that rend ...South Asia...to obscure the grievances of ...the Kashmiris behind the rhetoric of terrorism” (Prashad 2003, 7).

By 1998, the analogy between ‘terrorism’ and Kashmir assumed nuclear overtones with the Indian state linking Kashmir to its self-proclaimed nuclear weapons status. In the wake of Pokharan II nuclear tests, Union Home Minister L.K. Advani urged the Pakistani government to “realise the change in the geo-strategic situation in the region and the world” (Ram 1999, 3 n 5). Paradoxically, the attempt to retain the domestic status quo in Kashmir by “geo-strategic” (military and nuclear) means did not enhance the security of the Indian state either in narrow military terms or in terms of a wider human security perspective (Ramana and Reddy 2003, 9). Indeed, as Admiral Ramdas, former chief of the Indian Navy notes: “The security of the people of Kashmir, as well as of people living in other areas of covert warfare between India and Pakistan, is certainly not enhanced by the bomb-making capabilities of the two countries” (2003, 71). On the contrary, nuclearisation raised the fundamental danger of conventional war escalating into nuclear conflict – a danger that became apparent during the 1999 Indo-Pakistan Kargil war during which “Indian and Pakistani officials and ministers delivered indirect and direct nuclear threats to one another about a dozen times” (Bidwai and Vanaik 1999, vii). In

January 2002, India mobilised over 500,000 troops and its three armoured divisions along the 3,000 km frontier with Pakistan, placed its navy on “high alert” and “deployed its nuclear-capable missiles. Pakistan reacted in kind, concentrating forces along the line of control that divides Kashmir. The deployment ...[was] the largest since the 1971 conflict between the two rivals” (GlobalSecurity 2002). The actual ‘target’ of these manoeuvres, was not an abstract ‘enemy’ but essentially the citizens of Kashmir, India and Pakistan.

As discussed already, nuclearisation was not just a symbol of state ‘power’ in the international realm but the basis of a new denominational nationalism whereby Pakistan, and by extension the Muslim represented ‘the other’ (Ananth 2003, 317). Hindu nationalism legitimised territorial ‘defence’ of Kashmir (against ‘Islamic’ Pakistan) by nuclear means even as it consolidated state power *in* Kashmir by waging war against a people it characterised as a ‘threat’ to ‘the nation.’ Viewed this way, Kashmir represents the material and symbolic interface between the inside/outside, external/internal dichotomies of the centralised, militarised and nuclearised state. The (Indian) state’s attempt to secure the territory *of* Kashmir through nuclear weapons without and its simultaneous attempt at political consolidation through military means within is, Balraj Puri writes, at the cost of the brutalisation of “one of the most cultured communities of the subcontinent” (Puri, 1990).

Ethnic Fragmentation

Amidst Kashmir’s multiple tragedies is the flight of Kashmir’s Hindu community – known as *Pandits*. Constituting three per cent of the population, Kashmir’s Pandits had a notable presence in the Valley. The killing of *Pandits* during the early years of the conflict and the rise of Islamist militancy heightened fear and insecurity within the community. Approximately 150,000 *Pandits* from the Kashmir Valley moved to Jammu, Delhi and other locations since January 1990 (Bose 1994, 71)¹⁵⁰ In her

¹⁵⁰ A similar figure is quoted by Human Rights Watch, *Arms and Abuses In Kashmir* (New York, 1994), p.1.

memoir on Kashmir, Sudha Koul – a *Pandit* resident of the Valley – captures how Kashmir's *Pandits* became victims of circumstances beyond their control:

The Indian government is the sworn enemy of the mujahideen...Being Hindus we are suspect in the eyes of the rebels, who are now calling the shots literally and figuratively in Kashmir...The Mujahideen only want Muslims in the Valley...Now no one wants to come here out of love for the valley, and many of us want to leave, each for our different reasons, but most of all for the fear, distrust and hate that corrodes us even as we breathe (Koul 2002, 141).

L, a Muslim resident of Rainawari, Srinagar recalls the fear experienced by his *Pandit* neighbours:

There was palpable fear among *Pandits*. *Pandits* were visibly scared when people in the neighbourhood started participating in demonstrations and raised religious slogans. One *Pandit* was killed by militants. When my uncle protested, the militants threatened to kill him if he intervened (L).¹⁵¹

Kashmir's *Pandits* paid a tragic price for a civil struggle that was overshadowed by denominational *jihad*. Sudha Koul echoes the tragedy of her people:

In any case, as less than three percent of the population, it really does not matter to anyone in India or Pakistan or Kashmir what we *Pandits* want, and we will pay with our very existence for that. Our history has taken a terrible turn through no fault of ours...We are now an endangered species, destined for a scattering from our homeland...The trouble is that like the Muslims we *Pandits* call only the Valley of Kashmir home...If we cannot carry our mountains, our lakes, and our fish with us, we don't want to go (2002, 140).

Amitabh Mattoo, a *Pandit* academic, notes the cultural loss in the wake of the *Pandit* exodus:

¹⁵¹ Personal Interview with L, 20 April 2004, Rainawari, Srinagar.

The Pandits were the literati of the Valley; they were teachers, bureaucrats, doctors and lawyers. Within the community were also a hierarchically lower occupation group of *Buhurs* (small traders), *Wazas* (cooks), and *Kaandurs* (bakers). These groups formed the backbone of what was once an efficient and purposeful community. This functional network has vanished from the Valley, and the Muslims too are feeling the loss (1993).

There are however, a small number of *Pandits* – estimated at 17,860 who chose not leave and have stayed on in the Valley (Jabbar 2000). In Mattan, south Kashmir, for instance, a young school teacher, Jyoti, continues to live with her Muslim neighbours. “This is the only home I’ve known. These are the only friends and neighbours I have ever had and they’ve been very good to us – so why should we leave?” (2000). As is always the case, it is the less well-off Pandits who have suffered the most. Like Gautam, who told writer Pankaj Mishra he felt “betrayed by... politicians, especially the Hindu nationalists, who had held up the community as victims of Muslim guerrillas in order to get more Hindu votes, and then done very little to resettle them, find jobs for the adults and schools for the young” (Mishra 2000a). In the end, the tragedy of Kashmir’s *Pandits* was “used as propaganda material by the Indian government to demonstrate that not only Muslims were suffering during the insurgency” (Schofield 2004, 151).

The *Pandits* however are not the only ones forced into exile from the Valley of Kashmir. A Federation Internationale Des Ligues (FIDH) delegation that visited Pakistan found that till 1 March, 1993, a total of 8,304 refugees were registered with Pakistani authorities. According to the FIDH report:

The most striking observation that the delegation made was that entire villages appear to have sought refuge in Azad (Pakistan administered) Kashmir. They arrived, as is the pattern on foot, traversing inhospitable mountain tracks and running the gauntlet of hostile Indian security forces empowered, by military command and by legislation, to shoot to kill. The refugees told of many casualties in the course of their crossing...Nearly a thousand refugee families (or four to five thousand individuals) were not registered and were in all likelihood being sheltered by relatives (Jaudel et al 1993, 9).

Other Kashmiri citizens are less fortunate. Cynthia Keppley Mahmood writes of her visit to Muzaffarabad on the Pakistani side of Kashmir:

[where] a blackboard by the banks of the Jhelum river keeps count as Kashmiri bodies float down from across the border [from India]. When I visited in January 1997, the grim chalk tally there was at 476. Given the deep mythic significance of India's rivers in the Hindu tradition, this defilement is especially telling. 'The largest democracy on earth' has polluted its sacred waters with the bodies of tortured citizens (2000, 72).

There is yet another category of "quasi refugees" – described by the Pakistani state as "Line Of Control Affectees" who are "the inhabitants of settlements on the Pakistani side who have been displaced ...by the intermittent skirmishes at the line-of-control...there are about 4,875 families, or 24,375 people" (Jaudel et al 1993, 11). That there exist corresponding counterparts on the 'Indian' side is beyond doubt despite the absence of reliable figures.

Notwithstanding their travails, both Pandit and Muslim share a desire to end their enforced exile. Dolly – a *Pandit* languishing in one of the refugee camp in the plains yearns to return to the Valley: "I love Kashmir and I dream of the day when I will be back there" (Sade-E-Aman, 2003). Jonah Blank quotes "Raja Izhar Khan a refugee who crossed over into the Kamser refugee camp in Muzaffarabad, Pakistan, with his whole village after killings, beatings and gang-rapes by Indian security forces. 'We Kashmiris used to get along fine...Any religion, side by side, no problems.' None have applied for citizenship in their host country. 'We are only waiting here,' says Raja Khan. We want to go home'" (1999, 52). Despite their divergent tragedies, Pandit and Muslim from Kashmir remain united in their yearning for a place they may never see, and a time that may never return.

Violence and Counter-Violence

One dimension of the Indian state's counter-offensive against militancy is the cultivation of 'renegades.' Renegades are ex-guerrillas who are now under the patronage and control of state agencies. According to Patricia Gossman:

The security forces made systematic use of these irregular militias, in effect subcontracting some of their abusive tactics to groups with no official accountability. Wearing no uniforms, their members could not be easily identified. There was no one to whom civilians could register complaints about their behaviour" (2000, 275).

Approximately 1,500 renegades remain on the government's payroll and "are now the most dreaded people in the Valley, more than the jihadi guerrillas, more than the army and police officials in remote areas or ...soldiers in their bunkers" (Mishra 2000a, 7). Renegades work in conjunction with state-led anti-insurgency outfits. Their nameless, faceless violence is as brutal as that of their political masters. E – a JKLF ex-militant who spent over a decade in prison explains the state-renegade connection:

See, suppose they want to target me. Or any other person. They have their surrendered militants in their camps...They direct Kashmiri surrendered youth to kill a person...He is a Kashmiri. He kills me. What is reported in the media? That this person has been killed by militants themselves. Although I am not killed by militants but militants working with [state] agencies, official statements and media claim the person has been killed by militants....In this way they manage all these killings by renegades in Indian military camps (E).¹⁵²

Abhay Sapru quotes the diary of a Special Forces officer of the Indian Army who described a joint operation with renegades in Kashmir:

¹⁵² Personal Interview with E, JKLF spokesman, JKLF Office, Maisuma, Srinagar, April 2, 2004.

I am sitting in ambush in the north Kashmir hills with a few surrendered militants from the al-Barq [a militant group] group. We haven't had a kill for over a month and the pressure to deliver is intense. We see our man coming down the track... quite oblivious to the fragility of his life. Our rifles roar in unison and the man falls. I disarm him...I wonder if I can slit him from ear to ear, payback for something I had seen done to our men during a raid in Doda...He is dying and requests politely to be put out of his misery. One of his former comrades obliges. His bravery moves us. My soldiers spontaneously salute the dead man (2004, 35).

Militants are not the only targets of renegades. "They [renegades] ... threatened, and sometimes killed...those journalists and human rights activists who were seen as too eager to report the excesses committed by the army. In return, the army and the civil administration looked the other way when the renegades kidnapped and killed for money" (Mishra 2000a, 7).¹⁵³ In 1997, nineteen journalists travelling to a press conference in south Kashmir were kidnapped by members of the Jammu and Kashmir Ikhwan – a counterinsurgent renegade group funded by Indian security. The captors were released upon orders from New Delhi. In his description of the ordeal, Surinder Singh Oberoi – one of the kidnapped journalists – notes how "Our captors departed gleefully, unlicensed weapons in hand" (Oberoi 1997, 1). The state-renegade nexus helped the Indian military in killing large numbers of guerrillas. As journalist Padmanand Jha notes: "For government officials, there could be nothing better than this turn of events...they can't stop smiling." Jha quotes a senior state official in Srinagar who expressed satisfaction at the job done by renegades: "Oh, they are definitely making our job easy. We have no reason to complain" (1995).

Education

Militarisation profoundly influenced education in Kashmir. Amidst a climate of repression and violence, civilian establishments and agencies in Kashmir were either

¹⁵³ For a first hand account of how renegades feel they have won the war for the politicians but have been denied their due see Jonah Blank, 'Fundamentalism Takes Root,' *Foreign Affairs* (1999), vol. 78, no.6, pp.47-49. For an analysis of violence by renegades see, *India's Secret Army In Kashmir*, Human Rights Watch, 1998, pp. 15-26.

disabled or unable to function normally. An independent human rights investigation notes that: "The order, continuity, organisation and administration have, effectively, broken down at the university and in most of Kashmir's schools and colleges" (Vardarajan 1993, 14). "More than 1,000 school buildings have been set ablaze and all sports stadiums closed" (Oberoi 1997, 7). Two hundred and sixty-two out of a total of five hundred and eighty-five schools in the Valley are either occupied by the military or converted into centres for interrogation and torture (Wounded Valley Shattered Souls 1997, 18). On the other hand "militants have set fire to schools that they believe were working against their cause. The remaining schools ...are often closed due to outbreaks of violence" (Jarudi 2002, 24). In some rural areas, 'lights out' at 10 p.m. is enforced by the military. This is particularly damaging for students who need to study but can only do so at the risk of the lives of the entire household (Chenoy, Kamal M 2000). The breakdown of educational institutions denied young people the right and opportunity to pursue their education.

Male students at the University of Kashmir faced harassment by security forces. Many of those who could afford to left. There were custodial arrests of young men with M.A. and Ph.D degrees among those who stayed (Grim Realities 2001, 40). The University of Kashmir, established in 1948 and by 1988 known as one of India's best universities was unable to function in the nineties. Deprived of most of its Hindu faculty that migrated from the Valley, the University reached its lowest point during 1992 when it was obliged to award degrees without holding examinations (Mishra 2000a). An independent investigation notes "the atmosphere of fear and despair. Intellectuals, including journalists and faculty at the university, are wary and scared of speaking openly, particularly against the militants and the army...Specific comment has had on occasion serious, even fatal consequences" (Chenoy, Kamal M 2000). A senior academic acknowledged that "no definitive study on the Kashmir question had been undertaken because of pressures by both sides – the government and militants. Free expression is not possible" (Hakim 2004). The Indian Army remains stationed inside Kashmir University, the Regional Engineering College and most degree colleges in rural districts. In his report for the FIDH, lawyer Siddharth Vardarajan notes that "the breakdown of Kashmir's educational and

intellectual centres is emblematic of the destruction of Kashmir's socio-cultural fabric" (Varadajan 1993, 15).

Media

The media – both in India and the Valley – was influenced by militarisation, albeit for different reasons. As mentioned already, the censorship imposed by administrative fiat in the Valley in 1990 meant that no Indian correspondent was free to file an independent report from the Valley while all government radio and television newsrooms shifted to Jammu. Censorship was subsequently lifted yet with few exceptions, the mainstream press in India, from the very beginning, does not report anything contrary to the 'national interest.' Accordingly, as Arundhati Roy notes, there exists a deep "disconnect between what is actually happening, what Kashmiris know is happening and what the rest of us are told is happening in Kashmir" (Roy 2004).

On the other hand, the independence of Kashmir's press has been frequently threatened by militants. Many local newspapers in Srinagar were caught between the diktats of rival militant factions. In September 1990, the editor of *Aftaab* – one of Kashmir's Urdu dailies, was summoned by a militant group to explain why he had printed the statement of a rival outfit (Gupta 1993). The editor of another local daily *Al-Safa* received similar summons. In 1991, the editor of *al-Safa*, Mohammed Shaban Vakil was shot dead. After the JKLF banned the Srinagar Times during 1993, members of the Hizbul Mujahideen kidnapped the newspaper's manager and forced the proprietor to suspend publication (Gupta 1993). In a throwback to the early 1990s, the offices of Greater Kashmir – a leading English daily from Srinagar – were ransacked in 2006 by a breakaway faction of the JKLF. "Leading the group was the faction's convenor Javed Ahmed Mir and General Secretary Saleem Nanajee... 'You don't know us. We can get you killed,' Nanajee is [reported] to have shouted before leaving the complex'" (Wani, 2006).

Health

Militarisation seriously impaired the state of community health and health care systems in Kashmir. There was a sharp depletion in the number of doctors as Kashmiri *Pandit* doctors fled the Valley and other physicians and surgeons departed for the Gulf. The Soura Institute of Medical Sciences – Srinagar’s main hospital was forced to partially shut down many of its departments for want of specialists. According to Dr.Hameeda Akhtar, State Director of Health Services, there was a shortage of gynaecologists, anaesthetics and surgeons (Munshi 1994). Community health was further undermined by security forces and militants both of whom targeted medical personnel, albeit for different reasons.

In 1992, ambulance services in Srinagar ended when security forces assaulted and killed ambulance drivers. Srinagar’s Soura Institute and the Bone and Joint Hospital was patrolled by members of the paramilitary outfit Border Security Force (BSF). Before mid-1995, the BSF conducted ‘crackdowns’ inside Soura – ordering all staff to be lined up and searched. Since mid-1995, Ikhwan ul Muslimeen forces patrolled the institute together with other security forces with the knowledge of the BSF. Members of the Ikhwan threatened and harassed hospital staff and took suspects to ‘camps.’ Murders of suspected informants by militants include health personnel (Bhinda 1994, 59). The attrition rate for doctors and nurses in Kashmir is high. Women doctors posted in rural areas leave for fear of humiliation by security forces as a result of which there are virtually no medical facilities for women in the countryside (Grim Realities 2001, 41). In the absence of documentation of medico-legal cases, as is the norm elsewhere in India, there exist no records of bullet injury or torture cases in any of Srinagar’s hospitals where some wards were entirely occupied by victims of firing or torture (Undeclared War on Kashmir 1991, 20). It is impossible, therefore, to ascertain the scale of human rights abuse since Kashmir’s descent into violence.

Behind Kashmir’s roll of death is a society profoundly scarred by private grief wrought by the trauma of seventeen years of unrelenting violence. As James

Buchan writes: “Indian officials like to talk of the valley as ‘alienated’ from Indian rule, a euphemism that does not begin to describe the mental condition of the Kashmiris. They are in shock” (1997, 80). Kashmir’s collective tragedy reverberates in the enduring grief of thousands of families who have lost members of their family and hospital records that testify to a dramatic escalation of psychiatric disorders, depression and suicide. “In 1990, a year after violence erupted in Kashmir, outpatients visits to the Psychiatric Hospital Srinagar soared from three thousand to eighteen thousand” (Habibullah 2004, 8). According to a rough estimate provided by a doctor in the hospital for psychiatric diseases in Srinagar, the number of patients used to be around 1,700 annually. At present it is 48,000 people annually. Incidence of Post-Traumatic Stress Disorder (PTSD) – a relatively unknown occurrence in Kashmir – registered a sharp increase (Kashani et al 2003, 27-28).

Women are among the worst casualties. A college lecturer told a citizen’s investigative team: “Kashmir is going through difficult times, especially the women in Kashmir, since there is not a single home that is not touched by the crisis. Women ...have to bear the brunt as they have lost husbands or sons. All of us suffer from a poor mental condition” (Grim Realities 2001, 41). The loss of men is a source of constant agony and trauma. Most of the disappeared were not formally arrested before they went missing; most are young men, with no records of their arrest (Noorani 2003).¹⁵⁴

Records in Srinagar’s Hospital for Psychiatric diseases indicate that the number of people reporting for treatment every week is presently between 200 – 300 people every day with most patients being women aged between 16 to 25 years (Jarudi 2002, 24). Izzat Jarudi quotes an Agence France Presse report according to which two thousand people committed suicide in Kashmir during the last decade (2002, 24). Depression and suicidal tendencies are reported in Srinagar’s two main hospitals. Between them, on average, two to three cases of suicide are registered each

¹⁵⁴ In 2003, Kashmir’s Chief Minister Mufti Mohammed Sayeed informed Kashmir’s State Assembly that a total of 3,741 persons had gone missing *since* 2000. See Noorani, ‘Disappearances in Kashmir,’ *The Economic and Political Weekly of India*, 13 July, 2003.

day (Bukhari 2002). The uncertain situation in Kashmir, trauma, nervous breakdown, poverty and unemployment are some of the stated motivations for suicide (2002).

Socio-Cultural Destruction

Among the worst hit by the ongoing violence are Kashmir's children and youth. According to recent research, there are approximately 80,000 orphans as a result of the ongoing conflict (Kashmir Times 2004).¹⁵⁵ With the virtual collapse of the educational infrastructure in the state, with schools burnt down and parents killed, it is children who suffer the most. Kashmir's youth face a daunting future with unemployment, the lack of meaningful social or cultural activity and a culture of pervasive fear and suspicion that, in turn, induces a crippling lack of imagination and public debate. The lack of avenues for social intercourse for young people restricts social and cultural activity. Kashmir's spectacular gardens and leisure spots remain out-of-bounds for civilians. The road to Srinagar's spectacular *Chashme Shahi* gardens and *Pari Mahal* remains closed to the public. The militant ban on cinemas has been somewhat breached, but people are reluctant to visit cinema houses due to security risks and intense frisking by security forces; most other cinemas remain under occupation by military forces. Kashmir's only theatre – Tagore Hall, Srinagar, remains largely redundant while Srinagar's only boat club at the picturesque Nigeen Lake is home to a contingent of security forces (Kashani et al 2003, 34). "In 1989, Srinagar had seven tomb-makers. Now there are more than twenty-five. All are doing good business" (Ashiq 2004). An Oxfam report on Kashmir quotes a female graduate student of Kashmir University, Srinagar who voiced the broken dreams and stolen future of Kashmir's youth:

I cannot forget those early days of open agitation when Kashmiri people were excited...At that time we did not know that we were going to be crushed, exploited and totally destroyed in every aspect of life... Due to [our] miserable experiences, we have become dead souls. We have lost our childhood, youth and future. Sometimes, I wish I could....die soon (Kashani et al 2003, 60).

¹⁵⁵ Figure cited by Prof. A.G. Madhosh, University of Kashmir in 'Seminar On Impact Of Militancy Concludes: Close to 80,000 Orphans Says It All.' *Kashmir Times*, 27 November, 2004.

Ending the violence – itself a daunting challenge – shall not erase militarisation’s legacy of collective trauma and social disruption that shall continue to haunt Kashmir’s citizens and society in the decades to come. In a public lecture, writer Arundhati Roy quotes a Kashmiri friend who summed up the tragedy of his people: “Kashmir used to be a business. Now it’s a mental asylum” (2004).

Kashmir’s cultural legacy is not immune to the ravages of militarisation. In 1994, in what was widely believed to be an assault on Kashmir’s cultural heritage, the *Madinat Ulum* – a library containing 16,000 priceless books and many invaluable manuscripts in Kashmir’s famous Hazratbal mosque in Srinagar – was burnt down. Two years later in 1995, to the great grief of the Kashmiris, the fifteenth century carved-wood shrine of Kashmir’s patron saint Sheikh Nooruddin Noorani built by Zainul Abedin – medieval Kashmir’s most famous king – was gutted during a gun battle between security forces and militants at Charar-e-Sharief. The shrine housed the graves of eleven saints apart from Sheikh Nooruddin himself apart from relics associated with the Prophet Mohammed.

Civil Society

Kashmir’s leading intellectuals are among the casualties of militarisation in Kashmir. Dr. Jalil Andrabi, founder and Chairperson of the Kashmiri Council of Jurists, used available legal provisions of the Indian Constitution to protect the human rights of Kashmir’s citizens. Between 1990 and 1996, Andrabi filed several thousand *habeas corpus* petitions in Kashmir’s courts on behalf of victims of summary arrest and incommunicado detention. He campaigned for the rights of those detained in prison and those in Kashmir’s notorious ‘interrogation centres’ and sought information from the state on the status of hundreds of ‘missing’ people. Dr. Andrabi was killed by members of the Rashtriya Rifles - a battalion of the Indian Army deployed in Kashmir – just before he was to attend the 1996 session of the United Nations sub-commission on human rights in Geneva. Questions regarding Dr. Andrabi’s killing in the Indian Parliament “elicited vague, evasive replies” (Bose 2000, 102). Dr. Abdul Ahad Guru, an articulate critic of human rights abuses by Indian security forces, a

member of Srinagar's professional intelligentsia and a member of JKLF's Governing Council was killed by the Hizbul Mujahideen in 1993. Sumantra Bose describes his meeting with Dr. Guru's assassin, "I happened to meet Dr.Guru's murderer...He was a pro-Pakistan militant, who regarded the doctor as un-Muslim and a *gaddar* (traitor) for daring to suggest that Kashmir might not axiomatically belong to Pakistan" (2000, 102).

Among Kashmir's most poignant losses is that of Hriday Nath Wanchoo – a retired trade union activist and communist, whose documentation of cases of torture, extra-judicial killings and disappearances made him too dangerous for the Indian state. "Because Wanchoo was a Hindu the government found his work particularly embarrassing; it could not dismiss him as a militant" (Gossman 2000, 273). Wanchoo received death threats from Indian security and intelligence agencies in Srinagar. He too was perceived as a 'traitor' – this time in the eyes of the Indian state. Wanchoo was killed by a militant of the Hizbul Mujahideen – released specifically by the state to execute the killing – who, as Patricia Gossman documents, was subsequently killed by the military (2000, 274).

The killing of Kashmir's intelligentsia – achieved in no small measure by the states of India and Pakistan – functioned to the advantage of Islamist militant groups. Devoid of a political base,¹⁵⁶ and accountable to none, Islamist militancy in Kashmir centres on religion and the gun – aimed at not just the Indian military but also members of the Hindu community and those Muslims who are deemed insufficiently supportive of its ideology. Like political leader Abdul Ghani Lone who paid with his life for criticising the role of foreign militants in 2002.

The tragedy of Kashmir's intellectuals is an enduring, irreplaceable loss for Kashmir's society. Ironically, all of Kashmir's Muslim intelligentsia who fell to the gun subscribed to an inclusive, humane and just vision for Kashmir – a vision for

¹⁵⁶ Armed guerrilla groups in Kashmir have no political party and have a limited following among locals. Surinder Singh Oberoi, 'Ethnic Separatism and Insurgency in Kashmir,' in Limaye et al (eds.) *Religious Radicalism and Security in South Asia* (Honolulu: Asia-Pacific Centre For Security Studies, 2004), p. 177.

which they eventually paid with their lives. Their loss mirrors the depth of the tragedy for Kashmiris – most particularly for Kashmiri Muslims. Surinder Singh Oberoi quotes a Kashmiri Pandit whose remark sums up the tragedy for Kashmiri Muslims:

The Kashmiri Pandits have lost nothing except their homes. We have been able to protect our education and intelligentsia. The Kashmiri Muslims on the other hand have lost their education, their intelligentsia and their leaders – by the gun (Oberoi 1997).

The loss of Kashmir's intelligentsia weakened Kashmir's fragile civil society. The principle of 'impunity' makes Kashmiris lose faith in institutions and institutional process and "nurture a hatred for India that is hard to exaggerate"... They "see only high-caste Hindus bent on turning them into good Indians at any price" (Buchan 1997, 80). On a lesser though no less ruthless scale, the anonymous violence by militants reinforced a culture of fear and unaccountability. Kashmir's political elite on the other hand remain wary of the accountability that a developed civil society would inevitably entail (Imroz 2004, 7). While this in itself is not directly attributable to militarisation, it nevertheless remains the case that as long as militarisation continues, the attention and energies of Kashmir's citizens shall be spent attempting to survive its daily horrors and depredations, with the possibility of developing public accountability and a civic culture remaining a distant dream.

Finally, militarisation in Kashmir continues to extract an intangible, albeit decisive *social* price – a price that is not immediately apparent even as it permeates across the interstices of Kashmir's society. With virtually no safe sanctuaries against the Indian state's counter-offensive, the cruelty and ignominy wrought by a brutal military occupation generated a sense of deep humiliation amongst Kashmiri men. The mosque – a component of Muslim cultural life – consequently transformed into a substitute for civic life. Surinder Singh Oberoi quotes Mirwaiz Molvi Farooq – Kashmir's chief cleric – according to whom: "definitely more Muslim youth are seen in the mosques because the only place where they get some sort of relief or respect after being humiliated by Indian security forces is in places of worship"(2004, 171). Further, as Gautam Navlakha notes, the ban against public gathering of more than

five people (Section 144 of the Indian Criminal Procedure Code) pushed politics into the mosque (Navlakha 2004). As militarisation forecloses the possibility of open debate and people seek refuge in traditional institutions like the mosque and the family, the emphasis on religion and tradition serves to reinforce the social status quo (Kashani et al 2003, 19). The shrinking of democratic space and debate – a consequence of militarisation in Kashmir – thus influences Kashmir's social fabric in significant ways.

In her article on Kashmir, Kavita Suri (2006) underlines the importance of examining the conflict from a gender perspective. According to Suri, a gender analysis must “break down stereotypes of women as passive recipients of conflict...and see them as having an active role. Indeed, many women have acted with courage amid the conflict, deserving praise but going unnoticed even in the eyes of their own people” (2006, 82). Mainstream narratives vindicate Suri's argument, focused as they are on Kashmir's military-militant dimensions. The argument regarding gender however goes *beyond* reclaiming women's agency or highlighting women's 'active' role.

Gender analyses of militarisation illuminate what Zalewski appropriately terms as the “*political* nature of the private realm” (1995, 347) (emphasis added). Gender analyses highlight not just the intrusion of the state (military) into civil society but more particularly the specific targeting of a constituency that the military is legally bound to protect. The penetration of the military into civil society and its simultaneous abuse of female citizens has a long precedent in India. In 1971, in a letter of protest addressed to Prime Minister Indira Gandhi against her regime's violation of women's rights and dignity in Nagaland in 1971, Kuhovi Jimomi wrote: “The sexual depravity of the Indian Army personnel against ...Naga girls is a tactical move of the *Indian army offensive in Nagaland*” (Desai 1991, 81) (emphasis original).

Twenty three years later, there was little change in the illegitimate and extra-legal tactics adopted by the Indian military against female citizens. In the north-

eastern state of Manipur, in April 2004, Thangjam Manorama Devi was picked up by soldiers of the 17 Assam Rifles from her residence and allegedly tortured and raped before being shot dead. In an unusual protest against the sexual abuse and extra-judicial killing of Manorama, a group of Manipuri women stripped naked before Kangla, the headquarters of 17 Assam Rifles in Manipur's capital Imphal on 15 July, 2004. The women waved banners that read: "Indian Army take our flesh, Indian Army rape us" (Gokhale 2004, 5) and shouted: "We are Manorama's mothers" (Laifungbam 2004, 14). In the same year, in his report on the widespread public protests against the alleged rape of Shabnam Rashid and her mother Aisha Begum in Handwara, Kashmir, by Major Vijay of 30 Rashtriya Rifles in November 2004, journalist Showkat Motta notes that Shabnam has become "Manipur's Manorama for Kashmir" (2004)."

Rape and sexual abuse by the military cannot be reduced to 'violence against women' nor must its analytic significance be restricted to making women more 'visible.' Rather, rape by state forces in Kashmir (and elsewhere), must be acknowledged for what it really is: an appropriation of cultural traditions of 'honour' by state agencies in order to inflict defeat through the sexual appropriation of women. In a social context where women are viewed as possessions of 'other' men rape inflicts symbolic, albeit powerful defeat on the 'ethnic other'/enemy. Sexualised violence – informed by cultural constructions of gender – thus functions not just as a *political* weapon against women *and* men but also as a weapon against the 'ethnic other.' Accordingly "some women become victims of gender-based violence not only because they are women, but also because they are *female* members of an ["other"] ethnic group" (Albanese 2001, 1007) (emphasis added).

Finally, gender analyses of militarisation illustrate the transformation of social and cultural realities in ways that reinforce gender hierarchy. Women's increased economic and sexual vulnerability as a result of the loss of male kin members, the political marginalisation of women, together with the reinforcement of regressive gender stereotypes illustrate that militarisation is a process constructed

through meanings of gender. To quote Patricia Albanese again, militarisation plays a role “in re-patriarchalising society and gender relations in general” (2001, 1000).

To conclude, gender analyses are not so much about women as they are about how gender *informs* state military processes. Gender analyses illustrate the intersection between the military behaviour of the state and social constructions of sexual difference. “That there are [sexual] differences is undeniable; but what really matters, in terms of the effects on people’s lives, is how those differences are interpreted and acted upon” (Zakewski 1995, 344). The significance of gender, therefore, derives not so much from ‘adding’ women as from highlighting the public-private dichotomies that construct militarisation as an exclusively institutional/masculine arena. Accordingly, while women’s absence from dominant narratives on Kashmir must, as Suri (2006) rightly asserts, be redressed – the analytic task of gender is not only to make women ‘visible’ but rather, to highlight the *political* salience of sexual difference within the context of militarisation – also the focus of the following chapter.

Chapter 6

Gender and Militarisation in Kashmir

Wars today are called civil, revolutionary, drug, gang, feudal, ideological, but they are linked by the fact that they refuse easy oppositions that had marked, in fact, constituted, the War Story...Low-intensity conflict may spill into a non-militarised zone, but people still need to believe in the separation of space into dangerous front – men's space and danger-free home – women's space...People's beliefs, hopes and needs notwithstanding, the reality, or better the realities, of nuclear age wars fly in the face of such distortions. Those who continue to function in terms of black and white categorisations ...long for a world...that never existed (Miriam Cooke 1996, 6-7, 15).

But the reports are true, and without song: mass rapes in the villages, towns left in cinders, neighbourhoods torched. Power is hideous / like a barber's hands. The rubble of downtown Srinagar stares at me from the Times (Agha Shahid Ali, 2000, 4).

As a discipline concerned with the prevention with war, International Relations' (IR) analyses represent Kashmir as an essentially male arena. Gender is assumed to have little or no significance in a disciplinary hierarchy defined by matters of state security. As Simona Sharoni notes: "the most common trend in the literature on political conflict involves the exclusion of women and gender from the arena of international politics...[and] explained with reference to the public-private dichotomy" (2001, 86). It is not my intention to review the extensive IR literature on Kashmir. Rather, I address what arguably is a significant *limitation* in IR analyses vis-à-vis Kashmir, namely, the exclusion of gender as a category of analysis. At a moment in time when civilians – especially women – are at the centre of military conflict, the significance of gender can hardly be overstated. The attempt to 'secure' the nation-state through military (and nuclear) means in Kashmir, as discussed in the previous chapter, is at the cost of deep insecurity for Kashmir's citizens. In this chapter, I take the analysis further to illustrate how the rituals of state 'security' in Kashmir resonate across Kashmir's social fabric in gender specific ways.

A somewhat similar limitation characterises *political* analyses on militarisation in Kashmir that assume the state as central and gender as a marginal if not an altogether insignificant category of analysis. Yet, as Jill Steans points out, the state is not a static, reified entity, but a dynamic “process in making” embodying the “institutionalisation of social relations” (1998, 68). Accordingly, while both men and women experience state violence, this violence is inscribed and experienced in gender specific ways. As Cynthia Cockburn notes: “In warfare...but also in political terror, the instruments with which the body is abused in order to break the spirit tend to be gender differentiated and, in the case of women, to be sexualised” (2001, 22). If at all acknowledged, political analyses consider rape as part of the *general* violence against civilians. The point here is not that one is superior to the other, but rather that the gender specificity of rape as a crime against women as *women* in a situation of war/military conflict is considered to be “just something men do, as a product, rather than a policy of war” (Catherine MacKinnon 1993, 108; Chinkin 1994, 1). Gender is constructed as a sequel, not constituent of conflict – an assumption that I challenge in during the course of this discussion.

My major argument is that IR and political analyses are based on a ‘state-as-actor’ frame that ignores militarisation’s social fabric *and* gender relations embodying the latter. Both disciplinary frameworks subscribe to the gendered dichotomies of war which, as Miriam Cooke (1996, 6-7) asserts, simply do not exist. Further, as Krishna Kumar notes: “According to the Organisation for Economic Co-operation and Development about 95 percent of the casualties in ...wars are civilians, a trend that alters ...social relations” (2001, 6). A focus on gender does not overlook or deny Kashmir’s external (military-strategic) or institutional (state) dimensions. Rather, it suggests that *the analytic frame* of militarisation must *not* be compartmentalised into mutually exclusive national/international or social/cultural dimensions but viewed and analysed as an inter-related whole. The argument here is that gender is an *integral* rather than a separate category of analysis because “violence at the international, national, and family levels is interrelated” (Blanchard 2003, 1296). Whereas the previous chapter focused on the intersection between militarisation’s institutional and societal dimensions, this chapter illustrates how this intersection is mediated by meanings and constructions of gender.

The salience of gender comes with the important caveat that it is not possible to make generalisations. While men are “the principal victims of ...civil and political rights violations directly associated with armed conflict, the violations experienced by women occur most often in the sphere of economic, social and cultural rights” (Tuft 2001, 140). Violence against women, however, is not *always* gender specific and goes beyond structural inequalities. Women’s choices and opportunities in a conflict situation are determined not just by gender, but also by factors of poverty, political culture, ethnicity and geography, as well as women’s exclusion from political channels within the formal political system and civil society (2001, 140).

Notwithstanding this important clarification, the *political* significance of gender vis-à-vis militarisation cannot be overstated. Gender highlights militarisation as a multi-dimensional, multi-layered dynamic. Remembering and re-inscribing gender in the narrative on militarisation is an act of resistance, of remembering and writing of “experiences that women are not supposed to have had” (Cooke 1996, 5). This experience – in Kashmir (and indeed elsewhere) – highlights a contemporary context characterised by the absence of the conventional dichotomies of war/military conflict where the distinction between combatant and non-combatant or indeed between soldier and citizen is no longer in place.

The following discussion is divided into three sections. The first section focuses on women’s role in Kashmir’s struggle for *azadi* that, I argue, remains hostage to a patriarchal politics. I illustrate how Kashmiri women’s identification with and participation in the struggle for *azadi* is at odds with their marginalisation in formal politics – a contradiction that I ascribe to the gender politics underpinning the movement for *azadi*. The second part of the discussion focuses on the Indian state’s counter-offensive in Kashmir – that is centred at least as much on Kashmir’s men as on male militants – where I highlight the implications of the state’s gendered onslaught against Kashmiri men for Kashmiri women. More particularly, I illustrate how Kashmir’s landscape of dead, disappeared or missing men deprives women of traditional male support and protection – a deprivation that heightens Kashmiri women’s economic, social and sexual vulnerability. I subsequently focus on the

appropriation of rape as a weapon of war by the military in Kashmir – a violation which, I argue, raises crucial questions regarding state legitimacy and accountability. I go on to highlight the cultural politics of militarisation underlying women's changing relationship with Kashmiri men and with society at large and the instrumental use of gender by an Islamist militancy. In effect, I illustrate how militarisation in Kashmir constitutes an “interpenetrating social field” of violence (Warren 2000, 229) that proves to be more detrimental to civilian women than to armed men (Waller and Rycenga 2000a, xviii-xix). By way of conclusion I argue that Kashmir's gender dimensions exemplify the illegitimacy of militarisation in Kashmir where the military targets the very constituency that it is legally bound to protect. The gravity of this crisis, I argue, mandates a re-imagination of the Indian state in ways that can prevent the killing, abuse and rape of its citizens.

Azadi: A Popular Sentiment

[Kashmiri] women have been killed in crossfire, shot in public demonstrations, blown up in grenade explosions or in shelling along the Line of Control (LOC) and raped by security forces, by anti-government militants and by pro-government militants (Manchanda 1999, 30).

There exist two narratives vis-à-vis women in the Kashmir conflict. The first derives from a human rights discourse where women figure as victims of direct (state) and indirect violence that transformed them into widows, half-widows of the disappeared or bereaved mothers of lost sons and orphaned children. The second narrative centres on the conventional patriarchal ideology within the Kashmiri struggle where women symbolise the “Grieving Mother, the Martyrs Mother and the Raped Woman” (Manchanda 2001a, 43). These representations of Kashmiri women as *victims* rather than survivors removes them from the *political* canvas of militarisation even as the imagery of women as icons of motherhood, sacrifice and martyrdom obscures women's instrumental relationship vis-à-vis the movement for *azadi* (Manchanda 2001a, 43-45, 93-96). Neither narrative corresponds with women's subjective experience of militarisation.

The first phase of militarisation during on the early (1990 - 91) years of the popular mobilisation against Indian rule in Kashmir was most visible in the capital city of Srinagar.¹⁵⁷ Among the hundreds of thousands who marched in the streets of Srinagar were women who took an active part during the most spontaneous phase of the struggle. Images of the movement captured women in public demonstrations. Women's identification with the struggle drew them into a public sphere where they were in the forefront of mass protests and agitation on the streets of Srinagar. As a national daily reports:

More and more Kashmiri Muslim women, mainly college and school students are decrying the 'Indian occupation' of Jammu and Kashmir and alleged atrocities by security forces against local people. Thousands of them, in separate groups, poured on to streets in Srinagar on three days last week and clashed with police or made determined bids to march to the United Nations Military Observer's office seeking the world body's intervention to help solve the Kashmir dispute (The Hindu 1990, 7).¹⁵⁸

Rita Manchanda describes Kashmiri women's political resistance that assumed a cultural expression: "Women would break out into a *wanuwan*, the traditional Kashmiri song of celebration, intertwining couplets in praise of local *mujahids* (militants). Cutting across class, mothers, wives and daughters all came out to join the swelling processions which congregated nightly in the neighbourhood mosques...It was an activism rooted in [women's] cultural role as mothers, wives and sisters" (Manchanda 2001a, 51).

Manchanda further notes:

Heavily swathed in burqas or in voluminous head-scarves, mothers, wives and daughters came pouring out into the streets, their voices joining that of the men in the cry for *azadi*....In January 1990, every evening as dusk fell and rivers of people flowed through the streets towards the mosques, women were in the forefront, their voices excitedly shouting, ' *marde mujahid jag ab, vakt shahadat aya hai!*'

¹⁵⁷ It also extended to the smaller towns of Sopore, Baramulla and Anantnag where tens of thousands supported the protests in Srinagar.

¹⁵⁸ 'More Kashmiri Women Turning Militant,' *The Hindu*, 3 September, 1990.

(Oh, you holy fighters, rise and awake! The time of your martyrdom has come) (2001a, 50).

Although this particular articulation centred on a gendered binary of sacrificing mothers and heroic sons, most women did not necessarily have male kin affiliated to militant groups. Rather, their support derived from their *political* solidarity for the movement for *azadi*. G – a student of Government College For Women, Srinagar recalls:

I was young then... I remember evenings walking with my parents in very large demonstrations. No one from my family was a militant or politician but we felt India was discriminating against Kashmiri people....I remember walking as soldiers with rifles looked on. My father supported the struggle for an independent Kashmir because we have suffered so much injustice (G).¹⁵⁹

Writer Sudha Ramachandran quotes a woman from rural Kashmir: “Some of us helped the militants because we had brothers in the militant groups. But most of us helped because we were excited about *azadi*” (Ramachandran 2002).

The populist movement for *azadi* afforded ordinary women the opportunity for political self-expression – an experience that was liberating. M – a senior teacher at Government College for Women, Srinagar recalls the memory of mass protest:

We participated in demonstrations for freedom and self-determination out of a sense of the great injustice and subordination of Kashmir’s Muslims. The historical memory of injustice is strong and is enhanced by the present conflict. I belong to a generation where social norms and conventions were strong and women’s participation in public life was low. The situation [militarisation] in Kashmir changed that, women have been drawn outside...into public roles. I walked with hundreds of women and men in 1990 during protests against the Indian government (M).¹⁶⁰

¹⁵⁹ Personal interview with G at Government College For Women, M.A. Road, Srinagar, 19 March, 2004.

¹⁶⁰ Personal interview with M at Government College For Women, M.A. Road, Srinagar. 22 March, 2004.

Women's roles were not limited to the sphere of public protest. Beyond pitched street battles in the streets and warrens of Srinagar, women provided militants with food and shelter and took care of the injured (Ramachandran 2002). In instances where a young man was picked up by the military, women protested at security bunkers in order to secure his release (Abdulla 2002, 266). Women acted as guards at the narrow alleyways of the city, sounding an alert and blocking the advance of military forces in order to allow militants to escape. There were instances of women using the *burqa* to smuggle arms, explosives and militants, and it was women who organised food supply lines during an unprecedented curfew for over six months during 1991 when it was too risky and dangerous for men to go out (Manchanda 2001a, 52). Rita Manchanda quotes Anjum Zamrood Habib of the women's group Muslim Khwateen-e-Markaz (MKM): "We would visit jailed militants, take them shoes, a shirt, pyjamas, cigarettes and collect funds to bail them out. We did go for training in the use of guns, but we never used them" (2001a, 52). Shiraz Sidhva witnessed women's political resistance against the Indian state in Srinagar: "Kashmiri women picketed the streets of Srinagar and other towns and villages to voice their agitation about rape and killings by the security forces" (1994, 123). Madame Bakhtawar – a member of the JKLF – who was imprisoned for three years told writer Pamela: "I have sacrificed my house and my home, my parents, my life for the organisation, for my land" (Bhagat, Pamela 2002, 270). The multiple roles played by women kept "intact the fabric of family and community which enable[d] the men to go on fighting... Women faltering in the support of the struggle would have seriously crippled the movement" (Manchanda 2001a, 52).

Women's active and assertive public role extended into the domestic realm where traditional gender roles were politicised in the effort to preserve and protect the family against a formidable counter-offensive of the Indian state. Women's roles as mothers, sisters or daughters blended with their role as agents of political resistance. M.J.Vijayan, a human rights activist in Srinagar describes women's extended roles:

A serious crisis developed post 1991. Any man between the ages of 15 – 70 years was considered a militant...many a time women

escaped this stereotyping. Women had to run the family. Most of the men had to go underground...especially in areas like Pahalgam where virtually all men were living in the forest. This was in a place like Pahalgam which is a renowned tourist resort...Women's participation in public protests is interesting not only because they do this in order to save the male members of their family...but also, of late, have started playing the family-running role...So this is also one of the reasons why they come to the forefront of a demonstration...They are now involved with families...the realities of families...More than half the time you are living without the man in the house (Vijayan 2004).¹⁶¹

For women, militarisation in Kashmir created a situation where “the management of survival became politicised” (Manchanda 2001a, 44). Despite women's multiple roles in the movement, there is little public acknowledgement of the same. While the attempt to retain combat as a fundamental and decisive marker of the public-private dichotomy is not unique to Kashmir, its significance relates to the unstated albeit manifest reluctance (of men) to accept women as *political* equals. As C, a (male) supporter of *azadi* opines:

The movement for azadi has the support of women, it has the support of women in my family. Women's participation in the struggle surpassed expectations. We could not have done without it...But women cannot expect similar roles and position as men. It for men to fight battles and women to support them.¹⁶²

Sudha Ramachandran quotes militants belonging to Hizbul Mujahideen, the Hezbollah and al-Jehad who confirm that “there are no women in militant groups...Why the exclusion of women? ‘Because they cannot fight,’ says an al-Jehad fighter. ‘Who will look after the home if they go underground?’”(2002). Yet, as a teacher in the University of Kashmir told Ramachandran: “The basic reason for not allowing women to participate in the armed struggle as combatants is because they are not seen as equals” (2002). It is in this context that we must situate women's absence within the political echelons of Kashmir's militant factions. None of the militant organisations – including the JKLF – have a women's wing. Nor do any of

¹⁶¹ Personal interview with Vijayan, M.J. Coalition of Civil Society, Amira Kadal, 12 March 2004, Srinagar.

¹⁶² Personal interview with C, Habbakadal, Srinagar, 31 March, 2004.

the militant factions have women members in their respective executive bodies (Kashmir Imprisoned 2002, 61). Upon being queried about the absence of women in politics, Javed Ahmed Mir, ex-Vice President of the JKLF told Sudha Ramachandran “women aren’t sure what they want. They don’t have clear ideas” (2003a, 36).

Women’s political activism remains secluded from mainstream politics. Like the women of Khwateen Markaz – a forum of female social workers with a membership of approximately 500 formed in 1986 that undertakes humanitarian work in Srinagar in the wake of Kashmir’s human rights crisis. The MKM joined the movement for *azadi* after the Gowkadal massacre. MKM President Madam Bakhtawar told writer Pamela Bhagat:

Ours is a purely humanitarian organisation...Initially our membership was huge, with people coming voluntarily to join us. There were educated women, doctors, lawyers, who were part of our organisation and supported our cause...We supported the families of slain persons financially; arranged marriages of widows; offered monetary help to orphans to continue their studies and even managed the affairs of the city’s main cemetery at Eidgah.” Public support for the organisation has dwindled because of harassment by security forces and increased governmental pressure (2002, 269).

MKM’s President Anjum Zamrood is currently under state detention. Anjum’s absence, according to the organisation’s Vice President Yasmeen Raja, curtails MKM’s human rights activism – particularly in terms of its investigations of human rights abuse against women in remote rural villages. According to Yasmeen:

We seek to highlight cases of human rights violations against women. As soon as we hear of a case we go there and try to raise the issue in public. However, there is no space for freedom of expression here in Kashmir for as soon as we step out to do so we are arrested. They don’t even care to read what is written on our banners as they are more concerned with stifling our protest. The police bundle us into vans and we are driven away. That is how our protests end. It is

frustrating and disheartening. Sometimes I feel our only crime is to be Kashmiri (Yasmeen Raja).¹⁶³

The MKM claims that there exist hundreds of cases of rape/sexual abuse by the military. The organisation itself is working on 75 cases. The MKM has members in Kashmir's six districts with a main office in Srinagar. It is the only women's group that is a constituent of the Hurriyat Conference (an umbrella of Kashmiri political parties and militant factions) and is aligned with Ali Shah Geelani's Jama'at e Islami party.

The Jamat e Islami – a pro-Islamist political formation – some of whose members support Kashmir's accession to Pakistan – has what it terms female 'close sympathisers' and supporters. No woman however is part of its central executive council (*majlis e shura*) (Sikand 2002, 731). The record of Kashmir's secular parties is no different. The political acumen of Shabnam Lone – daughter of the slain People's Conference leader Abdul Ghani Lone and a lawyer by profession – makes her eminently placed to lead her father's party yet it was eventually her brothers who inherited the reins of the party (Bhagat, Rasheeda 2002). Mehbooba Mufti is an articulate Vice-President of the Jammu and Kashmir People's Democratic Party (PDP) yet her position derives more from her father's political eminence than from any real opportunity afforded by Kashmir's political class to Kashmiri women. Mehbooba acknowledged the marginalisation of women in Kashmiri politics in a public interview during which she noted that "the barriers to women's participation have become almost insurmountable today. Very few Kashmiri Muslim women have permission from their families to join politics. To go and meet all kinds of people – militants and security forces included – without protection is unimaginable for them. As for the active women among the Kashmiri *Pandits*, they have either fled to Jammu or Delhi or are practically invisible" (Chopra 2002).

¹⁶³ Personal interview with Yasmeen Raja, Vice President, MKM, Kursoo Rajbagh, Srinagar, 9 October, 2004. According to the MKM, there are at least 2000 cases of sexual abuse against women. The organisation is working on 75 cases – a copy of which was provided to me. MKM also provided details of 40 women who were allegedly raped in Kunan Poshpora, Kupwara district in February, 1991.

J, a lecturer from the University of Kashmir voices the contradiction between Kashmiri women's political support with *azadi* and their political marginalisation:

Women were expected to and did support the demand and movement for *azadi* but even as we did so it was clear that the social hierarchies were still very much in place...With few exceptions, militant groups are silent or not taking a clear position on issues concerning women – particularly the views of Islamist militants...I am not talking about violence here, but silence. What does it suggest? (J).¹⁶⁴

The contradiction between women's political involvement in the mobilisation for *azadi* on the one hand and women's political marginalisation on the other is a painful one.

A World of Widows

As the counter-offensive of the Indian state targeted the social base of the movement i.e. Kashmir's civilians, "the people feel powerless in the face of the might of the Indian security forces who are no longer hounding militants, but looking upon the entire Kashmiri people as enemies" (Kashmir Imprisoned 2002, 57). Victoria Schofield quotes Mr. Jagmohan, Kashmir's Governor whose perception of the crisis in 1990 confirmed Kashmiri fears: "Every Muslim in Kashmir is a militant today. All of them are for secession from India. The bullet is the only solution for Kashmir. Unless the militants are fully wiped out, normalcy cannot return to the Valley" (Schofield 2004, 154). There was little change in state policy a decade later. Writer Pankaj Mishra quotes a politician who endorsed a mailed fist response by the state: "Kashmiri Muslims only understand the language of the *danda* (policeman's baton). Give the security forces a *free hand* and the Kashmir problem would be solved in two weeks" (2000a) (emphasis added).

The 'national' consensus for militarisation in Kashmir is, in effect, premised on the characterisation of Kashmir's citizens – particularly its young men – as the

¹⁶⁴ Personal Interview with J, Lecturer, University of Kashmir, Hazratbal, 22 April 2004, Srinagar,.

source of the alleged 'threat' to 'the nation.' The identification of Kashmir's male citizens as 'enemies' of the state translated into a chilling offensive against Kashmir's men, marking the beginning of Kashmir's gendered human rights tragedy captured by poet Agha Shahid Ali:

Srinagar was under curfew...Son after son –
never to return from the night of torture –
was taken away (2000, 4).

A resident of Batmaloo, Srinagar told an independent citizens delegation: "they take away young boys and men, and then charge them with being terrorists" (Kashmir Imprisoned 2002, 74). According to estimates, approximately 30,000 men have been killed, with approximately 4000 believed to have "disappeared" or in illegal detention (Grim Realities 2001, 4). The cost of state attempts to reinstate 'authority' in Kashmir is a landscape of dead, missing or disappeared men that leaves Kashmir's female citizens to cope with its economic, social and psychological fallout.

According to the Association of the Parents of the Disappeared (APDP) there exist approximately 20,000 widows in Kashmir and at least 1,000 half widows whose husbands have 'disappeared' with no trace of their whereabouts or existence (DasGupta 2000, 35).¹⁶⁵ Kashmir's landscape is dotted with hamlets and villages of widows. Like Sheikh Mohalla, Ganderbal – "a ten family strong hamlet with eleven widows, thirty orphans and just three men" (Jaleel 2002, 299). Or Dardpora - a village in north Kashmir that lost over a hundred young men and is home to one hundred and twenty two widows and almost three hundred orphans (Jeelani 2002, Khan 2002).

¹⁶⁵ It is difficult, if not impossible to arrive at a definitive figure regarding widows and half-widows. Rita Manchanda cites a figure of 15,000 widows and half-widows. See Rita Manchanda, 'Guns and Burqa: Women in the Kashmir Conflict,' in Rita Manchanda (ed.) *Women, War And Peace in South Asia* (New Delhi: Sage, 2001), p. 46. This estimate is corroborated by Urvashi Butalia who cites a figure of over 15,000 widows in Kashmir. See Urvashi Butalia, 'Introduction', in Butalia (ed.) *Speaking Peace: Women's Voices From Kashmir* (New Delhi: Kali For Women, 2002a), p. xii.

Prolonged, often permanent absence of male family members is particularly detrimental for women from weaker socio-economic backgrounds where the absence of male kin has adverse economic implications especially in cases where the earning member of the family goes missing. In their study on Kashmir, Kashani et al maintain that the lower-middle class was more directly involved in the public mobilisation for *azadi* (2003, 35). For this reason, women from economically weaker backgrounds are particularly vulnerable to, and affected by, the state offensive against Kashmiri men. Facing economic hardship and a lack of social and emotional support, economically underprivileged widows in Kashmir lead a vulnerable and precarious existence.

It is eight years since K's husband Mushtaq Ahmed Khan was taken into custody by the military in 1997. K is 32 years old and lives in a two-room dwelling with nine other members of her husband's family. According to K:

It was 14 April, 1997, late at night. We were sleeping...The soldiers knocked and pushed open this door and came in. They took away my husband Mushtaq. He was not a militant. There was no charge against him...he was simply taken away...I have no idea where he is or what happened to him. I have four children. I am staying with my in-laws but it is very hard since there are ten of us in the family and we are surviving on just Rs.1500 earned by my brother-in-law who works as a daily labourer. I have not received any compensation by the government. I do not have money and cannot afford the expense of repeated trips to government offices. For me this endless wait is killing. I feel my husband must be dead. I just want his dead body and official declaration of his death...I also worry about the future of my children. I would like to work so I can afford to get them educated but I am not educated myself. I don't know how I can earn some money...[cries]. I don't know what will become of us (K).¹⁶⁶

K faces an uncertain and economically insecure future. The state remains unaccountable for the disappearance of her husband – an unaccountability that is not only a source of personal trauma and grief for K and her family but also serves to exacerbate her economic vulnerability. Deprived of economic and emotional support from her husband, K cannot take her present circumstances for granted:

¹⁶⁶ Personal Interview with K, Tengpora, Srinagar, 29 June, 2004.

It is good I can stay here because I cannot go back to my own family. But I am not sure if my brother-in-law will continue to support me after he marries and has his own family...I don't know what lies ahead..."¹⁶⁷

The chances of half-widows remarrying are not bright – especially if they are married to ex-militants. Like R – whose husband Merajuddin Dar – was taken away in a BSF vehicle in 1997. In a dimly lit room with bare floorboards, R tells her story:

My husband was an ex-militant who gave up arms and ran a local grocery shop. In April 1997 he was taken into custody by members of the Border Security Force (BSF) when they raided our home at night. They took him away in a BSF vehicle...I am still waiting for my husband though the military authorities deny taking him into custody. I live in my parent's place now. I cannot continue living with my husband's family. They already have a financial problem because there is little money to feed themselves as they are old and do not work... Besides, I have had to leave my children with my in-laws because I cannot afford to pay for their expenses myself nor can my own family. ...I do not want to re-marry because of my children. What will happen to them if I do? I might lose my children... I feel I should wait for my husband...Maybe he will come back...I went to the army to ask about my husband...One officer threatened to arrest me. Since then, I feel insecure going out of the house. I am unable to decide what to do...I have so many anxieties (R).¹⁶⁸

For Kashmir's 'half-widows' the situation is distressing. Since their husbands have not been officially declared dead, these women are not entitled to ex-gratia payment by the state (that does little to ameliorate women's economic hardship or emotional trauma). Until 1997, half-widows could not consider remarriage due to conflicting interpretations of the mandatory period of waiting under Muslim law (Jaleel 2002, 301-302). The loss of a husband is compounded by fears regarding the loss of custody over children and/or desertion by in-laws. Fayaz Bukhari adds: "More corrosive still is the psychological impact on broken families – constant agony and trans-generational trauma. Over time, these develop into mental disorders" (2002). State silence and inaction regarding the 'disappeared' prolongs and deepens the agony of Kashmir's 'half-widows.'

¹⁶⁷ Personal Interview with K, Tengpora, Srinagar, 29 June, 2004.

¹⁶⁸ Personal Interview with R, Tengpora, Srinagar, 29 June, 2004.

In her analysis of women in Kashmir, Sudha Ramachandran notes that: “Wives, mothers and sisters of militants are particular targets of harassment. They face routine questioning and harassment from security forces...nobody wants to be seen associating with the militants’ families” (2003, 18). Prospects of remarriage for widows or half-widows of militants are the worst since they are directly associated with violence through their husbands. In an article on Kashmir’s widows, Peerzada Hamid quotes Shahzadi, a widow of JKLF slain militant Farooq Ahmed Khan: “widows of militants are not treated kindly, especially if they are not financially independent” (2004, 6).

For other half-widows who have some means of employment, the future is still fraught with multiple anxieties. Like 24 year old Q who is a secondary school graduate. Her husband was an auto-rickshaw driver who disappeared four years ago while driving his auto rickshaw in Srinagar. Q does not have any information on his whereabouts. She thinks he is dead even though his body has never been recovered. Q works as a domestic help to make ends meet:

I earn some money but it is not enough. I have been trying to get compensation from the government but it is a cumbersome procedure. I do not have proof of my husband’s death so my case is not very strong. There is little time for me to pursue this since I will then have to stop working which means I lose whatever income I have at present. I cannot afford to do that. I hope to earn enough money to send my child to school. I don’t want to go back to my parent’s house since they cannot afford to take care of me and my child. My husband’s family is not in Srinagar so I cannot stay with them either. I have to face life alone (Q).¹⁶⁹

Employed half-widows like Q are nevertheless better off than uneducated, unemployed widows in rural Kashmir for whom the loss of a husband can spell destitution. Sudha Ramachandran writes of Sanaullah War – a farmer in Warpora (a village near Sopore, north Kashmir) whose death at the hands of the military left his uneducated and unemployed widow dependent upon her neighbour’s generosity to feed her five children (2003, 17-18).

¹⁶⁹ Personal Interview with Q, Amirakadal, Srinagar, 10 March, 2004.

In a survey of five villages of Kashmir's Baramulla district, writer Sushoba Barve was informed by the state administration that "there were 8,000 applications pending in the file [for compensation] and so the process would take time, and also there was no money...Most of them [widows] were struggling to make both ends meet and were finding the situation extremely difficult" (2002, 253). The figure (8000 in a single district) reflects the scale of the gendered fallout of the state's attempts to impose 'law and order' in Kashmir.

The absence of male support within family and community renders widows ever more vulnerable to predatory violence by men. Peerzada Ashiq describes the dark and depressing world of "Shafiq Badiyari, a 24-year-old half-widow [who] lives with her three children in a one-room Srinagar shanty. By day she works as a maid, and at night, she resorts to the comforting numbness of sleeping pills...The army picked up my husband four years ago and since then he has been missing. Goons come to me and offer money in return for sex, says Shafiq...Many other half-widows [are] forced to turn to prostitution. There are yet others who wish to remarry but find no grooms" (Ashiq 2004c).

A sample survey of widows across Kashmir's six districts conducted by the University of Kashmir found that 86 per cent of widows were either employed or sustained by relatives, neighbours or NGO's (Zahoor 2002). 86 percent of the widows are either unemployed or sustained by relatives and NGO's (2002). Widows cited emotional stress, sexual harassment, social undesirability and as their major social concerns. Widows were also worried about their property rights and the custody of their children. "According to Muslim Personal law, if the father-in-law of the widow is alive, neither she nor her children can claim any share in the family property" (Jaleel 2002, 300). At a personal level widows negotiate loneliness, physical insecurity and social pressures to remarry (Zahoor 2002).

While economic insecurity is the most immediate outcome of widowhood, its social experience is mediated through a sequential gender bias. Widow remarriage although permissible under Islamic law is not always socially acceptable. According

to a Fayaz Bukhari: “Widows are not typically acceptable brides, as Kashmiri society places a taboo on remarriage...About 80 percent of widows are aged between 25-32 years with children below the age of ten. Widows chose to remain single due to fears regarding their children’s welfare...A University of Kashmir study shows that 91 per cent of widows surveyed had not considered remarriage” (Bukhari 2002). When Shobhana Sonpar – a clinical psychologist – asked widows in Kashmir “how their lives were different now, the tenor of their response was that they had to be much more careful *following* their widowhood because they were now that much more likely to be the object of speculation and slander” (DasGupta 2000, 39) (emphasis added).

Kashmir’s landscape of widows is the outcome of a policy of militarisation that pits Indian soldiers against Kashmir’s male citizens and condemns its female survivors to a future of insecurity and trauma. The fate of Kashmir’s female survivors of *direct* violence is, as we shall see, not any less grievous.

A Matter of ‘Honour’

As the political impasse between the Indian state and the people of Kashmir transformed into an illegitimate war between the Indian military and Kashmir’s citizens, the distinction between soldier and citizen and combatant and non-combatant ceased to exist. This effectively meant that the state’s counter-offensive was not confined to the streets of Srinagar but extended into domestic spaces. The home ceased to be a sanctuary and refuge from violence, with women increasingly becoming specific targets of direct violence by the military. Since the 1990 state offensive against militants, rape by the military is a frequent occurrence in Kashmir. Against the aforementioned administrative and judicial paralysis, there exists no reliable information or statistics regarding rape by the military in Kashmir. According to an AsiaWatch/Physicians for Human Rights report on rape in Kashmir:

There are no reliable statistics on the number of rapes committed by security forces in Kashmir. Human Rights groups have documented

many cases since 1990, but because many incidents have occurred in remote villages, it is impossible to confirm any precise number. *There can be no doubt that the use of rape is common and routinely goes unpunished*" (Rape in Kashmir 1993, 3) (emphasis added).

Sukhmani Singh is among the few journalists to investigate sexual violence against Kashmiri women "by the keepers of law and order – the Indian Army and security forces stationed in the Valley...to curb the... terrorist menace." (1990, 33). Upon her visit to Kashmir in 1990, Singh notes: "While villages in the interior have witnessed the highest number of rapes, those [in cities] have not been spared either...Three unmarried sisters from a well respected family in Lal Bazar, a downtown area of Srinagar were carried off to the [military] cantonment and released after two nights of sexual assault" (1990, 34). Singh narrates the experience of women from the village of Pazipora who were pursued and raped by soldiers:

Recounts 50-year-old Saja, whose wrinkled face still bears bluish scars under the eyes: 'They beat me on my head and under my eyes with rifle-butts, but I didn't allow my two daughters to be raped.' But not all women had a Saja to defend them...Twenty-six year old Saba, another victim, sits huddled under in a dingy hut in Pazipora with tears running down her cheeks. 'I want to kill myself,' she cries in a voice choked with emotion. Both her husband and brother-in-law were shot dead by the army shortly before she was raped (Singh, S 1990, 34).

Singh asked Kashmir's Director General of Police (DGP) J N Saksena to explain the incidence of rape in Kashmir. According to the DGP, "All these allegations were made two days after the incidents occurred. Nobody came forward at that time. In addition, a large number of senior officers were present that day, so it was not possible that so many rapes had taken place. We picked out only those we were convinced were genuine" (Singh, S 1990, 35).

DGP Saksena's denial is not based on evidence even as it impugns the integrity of its victims. Nor does official denial absolve the military of sexual violence against women. As Manchanda notes, rape in Kashmir is "neither incidental nor private...security forces have systematically used rape as a weapon to punish,

intimidate, coerce, humiliate or degrade” (2001a, 73). In their 1993 report on Kashmir Asia Watch/Physicians for Human Rights (PHR) confirm the use of rape as a weapon of war:

The security forces frequently engage in collective punishment against the civilian population...Rape is used as a means of targeting women whom the security forces accuse of being militant sympathisers; in raping them, the security forces are attempting to punish and humiliate the entire community” (Rape in Kashmir 1993, 1).

The report goes on to state that there were many more cases of rape than was possible for the organisation to document (Rape in Kashmir 1993, 3). Documented cases of rape indicate official tolerance if not official sanction for rape:

S., about 25, testified that on the night of October 10 she was in the house that was owned by her father-in-law, who is about 70, and his wife...During the night, there was knocking on the door and three soldiers entered and asked, “where are the womenfolk?” ...One soldier kept guard at the door and two of them raped me. They said, ‘We have orders from our officers to rape you. Two raped me and my sister-in-law. Then they left.’¹⁷⁰

G. stated that three soldiers entered her house and took her husband outside. Only one came into the room. He told me, ‘I have come to search you. I told him women are not searched, but he said, ‘I have orders,’ and he tore off my clothes and raped me.’¹⁷¹

The use of rape as a political weapon contradicts the notion of sexual abuse as a *side-effect* of militarisation. The sexual appropriation of women in Kashmir by the military functions as a *cultural* weapon to inflict collective ‘dishonour’ on Kashmiri men and functions as a particularly potent *political* weapon against what the state terms as ‘terrorists.’ In his interview with Sukhmani Singh, DGP Saksena unwittingly confirms the use of rape as a proxy weapon of war against ‘terrorists’:

¹⁷⁰ Testimonies of S, Asia Watch/Physicians For Human Rights, Rape in Kashmir: A Crime of War (New York, 1993), pp.10-11.

¹⁷¹ Testimony of G, Asia Watch/Physicians For Human Rights. Ibid.

Sukhmani Singh: Why is it that the maximum amount of rapes ...have taken place in Kupwara?

DGP Saksena: Because it is a badly infested terrorist area (Singh, S 1990, 35).

In a socio-cultural context where sexual abuse of women is tantamount to the violation of individual and family 'honour', the intended humiliation through rape and sexual abuse finds keen resonance among Kashmiri men. In a moving monologue, N – an ex-militant of the JKLF – speaks of his anguish at Kashmir's tragedy and, in particular, the humiliation wreaked on Kashmiri men through the sexual subjugation of Kashmiri women by Indian soldiers:

We have no tears left, they have dried...It is not possible for me to capture in words what has happened to us as a people...what we feel... The military offensive has crushed us and inflicted great suffering on the people. For me it is not fighting and dying for the cause that is daunting as it is based on the idea of freedom...it is part of the struggle for freedom. I am not afraid of fighting or even death...But when the military use women to humiliate us and the family and the community, it is not possible for me, or for any of us to bear this denigration...soldiers rifle through young women's rooms, take out their clothes and taunt their brothers and fathers... we can only watch and do nothing. There are among us those who have taken up arms, who subsequently heard of their sisters' detention at military camps. That is enough to break anyone. It is easy to pick up the gun as the desire for freedom runs deep and strong within...yet it is very difficult, almost impossible against the risk and danger of sexual retaliation at women. I cannot fight if my sister is humiliated or raped...(long pause) I have not spoken about this to anyone. I share this with you only (N).¹⁷²

N's words illuminate how the appropriation of cultural constructions of 'honour' by the military works with ruthless efficiency in Kashmir. Kashmir's militant movement may have successfully challenged the Indian state and its monopoly over violence yet this resistance withers against the sexual offensive of the military against Kashmiri women. Against the challenge to monopolised violence, Kesic notes, the "everyday violence of patriarchy" goes on (2000, 26).

¹⁷² Personal Interview with N, ex-militant JKLF, at Agence France Press Office, Polo View Srinagar, 20 March 2004.

The use of rape by the military in Kashmir together with its real and symbolic significance for Kashmir's men underlines how militarisation in Kashmir – both in terms of ideology and practice – is gendered. In this context women's subjective experience of militarisation undercuts and dismantles the gendered dichotomies of what Miriam Cooke terms as the "War Story" (1996). State compulsions to retain the 'War Story' are high because "War is perhaps the arena where division of labour along gender lines has been the most obvious, and thus where sexual difference has seemed the most absolute and natural" (Zalewski 1995, 350). Official acknowledgement of the (illegitimate) sexual offensive by the Indian military against Kashmir's female citizens would not only dismantle the gendered dichotomy of the 'War Story' but also undermine the legitimacy of the state in Kashmir where rape by the military "is not a privately-motivated form of ...abuse...but an abuse of power that implicates public responsibility" (Rape in Kashmir 1993, 5). The *political* stakes to keep women beyond the pale of the 'War Story' in Kashmir are therefore exceedingly high. The story of Kunan Poshpora reveals exactly how high they are.

Kunan Poshpora was raided on the night on 23-24 February 1991, during counter-insurgency operations led by soldiers of the 4th Rajput Rifles. According to Amnesty International:

Reports suggest that hundreds of soldiers, many of whom were drunk, arrived at the village around 11 pm. The men were taken from their houses and tortured during the night and interrogated about Kashmiri militant activity while large numbers of women, reportedly between aged between 13 and 80 years old were raped at gun point. The incident came to light through a letter dated 7 March 1991 (No.conf/1956-61) from the local magistrate, S.M.Yasin, to the State Commissioner of Kashmir Wajahat Habibullah. The local magistrate confirmed the allegations after he had visited the village on 5 March. He stated that 'The armed forces had turned violent and behaved like beasts (Amnesty International 1991).

Three months after the actual incident of mass rape in Kunan Poshpora, a Press Council of India team that visited the village declared women's testimonies in lieu of the charge of rape by soldiers of the 4th Rajputana Rifles to be "baseless" and deemed supportive medical evidence as "worthless." The report concluded that

charges against the army constituted “a massive hoax orchestrated by militant groups and their sympathisers and mentors in Kashmir and abroad...for reinscribing Kashmir on the international agenda as a human rights issue” (Rape in Kashmir 1993, 8). As Shiraz Sidhva notes: “From its report it is evident that the Press Council team visited Kunan Poshpora with the intention of absolving the army – it is clear that the victims were invariably suspected of lying and exaggerating. They probably did exaggerate, but that is not the same thing as saying that nothing happened” (Sidhva 1991a, 39). “The Indian authorities” as Asia Watch and Physicians For Human Rights note “have been far more interested in shielding government forces from charges of abuse” than the “integrity of the investigation” (Rape in Kashmir 1993, 8).

Rape by the military exploits cultural constructions of ‘honour’ based on the control of female sexuality and strict adherence to norms of virginity and chastity. By violating the ‘honour’ of women, the military displaces and appropriates the male authority that had hitherto defined and determined this ‘honour’ to inflict *collective* ‘dishonour’ (read defeat) on ‘the other’/enemy. The rape of women in Kunan Poshpora is a powerful symbolic defeat for the men of Kunan Poshpora. Yet, the sequential logic of ‘honour’ *transcends* the military to rebound with cruel irony on its survivors. In a social context where rape survivors rather than their attackers are subject to social stigma and ostracism, the fate of the former can be particularly cruel.

The ruthless social code underlying the politics of ‘honour’ is apparent in the opinion of Kunan Poshpora’s male citizens. The men of Kunan Poshpora lament the fate that befell their women. Yet, as Sudha Ramachandran writes, when asked whether “they would marry women from another village where women had been raped” they were categorical in their refusal; they do not want to marry any women from the “village of raped women.” One of Kunan Poshpora’s young male residents was vehement in his refusal. According to him, “*Yeh to izzat ka sawaal hai*” – it is, after all, a matter of ‘honour.’ “Raped women are thus victimised by more than one aggressor – the rapist and their own society” (Ramachandran 2003, 20). For the

women of Kunan Poshpora the social backlash since 1991 is relentless. Three years after the incident, no marriage had taken place in the village. “All young women – raped or not – were single. All married women who were raped had been deserted” (Dewan et al 1994, 11).¹⁷³ The story of Kunan Poshpora illustrates how rape subverts the mechanism of protection embedded in traditional societies so that women do not have protection from either the state or the men in their lives (Nikolic-Ristanovic 1996, 208).

In 1993, Lt. General D.S.R. Sahni, General Officer Commanding, Northern Command was asked to answer charges of rape by military forces. In his response, he asserted that “A soldier conducting an operation at the dead of night is unlikely to think of rape when he is not even certain he shall return alive” (Rape in Kashmir 1993, 17). When asked to respond to allegations of rape in 2005, Lt.Col.V.K.Batra, Public Relations Officer (Defence), 15 Corps HQ, Srinagar, claimed that allegations of rape are largely propaganda and “98 percent of the cases have fallen through.” Upon being asked his opinion regarding victims where rape had been conclusively established, Lt. Col. Batra sought to trivialise the gravity of the crime by claiming that “rape in Kashmir had lost its social stigma”(Batra 2004).¹⁷⁴ When asked to respond to the incidence prostitution involving members of the Indian army, Lt. Col. Batra offers a novel explanation. According to him “since Kashmiri men have become psychotic after cordon-and-search operations and cannot perform, women have to seek satisfaction elsewhere”(Batra 2004).¹⁷⁵

Colonel V at the Indian Army’s Srinagar Headquarters is more circumspect. On condition of anonymity he admits: “Human rights violations against women do take place.” His explanation however is more of an apology rather than a rebuke. According to him, rape and violence against women is a result of the fact that “our soldiers operate under very stressful conditions” (Col. V).¹⁷⁶ The truth however lies

¹⁷³ Two husbands did take their wives back. One did, on the condition that there be no conjugal relations, the other that he live in the city away from his wife. Dewan et al., *Women’s Testimonies From Kashmir: The Green of my Valley is Khaki* (New Delhi: Women’s Initiative, 1994), p. 11.

¹⁷⁴ Personal interview with Lt. Col. V.K.Batra, PRO, Ministry of Defence, Badami Bagh, Srinagar, 13 March, 2005.

¹⁷⁵ Ibid.

¹⁷⁶ Conversation with Col. V, Station Headquarters, Badami Bagh, Srinagar, 13 April, 2005.

somewhere in between. For as a senior CRPF (a paramilitary outfit deployed in Kashmir) officer admitted to a writer in a moment of rare candour: “Who do you think joins the [paramilitary] forces...? Do you think you’ll be able to pick up a gun and kill? Could you stay away for months from your family earning just a few thousand rupees, risking your life everyday? No you wouldn’t. Only a brute would or someone desperate. We get the worst – the rogues, the thugs, and then we have to play with them, giving them lead and reining them in. It is not easy” (Jabbar 2003, 64).

The politics of ‘honour’ implicate the state and its agencies that suppress, discredit or publicly deny incidence of sexual violence against women in Kashmir. Among others, incidents of mass rape at Chhanpora and Pazipora (1990), Kunan Poshpora (1991), Chak Saidpora (1992), Theno Budapathary Kangan (1994) and Wavoosa in Srinagar (1997) were never officially acknowledged or investigated (Manchanda 2001a, 73). An international human rights lawyer notes in his report that incidents of sexual assault and rape go un-investigated and unpunished because of pressure exerted by military authorities on the local police not to file a First Information Report (FIR) on behalf of rape victims (Vardarjan 1993, 6). In 1990, in Pazipora, a Station House Officer (SHO) who recorded statements and registered the cases of eight rape victims under section 376 of the Criminal Procedure Code came under tremendous pressure from the Superintendent of Police (SP) and the army to close the cases (Singh 1990, 35). More than a decade later in 2001, denial had transformed into defiance. In a testimony to a citizen’s team, three women from Bihota, a village in southern Kashmir testified that they were raped and then taunted by soldiers of the Indian Army’s Rashtriya Rifles: “where are your human rights protectors? They have gone and nobody can now protect you from us” (Grim Realities 2001, 62).¹⁷⁷

Beyond heated debates regarding ‘evidence’ and ‘truth,’ the sexual abuse of Kashmiri women by the military highlights rape as a form of collective punishment

¹⁷⁷ Testimony of three women of Bihota. 1 July, 2001. An FIR (No.59/2001) was lodged at Doda, under section 362,452,382,149 RPC (Ranbir Penal Code). No action has been taken against the accused. *Grim Realities: of Life, death and survival in Jammu and Kashmir* (New Delhi, 2001), p. 62.

(Manchanda 2001a, 73) that dismantles the 'War Story' and underlines how "women's rights are being violated on the grounds of beliefs about gender differences to serve political and social ends" (Zalewski 1995, 344).

For women from underprivileged backgrounds, the physical violence and trauma of sexual abuse together with the social code of 'honour' can function as a virtual prison without reprieve. Like young and beautiful O whose house was raided by the military during July 1999. In a voice choked with emotion and grief in a small, dingy windowless room in Srinagar, O narrates her story:

One night in July 1997 thirty vehicles drew up to my house. Alleging that I and my mother were harbouring militants, both of us were subject to beatings by the military. I was manhandled, administered electric shocks and had my nails prised out [holds out her scarred hands and points to the electric sockets that were used for this purpose]. The military tried to drag me to their camp but were foiled by women from the neighbourhood who raised an alarm. Since that night of torture and abuse, I have developed a heart ailment and had to undergo costly treatment that we can ill-afford (O).¹⁷⁸

It was when O sought to get married that her agony resurfaced:

Whenever I received a proposal of marriage, the neighbours would inform people who came with the proposal that the military had visited my house. These people in turn would speculate about the nature and timing of my torture and the fact that I was alone with ten to fifteen military personnel in the middle of the night. Others would feel apprehensive, fearing similar treatment at the hands of the military if I married into their family. As a daughter-in-law, they feared I could be subject to further physical abuse by the military that would be very humiliating and dishonourable for my husband and his family. None of the men considered me worthy of marriage. Now I have passed the age of marriage (O).¹⁷⁹

¹⁷⁸ Personal interview with O, Gowkadal, Srinagar, 23 March, 2004. Simultaneous translation from the Kashmiri by Tahir Mir.

¹⁷⁹ Ibid.

O ended up marrying a sixty-year-old man that turned out to be disastrous for she is only 27 years old.

Thoughts of suicide crossed my mind. I finally took a loan to pay Rs.50,000 to her husband and end my marriage (O).¹⁸⁰

A wished to file a First Information Report (FIR) against the military but was advised against doing so by three (male) militant leaders¹⁸¹ according to whom “she would face a social problem.” The ‘social problem’ would be O’s presence at a military court to testify against her tormentors – a step, according to her male benefactors, would erode her integrity further and cast her, not the military, as the guilty party. In effect, O’s male sympathisers reinforce the patriarchal logic of ‘honour’ that penalises rape survivors instead of the perpetrators.

In the absence of male protection, and fearful of the impunity accorded to the military, O fears further retaliation in case she chooses to undertake legal action against the military. Despite desisting from taking legal action, O cannot escape the cruel social price demanded from female victims of sexual abuse:

I have become an untouchable...I do not step out of my house for fear of being identified as the woman who was physically tortured by the military....I don’t want to look out of the window... This [she whispered amidst tears] is like a prison for me (O).¹⁸²

For women like F, a husband’s absence not only synonymous with economic hardship and vulnerability but is also a source of deep anxiety at potential sexual exploitation by the military. F’s husband is serving a life sentence in Delhi’s Tihar jail despite, according to her, any criminal record against him. Ill health and prolonged absence of her husband edged her and her four daughters close to destitution. F initially took refuge in a house abandoned by a *Pandit* family. Now she lives in a small tenement provided by her neighbours.

¹⁸⁰ Ibid.

¹⁸¹ Identities withheld.

¹⁸² Personal interview with O, Gowkadal, Srinagar, 23 March, 2004. Simultaneous translation from the Kashmiri by Tahir Mir.

I am wary of the military forces here...I never divulge the absence of my husband. If they come to know my husband is in jail they might come up with an allegation against me and take me in detention. And then who knows what they might do with my daughters? I have to do this just for the sake of honour, to protect the honour of my daughters (F).¹⁸³

The prolonged military occupation of Kashmir comes with the attendant evils of sexual harassment and prostitution – particularly in rural border areas. As Rita Manchanda writes:

Young girls going to school, collecting firewood or grazing sheep and goats, alone, in the border districts, are routinely sexually harassed. There have been many reports of girls who catch the eye of a local officer being called to army camps for interrogation...In Saderkot village in Ganderbal district, 'Hanifa, a schoolgirl claimed that her brother, Gulzar Ahmed Bhat, was blasted with explosives by the army because he refused to co-operate in procuring her for one of the officers at the army camp in Saderkot (2001a, 88).

Women are also targets of rape and sexual abuse by militant groups – a trend that has been reported with increasing frequency since 1991. Dr.Shakti Bhan Khanna, one of Srinagar's Hindu residents who eventually fled Kashmir, writes of her terror and horror at a crowd that attacked her house. Among the attackers were boys she had delivered at the hospital:

As a doctor, I have dealt with both Hindu and Muslim women in Srinagar and here (Delhi). I don't want to give any names but there are a number of Kashmiri Pandit (Hindu) women who have been sexually assaulted and violated in Kashmir. Many of them come to me for help; sometimes they need abortions. I remember a very beautiful young woman who used to teach at a college: the militants sent a message to her husband one day that she should come to a particular place between this and this time, and that they would let her go afterwards. The husband just put her on a plane to Delhi the same day...I receive[d] her at the airport" (Khanna 2002, 181).

¹⁸³ Personal Interview with F, Downtown, Srinagar, 24 March 2004.

The sexual dimensions of militarisation in Kashmir – particularly the incidence of rape – have served to masculinise the struggle. The state offensive against Kashmir's male citizens therefore is not only synonymous with economic, social and sexual vulnerability for Kashmir's women, but extracts a decisive political price. Accordingly, even as Kashmir's gendered tragedy caused many women who were earlier restricted to traditional roles to seek employment, "the other face of the situation [is] the increase in restrictions and control over women in the form of dress codes and proclamations as to how women should behave in public...The question remains as to whether the larger picture is positive" (Kashani et al 2003, 36).

The Cultural Politics of Militarisation

An independent investigative report notes that for Kashmir's society "of all the atrocities committed by the security forces, the treatment of Kashmiri women has embittered the people of the Valley the most" (Kashmir Imprisoned 2002, 56). From being an issue of family honour, rape in Kashmir transformed into a symbol of communal (Kashmiri) 'dishonour.' While Kashmir's militant leaders legitimately highlight the use of rape as a weapon of war in Kashmir, none challenge the patriarchal code of 'honour' underpinning rape or the social code that transforms rape survivors into social exiles.

In a monograph written during his imprisonment, JKLF chief Yasin Malik acknowledges that "women are raped, physically abused, manhandled, tortured and humiliated." These "innocent women," according to Malik, are victims of Indian military forces that condemn them to "lifelong torture and stigma" (1994, 4). That this "torture and stigma" is subsequently inflicted by Kashmir's society (apart from the military) is an issue that Yasin Malik fails to address. As Rita Manchanda notes, the militant movement has established an instrumental relationship with women. "Women have been used in the propaganda battle of the movement but not empowered with respect as contributing to the struggle beyond their traditional roles as self-sacrificing mothers and wives and as victims of rape...Women are marginalised and dismissed by an armed patriarchy" (2001a, 91).

Survivors of rape and sexual abuse by the military face an unsympathetic, even hostile social context at a political *and* societal level. Afsana Rashid describes social attitudes towards rape survivors in Kashmir:

such victims are unacceptable to society and they are treated more or less as prostitutes. Society never forgives them...on the contrary they are victimised by both family and society...Incidents of rape mostly get politicised...that time many people visit the affected person or the family and sympathise but that is all a momentary phenomena...but finally everything ends...they are left to suffer...Outside the Valley, rehabilitation centres and women's organisations come forward to help them to come out of the trauma. But here nobody is willing to help her (2006).

Kashmir's conservative social context and political marginalisation makes it difficult for women to establish informal or formal structures of support.

The state's assault against Kashmir's men has generated a masculinised social environment. As the world's fourth largest military moved to crush Kashmir's militant movement, the latter reasserted control over women. As Rita Manchanda maintains: "men emasculated by a powerful armed enemy, hit back by reasserting control over women" (2001a, 45). This development should not incline us towards the easy albeit facile conclusion of the 'fundamentalist' character of Kashmir's militancy. Rather, the cultural politics of militarisation in Kashmir must be understood in terms of Kashmir's extraordinary human rights crisis that dislodged traditional sites of male authority and control that in turn, reinforced patriarchal control over women. In her presentation during a seminar on Kashmir in New Delhi, a young student from Kashmir noted that:

In this armed conflict...masculine power emerged as all important, men became even more dominating and commanding than usual and [gender] discrimination ...further heightened (DasGupta 2000, 27).

The cost of militarisation in Kashmir therefore begins with its human rights tragedy but does not end there. For extending silently across homes and prisons, offices and

university, military interrogation centres and bazaars, is the humiliation and emasculation of Kashmir's men that extracts an intangible albeit decisive political price from Kashmiri women.

In 1990, one of the smaller militant factions, the Allah Tigers, issued diktats for women to adhere to specific dress codes (veil) and refrain from entering beauty parlours as part and parcel of an "Islamic" campaign that also targeted Srinagar's cinema halls and video libraries (Sidhva 1994, 124). In the same year, leaflets were dropped over the walls of Srinagar's Government College for Women exhorting Muslim women to don the *burqa* and the Hindus to wear a *bindi* (ornamental mark on the forehead worn by Hindu women) (Mattoo 2002, 168). Neerja Mattoo, former teacher and ex-principal of the college recalls:

The gun had not yet been used to enforce it [the burqa] [but] when that happened, the scene in 1990 at the college reopening after the winter break was completely changed. There were hardly any Pandit students and the view was an unrelieved black, not figuratively, but literally. Almost all the girls were now covered in a burqa of that colour, only some out of religious conviction, most out of fear, which was palpable, rampant (2002, 168).

Srinagar's educated elite and student community was a constituency that refused to conform to the dress code and condemned its imposition (Sidhva 1994, 128; Dewan et al, 19-19; Manchanda 2001a, 57-60). H, a lecturer from the University of Kashmir, Srinagar recalls her bitterness and anger at the memory:

Women are not just affected by physical violence. There are other forms of violence too. The dress code by the militants was an insult to our intelligence and dignity. I was opposed to it but it was difficult to voice our dissent in the prevailing atmosphere...It made me wonder about the 'freedom' we were fighting for (H).¹⁸⁴

A letter to the *Alsafa*, a Srinagar daily, symbolised women's resistance to the *burqa*:

¹⁸⁴ Personal interview with H at Hazratbal, Srinagar, 5 October, 2004.

During the struggle for freedom we have witnessed things which have no bearing on the movement. One aspect of this [struggle for freedom] which needs to be focused upon is the movement for the imposition of the burqa...Burqa is a symbol which makes the woman feel inferior....This move to impose burqa is a madness which has consumed young men and girls. It cannot be successful...My brothers, you who are compelling me to wear the burqa on the threat of death, who want me to be faceless ...If I am actually murdered I will call these Islamic fanatics my murderers...If I am made a target of acid and poisonous colour in the name of Islam I will give up this kind of Islam and become a Christian but I will never accept to become a *kala bhoot* (black demon) and live with a sense of inferiority (Butalia 2002, 80).

During a discussion with a group of students at Srinagar's Government College for Women, the group felt that the period of militant diktats was

a time of fear and uncertainty. We faced harassment by the military and felt threatened by the militancy. We were forced to cover our heads with an *abaya* (scarf). Shirts were replaced with *shalwar-kameez* (baggy trousers) (Group Discussion).¹⁸⁵

After the discussion, W – a teacher at the same college narrated her personal experience:

Green colour was thrown at me. I felt very indignant because I was more than decently dressed and the colour was thrown by a young girl. I rang up my brother who was in the Gulf. He sent me a *burqa*. I wore it out of fear and self-respect for precisely three days. Women successfully resisted this imposition (W).¹⁸⁶

Women's reproductive freedoms were the subject of militant decrees. Pamela Bhagat quotes Dr. Bilqees Jamila, Head of the Department of Gynaecology and Obstetrics at Srinagar's Lal Ded Hospital who confirmed that family planning and contraception were reduced to zero due to militant diktat (2002, 291). In her testimony to a women's delegation, a senior head of department from Srinagar's Lal

¹⁸⁵ Group discussion with students, Govt. College For Women, M.A. Road, 23 March 2004, Srinagar.

¹⁸⁶ Personal interview with W, teacher, Government College For Women, Maulana Azad Road, 23 March 2004, Srinagar.

Ded Hospital recalls banners and leaflets opposing sterilisation and abortion that were pasted over the hospital's walls during 1989-90 (Dewan et al 1994, 15).

In her presentation at a seminar on Kashmir, Qurratul Ain, a Kashmiri school teacher summed up the significance of women's resistance and refusal to succumb to social customs alien to the Kashmiri way of life, failing which "Kashmir could have gone the way of Afghanistan" (DasGupta 2000, 20). In the same seminar, "there appeared to be a consensus from among those who had witnessed the conflict first hand that the movement, or at least some vested interests within the movement, had at some point tried to restrict the rights and freedoms enjoyed by the women of Kashmir" (2000, 28). Notwithstanding the enduring influence of militarisation's cultural politics, its socio-economic implications for Kashmiri women are no less significant.

A Socio-Economic Crisis

An aspect that is seldom acknowledged in mainstream writings is the relatively larger number of citizens from Kashmir's lower middle class that are more involved and have therefore borne the brunt of militarisation (Kashani 2003, 35). For these women the loss of a husband or son is particularly devastating and contributes to Kashmir's growing indigent population. The permanent absence of male family members (part of the estimated 60,000 men killed) has resulted in a drop in family income levels and the creation of female-headed households. According to a National Labour Institute report, the proportion of female child workers to the total female workforce in the Kashmir Valley is 45 percent in rural areas and 67 percent in urban areas.¹⁸⁷

Female education has been negatively affected by a general destruction of the educational infrastructure and the occupation of schools by the military. The situation is further exacerbated by the threat of sexual harassment and abuse of minor

¹⁸⁷ Suchita Vemuri, Kashmir Drenched in Women's Tears, Women in Action, No.2, 2001. <http://www.isiswomen.org/pub/wia/wiawcar/kashmir.htm>. Accessed 15 November 2004.

students by the military. Young girls live under considerable insecurity and anxiety amidst a military presence that is particularly pernicious for school-going girls in rural areas. In the district education office of Kupwara, Apu Esthose Suresh, a researcher from Delhi, personally scrutinised bundles of complaints forwarded by the heads of girls' schools about the physical frisking and other forms of humiliation suffered by Kashmiri girls at the hands of the security forces, particularly the Rashtriya Rifles (RR) camped in the premises of rural schools. According to Suresh, "This is not a one-off incident. Kashmiri society being conservative, no one wants to face social ostracism; hence many such cases go unregistered. As such incidents get reported in the local media, the sense of insecurity of the parents has increased. As a direct consequence, the drop-out rate of girls in the last few years reveals an upward trend".¹⁸⁸ Rita Manchanda cites a government survey which indicates the increasing gender gap between male and female dropout rates over a period of time:

Dropout Rate of Schoolgoing 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 1999.¹⁸⁹

The influence of a predatory military presence for college-going women is no less detrimental. A women's team that visited Kashmir noted that "In every area we visited, girls complained that they are being compelled to give up education. The

¹⁸⁸ Barbed Wire Mentality: Indian troops pose a serious threat to the inherent right to life of the child by bringing the child in the line of direct hostilities.
http://etalaat.net/english/index.php?option=com_content&task=view&id=3422&Itemid=2. Accessed 23 January 2008. "A news report was published in 2006 regarding another incident in Singpura where men from II Rashtriya Rifles tried to molest a ninth class student on her way back home from the school, which is just three km away. Later, not only did the girl opt out of school, but so did many of her classmates. Many others, including her teachers, are yet to recover from that trauma...From the available documents there are about 20 schools occupied by the RR alone, out of which 14 are either primary or middle schools. The emotional impact of these incidents is far-reaching. In a study conducted with 536 respondents, with a proportional representation from different parts of the Valley, it was found that 40 per cent of children in the age group of 4 -18 years suffer from post-traumatic stress disorders, fear psychosis and panic. Ibid.

¹⁸⁹ Reproduced from Manchanda 2001, Guns and Burqa, p. 72.

most important reason is the widespread sexual harassment by the (military) forces” (Wounded Valley Shattered Souls 1997, 11). The threat of sexual violence compels many young women to forego education and enter into marriage earlier than usual. A women’s fact-finding commission quotes Mehjabeen, a young 20-year-old college student who discontinued her studies because “it has become unsafe to go to college” because girls are molested in broad daylight (Wounded Valley, Shattered Souls 1997, 10). According to Mehjabeen:

on an average, girls are getting married much earlier because of the fear of getting raped and not being accepted for marriage thereafter. Earlier girls in Kashmir used to get married at an average age of 22 to 25 years. The girls normally studied at least till graduation. However, the situation has now undergone change. The girls do not opt for higher studies but prefer to get married earlier (Wounded Valley Shattered Souls 1997, 9-10).

N, a JKLF ex-militant confirms the trend:

Due to the fear of sexual molestation and harassment parents are anxious to get daughters married. This is not because they wish to get rid of their daughters but due to a pervasive air of tension and anxiety regarding young women’s sexual integrity in a context where women are targets of military forces (N, 2004).¹⁹⁰

While fears of sexual violence among women precipitated early marriages for many women in rural areas, for many others – particularly in urban areas – the average age at marriage has gone up. Peerzada Ashiq quotes a study by conducted by Prof. Dabla, a sociologist at the University of Kashmir according to whom there is a shortage of young men who have been killed, debilitated, arrested or permanently displaced whereas others have joined militancy or left Kashmir for education, business or employment (2004b). According to one of Srinagar’s leading psychologists, the rise in the average age at marriage from 28 to 38 years has an adverse impact on women that is reflected in the rising incidence of female depression, mental disorders and suicides (Bukhari 2002).

¹⁹⁰ Personal Interview with N, ex-militant JKLF at Agence France Press Office, Polo View, 20 March 2004, Srinagar.

A Psychological Crisis

Militarisation's legacy of pervasive violence and collective trauma triggered a staggering mental health crisis in the Valley. The psychological impact of broken families is particularly devastating. Women are known to constitute a high-risk group as far as trauma is concerned with the disappearance or death of a loved one worsening an already terrible situation (DasGupta 2000, 39). According to Shobhana Sonpar, a clinical psychologist who conducted a preliminary assessment of the psychological needs of people in Kashmir:

Women account for most of the cases of depression, anxiety, post-traumatic stress disorders and psychosomatic illnesses. This is because they are targets of sexual harassment and assault. They also carry the burden of having to fend for themselves and their children following the death or disappearance of the husband or son (Ramachandran 2003b, 25).

Journalist Fayaz Bukhari affirms the gender dimensions of Kashmir's psychological crisis:

Records from the out-patient department of Srinagar's Hospital for Psychiatric Diseases show that in the 1980s about 100 people were reporting for treatment every week; today, between 200 and 300 people arrive *every day. Most self-admitting patients are women aged 16-25 years*. Because of the social stigma associated with psychological disorders, doctors believe that no more than ten percent women actually approach the hospital... Out of the 167 suicide deaths registered at the SMHS hospital, Srinagar during 1998, 92 were women and 75 men; in 1999 the total was 208 – 144 women and 64 men. Between April – March 2001, altogether 567 suicides – 377 women and 190 men – were registered by the hospital (2002) (emphasis added).

The climate of fear does not always flow from direct violence but from the uncertainties generated by militarisation. As I, a student at Srinagar's Government College for Women confides:

I am not a religious person. I never used to pray. Yet now I do so five times a day because I fear the future...Life is so uncertain. I could die tomorrow and then there shall be no chance for me to do what I do now (I).¹⁹¹

Other students at the college explained how religion transformed into a psychological refuge in an environment of deep uncertainty: “People have become more religious, with very young people going for the *Haj* pilgrimage” (Group Discussion, 2004).¹⁹² Religion also helps individuals cope with personal trauma and tragedy. The mosque has turned into a safe refuge for men, while women visit shrines to deal with their distress. As a woman told writer Sudha Ramachandran, “We tie these strips of cloth when we go to the wayside shrines to pray and make a wish. Of course most of the time we are asking for peace of mind” (2003b, 27).

The New Militancy

The second phase of the movement marked the decline of the JKLF and the rise of its principal adversary, the Hizbul Mujahideen (HM). The predominance of the HM and other Islamist militant groups that advocate Kashmir’s merger with Pakistan and redefine Kashmiri identity in particularist (Islamic) terms cannot be attributed *only* to HM’s links with Pakistan. A few other factors contributed towards the consolidation of Islamist parties in Kashmir. The first relates to the aggressive promotion of Kashmir as a tourist destination in the early 1980’s that influenced Kashmir’s social fabric and precipitated an Islamic cultural backlash that targeted alcohol and the fashion conscious Kashmiri women (Manchanda 2001a, 57). A rise in prostitution and drug peddling evoked fears that “the valley would become so tourist-oriented that its population would be forced to do anything to pander to visitors” (Sidhva 1994, 131).

Another factor was the close link between the HM and the Jama’at e Islami. Indeed many of the HM cadres are recruits from the latter (Noorani 2000). Most

¹⁹¹ Interview with I at Lal Chowk, Srinagar 14 March, 2004.

¹⁹² Group discussion with students at Women’s College, 22 March 2004, Srinagar.

Jama'at adherents are from Kashmir's educated middle and lower middle-class who wish to purge and reform Kashmir's Sufi¹⁹³ Islam of what in their view are its un-Islamic practices. Without further discussion, suffice to say that there exists an enduring tension between the reformist impulse of the JI that is confined to literate middle and lower-middle class Muslims and Kashmir's peasants and workers who remain loyal to its Sufi traditions. These factors together with continued domination of Pandits at the local administrative level, the rise of militant Hindu nationalism in India and Kashmir's economic crisis that rendered thousands of educated youth unemployed "combined to produce a situation wherein appeals to Islamic solidarity and authenticity fell on increasingly receptive ears" (Sikand 2002, 750).

Apart from these internal factors, three external (Pakistan based outfits) outfits – the Al Badar Mujahideen, the Harkatul Mujahideen (HUM) and Lashkar e Tayyaba (LeT) entered the fray by the mid-1990s. Out of all three, the Al-Badar Mujahideen had fought in Afghanistan against the Soviet Army as a faction of Gulbuddin Hekmatyar's Hizbe Islami and operates solely in Kashmir. "By 1993 these Pakistan-based bodies entered Kashmir as 'guest fighters' and by 1995 came to dominate all others except the Hizbul Mujahideen" (Noorani 2000). The commitment of these groups to doctrinaire Islam, their representation of Kashmir's struggle as an Islamic *jihad* against 'Hindu' India and their hostility to women's rights exacerbated a socially conservative and repressive political context. It was against this backdrop that a women's organisation – the Dukhtarane Millat (DM) or Daughters of the Faith entered the limelight to promote the *burqa* as a symbol of Kashmiri, or rather, 'Islamic' identity.

The DM was founded by Asiya Andrabi in 1987. Asiya is the product of the reformist impulse within middle-class Kashmiri Muslims who perceive Islam in Kashmir to be corrupted by non-Islamic cults and practices. To this extent the DM perspective coincides with that of the Jama'at e Islami which argues for social reform based on what it perceives to be authentic Islamic ideals. As Shiraz Sidhva notes, the Dukhtarane Millat is inspired by its counterpart headed by Rabia Gilani in Azad

¹⁹³ Sufi missionaries from Central Asia and Persia played an important part in fostering a non-orthodox Kashmir Islamic tradition rooted in regional traditions.

(Pakistan administered) Kashmir. Like the Jama'at-e-Islami, the Dukhtarane Millat perceives Kashmir in pan-Islamic terms and dismisses Kashmir's Sufi traditions as "alien" to Islam (Sidhva 1994, 131). Upon being asked by Sudha what *Kashmiryat*¹⁹⁴ meant to her, Asiya's response was categorical: "Kashmiriyat is a rubbish slogan. I believe only in Islam. Kashmiriyat is un-Islamic. It is Indianised culture" (2003c, 34).

The DM was politically obscure during the 1980s. In 1990, the DM gave a call for women to march to the United Nations office that brought thousands of women onto Srinagar's city centre where their peaceful demonstration was subsequently fired upon by the paramilitary battalions of the CRPF and BSF. The organisation utilised the *burqa* as a means for clandestine operations that included carrying arms, acting as couriers for militants and functioning as decoys (Sidhva 1994, 127-128). The DM's claim to fame however did not derive from these activities. Rather, it was the organisation's forceful advocacy of the *burqa* for Kashmiri women during the mid-1990s that propelled the DM into the political limelight.

Historically, the practice of wearing the *burqa* is not part of Kashmiri culture. *Burqa* was restricted to women from the elite (*sayyed*) class who, due to reasons of status and class practised various forms of *purdah* (veiling). At the same time, elite, upper class *sayyed* women – due to their involvement in the movement for political and social reform in Kashmir – benefited from socio-political change earlier than women from lower socio-economic classes (Dabla et al 2000, 30-31, 34-35). Educated upper-class women like Shyamala Mufti cast aside the *burqa* to enter public life. During a seminar on women in Kashmir, Shyamala Mufti described the condition of Muslim women in Kashmir before 1947:

there was stiff opposition to sending girls to school,...the hold of the orthodox ulema [clergy] was strong, *purdah* [veiling] was strictly observed in upper class and middle class families...In the post-1947 period and by the 1960's a considerable number of women had come

¹⁹⁴ A historically determined understanding of Kashmiri cultural identity that transcends religion.

out of the purdah. School and college education became a routine matter and women entered new professions – as teachers, lecturers, doctors, lawyers (DasGupta 2000, 21-22).

Four decades later, Shyamala Mufti's niece, Asiya Andrabi launched the campaign to re-veil Kashmiri women (Manchanda 2001a, 57). Not only is the *burqa* alien to Kashmir's culture but it is also inimical with its daily realities. As a sixty-year-old woman remarked to a citizen's investigative team: "Its alright for city girls who do not do manual work to wear a *burqa* but try climbing a mountainside with a load and see where the *burqa* fits then" (Kashmir Imprisoned 2002, 62).

For Asiya Andrabi however, the *burqa* is the beginning of an Islamic social reform movement that, according to her, could not be imagined during the early 1980s:

To tell you the truth, if you came to Kashmir in before 1981 you would not have seen anyone in a burqa. When I went to buy a burqa in 1981 the shopkeeper told me that now even old women don't wear it any longer so we no longer stock burqas in the shop. If you see the situation today, there are of course not 100 percent women wearing the veil but I would say there are at least 35 per cent...Our movement has increasing support among Kashmiri women and a section of Kashmiri men. The movement is going well despite the fact that I have been underground for prolonged periods...if these restrictions were not there, we would have met with greater success (Asiya Andrabi)¹⁹⁵

The DM's claim to success however seems rather tenuous in the face of criticism and stiff resistance to the *burqa* – particularly in Srinagar. Asiya admits the Dukhtarane Millat's *burqa* campaign has faded. Then, almost as if to deflect criticism, she asserts, "We don't care about public opinion or about the majority. This happens to be our stand."¹⁹⁶ Though the *burqa* is no longer being enforced in the streets of Srinagar, it has nevertheless left a lasting social imprint. A group of college students in Srinagar explained the lingering influence of the *burqa* campaign:

¹⁹⁵ Personal interview with Asiya Andrabi. Khanyar, Srinagar, 8 October, 2004.

¹⁹⁶ Ibid.

In the wake of pervasive violence and disruption of education, many young women – primarily from higher income groups – left the Valley to pursue studies elsewhere. For women from economically weaker sections there was no such option. Women from lower income groups did not have the option of leaving. They stayed on and became perceptibly conservative. Use of the headscarf and burqa increased (Group Discussion).¹⁹⁷

The *burqa* campaign does not confirm Kashmir as a ‘fundamentalist’ struggle. Rather, it reflects how groups like the Dukhtarane Millat (and its paternal patron the Jama’at e Islami) thrive on a climate of harsh military repression to justify the idea of perpetual war. The link between both was captured in a remark made by Asiya Andrabi to a women’s human rights team: “We thank the security forces for their excesses, the more atrocities they commit, the more people will be prepared to take up arms for the struggle” (Dewan et al 1994, 13). For the DM, Kashmir is a religious struggle that shall cease with its territorial incorporation into Pakistan. Against a brutal military occupation and in the absence of an effective political leadership, the pan-Islamist brigade transforms its greatest weakness – the lack of a popular constituency or mandate in Kashmir – into political advantage.

The Dukhtarane Millat’s advocacy of the *burqa* is not *only* about the imposition of a regressive dress code. The motivations underlying the *burqa* campaign are primarily political. They seek to arrest, if not reverse, all that has been achieved by women in modern Kashmir. Essentially, the DM’s vision aims to undo over five decades of qualitative social change due to which Kashmiri women in general achieved “a fair degree of social and cultural mobility” that “challenged the institutional structure of the traditional family” and enhanced women’s participation in public life” (Dabla et al 2000, 35). The Islamist campaign to enforce the *burqa* and its hostility to women’s rights illustrates how anti-state movements can be as authoritarian and patriarchal as the state they oppose. As a movement that challenged state tyranny in Kashmir is appropriated by Islamists, it seeks to impose its own patriarchal hegemony on Kashmir’s women. This shift occurred across a single generation. From the time of Shyamala Mufti (1950’s-1960’s) – an educationist who

¹⁹⁷ Group discussion with students at Government College For Women, M.A. Road, 22 March 2004, Srinagar.

discarded the *burqa* to play an active role in Kashmir's public life – to Asiya Andrabi who campaigns for its revival during the 1990s. In around three decades, as Professor Bashir Dabla at the University of Kashmir, Srinagar, remarked to Mannika Chopra: “Strong and independent women, the rule breakers of the 1950's and 1960's have become targets of their own culture today” (2002). The wistful remark of Neerja Mattoo, ex-principal of Government College, Srinagar, encapsulates the enduring legacy of militarisation's gender politics for Kashmir's women: “Of course the girls are still attending schools and colleges but the air of freedom which we had the good fortune to breathe is gone” (2002, 169).

From Revolt to Jihad: The Struggle Is Corrupted

From 1995 onwards, Kashmir's struggle for *azadi* was overrun by an Islamist militancy that defined Kashmir's struggle in social and religious rather than political terms. This militancy preys upon the economic insecurity of Kashmir's young men to advance its political message and goals. By offering Kashmir's young men “the best opportunity to make money” (Habibullah 2004, 8) the new militancy invests Kashmir's poor, unemployed young men with the power that it arrogates to itself – to kill, extort, abduct and rape. In doing so, Islamists not only blunt the secular edge and moral legitimacy of Kashmir's struggle but also appropriate meanings of gender to advance a regressive and patriarchal social agenda.

For this very reason, its implications for Kashmiri women are fraught with violence and anxiety. A corrupted militancy undermines the movement's moral and political appeal that once drew the spontaneous support of Kashmir's women for what their eyes saw as a morally just struggle. Women are wary of a militancy that is now perceived as corrupt and illegitimate. Y, a shop-assistant in Srinagar reflects on the turn of events in Kashmir:

I know we cannot achieve what we want [independence]. India will never leave Kashmir...We shall never be free. I supported the militancy in 1990. Now I do not even know who they [militants]

are....They too have been corrupted with the passage of time...We don't even know who they are... All I know is they have guns...The struggle is over...(Y).¹⁹⁸

Unlike earlier times when women welcomed militants and provided them food and shelter, growing indiscipline within militant ranks has made women turn their backs on militancy. Women's disillusionment with the militancy has not distanced them from its violence. On the contrary, women's refusal to provide moral and/or material support to the militancy transformed them into explicit targets of the latter. As a student told writer Victoria Schofield: "The lady next door was approached one night by militants who asked for money... In the old days, she would have asked them in and given them food. This time she refused and shut the door in their face. So they pushed the door in and shot her" (Schofield 2004, 173).

In September 2000, militants shot and injured two women in a beauty parlour in the heart of Srinagar for wearing trousers in violation of their self-declared 'Islamic' dress code (Harding 2001). A year later in 2001, a relatively unknown militant group called Lashkar-e-Jabbar imposed a deadline for women in Kashmir to wear the *burqa* after a 14-year-old girl Kulsum Bhat was splashed with acid in downtown Srinagar as she walked home from school, leaving her badly disfigured (Orr 2001). The call to impose the *burqa* was, predictably, supported by the Dukhtarane Millat (DM) who asked for an extension of the deadline in order to allow women to visit the tailors (BBC, 2001). "The tailors in Srinagar," wrote Luke Harding "have rarely been so busy...Over the past three weeks, sales of black cloth have shot up dramatically. These days, virtually all women who venture out onto the streets have their heads tightly wrapped in a "dupatta" or scarf" (2001).

The Islamist offensive is not restricted to cities. Kashmir's rural areas expose women to some of the worst kinds of social and sexual exploitation. In the forested mountain slopes of Surankote (Poonch district), adjoining the border with Pakistan, Muslim women in the twin villages of Marah and Kulali have picked up the gun to resist militants who demand food, shelter and sexual favours:

¹⁹⁸ Personal Interview with Y, Lal Chowk, 7 October 2004, Srinagar.

Militants who would force us to provide them shelter, food and at times to entertain them physically were harassing us physically and mentally. If we opposed them they would commit rapes or kill our family members. We wanted to confront them and the only way to do so was to acquaint ourselves with the basic functioning of guns and grenades...I am proud to fight against... marauders who have cheated us of our dignity and honour, says Shamima Akhter, its 30-year old commander (Gupta 2005).

In her testimony at a seminar on Kashmir, Akhtar ul Nissa narrated the fate of four lecturers in Gulabgarh, Kashmir during 1998, who were gunned down by militants for not obeying their diktat of motivating school going children for joining militancy (DasGupta 2000, 33). Militant groups are also known to abduct women and hand them over to a militant leader. These abductions – locally referred to as ‘forced marriages’ – are subject to a “code of silence and fear that prevents women and people from openly condemning such abuses by militants” (Rape in Kashmir 1993, 16). Shabnamara’s plaintive query at a seminar on Kashmir in New Delhi summed up the tragic irony of the Islamist agenda in Kashmir: “Was this,” she asked, “the kind of *azadi* they wanted for Kashmir?” (DasGupta 2000, 35).

Seventeen years of political repression and unrelenting violence has profoundly influenced women’s lives in Kashmir. At one end is the cruel counter-offensive of the Indian state that has produced a landscape of widows, half-widows, orphans, bereaved families and a ruined society. In the middle stretches the anguish and hardship of economic survival for Kashmiri women against an unresponsive state and a chaotic, often unsympathetic social context. Towards the end of the spectrum is the violence, fear and anxiety associated with Kashmir’s external dimension and its underlying gender politics, namely, the creeping Islamisation that threatens the rights and freedoms of Kashmiri women.

Kashmir’s gender dimensions are part of the consequences of Kashmir’s struggle for justice in Kashmir. As Stephen Cohen notes: “Kashmir is primarily about justice and people” (2001, 211). At the heart of Kashmir’s struggle are those imaginings and longings that are now suffused with unfathomable pain. E an ex-

militant of the JKLF (male) and U, a female JKLF supporter weep as they recall memories of a struggle that has degenerated and slipped well beyond their grasp:

U was there when we started this movement, this struggle...[looks at U]... Some leaders betrayed us. That is why I feel emotional. [cries]... I spent 14 years in prison. We recalled our friends who died, who were our comrades when I was part of the militancy. Friends like Mohammed Siddiq Sofi, Altaf Qureshi, Ashfaq Majid Wani and others. Out of them only some are alive. There are so few of us left from the many who started this revolution. We are alive because we are no longer associated with militancy. That is why we are surviving at present. Otherwise all our friends died...She (U) mentioned their names which made me weep...At that point of time, a lot of wealthy people supported us. What to speak of girls, women, the elderly and children....they all let us in their houses, hid us in their houses. There was no question of shame with young women. There was no hesitation in their support for the mujahideen. But then society has both good people and bad people. Politics is a dirty game....Now when we look back on all that...it is painful (E).¹⁹⁹

Concluding Remarks

To sum up, this chapter challenges the public-private dichotomies, the exclusions and the silences that authenticate IR and political narratives on Kashmir.

Militarisation in Kashmir, as we have seen, breaches the normative boundaries between war/peace, combatant/non-combatant, citizen/alien and, as Miriam Cooke suggests, is a space where “war spills over into life and seems not to be separated from it” (1996, 85). By re-instating “combatants and targets that are rarely officially acknowledged” (Cooke 1996, 29), a gender frame illustrates why “the notions of private and public under military occupation [must] be imagined anew to accommodate the new battlefield that is neither home nor front but both and neither at the same time” (1996, 218). Further, by illustrating the link between state behaviour and social relations, a gender frame illustrates the link between national (and international) military processes on the one hand and gender transformations at a local level on the other.

¹⁹⁹ Personal Interview with E, JKLF office, Maisooma, 2 March 2004, Srinagar.

Militarisation in Kashmir edged India and Pakistan close to war and precipitated a massive military mobilisation to 'secure' Kashmir's borders. Both developments render Kashmiri women ever more insecure and vulnerable to violence by state (and non-state) agencies and discrimination within and beyond the family. A gender analysis of militarisation in Kashmir demonstrates that gender transformations are not incidental but part of the fabric and process of militarisation. A gender analysis reveals how the foundations of national 'power,' 'authority' and 'legitimacy' are built upon violence, terror and human pain.

From being a legitimate instrument of external defence, the military functions as an illegitimate instrument of repression in Kashmir that violates both the rule of law and the rules of war. For precisely this reason, although the military is ostensibly meant to restore state 'authority' and 'legitimacy' in Kashmir, it actually undermines and erodes both. Kashmir's gendered tragedy underscores the illegitimacy of a state that deploys its military to violate the dignity and sexual integrity of its citizens and, by extension, the *illegitimacy* of militarisation in Kashmir.

Withdrawing the military from Kashmir would eliminate the principal source of militarisation in Kashmir and demilitarise Kashmir. Yet, military withdrawal would not remove the alienation that brought the military to Kashmir in the first place. The source of this alienation, as discussed already, derives from a centralised, authoritarian state and its fatal fixation with a single 'national' identity. In this normative hierarchy, the aspirations and longings of Kashmir's people can at best be described as 'separatist' even as militarised repression – ostensibly in the 'national' interest – so flagrantly undermines the principle of legitimacy (of the state). Miriam Cooke quotes Hannah Arendt to underline the inherent limitation of the centralised, unitary nation-state: "Whatever the administrative advantages ...of centralisation may be, its political result is always the same: monopolisation of power causes the drying up...of all authentic power sources in the country" (1996, 95).

The struggle for democracy *in* Kashmir is, at the same time, inextricable from the politics of 'securing' Kashmir without, which, as we have seen, is synonymous

with increased *insecurity* for Kashmiri citizens and increased vulnerability of Kashmiri women to violence and discrimination within and beyond the family. Only by eliminating Kashmiri grievance *in* Kashmir can the Indian state disentangle itself from its sterile and ruinous military and nuclear rivalry with Pakistan *over* Kashmir. *Substantive* (not merely formal) democracy remains the only possible future for a people who have paid so dear a price for it. Democracy in Kashmir would mean the restoration of *full* citizenship rights for Kashmir's citizens. In other words it would mean that democracy's *formal*, participatory dimension involving elections at the local, state and national level is complemented and augmented by its *substantive* dimensions, namely, freeing Kashmiri citizens from violence and harassment from the police and the military, the revocation of repressive legislation, the end of unlawful killings, arbitrary searches and detentions, the restoration of Kashmir's judiciary, the protection of civil rights including the right to freedom of speech and assembly, freedom for Kashmir's citizens to travel within and beyond state borders, the promotion of a free press, and last, but certainly not the least, the initiation of a process of public accountability for Kashmir's human rights tragedy.

The Indian state can secure and affirm the rights and dignity of Kashmir's citizens by relinquishing the unitary, centralised imaginary that has generated an endless spiral of state and societal violence in Kashmir and a bitter military (and nuclear) rivalry with Pakistan. Kashmir's humanitarian tragedy underlines the necessity to develop a plural, non-hierarchical and inclusive concept of the state. By affirming the democratic rights of Kashmir's people and reconciling Kashmiri imaginings within a plural concept of 'the nation,' the Indian state can arrest its domestic and external crisis of militarisation – a theme I take up for discussion in the subsequent (concluding) chapter.

Chapter 7

Conclusion

If you hit a note with power, you cannot sustain it. Therefore you are not strong. It's like Israel. I'm sure it has the capacity to win a war against nearly all Arab states that surround it. But the Palestinian problem is inside, and a powerful army is no use there. So Israel is powerful, but it is not strong (Daniel Barenboim 2006, Conductor, Berlin Staatskapelle)²⁰⁰

One of the most significant developments towards the end of the twentieth century is the changed perception regarding military 'power.' At a systemic (international) level, state military power is no longer synonymous with, or the sole determinant of state power. The decline of the Cold War exposed the shaky foundations of Soviet 'power' built on an unsustainable and brittle military capacity. While the demise of the erstwhile Soviet Union paralleled the emergence of the United States as the pre-eminent military 'power' in the world, the waning influence of a militarily 'powerful' United States in Iraq and Afghanistan symbolises the limits of military power in the contemporary world.

On the other hand, the diminishing effectiveness of state consolidation through military means at a 'national' level is no less remarkable. The replacement of governance with military rule by states across the world – legitimised and affirmed as a measure and function of state sovereignty – precipitated endless cycles of state and societal violence that served to undermine rather than uphold the legitimacy and integrity of the state. Mary Kaldor notes the limits of state military power in the domestic/national context: "Russia cannot control Chechnya. Israel cannot control the Palestinian territories. India cannot control Kashmir" (Kaldor 2005).

²⁰⁰ Daniel Barenboim interviewed by Sholto Byrnes. Sholto Byrnes, 'The Maestro.' *The Independent*, 8 January 2006.

These two seemingly disparate strands of militarisation in the context of India are not mutually exclusive but interlinked. Both are rooted in a cosmology of ‘nation’ and ‘national’ power informed by a “script [that] ma[kes] little distinction between domestic and foreign affairs and promote[s] a highly centralised, concentrated form of exercising power” (Krishna 2001, 55). Paradoxically, military (and nuclear) consolidation without and political consolidation through military means within did not translate into international ‘power’ for the Indian state nor did it eliminate domestic challenges to the latter. Fortified by military and nuclear power, the position of the Indian State *seems* unassailable. Yet, as the tragedy of Kashmir so vividly demonstrates, an extraordinarily ‘powerful’ state backed by the world’s fourth largest military can hold on to Kashmir only through brute force even as its formidable ‘power’ is spectacularly unsuccessful towards eliminating what Daniel Barenboim appropriately terms as “the problem inside.” Before going on to review the limits and dangers of both dimensions of militarisation in India, I sum up the significance of analysing the latter within a *single* historical frame.

To begin with, a historical analysis of militarisation *of* the Indian state illustrates that the consolidation of state military power during the 1947 – 1962 period did not derive from (Western) IR notions of ‘security’ in an ‘anarchic world,’ but from ideas of post-colonial national identity and secular modernity. Further, even though the post-1962 military (and nuclear) build up of the Indian state *was* informed by realist IR discourse, this consolidation, as we have seen, was shaped more by aspirations for ‘power’ than by identifiable external (military) threats to the state (Perkovich 2000, 14, 448).

On the other hand, a historical analysis of what Bowman (2002, 19) terms as the “secondary” aspect of militarisation i.e. the increasing influence of the military in the political life of the (Indian) state, reveals the disastrous legacy of domestic political consolidation through military means. India’s domestic crisis of militarisation does not approximate with its classic variant namely, military dictatorship and/or rule by a military junta as is the case with Latin America or Africa. Rather, militarisation in India represents the dark underside of democracy

where a crisis of state legitimacy prompts state elites to use the military for domestic repression, identify political opponents as ‘the other,’ and appropriate both measures within a hegemonic narrative of ‘the nation.’

The political implications of the gendered sub-text underlying state nuclear behaviour in India (and Pakistan) mandate attention. Nuclear weapons in India have been “legitimised through appeals to a masculinist brand of Hindu nationalism – the ‘we have to prove we are not eunuchs’ triumphant declaration of the Shiv Sena leader Bal Thackeray ...” (Roy 2003, 350). In 1997, Brahma Chellaney – one of India’s leading strategic experts – “likened India’s ‘nuclear option’ to ‘chronic impotence,’ and decried national leaders for leaving the nation ‘naked’” (Perkovich 2000, 458). Runa Das notes the gendered sub-text of nuclearisation: “the ...nationalist agenda, based on Hindutva [Hindu nationalism], not only constructs an ‘internal’ othering vis-à-vis Islam/Pakistan thereby justifying India’s nuclearisation policies, but also represents a cultural rhetoric of masculinisation vis-à-vis gender” (2003, 77). In a chauvinist allusion to his country’s military preparedness vis-a-vis India, Pakistan’s President General Pervez Musharraf declared: “We in Pakistan have not worn bangles [usually worn by women] and we can fight India on our own without any assistance from any other country.”²⁰¹

States’ attempt to ‘feminise’ and by extension discredit and de-legitimise democratic debate regarding nuclearisation, war and security illustrates how notions and constructions of gender inform and legitimise militarisation. “As success of a state, like the success of a man is identified in terms of power, valour ...and aggression” masculinist constructs of the nation “become a proxy for militarisation (Chenoy, Anuradha 2000, 5). Gender critiques expand conventional meanings of militarisation to direct “concern at a pervasive social structure that sustains a war like peace and revolves not only around preparation for collective conflict but also around a war-like politics” (Elshtain and Tobias 1990, x).

²⁰¹ General Pervez Musharraf cited in ‘Keeping the Kashmir Cauldron Boiling,’ *The Tribune*, Chandigarh, October 24, 2001.

In sum, a historical analysis of militarisation in India highlights that the crisis of state legitimacy that underwrites state military (and nuclear) power projection in the international realm is the same that consolidates state power through *military* means in the domestic arena. More particularly, the state that edges India (and Pakistan) close to nuclear war *over* Kashmir is the same that wages war *in* Kashmir. Both dimensions of militarisation are rooted in a profoundly undemocratic political order that views the state as “a centralised governing institution,” and has little regard or respect for “individuals and social groups existing within the state” (Buzan 1988, 16). Essentially, a historical analysis illustrates why the Indian state’s self-projection as a unitary, militarily ‘powerful’ state must not be viewed exclusively in terms of “the security compulsions generated by an anarchic international state system” but in terms of the “domestic-level factors and imperatives that work within the inner spaces of the apparently undifferentiated state-units of system level theory” (Roy 2003, 334).

Centralised and militarised self-perceptions of ‘national’ ‘power’ are, as just mentioned, gendered. Imperial and masculinist constructs of ‘the nation’ are synonymous with military and nuclear consolidation without and a state of war against citizens within. For precisely this reason, India’s external and domestic crisis of militarisation mandates a re-imagination of the Indian *state*. My argument here is not against the modern state as such, but against the imitation and replication of the centralised, unitary, realpolitik version of the state that contains within it the seeds of militarisation and war. Before proceeding with this discussion however, it is useful to review the political and historical legacy of the Indian state that mandates such a re-imagination.

Illusions of ‘Power’

The idea of a militarily “powerful” Indian state that began to take shape during the 1960s was not based on an imminent threat from a rival state in an ‘anarchic’ world. On the contrary, the Indian state’s (external) insecurities flowed from the establishment of new (and disputed) post-colonial frontiers. India’s first three wars

with Pakistan (1947, 1965 and 1971) and her 1962 war with China originated in competing claims to territory and/or national frontiers rather than from (Western) notions of an explicit military threat to the political identity and/or independence of the state (Buzan 1988, 22). The 'insecurities' of the Indian state, in short, are historically rather than militarily determined. The historical legacy of disputed borders that is at the heart of militarisation of the Indian state cannot be resolved through military means. For precisely this reason, the Indian states' acquisition of the instruments of 'security' (i.e. arms and weapons of mass destruction) has neither 'secured' the state nor its citizens but has transformed instead a source of *insecurity* for Indian *and* South Asian citizens.

In effect, the story of militarisation of the Indian state represents "the diffusion and acceptance of [Western] ideas about the proper role of armed forces and modern weapons...that shape the way in which rulers and elites define their interests" (Krause 1996, 182). In the post-1962 period these interests centred on the Indian state's ambition "for recognition as a mini-superpower status in the sub-continent" (Banerjee 1996, 83) and subsequently on perceived notions of "India's rightful place in the world" (Krishna 2001, 54; Gupta 1990, 711). Accordingly, even though the Indian state's decision for Pokharan II (1998) was taken by a Hindu nationalist government, the responsibility for militarisation *of* the Indian state cannot be laid *entirely* at the door of right-wing Hindu nationalism. For much before the fateful nuclearisation of 1998, the Indian state chose to replicate rather than deviate from a mode of global 'power' politics that Jawaharlal Nehru had once roundly condemned. Hindu nationalism imparted a grotesque twist to "imperial" (Samaddar 2001, 70) and imperious constructs of state, nation and political power that have dominated the Indian political spectrum since the post-1962 period.

In an indictment of the 1998 nuclear tests by the Indian state, Vinay Lal writes: "It is one resounding cruelty of our times that no nation-state which refuses to partake in realpolitik and the brutal zero-sum politics of our times can receive much of a hearing" (1998). Lal's condemnation of nuclear power play by the Indian state is justified. His point regarding the Indian state's resort to realpolitik as the *only* means

by which states can expect to “receive a hearing” is, however, misplaced. Realpolitik is *one* but not the *only* means available for states to secure their political interests. In the Global South, states like Brazil, Argentina and South Africa have chosen to renounce nuclear weapons. There is little evidence to suggest that these states are taken any less seriously by member states simply because they are not frontline military powers and/or do not possess weapons of mass destruction.

Further, notwithstanding the fact of unequal representation of the Global South in international bodies such as the United Nations Security Council or indeed, the double-standards of Western states vis-à-vis nuclear proliferation, the Indian state’s decision to *join* the nuclear club in order to *protest* an unequal global order is self-defeating and counter-productive. Nuclearised protest had little effect on the global imbalance of power. This point was underlined by Amartya Sen in his incisive and well-reasoned critique regarding India’s nuclear policy. As Sen notes, “the nuclear accomplishment” of the Indian state does not change “the unjust nature of the world military balance” nor does it “reduce the risk of war (either in theory or practice)” (Sen 2006, 262). Accordingly, while India’s moral resentment against the dominant global order is justified, the *means* it chooses to protest this injustice does not justify the ends.

Furthermore, the consolidation of military power did not help the Indian state achieve its *own* stated strategic objectives. The new nuclear balance between India and Pakistan *reduced* India’s conventional military superiority over Pakistan. Unable to take advantage of its conventional military advantage and mindful of the new nuclear parity with Pakistan that could assume nuclear dimensions, the Indian state had little room for manoeuvre during the 1999 military conflict with Pakistan at the Kargil heights in Kashmir. The acquisition of the ultimate marker of ‘power,’ and ‘security’ did not, after all, translate into military advantage for the Indian state.

Nor did the Indian state’s self-projection as a military ‘power’ place it on an equal footing with China or direct world attention towards India’s supposed security concerns regarding China. As Amartya Sen notes: “There was not much success in

getting recognition for India as being in the same league as China, or for its grumble that inadequate attention is internationally paid to the dangers India is supposed to face from China...China could stand well above India's little grumbles, gently admonishing it for its criticism of China, and placing itself in the position of being a sub-continental peace-maker" (2006, 265-266). In general, the attempt by the Indian state to gain international prestige by acquiring the discredited and outdated symbols of military/ nuclear 'power was at best unsuccessful and at worst, a failure. As an editorial in the Moscow Times advises:

A decade ago, despite the crippling cost of its huge military effort, the Soviet Union took pride in the superpower status conferred on it by its arsenal of nuclear weapons. But one of the key lessons of Russia's recent history is that in the modern world, a country's greatness is not measured by the power of its weapons, but by its economic might. Reluctantly and chaotically, Russia has scaled back its military, looked for negotiated solutions with its neighbours and downsized its costly nuclear strike force. India would do well to pay attention to Russia...The blasts have unleashed a flood of nationalist pride among Indians, who boast that they have now joined the ranks of the superpowers...But down the line, the nuclear tests could cost India just as dearly as militarism once cost the Soviet Union...All this may make hawks in India feel better about themselves, but it is a recipe for costly instability (Moscow Times 1998).

The appropriation of the logic and rituals of realpolitik by the Indian state, as this study illustrates, was influenced by domestic constraints. For perhaps this reason, the Indian state remained oblivious to the fact that nuclear power had ceased to be the marker of state 'power.' As Itty Abraham explains:

International ideas about nuclear power have come full circle...A country acquires neither international respect nor prestige by developing, or continuing to hold nuclear weapons...International public opinion ...is now where India was nearly half a century ago. But India has moved on from its once lofty, idealistic standpoint. India has demanded its right to become a nuclear power just when the atomic age has come to an end, and thus remains an outsider, a spoiler, but for reasons completely opposed to its original purpose (Abraham 1999, 166).

Finally, the economic costs of defining state power in nuclear terms are extraordinarily high. According to Rammanohar Reddy, a noted analyst, the estimated annual outlay of 0.5 percent for nuclear weapons seems small, yet

it is not so – since the costs involved will impose a considerable burden on the Indian government and could result in diversion of funds from priority social and economic programmes... More importantly, a weaponisation cost of 0.5 per cent is equivalent to the annual cost of introducing universal elemental education in India...The question then is of choosing between sending every Indian child to school and acquiring nuclear weapons – both of which are going to make similar financial demands on the government (Reddy 2003, 394-395).

Compelling as this argument is, the “principal argument against nuclearisation” as Sen maintains, “is not an economic one. It is rather the increased insecurity of human lives that constitutes the biggest penalty of the sub-continental nuclear adventures” (2006, 260).

The *domestic* implications of the militarised, nuclearised imaginaire are in effect, an extension of congealed, “imperial” (Samaddar 2001, 70) imaginings of nation and identity whose collective discontents have eroded and undermined the Indian state’s claims to democracy and legitimacy. “Legitimacy,” as Donald Snow explains, “refers to the condition in which the people freely and willingly confer the right to govern to the state...When the consensus is lacking...the result is ...instability and the potential for violence” (1996, 34-35). A brief review of the *domestic* legacy of centralised, militarised ‘power’ is in order.

Democracy, Militarisation and the Indian State

The political imaginaire that endorses militarisation *of* the state is, as this study demonstrates, also the source of India’s domestic crisis of militarisation that endangers the life and liberty of citizens which the state is legally and morally bound to protect. For precisely this reason, India’s domestic crisis of militarisation strikes at

the very foundations of the Indian state and raises important questions regarding the Indian military.

Kashmir exemplifies the gravity of the crisis that flows from use of the military for domestic repression. As Arthur Bonner notes, “Kashmir is like a nation ruled by a wartime army of occupation.” Quoting an editorial in the *Economic and Political Weekly of India*, Bonner highlights precisely why militarisation in Kashmir thoroughly undermines the Indian state’s claim to democracy and legitimacy:

Town after town, not to mention Srinagar, has been put under curfew and the security forces given orders to shoot at sight...In the name of fighting out secessionist militants, those responsible for the governance of this great country are themselves hitting at the very foundations of our democratic republic...A republic does not last by enforced submission of its people at gunpoint. It has just the opposite effect (1994, 249).

Notwithstanding its own specificities, Kashmir is part of a larger crisis of the Indian state that is neither incidental nor transient but a symptom of centralised tyranny whose collective discontents are negotiated through military means. This crisis has crucial implications for not just the citizens of India but also the Indian military. When the Indian military battles Indian citizens in Kashmir or, for that matter in Manipur, Mizoram, Assam or Nagaland, it raises serious questions regarding the legality and morality of the Indian state. As Nandita Haksar notes:

The government has created political problems by its ...policies. When people have protested, the government has sought to block all channels of democratic dissent. When people have had the courage to organise and challenge this injustice, the government has tried to put down their spirit of revolt by brute, military force. And like every other government [that] has tried to solve a political problem by military force, the Indian Government too, has failed. It has only succeeded in alienating more and more people from itself and its armed forces – whether in Nagaland, Mizoram or in Punjab” (1985, 15).

The use of the military as a proxy for civil governance represents political failure on the part of the Indian state. The gravity of this failure is exacerbated by legislative and judicial sanction for Indian soldiers to kill citizens of India. The violation of citizens' civil, constitutional and human rights by an institution of the state that is meant to protect citizens underlines the crisis.

The power and impunity accorded to the military through legislative provisions such as the Armed Forces (Special Powers) Act are inimical with state claims to democracy. As Stephen Cohen notes: "This stunning array of legislation ...has given the military ...considerable power in many affected areas of Assam, Punjab, Kashmir and other states...In some areas the system is no more protective of civil liberties than...martial law" (Cohen 1990, 128). Invested with coercive power backed by legislative decree, Indian soldiers wage illegitimate war against Indian citizens. The fundamental question raised by this crisis is this: is a state that legalises violence against its own citizens a legitimate instrument of governance? Or, as Nandita Haksar puts it:

When the army is deployed to deal with a situation in which the country's own people are involved, the question arises – who is the enemy? Can a citizen of a country be treated as an enemy to be destroyed by its own armies? (1985, 17).

The crisis of militarisation that pits soldiers against citizens reflects the larger contradiction of a state that deprives and denies citizens the rights of citizenship. In a report on what it termed as a state of "Endless War" in Nagaland, Mizoram and Manipur, the People's Union for Democratic Rights (PUDR) underline "*the role of state agencies in the violation of Constitutionally guaranteed rights of the people in this region...*The attempt to win over recalcitrant citizen's loyalty to the Constitution of India cannot be made at the cost of that very Constitution" (PUDR 1986, 610) (emphasis original).

Further, frequent and prolonged use of the military as an instrument of governance raises serious concerns regarding the military itself. Despite the formal

separation between the civil and the military, the latter has come to play “a direct role in the political system through the rear entrance called ‘aid-to-civil-power’” (Cohen 1990, 123). This trend, according to General S.K. Sinha, has grave implications for the military. “The main task of the army,” as General Sinha clarifies, “is to deal with the external enemy and not internal challenges. Its primary role is to defend national sovereignty against external aggression” (1985, 30). General Sinha underlines the dangers of political involvement of the military:

Counter insurgency operations in one’s own country or restoration of law and order are distasteful tasks for a soldier as they involve operating against one’s own nationals...Frequent failures like this will erode the moral authority of the government and the soldier may begin to lose confidence or even respect for the civil authorities. It may give him wrong ideas and a feeling that only the army keep the civil administration going. He may even be tempted to take over the administration. Such a development will destroy the apolitical complexion of the army, which we cherish dearly, as also destroy our democratic polity (1985, 32).

Nandita Haksar quotes General J.N.Chaudhury, former Chief of the Army Staff, who sums up the dangers of a policy of ‘aiding’ civil authority that engenders hostile feelings towards a vital institution of the state: “When the people are alienated from the military, the military themselves get incorrect ideas about their importance in relation to their constitutional role and position. It is really unnecessary to add how undesirable this can be” (1985, 17).

Finally, the tactics employed by the Indian military serve to undermine its own professional integrity as well as the principles on which the military is based. An Asia Watch report on the operative tactics adopted by the military in the state of Assam underlines the point:

The Indian army has conducted massive search-and-arrest operations in thousands of villages in Assam. Many victims of abuses committed during these operations are civilians...Villages have been threatened, harassed, raped, assaulted and killed by soldiers attempting to frighten them into identifying suspected

militants...detainees of the armed forces are regularly subjected to severe beatings and torture. Death in custody has occurred as the result of torture (No End In Sight 1993, 1).

A military, and by extension, a state that uses terror, torture and rape as operative tactics against citizens is at best repressive and at worst illegitimate. 'Law and order' cannot be imposed at the cost of the violation of citizens' liberty and dignity. It therefore follows that the crisis of legitimacy underpinning the Indian state's domestic crisis of militarisation cannot be eliminated unless "we recognise that the biggest impediment in our path is that of 'militarisation' of the state, [that] in turn is the consequence of [the] failure to understand and put into effect the fundamental difference that separate the role and function of the ...military" (Singh 1985, 37). Kashmir's gender dimensions exemplify this failure.

Gender, State and Militarisation

A gender analysis of militarisation in Kashmir underscores the paradox of the Indian state's claim to 'security,' and 'law and order' that, in fact, "have little meaning when the struggle for bodily integrity is a daily challenge" (Zalewski 1995, 348). The prolonged and violent military occupation in Kashmir – ostensibly in the 'national' interest – is, as this research illustrates, a source of pervasive insecurity for Kashmir's female citizens. Militarisation's gender dimensions *in* Kashmir underscore why and how the Indian state "that is supposed to provide security becomes itself the source of insecurity" (Chandhoke 2004, 492).

Kashmir's gender dimensions raise questions regarding the *legitimacy* of state power. As Barry Buzan put it, "If the state itself becomes[s] a source if insecurity for its citizens...does it not thereby undermine the prime justification for its existence?" (1983, 21). Also, the fact that an important institution of the Indian state i.e. the military has transformed into a source of physical insecurity for Kashmiri citizens highlights the contradiction between the Indian state's claim to legitimacy on the one hand and its instrumental use of the military for domestic repression on the other.

Sexual violence against female citizens highlights the paradox of an institution that in principle classifies these citizens as 'non-combatants.' This contradiction symbolises a deeply disturbing reality where the pattern of sexual abuse against women does not merely signify the *general* fact of violence by the military against citizens, but rather, its specific use by the military for *political* ends. In an analysis of the violation of women's democratic rights in India, Radha Kumar and Shoba Sadgopan note the use of rape "as a form or reprisal by the state against a particular oppressed group" (1991, 104-105) that is not a form of individual violence of men against women, [but]...a potent instrument for the intimidation of whole sections of people in which women are specifically the victims of a particularly brutal and dehumanising form of violence. ...The state and the ruling elites have increasingly resorted to the use of violence as a means of systematic repression [against] the growing articulations of the demands of the people both in rural and urban India...It is in this context that one must view the phenomenon of increasing violence on women and more specifically of rape" (Kumar and Sadgopan, 1991, 107). Frequent and widespread use of rape and sexual abuse by the military as a *political* weapon – against women from social groups engaged in resisting state hegemony – exemplifies and magnifies the gravity of India's domestic crisis of militarisation.

The use of rape as a political weapon by the state is linked with the construction of "the one-ness of [the] nation-state [that]...legitimises the maintenance of the state system where direct violence [i.e. militarisation] is the ultimate arbiter of social conflict" (Peterson 1992, 49-50). The discourse of 'the unitary nation' effectively *depoliticises* militarisation's gender dimensions. In the name of 'national' survival, rape by the military is rationalised as an inevitable 'side-effect' of nation-state building and removed from the scope of public accountability. Official silence and/or denial of rape in Kunan Poshpora and the absence of public investigations of rape in Wavoosa, Kangan, Chak Saidpora and Chhanpora reflect how the rhetoric and politics of 'the nation' serve to shield if not exonerate the military of using rape as a political weapon in Kashmir.

Finally, Kashmir's gender dimensions reflect a disturbing trend where state power is increasingly wielded through non-representative and unlawful means. This is not in keeping with Jawaharlal Nehru's vision of India where he pledged "to build a ...democratic and progressive India" (Nehru 1947).²⁰² Although Nehru's vision was democratic, it was based on notion of a centralised state that was reinforced and exploited by right-wing Hindu nationalism. At a moment in time when the idea of absolute sovereignty is no longer sacrosanct, with greater receptivity towards the notion of political legitimacy based on the fulfilment of the obligations of states towards peoples residing within their territories (Deng 1996, 228), the Indian state has a moral responsibility *and* an opportunity to address Kashmir's tragedy. It can begin to discharge this responsibility by returning Kashmir to civilian rule where the responsibility of maintaining 'law and order' is a police rather than military function together with the effective outlawing of human rights violations by the military and the initiation of a process of public accountability where such violations are subject to public and judicial scrutiny. Indeed, as R.B.J. Walker writes, "democracy is the struggle to make the state accountable" (1993, 156).

A democratic state whose legitimacy derives not so much from the notion of 'sovereignty' but through "good internal governance" (Deng 1996, 228) and meeting its obligations to its citizens offers a better chance for its female citizens. If democracy is a struggle to make the state accountable, then public acknowledgement and accountability for sexual violence against Kashmir's female citizens is part of this struggle.

To conclude, Kashmir's gender dimensions underline the need to discard state-centric concept of 'security' that insecures Kashmiri citizens. Militarisation in Kashmir – ostensibly between Indian soldiers and Kashmiri militants and between Indian soldiers and militants from Pakistan – degenerated into an illegitimate war between Indian soldiers and Kashmiri citizens that, in turn edged India and Pakistan close to nuclear war. Militarisation in Kashmir therefore is not *only* about a *domestic* crisis of legitimacy that pits Indian soldiers against Kashmir's citizens. It is also

²⁰² Jawaharlal Nehru: A Tryst With Destiny, August 14, 1947. Great Speeches of the 20th Century. The Guardian, London, 2007.

about a political impasse that reinforces military and nuclear consolidation *of* the Indian (and Pakistani) state. This impasse is rooted in the division of Kashmir – as a result of which state attempts to secure ‘the nation’ on either side can only be at the cost of increased violence and insecurity for Kashmir’s divided citizenry.

Kashmir’s humanitarian tragedy underlines why the concept of military security is deeply flawed because it has failed to achieve its primary objective namely, the security of citizens. The idea of military security, as mentioned already, derives from the project idea of the Westphalian nation-state – that, as we have seen, is also at the heart of militarisation *in* Kashmir. For precisely this reason, it is imperative to re-imagine the Indian state in ways that complement rather than contradict the security and aspirations of Kashmir’s citizens.

Re-imagining India by re-imagining Kashmir

The history of the Indian state as we have seen does not correspond with the normative ‘realist’ understanding of the state as an unproblematic *unitary* given. The emergence of the Indian state was not a politically neutral event. As Sumanta Banerjee notes: “In talking about militarisation in India we need to remember that it cannot be considered in isolation from the fact that the Indian state was born of violence, and that violence still continues to dominate its society” (1996, 81). While the issue of collective violence that marked the emergence of modern India falls beyond this discussion, its relevance here relates to the political *legacy* of this violence. Even as the modern Indian state is a historical reality, militarisation *of* the Indian state is largely, if not entirely, linked with the Indo-Pak rivalry over Kashmir *and* the particular *form* the modern Indian state assumed – both of which, in turn, influenced militarisation *in* Kashmir.

Further, the *territorial* fault lines that define and affirm the sovereignty of the Indian (and Pakistani) state are the same that fragment and divide family, community and society in Kashmir. Kashmir, in other words, confounds the inside/outside

dichotomy of normative, territorial sovereignty. A “border” that is supposed to demarcate the difference between inside (citizen) from the outside (alien) in Kashmir is, in effect, the *source* of the problem for the citizens and community it divides. A vignette in *The Asian Age* – a national daily – captures the accumulated history of pain that underpins the stately “Line-of-Control” (LOC) between India and Pakistan:

Thousands of people kept apart for nearly a generation by the heavily fortified frontline between India[n] and Pakistan-occupied Kashmir saw each other across a raging river ...in the biggest family reunion since a ceasefire was declared two months ago. Weeping and wailing men, women and children lined up along opposite banks of the Neelum river that divides this corner of Kashmir between India and Pakistan...They were not able to cross to embrace each other, and could barely make themselves heard over the fast-rushing waters. But they were close enough to throw letters weighted with stones across the twenty-metre-wide river to family members and friends...From the Pakistani side, Hajra Bibi, 26, held her one-year-old son up for her mother, on the opposite bank, to see for the first time. ‘My mother is standing over there on the other side and I haven’t seen her in fourteen years,’ Bibi said between sobs. Across the bank, three men held Bibi’s mother back as she tried to jump into the dangerous icy waters and forge her way across to her daughter and grandson. The highly emotional scene encapsulates the despair of the 56-year-old division of Kashmir...The cold, persistent rain barely dampened their enthusiasm. About 1,500 people converged at the water’s edge on the Indian side. Some 600 people gathered on the Pakistani side. They threw gifts and letters across the water...Mohammed Karim, 50, hurled a coconut from the Pakistani side to his brother on the Indian bank. Mohammed Majid nearly fell into the water, but managed to catch the gift. ‘This was only a coconut, but its more than the whole world to me, because I have seen my brother after fourteen years,’ Mohammed Karim said...A day will come when we will speak with each other close-up (Mughal 2004, 1).

Kashmir is not the only space where state claims to territorial sovereignty mask the history that precedes this claim. Sankaran Krishna notes a similar predicament on the eastern frontier of the Indian nation-state:

Hoseb Ali, a resident of Nabinnagar village in Nadia (a district in West Bengal, India), sat in his courtyard, lit a *bidi* [cigarette] and gently tossed the matchstick away. The matchstick, still

smouldering, landed in Bangladesh. ‘Uncle, come over, I have something to tell you,’ he shouted. Hoseb Ali was calling his maternal uncle, Emdadul, to discuss the up-coming village-level administrative elections being held in the state of West Bengal. They were neighbours but it so happened that the international boundary between India and Bangladesh cut across their courtyard, rendering them citizens of different countries” (1996, 205).

The division of the Kashmiris between the ‘independent’ and ‘sovereign’ states of India and Pakistan (or indeed, as the example of Hoseb Ali illustrates the division of the Bengalis between India and Bangladesh) indicate just why the post-colonial nation can never fit within the borders of the post-colonial state. The misfit between state and nation is the fateful inheritance of the modern nation-state in India (and indeed in Pakistan). ‘National’ frontiers in Kashmir are the root of an ‘insecurity’ defined not so much by an ‘anarchic’ world of rival states, but by the longings and imaginings of a sub-national community divided by militarised, nuclearised borders and competing nationalisms. And it is precisely *because* these longings do not correspond with the ‘national’ narrative of the modern state that the latter seeks to submerge or eliminate the former. Militarisation becomes the only means to narrate and assert the nation. As Itty Abraham explains:

The post-colonial nation can never be contained within the territorial limits of the state. [Hence] the obsession with boundaries. The clearest way to resolve these intrinsic doubts is through state violence....As a result, the potential for state violence is never restricted to the realm of the outside, as the precepts of international relations would have it, but must spill into the borders of the country in the process of making them” (1999, 19; Walker 1993, 151-152).

Six decades of nation-state building and four wars down the line have prolonged but not effaced alternate imaginings of Kashmir’s people on both sides of the Line of Control. It is these imaginings – not the bordered, militarised version of the Westphalian state – that must form the basis of a new imaginary that steers the Indian state away from its violent and tragic impasse. This is not to suggest the elimination of state borders as it is to propose that the obsession with borders and boundaries that is being played out in blood in Kashmir must end. This obsession involves not just citizens but also soldiers. Amidst the icy peaks of Siachen, at a

height of 22,000 feet, Indian soldiers guard the frontiers of 'the nation' in what is acknowledged to be the world's highest battleground. "One in two soldiers posted to Siachen will die" (Krishna 1996, 200).

In order to re-imagine and rework its way out of this impasse, the Indian state must relinquish its pursuit of the script that is at the heart of the impasse. "This script" as Sankaran Krishna explains:

is the story of the making of the nation...The master narrative of Europe becomes the script or recipe for the unsuccessful production of the nation-state from recalcitrant peoples, religions, regions, tribes, languages and other rubrics of identity...This modulation and dissemination of reality is central to the emergence of post-colonial nations and their conceptualisations of the past and desired future. It is ...the key step in the normalisation of violence that accompanies the making of the nation" (2001, 45).

The construct of the unitary nation disregards India's plurality and diversity even as it places great emphasis on what Banerjee appropriately terms as "the doctrine of centralisation through repression" (1996, 94). A unitary state monopolises central power in ways that heighten the contradictions in India's complex social structure. The perceived sense of injustice by citizens that flows from coercive centralised domination is treated as a "law and order problem" and negotiated through military means. A wide range of citizens are deemed (by the state) to be beyond the pale of 'the nation' and therefore undeserving of civil and political rights. The violent pacification of minorities that a unitary state entails objectifies entire communities and the violence done to them, even as the ambitions and compulsions of power that underpin this violence remain insulated from democratic scrutiny. In this political hierarchy, 'the nation' can only be forged through the rituals of war.

A 'national' narrative that normalises "violence as an inevitable and indispensable part of producing a nation" (Krishna 2001, 56) cannot be the foundation for as diverse and plural a society as India. It can only culminate in what Krishna aptly terms as "the national cul-de-sac" (1992, 859) whose collective

discontents have been documented in depressing detail by human rights groups in India (Desai 1986, 1991). The Indian state must re-imagine itself in ways that reflect its own historical, cultural and political realities rather than be tied to a fictive homogeneity “predicated on the belief that each unit of territory is ideally occupied by a singular conception of the national citizen” (Krishna 1999, 230). In other words, the Indian state must accommodate and absorb alternative affiliations and identities accumulated and sustained through history instead of seeking to destroy or discredit them. As India herself (rather than Europe) becomes the basis for scripting a national imaginary, the nation can be ‘unified’ not just by the modern concept of citizenship but also by a *plural* ethos and imaginary that is a defining characteristic of India herself. By renouncing its ill-fated imitation of the unitary nation-state, the Indian state can embark on a new phase where its history shall not be reduced to “the struggle to produce citizens out of recalcitrant peoples” (Krishna 1999, 194) but encompass and reflect the energies and achievements of a democratic, multi-cultural state.

A plural concept of nation and identity shall be premised on a “commitment to creating a society that does not anoint some communities as mainstream or more authentic and others as peripheral and alien” (Krishna 1999, 243). The articulation and assertion of Kashmiri cultural identity in the new imaginary shall, accordingly, not evoke a disciplining response but be accommodated and absorbed within a non-hierarchical, egalitarian vision of the nation-state. As S.P. Udayakumar put it, “the ideological basis of Indian unity will be possible only if we respect these diversities and allow each one of them to flourish” (2001b, 192).

This re-imagination necessitates a rejection of normative, abstract prescriptions for nation-state building that legitimise and objectify what can only be termed as “cycles of violence and murder” on a grand scale (Krishna 1999, 859). Such an imaginary would necessarily reject Mohammed Ayoob’s prescription of coercive nation-state building where “Third World state-makers need ...time and a relatively free hand to persuade, cajole and coerce the disparate population under their nominal rule to accept the legitimacy of [the] state...” (Ayoob 1996, 73).

Kashmir is one among several regions and communities torn apart by the ‘free hand’ of the state. Instead of cohering ‘the nation,’ the long, ‘free’ hand of the state proved extraordinarily divisive and ended up generating its own worst nightmare – separatism and/or demands for secession.

Veena and Sunita – two Pandit sisters from Pulwama who live in Srinagar – vindicate the need for a non-‘national’ vision of the Indian state:

We would like to live in India if Kashmir goes to Pakistan...We cannot identify with a religious state. However, if independence is an option then we would like to go with Kashmir. If there is a choice between India and independent Kashmir, *we go with Kashmir because we are Kashmiris* (Veena and Sunita) (emphasis added).²⁰³

Veena and Sunita’s views illustrate that the modern Indian state has not erased or diluted people’s identification with and allegiance to (Kashmiri) cultural identity. This is not a failure of the state but an indication that the modern concept of citizenship must accommodate and reconcile parallel cultural and ethnic affiliations that do not fit narrow and exclusivist constructs of ‘the nation.’ As Hindu citizens of Kashmir, Veena and Sunita share a cultural affinity with India, yet they would choose Kashmir, not India, in the event of a choice between both. Their views illustrate why any new construct of the Indian nation-state must seek to *accommodate* rather than eliminate forms of self-identity and community that long predate the Indian state’s short and exceedingly violent ‘national’ history. A decentralised, democratic federation of India is the best safeguard against state tyranny and its ill-fated attempt to produce ‘nation’ and ‘citizen.’

Kashmiris’ desire to chart a future *sans* the Line of Control – like Hajra Bibi and Mohammed Karim – mandates a new political imaginary that transcends national/constitutional legalese and the conservative geo-politics that have imprisoned a people’s imagination within the bordered, militarised and nuclearised version of the nation-state. The longings of Hajra Bibi and Mohammed Karim or

²⁰³ Personal interview with Veena and Sunita, Barbarshah, 7 July 2004, Srinagar,.

indeed the views of Veena and Sunita represent symbolic defeat for the present status quo even as they plead for a political imagination that sheds obsolete, hierarchical forms of the nation and thinks “of reconciliation, justice and accommodation” (Samaddar 2001, 70).

Finally, important and urgent as decentralisation and pluralism are, the crisis of militarisation in and over Kashmir, as already mentioned, is inter-linked. The problem that appears to be *inside* is, in effect, inextricable from the outside. The ‘Line of Control’ in Kashmir that demarcates India from Pakistan contradicts rather than conforms to the inside/outside, domestic/foreign, citizen/alien antinomies that is the basis of “the entire hegemonic discourse of an insecurity-centred statist international relations” (Krishna 2001, 45). A new imaginary necessitates the acknowledgement of the existence of “domestic community” (2001, 45) beyond national borders and, by extension, an acknowledgement of the fact that the territorial frontiers of the Indian state – upon which rest its claims to sovereignty, legitimacy and monopoly over the means of violence – are as much of a problem as the construct of ‘the nation’ within. Kashmir calls for a re-imagination of a present status-quo that is the source of violence, collective pain and a ruinous military and nuclear rivalry.

Outside as Inside: Bridging the Inside/Outside Dichotomy

Kashmir is important, particularly for Pakistan and India, in that it is the symptom of perpetual crisis, the rallying cry used to gain weapons of horror, diverting funds from education to war and creating a syndicated Hinduism and an extremist, hard Islam. Solving the problem of Kashmir would...begin a process of reconciliation, of peace, and ...the creation of positive cycles of trust, cultural exchange and economic interdependence (Inayatullah 2001, 180).

In an article on the predicament of South Asian states, Ziauddin Sardar writes how the construct of ‘national identity’ has submerged within it the sense of community that is “essential for traditional and ethnic societies to survive...When India and

Pakistan became nations they ceased to be communities – and therein lies the essence of the South Asian turmoil” (1992, 944). It is this sense of community that drives Kashmiri imaginings on both sides of the Line of Control – imaginings that are harshly suppressed because they threaten the ‘national’ narrative and the citizen/alien dichotomy – so central to the unitary, ‘national’ narrative of the India (and Pakistani) states.

Kashmir calls for a restorative and accommodative political imaginary. Such an imagination means that India (and Pakistan) relinquish a six-decade long legacy of competing nationalism fortified by military and nuclear power that proved to be politically divisive, economically ruinous and ethically barren. By accommodating Kashmiri aspirations and, and by extension, securing the dignity of Kashmir’s citizens, the Indian (and Pakistani) state/s can, as Eqbal Ahmed suggests, chart a different future:

To become prosperous and normal peoples, we must make peace where there is hostility, build bridges where there are chasms, heal where there are wounds, feed where there is hunger, prosper where there is poverty. Kashmir is the finest place to start, and not merely because it is the core of the Indo-Pakistan conflict. Our histories, cultures and religions have converged in Kashmir. Our rivers begin there, mountains meet there, and our dreams rest there (1996, 24).

After six decades of attempting to submerge India’s multiple nationalities and plural identities within a dominant and hierarchical ‘national’ imaginary, it is time for the Indian state to ease its suffocating monopoly over constructions of ‘the nation.’ Kashmir is the best place to start. Not only, as Eqbal Ahmed suggests, because Kashmir is at the core of the India-Pakistan dispute but also because only a restored Kashmir can, in turn, restore a community and a sub-continent torn apart by war, militarised borders, nuclear weapons and a six-decade long “Line-of-Control.” Once Kashmir’s citizens secure the justice and dignity they so richly deserve, India and Pakistan can emerge from their mutual abyss of violence to chart a new future – not as rival states or ‘enemies’ that need to ‘secure’ themselves from each other through military and nuclear means but as modern states with interlinked cultures and communities.

Past and future exist in close proximity; the mere possibility of an alternative future for Kashmir and, by extension, India (and Pakistan) rendered ever more poignant by hopes and dreams for its fulfilment. Agha Shahid Ali captures Kashmir's frail hope and deep longing with eloquence:

What is the blessed word?...One day the Kashmiris will pronounce that word truly for the first time (2000, 5)

And if the Kashmiris do pronounce that word for the first time, India (and Pakistan) shall overcome the principal source of militarisation of the Indian (and Pakistani) state and conclusively disprove the inside/outside antinomy underlying normative International Relations discourse:

Tum aao gulshan-e-Lahore se chaman bar dosh
Hum aaen subh-e-Banaras ke roshni lekar
Himalaya ki hawaaon ki taazgi lekar
Aur uske baad ye poochhen ke kaun dushman hai?

(You bring us flowers from the gardens of Lahore
We bring you light from the dawns of Benares
Freshness of the Himalayan breeze
And thereafter we ask each other:
Who is the enemy?)

(Ali Sardar Jafri 1965).

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Appendix

Details of Interviewees (in order of appearance in text)

Name	Place	Date	City
A	Gowkadal	30 June 2004	Srinagar
B	Khanyar	15 June 2004	Srinagar
X	Khanyar	15 June 2004	Srinagar
Parveena Ahanger	Batmaloo	23 March 2004	Srinagar
S	Dal Gate	17 March 2004	Srinagar
D	Tengpora	27 June 2004	Srinagar
L	Rainawari	20 April 2004	Srinagar
G	Govt.College M.A.Road	19 March 2004	Srinagar
M	Govt. College M.A.Road	22 March 2004	Srinagar
Vijayan M.J.	Amirakadal	12 March 2004	Srinagar
C	Habbakadal	31 March 2004	Srinagar
Yasmeen Raja	Kursoobagh	9 October 2004	Srinagar
J	Hazratbal	22 April 2004	Srinagar
K	Tengpora	29 June 2004	Srinagar
R	Tengpora	29 June 2004	Srinagar
Q	Amirakadal	10 March 2004	Srinagar
N	Polo View	20 March 2004	Srinagar
Lt. Col. V.K. Batra	Badami Bagh	13 March 2005	Srinagar
Colonel V	Badami Bagh	13 March 2005	Srinagar
O	Gowkadal	23 March 2004	Srinagar

F	Downtown	24 March 2004	Srinagar
H	Hazratbal	5 October 2004	Srinagar
Group Discussion with students	Govt.College M.A. Road	23 March 2004	Srinagar
W	Govt. College M.A Road	23 March 2004	Srinagar
I	Lal Chowk	14 March 2004	Srinagar
Asiya Andrabi	Khanyar	8 October 2004	Srinagar
Group Discussion with students	Govt College M.A. Road	22 March 2004	Srinagar
Y	Lal Chowk	7 October 2004	Srinagar
E	Maisuma	2 April 2004	Srinagar
Veena	Barbarshah	7 July 2004	Srinagar
Sunita	Barbarshah	7 July 2004	Srinagar

