



# UNEQUAL CITIZENS

WOMEN'S NARRATIVES OF RESISTANCE,  
MILITARISATION, CORRUPTION AND SECURITY

*Jammu & Kashmir, Odisha, Tripura*



WOMEN'S REGIONAL NETWORK  
AFGHANISTAN • PAKISTAN • INDIA

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## **CREDITS:**

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Cover photo : A young woman Gujjar nomad walks with her ponies. Gujjars are concentrated in the Rajouri Poonch border districts and walk miles with their cattle and ponies through the mountains during summer in search of good pastures and come down to the plains for the winter. REUTERS/Fayaz Kabli

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*Odisha, Jammu & Kashmir & Tripura*

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Completed for the Women's Regional Network.



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Survivor Women of some of the worst Kandhamal violence.  
Photo Credit: Saumya Uma

## SECTION 1: INTRODUCTION

*India officially has no ‘armed conflicts’<sup>1</sup>, yet a third of India’s landmass and a sixth of its population lives in armed conflict affected situations.*



**T**he changing and complex character of armed conflicts in India span internal and international conflicts, ranging from cross border confrontations (proxy wars), separatist identity based insurgencies, communal and sectarian strife, revolutionary struggles, ‘extremist’ violence and marginalised groups struggling for a more equitable distribution of resources. Across the region contending groups are jostling for power and control over resources, demanding justice and challenging the deficits in democracy and unyielding authoritarian structures. Globalisation has led to growth but its downside has been further dispossession and impoverishment of tribals, Dalits, minorities and women. With the state increasingly positioning itself as the ‘protector’ of globalised capital and in defence of development paradigms that are resisted as predatory, peoples’ democratic struggles are facing greater levels of state’s coercion power.

The orientation of the Indian state as a national security state has further routinised values and attitudes of militarism, and the practices of exception, i.e. suspension of the rule of law and fundamental rights for millions of Indian citizens. Impunity inbuilt into laws such as the Armed Forces Special Powers Act (AFSPA)<sup>2</sup> has entrenched a culture of non-accountability. Active militancy may abate, but the army’s massive entrenchment remains, seemingly becoming permanent as seen in Tripura and Jammu & Kashmir. The political economy of insurgency and counter insurgency has spawned patronage networks, flooded ‘wild money’ and deepened corruption and distortion in these development

deficit areas. The army’s expanding incursions in the civilian sphere of development as part of its counter insurgency strategy has undermined civilian democratic authority and opened new avenues for corruption.

In the Northeast numerous small armed groups thrive by maintaining ties with mainstream actors in politics and business, and engaging in violence and producing what scholar Sanjib Baruah calls ‘durable disorder’ (Baruah: 2005:5). Increasingly, many militant movements have lost their political moorings and morphed into violent extremism and criminal extortion.

While all sections of society have been affected, the impact on women and their lives has been disproportionately severe, especially given the entrenched structural gender inequalities in India and South Asian societies. Globally, of the five countries where women/girls are most at risk for being female, three are in South Asia. The Thompson-Reuter’s 2011 poll of 213 gender experts ranked Afghanistan, Pakistan and India as well as DRC and Somalia, as the worst places in the world to be a woman ranked based on six key risk areas — sexual violence, non-sexual violence, cultural or religious factors; discrimination and lack of access to resources and trafficking. Further, the rise of fundamentalist extremist beliefs in the wake of militarisation severely threatens women’s mobility and undermines their economic and physical security.

Rampant corruption also differentially impacts women, in view of their poor access to resources and power and deprives them from accessing their rights and

entitlements. Corruption and a culture of non accountability results in denial of justice that heightens women's personal insecurity. Conflict situations and the machismo culture of militarism render women even more vulnerable. Post conflict, women's lack of voice is linked to gender inequality and their low status.

In situations affected by conflict, women as primary caregivers shoulder the burden of managing the survival of families impoverished and shattered by the death, disappearance, torture and disablement of husbands, sons and brothers. The female body becomes the ground on which some fronts of war are fought. They as the purveyors of community identity and its reproducer can be sexually tortured and stigmatised, displaced, impoverished or widowed. Women are the collateral victims of

cross border shelling and mine blasts. Women bear the brunt of uprooted and developmentally displaced communities. The rampant spread of extremist and fundamentalist ideologies, the shrinking democratic space for dissent and rising intolerance, the breakdown of rule of law and rising violence has huge gendered consequences for women's security and life enhancing chances. State institutions, especially the law and order structures are either inaccessible or hostile to women. As evident from the voices of women, while the army/police are a source of security for some, more often than not they become a source of insecurity for women.

However, alongside the experiences of women confronting violence that breaches the sanctity of their everyday spaces and transforms their lives; there is the rich

#### GENDER STATISTICS: HIGHLIGHTS FROM THE 2012 WORLD DEVELOPMENT REPORT

INDICATORS	Afghanistan	Pakistan	India
Adolescent fertility rate (birth per 1000 women ages 15-19)	93	28	36.4
Account at a formal institution (female, % age 15+)	2.6	3	26.5
Age at first marriage, female	21.5 (2010)	—	—
Contraceptive prevalence	21.2	27 (2008)	54.8 (2008)
Female headed households (% of households with a female head)	—	10.4 (2007)	—
Female legislators, senior officials and managers (% of total)	—	3 (2008)	13.10 (2010)
Fertility rate, total (births per woman)	5.4	2.5	3.3
Improved sanitation facilities (% of population)	28.5	47.4	35.1
Labour force participation (female, % of total labour force)	15.8	20.8	25.4
Labour force participation rate (female, % of female population ages 15-64)	16.1	23.4	30.3
Life expectancy at birth, female (years)	61.4	67.2	67.7
Lifetime risk of maternal death (1: rate varies by country)	—	—	—
Literacy rate, youth female (% of female ages 15-24)	—	61.5 (2009)	—
Literacy rate, adult female (% of female ages 15 and above)	—	40.3 (2009)	—
Maternal mortality ratio (modeled estimate, per 100,000 live births)	460 (2010)	260 (2010)	200 (2010)
Proportion of seats held by women in national parliaments (%)	27.7	22.5	11
Proportion of women in ministerial positions (%)	7.4 (2010)	7.5 (2010)	10 (2010)
Women who were first married by age 18 (% of women ages 18-24)	40.4	24 (2007)	—

Accessed at World Bank, Gender Equality Data and Statistics, <http://datatopics.worldbank.org/gender/thematic-data> on October 24, 2013.

tapestry of local 'grassroots' women and national women's networks playing significant roles in movements of political resistance and in peace building. In many of these struggles women have been at the forefront — defending the rights of communities to land and livelihood, mediating between warring factions, protecting their communities from reprisal attacks and fearlessly out-facing the security forces to protect their land and way of life. The women have led the struggle against human rights violations, building community wide support for peace and reconciliation, campaigning for justice and rebuilding broken societies. However, their contributions have been largely undervalued, their suffering and agency, invisibilised. The trail blazing UNSCR 1325 that acknowledges the link between women, peace and security, has had little impact in providing protection or promoting women's participation in the region.

It is to recover the gendered social narrative of 'conflict' affected societies that WRN undertook through the *Community Conversations* (CCs) project to document women's voices. What are women's experiences, fears and insecurities? What is their understanding of the impact of militarisation, extremism and corruption on their ability to access rights and justice? Driven away from their homes and land, deprived of their loved ones, and forced into poverty, how have women coped with issues of survival, housing, livelihood, physical, emotional, sexual and financial insecurity? What is their experience with struggles for peace, justice and rights? What is the space for reworking unequal gender relations in the politics of resistance? Going beyond positioning women as 'victims', the CCs document women as 'survivors' and make visible the quiet agency of women. From a women's rights perspective the CCs critically interrogate the 'instrumentalisation' of women in political resistance movements. Through listening to individual and group narratives, the CC seek to make a social impact assessment that allows for a meaningful, gendered intervention in conflict affected areas.

## WHY A REGIONAL WOMEN'S NETWORK?

In the sub-region of Afghanistan, India and Pakistan, the women share a struggle with inter and intra state conflicts, the roots and consequences of which increasingly connect the politics of the three countries and impacts on the sub-region's security and peace — as a space for enjoyment of equal rights by women and men. These states have become 'national security states' characterised by a clutch of anti democratic 'security'

laws, and their security agenda has undermined the rule of law and accountability. Factors such as escalating defence expenditures and declining social funding, predatory exploitation of natural resources and development models that marginalise and displace — are deepening structural inequalities. The widening of the democracy deficit and rampant corruption is hollowing out people's stake in the system and is drawing many to extremist, militant and fundamentalist ideologies. Geo-strategic global interests are exacerbating tensions and producing conditions whereby the interests of the people of the region have become subservient to external interests and forces. This has provided space to extremists to misuse ethnic, religious and linguistic differences to create divisions and conflict.

Geographically and historically Afghanistan, India and Pakistan have been closely interlinked and there are reinforcing layers of political, economic and socio-cultural ties. The future stability and peace of the sub-region hinges upon their cooperation. More likely though, competition and confrontation will increase as the international forces withdraw. The Afghanistan transition post 2014 will directly affect stability, 'peace' and democratic rights in all of these neighbouring countries. Conditions are already deteriorating and tension and extremist violence is on the rise. In particular in the name of stability and security the enforceability of women's rights has taken on a transactional form. Women's rights are being traded as a commodity for 'peace' — the deal breaker in the peace talks with the 'moderate' Taliban! This significant setback to women's rights and the triumph of fundamental and extremist forces will affect all in the region. For WRN, it poses an immediate challenge and confronts us with a responsibility to be pro-active.

Women's Regional Network is animated by the vision of women working within and across borders to ensure human rights, equitable development and the full participation of women in building a just peace. It connects communities of women within and across borders and is aimed at constructing common agendas across borders that reflect the concerns of women, especially from 'conflict' affected areas. It seeks to facilitate learning from each other's situations, strategies, successes and constraints to pursue ways of collaborating together to realising a peace with rights and justice in our region. WRN is committed to women participating fully in shaping an agenda that will so directly affect their life chances.



Credit Pathfinder International

The WRN initiative took form at a meeting in Nepal in 2011 that brought together 16 women from Afghanistan, Pakistan and India. They constituted the core of what has become an expanding network. In Kathmandu three interlinked thematic areas were identified which resonated with all three countries as priority areas – militarisation and extremism, corruption and lack of accountability in governance – and the impact on security. As its first activity, the flexible framework of a Community Conversation was proposed to document women’s understanding of these themes as related to their lived reality in ‘conflict’ affected societies.

The India Community Conversations interpreted the notion of ‘conflict affected areas’ as broader than a ‘militarised zone’ and representative of some of the ongoing conflicts/struggles. They included societies affected by conventional border conflict and insurgency in the border districts of Jammu & Kashmir and identity conflict in Tripura in the Northeast. Also reflecting the multiple sites of peoples’ democratic resistance movement against predatory development, land acquisition and dispossession, the CC focused on the people’s resistance against the Korean steel giant POSCO in Odisha. Here the state’s coercive apparatus of paramilitaries, police and POSCO’s mercenary guards are pitted against women, children and men. The fourth CC engaged with the aftermath of communal violence, and focused on women’s perspectives of its impact on their lives in Kandhamal, Odisha focused and explored the challenges of co-existing with perpetrators, and accessing justice in a situation in a situation of unequal power.

## OBJECTIVES

The CC based studies aim to document women’s voices and experiences and focus on the conflict affected people’s experiences and perspectives on corruption, security and the multifaceted aspects of militarisation and extremism and as it impacts women’s lives and specifically to:

- Explore women’s strategies of resistance, and agency in managing survival of family and communities, building peace, pursuing justice.
- Assess the response of state institutions and civil society sphere.
- Share cross site experiences on promoting women’s rights and policy leverage.
- Intersectionality of sites of conflicts

## OUTPUT

- Develop a gendered narrative of social impact of politicised violence, militarisation and corruption in these conflict affected areas.
- Construct a cross border agenda based on the gendered experience of politicised violence, militarisation, extremism and corruption.

## SELECTION OF SITES

Four quite varied situations were selected to reflect the country’s multiple types of conflict as well as women’s differentiated experiences. Selection of the sites was also influenced by the availability of local partners with social and research capacity.

#### JAGATSINGHPUR (ODISHA)

The nine year long anti POSCO struggle (*Pratirodh Sangram Samiti*) is a democratic peoples' protest against the takeover of their land by the South Korean steel giant. The peoples' blockade is ringed by the repressive apparatus of platoons of the state's paramilitaries and the POSCO steel company's strongmen. It has created a kind of war-like situation for the people under siege. Women, particularly of lower castes and classes of Odisha society in the three panchayats of the struggle's fortress area - Dhinkia, Nuagaon and GadaKujanga - have been at the forefront maintaining the blockade all these years. Through their often physical resistance, including the use of the body as a strategy – the women have borne the brunt of the police's lathi charge, tear gas and rubber bullets and multiple (false) criminal cases have been registered against them. The area abuts onto the Maoist affected central and eastern India corridor and the myriad revolutionary armed struggles driven by the predatory extractive industry, land alienation and displacement. By contrast, the anti POSCO leadership has been associated with the parliamentary left, CPI and not what the Indian state describes as 'left wing extremism'. The Odisha state seems to have decided to brand people who democratically protest against its predatory development policy as 'maoists'.

#### KANDHAMAL (ODISHA)

Kandhamal was a site of communal violence largely directed at the Christian minority though the state discourse frames it as an ethnic conflict between *adivasis* (tribals) and Dalits (most oppressed castes) and excludes the role of fundamentalist Hindutva forces. While the Kandhamal violence does not approximate to the context of militarisation and extremism that characterises militarisation zones, the common trail of sexualised violence against women (VAW) in situations of politicised violence led us to Kandhamal. Also, as with the other conflict zones, Kandhamal documents the narratives of women survivors rebuilding lives broken by violence. The CC offered us an opportunity to hear the silences around sexual assaults on women, the sense of insecurity of women living amidst their violators, the courageous struggle for justice in the face of unequal and corrupting power, and women's contribution to the process of peace, justice and social reconciliation in Kandhamal.

#### RAJOURI & POONCH (JAMMU & KASHMIR)

While Jammu & Kashmir was a predictable choice to explore the social impact of militarisation, corruption and security, the focus on the border districts of Rajouri & Poonch called for some explanation. Here, it was said, the army was a 'friendly force' patrolling the borders, not a counter insurgency force brutalising civilians. Scholarly and policy attention has been focused on the strategically significant Kashmir valley. It was Kashmir's ethno-national assertion, which challenged Indian nationalism; it was Kashmir over which India and Pakistan ideologically, territorially and diplomatically battled in three wars, and it was in Kashmir that the commitment of Indian democracy to rights and equality was tested. Rajouri and Poonch were a footnote to Kashmir's turbulent history of partition, militancy and militarisation. Here were unquiet borders redrawn in war and dividing families of co-ethnic kin. Intriguing news reports spoke of a different social and political dynamic at work in these border districts peopled by a complex mosaic of religious, ethnic and linguistic communities, in contrast to the largely mono-ethnic Muslim valley. It was here we read of the mass revenge slaughter of extended families. Here were sightings of women and men whose ears and nose had been punitively slit. Many women were beheaded for being informers.

#### TRIPURA (NORTHEAST)

The Northeast, ravaged by insurgencies around identity assertions, is the focus for policy studies on conflict resolution. However, the state of Tripura has been neglected, as it has been projected as a 'success story of governance' and post conflict stability with a four times elected Left government. Its cycles of ethnic violence rooted in the demographic militarisation of the indigenous tribal peoples, were said to have been contained by two peace accords and the constitution of an Autonomous Tribal Council for the indigenous peoples. Curiously though AFSPA, the exceptional law for 'disturbed areas', has remained in force. Also, there is the familiar Northeast feature of an entrenched nexus between the political parties (and business) and insurgents i.e. the National Left Front of Tripura with the Congress and the All Tripura Tigers Force (ATTF) with the ruling Left Front.<sup>3</sup> While targeted attacks against the state (and the Bengali settlers) had been contained, targets of violence had shifted to inter tribal violence.

Tripura is intriguing because at one level it has promising gender and development indicators, yet the National Crimes of Violence Against Women statistics ranked Tripura as the highest violator for the past few years.

## RESEARCH METHODOLOGY

The challenge of undertaking self standing CCs in very diverse and plural situations (within the country and across borders) while maintaining the integrity of WRN's common thematic focus and vision was sought to be overcome by developing a 'Master Questionnaire' on the basis of consensus in all three countries. However, researchers were encouraged to creatively adapt to the diverse contingent circumstances of these sites and for most the Master Questionnaire came to be used as indicating broad signposts. While there was considerable variance across the India CCs in the nature of field research components, the studies are based largely on action research that is qualitative in nature.

The collection of primary data was done through a combination of one-to-one interviews, town hall meetings and focus group discussions (FGDs) with affected women (and men). The structured seminar, town hall meetings, interviews and FGDs were complemented by on site interactive visits to specifically affected 'remote' rural areas to be able to access their every day lived reality. Where appropriate, interviews were held with elected local leaders especially 'political women', government officials, army officials and civil society leaders. Efforts were also made to reach constituencies across faultlines i.e. spanning state and nonstate violence survivors, inter-religious and inter-ethnic communities. However, in some situations as in the site of the anti POSCO struggle in Odisha, the situation was so volatile that crossing faultlines and talking to the pro POSCO faction would have been construed as a 'breach of trust' and closed access. The studies also drew upon secondary sources such as official and independent NGO reports, court judgments, books and articles. Most of the CCs were conducted over two – three field visits amounting to 15-20 days intensive engagement in each site.

The *Odisha anti POSCO* struggle CC was focused on a territorially defined protest site and used a mix of FGDs and in depth interviews with the women and children in the forefront of the struggle. The CCs were animated through an implementing partner, National Alliance of Women's Organisations (NAWO) – Odisha with the

active commitment of women's rights activists Abha Bhaiya and Bishaka Bhanja.

*The Kandhamal* CC focused on the gendered aftermath of communal violence and particularly sought out the survivors of sexual violence. Many had been displaced and did not want to be found. It was made possible as a result of the passionate dedication of legal scholar activist Saumya Uma and the support of NAWO.

*The J&K border study* was flexible in design, seizing opportunities for group interactions in homes in villages, *ziyarat*s, schools and universities (to supplement the more structured town hall meeting), FGDs and in depth interviews. An unanticipated limitation was the absence of any significant presence of human rights defenders, the exception was Kawaljeet Singh (Poonch) whose case documentation was invaluable. Specific constituencies were earmarked, e.g. students, professionals, contractors, LoC traders, local representatives and 'survivors' and victim families. Crucial to the success of the CCs was the long years of experience and access of the WRN members – Sahba Husain, Anuradha Bhasin Jamwal and Rita Manchanda.

The *Tripura* study experimented with a mix of research strategies – drawing upon a cooperative partnership structure to hold a formal seminar, visiting an affected village site, participatory research at a Tripura tribes protest demonstration, one to one interviews and the administration of a Tripura specific questionnaire to 10 respondents. The CC was steered by WRN core member Binalakshmi Nepram.

## CHALLENGES

In conducting the CCs, researchers faced several challenges as regards access, ethics and risks. The CCs hinged on our reaching out to women in the conflict affected societies and whereas in some situations it was relatively easier to listen to women's voices, however, specifically in the more militarised zones there were constraints and evident more time would be required. In Tripura and Rajouri – Poonch, we initially found ourselves, 'going through the men' to hear the women. The chorus in the LoC districts was, "The women are not articulate. They do not know or think about these issues. They are too shy to speak to outsiders". Not one woman came to the town hall meetings. The timing – Ramazan, compounded matters. But on the second and third visits, at the university, degree colleges and schools we

heard women students and teachers, at local hospitals women doctors. By the time we reached their homes in the villages, in family groups the women would talk, openly. Whereas the male interlocutors positioned the women as ‘victims’, women’s narratives were of courage and resilience.

In Odisha the anti POSCO front PPSS controlled the resistance site and access was blocked by activists to the three panchayats to prevent the entry of government agents from taking over the land, and the police from arresting activists charged under false cases. Access was negotiated with difficulty through the intervention of state level members of PPSS. Feminist researchers needed to be wary of provoking male leaders in their conversations with the women lest entry be closed. The last leg of the field work in the anti POSCO site had to be abandoned because of the mounting confrontation with the paramilitary forces.

Working in volatile conflict and in so called ‘peace zones’ poses risks and constraints to both the researcher and the respondent in all the selected sites. In Kandhamal, Odisha extreme sensitivity had to be shown so as not to render more vulnerable ‘victim/survivors’ in what was still a hostile environment. In Rajouri-Poonch multiple state agencies followed and harassed the vulnerable respondents afterwards. In Tripura, the tribal respondents were willing to talk about the violence of the security forces, but extremely reluctant to talk of violations by the tribal insurgents. A mix of fear and a sense of betraying the cause held them back. Indeed one of the biggest challenges has been to ensure that the personal security of women and girls who participated in this study was not compromised in any way. In the interests of their security, and to pre-empt the possibility of them being identified and further targeted, the report withholds the identities of some of the women who conversed with us.

In addition, many of us faced awkward ethical dilemmas, especially on the question of researchers exploiting ‘victims/survivors’ for their stories, making them relive trauma. “Take my photo? Okay. How much will you pay?” crudely captures the backlash of a ‘victim’ community. Its corollary is raising false expectations of being able to ‘materially’ help ‘victims’ in pursuing legal redress and securing compensation.

## WORKING DEFINITIONS

### Militarisation & Militarism:

“Militarism is belief system that: endorses military values in civilian life; believes in the construction of a strong masculinity that is also a necessary component of state power; legitimises the use of violence as a solution to conflict and dissent; and closely intersects with patriarchy and nationalism. Notions such as national honour, national pride and the ambition of being a great power form the basis of this militarised nationalism in India. Militarisation involves the increasing use of military power by states to further their national interests, with the option of using military threats and war as an extension of politics. It implies the growing dominance of militarist values in civilian institutions. Militarisation encompasses the process whereby military values, ideology and patterns of behavior dominate social and political systems and influence gender relations, resulting in the militarisation of the structural, ideological and behavioral patterns of both state and society.”  
— Anuradha M. Chenoy<sup>4</sup>

### Security & ‘Human Security’

“Most people instinctively understand what security means. It means safety from the constant threats of hunger, disease, crime and repression. It also means protection from sudden and hurtful disruptions in the pattern of our daily lives-whether in our homes, in our jobs, in our communities or in our environment.”<sup>5</sup>  
—UNDP HDR 1994

### Corruption

“The misuse of a public or private position for direct or indirect personal gain”.<sup>6</sup>

“**Grand corruption**” is an expression used to describe corruption that pervades the highest levels of government, engendering major abuses of power. A broad erosion of the rule of law, economic stability and confidence in good governance quickly follow. “**Petty corruption**”, sometimes described as “administrative corruption”, involves the exchange of very small amounts of money, and the granting of small favours. “Corruption is said to be “systemic” where it has become ingrained in an administrative system. It is no longer characterised by actions of isolated rogue elements within a public service.” **Nepotism**<sup>7</sup> is so naturalised that it is recognised as the norm. **Extortion** is a form of corruption particularly routinised in conflict affected areas.

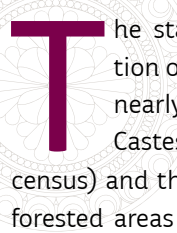


Women from Dhinkia and Gobindpur villages on the long protest march. Photo Credit: <http://odishaconcerns.net>



## SECTION II: JAGATSINGHPUR: RESISTANCE TO PREDATORY DEVELOPMENT

*Odisha in eastern India is one of the poorest states of the country and one of the richest in mineral resources.*



**T**he state's population has a high concentration of depressed castes and tribes comprising nearly 40 percent of the population (Scheduled Castes: 22%, Scheduled Tribes: 16.5% -2001 census) and they are concentrated in the mineral-rich forested areas of the state thus bearing the brunt of development induced displacement and the wasting of their agricultural lands in the wake of extractive industry. They also comprise the majority of Odisha's poor who are below the poverty line. In a social situation of feudal patriarchy, the status of women is significantly worse than the national average. In the gender related development index, Odisha brings up the bottom at 32 out of India's 35 states. In gender empowerment (GEM) it ranks 29 out of 35 states.<sup>8</sup> The sex ratio, an indicator of the low status of girls and female aversion, after showing a steep decline from 1086 in 1920 to 972 in 2001, is showing slight improvement at 978 females per 1000 males (2011 census). The state's Female Infant Mortality Rate (IMR) is one of the highest in India 66:1000 as compared to the national rate of 52:1000. Maternal mortality in Odisha is as high as 303:1000 as against the national average of 254:1000 deaths (2009). Although child marriage levels and female literacy rates are improving, the gender gap remains sharp with only 64% of females literate as compared to the 82% literacy rate among males.

These figures need to be segmented into rural-urban and Scheduled Castes & Scheduled Tribes (categories of depressed groups in Indian Constitution) Development

and gender indicators for SC & ST categories are particularly low and even more so for the women. For instance, the literacy rate for tribal girls is much lower (37%). The dropout rate remains high despite targeted upliftment schemes. Work participation rates are high but over 75 percent are in the agricultural or the unorganised sector. Odisha's development history and the neo-liberal reforms has enabled predatory development practices leading to a large-scale internal displacement of the population, especially of the tribal population. In 2009-10, the Odisha government signed 86 MOUs, and 49 with steel promoters. In Odisha, as elsewhere in India, development projects such as big dams, extractive mining industries — have resulted in mass displacement and impoverishment of peoples, the majority of whom are the tribals and the depressed castes. The state's law regarding rehabilitation does not make any specific reference to the specific vulnerability of IDP women. Nearly 50% of all migrants from Orissa are tribal women.<sup>9</sup>

In the UNDP HDI ranking, Jagatsinghpura is 19th out of 30 districts (Kandhamal is second last). In the affected villages, as a consequence of the long confrontation between the protesting villagers and the state's development commitments, state agencies have held back on implementing basic rights and entitlement schemes, which have compromised women and children's access to health, education and economic security. However, the years of national and local agencies targeted focus on mobilising women through self-help groups (SHGs) has inculcated habits of collective action, evident in



Women at the forefront of the anti-POSCO struggle, Odisha: “Since the last 8 years we have slept in the middle of roads guarding our land, many times for days together. In fact our men were sometimes frustrated sleeping alone in bed! But when we were sleeping on the road we had a lot of fun too!” Photo Credit: Abha Bhaiya

“The most astounding tale, if we care to hear them out:  
Stories of human grit, resolution, revolution;  
Stories of a resolute struggle to protect one’s dignity, self-reliance,  
And the ultimate provider — the Mother Earth.”

*Gadkujan , Dhinkia, Nuagao Panchayats 2005- 2013*

women’s agency in the anti-POSCO struggle. Indeed in Odisha, women have been in the forefront of multiple struggles (democratic and armed) to protect lands and forests and successfully opposed the army setting up a firing range in Baliapal and a bauxite mining aluminum plant complex in Niyamgiri.

### **GADKUJAN , DHINKIA, NUAGAO PANCHAYATS 2005-2013**

For nine long years, the villagers have been resisting India’s biggest FDI project, the setting up of the \$12 billion POSCO steel complex, mine and dedicated port, on coastal land which presently provides livelihood to nearly 22,000 people. More recently, since January 2013 as the state’s armed police forces have intensified their siege of the three Gadkujan, Dhinkia and Nuagao village panchayats, the epicenter of the resistance, the villagers have been staging a ‘sit in’ to block access, resisting the forcible acquisition of their land, and demanding the withdrawal of the proliferating camps of armed police from their villages. In May 2013, the armed police broke their defences and arrested Abhay Sahoo, the leader of the PPSS. Despite the government established National Green Tribunal’s directive that the conditions

for environmental clearance have not been fulfilled, the Odisha administration has stepped up the bulldozing of vines and forcible land acquisition, using armed police to coerce resisting villagers.

The South Korean steel giant wants 4004 acres of land, land on which the villagers grow cash crops such as betel leaves, cashew and paddy, supplementing it with fishing in the coastal waters. According to land revenue officials 3566 acres is government land and 438 acres is private land while 471 families are affected. This assessment ignores the reality that a majority of the population that lives off the land is landless (a significant number are long term migrated settlers from West Bengal with homestead titles) and earn by fishing and setting up betel vines on encroached government land. Independent estimates indicate the affected population to be 3350 households or 22,000. A third of the population belong to the depressed ‘scheduled castes’. The Odisha government has obtained rights to more than 2000 acres by 2011 and wants 700 acres of land near Gobindpur village which the resisting villagers claim are forest lands and therefore under the Forest Rights Act. As forest dwellers, they are empowered to deny the acquisition of that land.

While celebrating their courage, commitment and creativity, the study also critically interrogates the subordination of women's rights and the instrumentalisation of women and children in the interest of realising the community's goals.

As the report goes to print, the Union and state government in response to mounting pressure by the South Korean political leadership and watchful international investors, has decisively intervened and ordered the take over of the land. In particular the visit of the Japanese Industries minister has further accelerated the government's coercive tactics. Betel vines have been bulldozed and the standing crops destroyed, arrests have been made and violence has escalated.

*"My family has access to 2 acres of cultivated land. In another 2 acres we have planted betel vines. Of the annual paddy yield of 15 quintals, 10 quintals are sold and the rest consumed. All family members work on the betel vines which mature in 15 days. The paan leaves are sold and we make Rs10000-15000 every month. In the community forest, the family grows cashew and seasonal vegetables. The sale of cashew brings in Rs 50,000 rupees. Surplus vegetables too are sold." — Chhabita Swain (47) Gobindpur village*

*"See how the goats are grazing nearby. We just let them be in the jungle and sell them after 6 -7 months and we get around Rs 2000-3000. If our jungle is gone how shall we get our livelihood? Our land is better than money. What shall we do with money? We are a toiling class people — if we have our hands and a piece of land, we can earn our livelihood." — Baidehi Das*

Even landless families such as Santi Das' can earn around a lakh of rupees annually by cultivating betel vine in 1 decimal land (in the village forest area). A total of 11 villages in these three gram panchayats are affected by the POSCO project. The project has disrupted the social cohesion of the communities dividing people into either pro POSCO or anti POSCO villages. The Odisha government has committed to 'facilitate' the setting up of the steel complex, as a part of its agenda for 'developing' the state. The villagers of the affected area have previously experienced the devastation and the resulting mass displacement all around them in the wake of similar 'development' projects. As in the case of Santi Das whose family was among the hundreds of families who were uprooted and dislocated from Trilochanpur in Dhinkia panchayat when an Indian Oil Corporation refinery was setup in 1996. Today, Patana, the village Santi Das married into, falls under the purview of the POSCO land acquisition scheme.

*"People believed they would get compensation, money and jobs in the refinery. Like the others my father gave away our acres of agricultural and homestead land to IOC. He did get compensation money. My brothers bought all sorts of things — motor bike, a colour television set. Why save money now, they said. We will get a job in the refinery and earn more money. They got no jobs. My two brothers are working as 'landless laborers'." — Santi Das*



Women in Anti POSCO Struggle.  
Photo Credit: <http://odishaconcerns.net>

## WOMEN — THE FIRST LINE OF DEFENCE AGAINST PREDATORY DEVELOPMENT

Women have been at the centre of this sustained resistance against the imposition of a development model that they denounce as anti people. Abha Bhaiya and Bishakha Bhanja's field based study *"Voices of women from the centre stage of the anti POSCO movement"* (Annexure 1) brings a feminist perspective in documenting the experiences of women in the politics of resistance. While celebrating their courage, commitment and creativity, the study also critically interrogates the subordination of women's rights and the instrumentalisation of women and children in the interest of realising the community's goals. The CC based study seeks to develop a gendered narrative of women in the politics of resistance and displacement.

The narratives draw attention to women's alertness to the everyday signs that warn of a devastation approaching and how they spontaneously banded together in opposition even before the CPI leader Abhay Sahoo (Babu) came to spearhead the struggle in 2005. "The day the POSCO company came and floated the huge balloons in our sky and a hole was bored in the ground near our village Patana, water levels in all our nearby ponds and wells rose alarmingly. All the women of Patana village approached the local Sarpanch — Basant Nayak who told them about a foreign entity called POSCO setting up a steel plant and that their villages would be affected." Several like Santi Das had first hand experience of the impoverishing impact of big development

projects which evicted the villagers leaving them with no livelihood options. The women were selflessly committed to saving land and livelihood and safeguarding the future of their children. As Geetanjali Dash emphatically said, "POSCO people might give me some money and I might live with that for rest of my life but what will happen to my children and their children?"

Moreover, several women expressed concerns about the gender consequences of the influx of 'outsiders':

*"Women are going to face the most serious consequence if the plant comes up. We will never allow it in our life time. These are outsiders. They can never have respect for our girls and women. There will be a free flow of liquor. Whatever step you take, it is not possible to prevent these abuses as human beings always get lured. The company will pollute the water bodies including the sea" — Chabita Swain*

Women constituted the front line of the blockade. At the signal of a threatened incursion by the POSCO men backed by armed police and state officials, the women would leave everything and for months on end camp out, living in tents constituting along with the children a human blockade braving lathi charges, brutal assaults and rubber bullets. Seemingly over these years, the women have overcome the fear of physical violence. The armed police have not hesitated to brutally assault women as they formed a human barricade blocking the entry of POSCO men and the armed police.

Village Women in Community Conversation: “Afraid of what? We have never felt scared in these eight years. The only fear which looms large in our mind is the fear of losing our land. That fear drives away all the other fears — fear of being killed, fear of being beaten.” Photo Credit: Abha Bhaiya



*“In 2010, the POSCO supporters came with the police to acquire the land. We were blocking entry. Then standing in protest. The Police started firing at us. I saw blood on my saree. A bullet had hit my breast. The bullet was removed in a health camps organised by a team of independent doctors.” — Santi Das*

*“Once while I was protesting, the POSCO people took off my saree and threw me into the river but I am still alive. I broke or sprained my leg, but I was still at the pickets. I slept in front of the ACP’s car and did not allow him to enter our village.” — Geetanjali Dash*

Chabita Swain recalled 2008 when POSCO supporters threw a bomb into her village. It was the day the women marched and broke the barricade of the POSCO company men and prevented them from encroaching on our land.

*“For over six months 30 platoons of armed police, deployed to control the law and order, were camped in the village school (consequently closed to the students). All the village women gheraoed (encircled) the police camp holding them captive for two days till the Superintendent of Police came. He was forced to pull out the platoons as they had failed to protect us. A year later POSCO supporters again, bombed the village. This time the women gheraoed the house of a POSCO supporter. When the police came they found explosives, remote blasters and ammunition.”*

Women have been bold and assertive in their confrontation with local elected representatives and the police including roughing up the district chairwoman, for which they have been charged with attempted rape and murder. They have repeatedly held the police hostage and prevented them from arresting men whose names are included in omnibus charge sheets that indict groups of men. About 250 criminal ‘cases’ have been filed by the police indicting 1500 of the residents, out of which 340 are women. As a result activist women are constrained from venturing out of the ‘security’ of the resistance site lest the police arrest them. Despite urgent health needs, the women dared not seek medical assistance. Even when they are able to reach these public facilities they are denied access by local authorities who tell them to “go to their leaders” for assistance.

*“For five years women formed a human blockade. We cordoned off the village and did not allow anyone to enter. During the day we guarded the gates. At night we guarded our Babu (Abhay Sahoo). But the police managed to break our defence and arrest our leader. We were not disheartened. Abhay Sahoo has gone but each one of us is an Abhay Sahoo. So each of us put on head gear like Abhay Sahoo and said we are Abhay Sahoo!” — Jema Kakatia*

Inspired by the spontaneous naked protest of the Manipur women against the Assam Rifles (2004), Abhay Sahoo, the PPSS leader, suggested this to the women and alerted the media. On two occasions, in 2008 and 2013 the women stripped themselves to drive away the POSCO people who had come with the police to Dinkia village.



Abha Bhaiya, Bishakha Bhanja and Pramila Swain during an interview of local women leaders of the anti POSCO movement for the WRN Community Conversations, Odisha. Photo Credit: Abha Bhaiya

*"We planned beforehand that we will stand naked. Nine of us stood naked in a row, loosened our hair and held in our fists a piece of bone. We felt like Durga (in her fierce avatar) destroying the POSCO demon to save our land. Behind us there were women in two rows. When the police came and saw us they back tracked and fled. In March 2013 three of us announced that on international women's day we would bear our bodies rather than allow the police to come and take away our land (Five days before POSCO men had hurled a bomb and two were killed). When the police came. We confronted them: 'Why have you come? What do you want to see?' We took off our upper garments. They slapped obscenity charges against us." — Santi Das*

Most active women are in the age group of 30 to 50 years. They either have young daughters or daughters-in-law to take care of the household chores, so that the women can be full time anti POSCO workers. Children are the first line of defence and while as a strategy it has been effective, it raises uncomfortable questions. Bishakha and Abha observed "In order for children to join the struggle and picket along with adults, married daughters of protesting women and men were called away from their marital homes so that along with their young siblings, the younger children could join the picketing and the daughters could take care of the household chores. This had a negative fallout as the children picketing, lost out on education". In 2011, Jaganath Das a class VII student joined more than 200 children and

women at the barricade. For 15-20 days they laid down in front of thousands of armed police, until we drove them away.

*"I would not leave my land even if I got a job. Do you think POSCO would wait till I get a job? And what if I failed in my exam? Do you think even if I passed matriculation, POSCO would give me a job? What kind of job would it be? A peon, a messenger? But if I work here in my vine, catch fish from the sea, I shall earn more money." — Jaganath Das*

## CORRUPTION & INSECURITY

In this confrontation, the police, the legal system and other government agencies have become positioned as a source of insecurity and oppression for the women. The demand is for the withdrawal of the police from their villages. However, there is a curious contradiction. Whereas, in moments of confrontation, women take pride in their defiance of the police, in more reflective moments, the women realise "the police are just the paid servants of government following government instructions. On occasions, the police have confessed that they are with us and we should not stop. So whenever we hold the police hostage in the village, we treat them well".

For the women of the movement, state law and order institutions are deligitimised as they are seen as part of a corrupted system which has sacrificed the interests of citizens and sold out to globalised corporate interests.

As can be viewed directly in the MoU with POSCO, the state government is seen as a “promoter” and “facilitator” of the POSCO projects and is viewed as colluding with the company to enable it to bypass statutory and regulatory requirements on environmental issues and peoples’ consultative processes. As the women see it, “corruption is writ large on the POSCO project. The Chief Minister is like God Brahma the Creator, showering the state’s wealth on POSCO.”

*“Without bribes POSCO could not have entered Odisha! The ruling party has eaten money from the company, we need little food. Since their stomachs are big, they need to eat a lot. This is the reason why the government, instead of protecting the interest of its own people, is protecting the company. For its own benefit the company has kept hired goons by paying them heftily. The police and the bureaucrats have benefited greatly from the company. Local politicians are co-opted by the ruling party leaders.”*

Security has to do with land and livelihood security. Take away land (private and communal) and there is no security. For the women, “peace exists when we would be left to fend for ourselves, when no government or no company takes away our land. We have our vines and rights over the jungle and sea.”

### FEMINIST PERSPECTIVES

It is important to acknowledge that the anti POSCO movement leaders have been very successful in mobilising women and keeping the morale of the protest high. Women have displayed tremendous courage of conviction, and this is not only because of leaders like Abhay Sahoo but because they are determined to hold on to their source of livelihood and the ancestral land. Women believe they have the largest stake in the movement and that has made for a selfless commitment to the struggle despite brutal assaults and escalating violence by the armed police, government agencies and POSCO men.

Abhya Bhaiya, in particular, while recognising the courage and resilience of peoples resistance movements raised certain conceptual questions in the context of the ideological position of the left political resistance movements in general and the anti POSCO movement in particular. “On the one hand, the feminist movement needs to join hands with such popular people centered

movements against anti people globalised development. A democratic government that refuses to respect the constitutional entitlement of people, especially women, who are the most honoured owners of the land in terms of how they have maintained the sanctity of the land and its sustainability, in fact has no legitimacy to rule. The anti POSCO movement members including women and children have used their fundamental right to challenge this refusal. Several such movements are ongoing all across the country and in a majority of cases, it is the strong presence and voice of women that stands witness to their rightful demand for justice including the demand to stand strong on their homestead.”

“As feminists, the question to ask is whether the effort of the left or any other political formation to use women as front liners, can lead to the gendering of the movement? More often it leads to instrumentalising women for its own end. In the anti POSCO movement, women are not seen as the architect of the movement as they are rarely included in the decision making processes. The strategies women employ are based on their memories of extreme suffering and unimaginable hope. The leadership recognises this magic both in terms of the undeterred commitment of women as well as their practiced subservience to men whether as fathers, husbands or leaders. This is a familiar patriarchal script where women do not need to learn to follow. They, in fact, follow with full faith and trust. Men exploit this quality and find women to be the most reliable strategists and followers.”

The widely held belief that issues of life and livelihood are more important and issues of inequality related to gender and caste can be taken up once the economic issue is addressed, is often an obstacle in raising equality issues within the movement.

Moreover, the widely held belief that issues of life and livelihood are more important and issues of inequality related to gender and caste can be taken up once the economic issue is addressed, is often an obstacle in raising equality issues within the movement. The fact that women accept that the issue of domestic violence is secondary to the struggle for land and livelihood, is



Community Conversations Kandhamal, Odisha  
Photo Credit: Saumya Uma

reflective of the perspective of leaders of such political movements.

As regards the women's 'body strategy' of stripping to shame the police from advancing into the villages, it is obvious that for the anti POSCO movement leaders, it was a well thought out strategy learnt from the press and other political leaders of a similar act in the North East when a number of elderly women spontaneously stripped in front of the Assam Rifles Hq, to protest the rape and the killing of Manorama, a young activist in Manipur. In the case of the anti POSCO movement, this strategy has been used twice, once in 2008 and again in 2013 — both times as the police started to make their advances to help officers to forcibly acquire the land. In 2008 nine women stripped themselves to drive away the police from the Dhinkia village.

Here the women's naked body (and the patriarchal culture of shame) lends itself to forging a strategy — in fact, the body becomes the strategy. Arguably, such use of women's body that there is parallel between the patriarchal colonisation of women's body and that of the colonisation of the land and the resources within a paradigm of power, control and appropriation of both for political and economic gain. Profit of the movement here coincides with profit of the corporate greed on the body of the land and women displaying masculine take over.

Women in the movement are not encouraged to grow into an awareness of such interlinkages or to critically analyse the gendered implications of strategies — some

While women fully comprehend the local issues at stake as it impacts their lives and livelihood, little energy and time spent is spent in orienting women to the larger global issues of privatisation and marketisation as a model of development that impoverishes the poor and in particular feminises poverty.

spontaneous and others planned by the male leadership. While women fully comprehend the local issues at stake as it impacts their lives and livelihood, little energy and time spent is spent in orienting women to the larger global issues of privatisation and marketisation as a model of development that impoverishes the poor and in particular feminises poverty. Nonetheless, the (advocacy) strategy to take them on a foot march to other struggling sites definitely widens their world view and becomes inspirational for them to renew energies for their own struggles.

Another pertinent issue is whether due to the involvement of women as full time movement members, there has been any impact on the sexual division of labour. While women are involved so intensely in the protest movement, their household responsibilities are not shared by young boys or men, rather shifted to young daughters or daughters-in-law. During one of our visits

we met one girl who is a school dropout. When asked why she did not continue after class nine, she said my parent could not afford to send me. Probed further, she revealed that since her parents are very active in the protest, she has to take charge of household chores. Her younger brother who is also actively involved and was demonstrating at Balitutha said, "she stays back and cooks for us. When we come back home if food is not ready then I would beat her up."

Evidently gender relation within the family have not changed. If a younger brother can demand and also believes that he has the right to reprimand his elder sister if she is not performing her gendered duties, it is clear that men have the same attitude. Once during the visit as we were called by one of the households to have lunch, all men sat around on charpoy, and the women who had cooked served the food. Domestic violence is not seen as abnormal whereas the state violence is visibly seen as very brutal. "Sometimes when men drink and get drunk they lose sense and beat us" said a woman. No shops were visible within these villages, according to women also there is no liquor shop. But sometimes men do go out and drink to release tension.

Evidently, in the hierarchy of violence state brutality makes insignificant the prevalence of domestic violence.

*"If our husband beat us sometimes, it is not violence. But if the husband is displaced and gets compensation or a job and starts to drink and then beat us, that is an act of violence. Even if we are beaten up by our husbands, it is okay, as long as we are together in this struggle." – Baidhei*

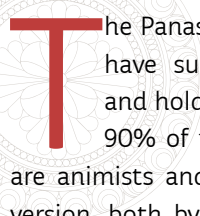
In the end what needs to be reiterated are women's own definitions of issues such as security and peace on one hand and corruption and the use of violence by the state and the non state actors. It is no surprise that their notion of peace is when they can cultivate their lands on their own by working hard on it, having the freedom to cultivate their land and ensure the safety of their land and livelihood. It is about the absence of police presence in their villages. Similarly they have a homespun wisdom of what corruption is and how it has worked against their interest. With humour they describe the greed of the politicians and the bureaucrats by telling us how their stomachs are big which need a lot of food, By satirically juxtaposing their own flat stomachs with that of the over fed politicians, they remind us of class difference. Throughout, their sharing of their stories of struggle women displayed an air of irreverence, subversion, rebellion, drama and humour, traits which are quintessentially feminist.



Young survivor of the Kandhamal violence, partially burnt when a mob attacked her house and her family was fleeing. Photo Credit: Vikram Nayak

## SECTION III: KANDHAMAL: THE AFTERMATH OF COMMUNAL VIOLENCE

*Kandhamal is one of the two poorest districts in Odisha and has a high percentage of two marginalised ethnic groups, Panasans oppressed Dalit caste comprising 17% of the population and Kandhas a tribal Adivasi group making up 51%.*



**T**he Panas are poorer than the Kandhas as they have substantially less access to resources, and hold barely 9% of the cultivable land. Over 90% of the Panas are Christians. The Kandhas are animists and have been targets of religious conversion, both by Christian missionaries and Hindutva forces. Over the last three decades the Hindutva forces have intensified their religio-cultural proselytisation of Dalits and Adivasis especially after the arrival of Swami Lakshmanandan Saraswati. Tension was building up. The Swami's murder in August 2008 unleashed a brutal onslaught against the Christian minority community of Dalits and Adivasis, and those 'social workers' (Hindus and Christians) who had been working for their upliftment. Over five months, from August – December 2008, violence instigated by the politicised Hindu right or Hindutva organisations savagely killed 39 persons, women were sexually assaulted, properties looted and burnt, churches raxed, and nearly 30,000 people uprooted, and who remain displaced. While the Odisha government has projected the violence as ethnic – two communities Dalits and Adivasis fighting over land, the National Commission for Minorities as well as independent fact finding teams have emphasised its communal nature and the role of the Hindutva organisations.

Saumya Uma visited Kandhamal five years after the violence to document women victim/survivors' experience of the aftermath – their continuing insecurities amidst a hostile majority community that socially and economically ostracises them; their coping strategies amidst systemic corruption and indifferent state institutions; their struggle for justice despite a threat to their lives and the lives of their family members, and a hostile law and order system. Saumya tries to break the silence around the targeted use of sexual violence during the communal attacks to destroy and humiliate the women of the 'other' community. Despite witnesses attesting to it being rampant, it is barely visible in the official narrative, and few, if any, cases have been registered and pending prosecution in courts. Women wanting to testify are subjected to extreme intimidation and threats by many, including local government officials. The study also demystifies the belief that Christian women believe in forgiveness, and not punishing the attackers. Of the 300 women who are part of the study's listening space across 14 villages and resettlement sites, effort was determinedly made to reach out to women and girls, young and old, across the religious community divide.



WRN Community Conversations with women in Budabali village, Kandhamal Credit: Saumya Uma

## EXPERIENCES OF VIOLENCE & DISPLACEMENT

Violence targeted adivasi and dalit Christian communities and Hindus became vulnerable if they were seen assisting or standing up for the Christian community. Most women lost access to their land and livelihood and the savings they had made through self help groups. Compensation for destroyed houses and deaths of family members has proved arbitrary and inadequate. With communities still deeply divided, the women remain extremely insecure.

In the violence A.B. (32) an adivasi Christian, lost her husband who was brutally killed- his legs, hands and head cut off. Survival, however is proving even more difficult in the face of the social and economic ostracism of the villagers. Before the violence she made and sold leaf plates and worked on a small piece of land on which she grew vegetables. Now the Hindus of the village will not give her any work. They are angry because she filed a complaint in the police station and is pursuing the case in court. "Livelihood is the biggest concern for me," she said.

'C.D.' (70) a Hindu relives again and again the three days when she sat by her son's body, watched him slowly bleed to death and safeguarded his body from the dogs till the police came. He had tried to stop the mob from attacking Christians. They had turned on him cutting off his legs, hands and penis. "Our own people turned against us" she observes.

Singled out for a particularly brutal patriarchal backlash were women social workers and women's rights activists. IJ (43), a Dalit Christian, headed a women's rights

organisation which was active in an anti-liquor campaign and in a self-help group. She narrated as follows:

*"The night Swami Lakshmananda's funeral procession with the Swami's body passed by our house we suddenly saw and heard a mob of 100-150 persons approaching the house. They had swords, axe, sticks and guns. Somebody shouted, You are doing a lot of leafergiri. Come, we will cut you into pieces. Bring your daughter, we will rape you and her in the middle of the market".*

I.J. managed to escape with her daughters to the forest while the mob looted and burnt down the house. She remains displaced, too afraid to return. She worries about her daughter, (who is still taking medication for trauma). Ironically, the daughter is married to a Hindu who is posted in the same village. IJ further said:

*Last year, when I returned to my village to meet my uncle, a shop owner called my uncle and said "Tell her that I will cut off her breasts, insert a sword in her vagina, cut her into pieces and pack her in a bag and throw her in the river. Where will she go?" My uncle told me this, and I complained in the police station. Even now, I am under threat. I did no wrong to anyone, yet I am running away, hiding from place to place and living like a criminal; they did so many horrible things, and they are roaming around like bulls!*

E.F. a social worker, had been working for the welfare of underprivileged communities in Kandhamal. Hiding in

a Hindu's house at night, the mob found her the next morning. She was dragged out into the road, abused, physically assaulted, clothes ripped open and gang raped. "I was paraded on the road in a half-naked state. The police were standing by but they refused to help."

*"When I went to the police station to lodge a complaint, they asked me to take off my clothes and hand them over for forensic examination. I appealed to them to give me something else to wear. They indifferently said I would have to get another set of clothes myself. Some kind person, not from the police force, brought me some clothes to change into. The police tried to dissuade me from lodging a complaint. If this is the way our legal system works, why will any woman pursue justice when she has been sexually assaulted? After going to the police station, I was constantly on the move for several months, hiding in different places. I am still haunted by the incident. But I want my story to be told. It may give strength to other women who have had similar experiences."*

Victim and witness protection, from the time of lodging a criminal complaint, is extremely important but sadly not in place. Further it is pertinent to note that such errant officials, who have committed culpable acts of commission and omission, and failed to discharge their duties as mandated by law, have not been held accountable. An efficient system of accountability for public officials is clearly a need of the hour.

## **CORRUPTION, SECURITY & STATE INSTITUTIONS**

Most women affected by violence had negative experiences with the local government officials who tried to dissuade them from testifying in court. For instance, in a village in K.Nuagam block, a Block Development Officer (BDO) — a government official — tried to discourage a woman from participating in court proceedings as a witness to the involvement of a local leader in the violence. He tried to intimidate her saying he (the accused) was so powerful that he could crush and kill her. She lodged a complaint with both the Collector and the Superintendent of Police (SP) of Kandhamal for protection, however, no protection was accorded to her. Instead, the *tehsildar* (revenue administrative officer) reportedly threatened her that he would lodge a case of illegal occupation of Adivasi land against her if she

persisted in giving a testimony in court. The local *panchayat samiti* official also informed her that there was a plot to kill her. The working of patronage networks make access to justice extremely difficult, particularly for vulnerable women. Not surprisingly most prosecutions are dropped because the witnesses have been intimidated into silence. Significantly when women do come forward they have proved more steadfast.

Many women complained of the corruption they routinely confronted, as for instance in the issuance of Below Poverty Line (BPL) cards, job cards, allotment of work and payments under the National Rural Employment Guarantee Act (NREGA).

*"We have job cards but didn't ask for jobs this year. The contractors make the payments late. If we work this month, we get the payment after 6 months, and that too after a bribe...Three of us gave bribes to get a job card under NREGA. The contractor receives the sanctioned money but releases it to us in instalments that are delayed. For each instalment, we have to pay a bribe, so it is a loss for us. The job cards are in the name of our husbands; they receive the payment and they pay the bribe. For a payment of Rs 10,000, sometimes we have to give a bribe of Rs. 4000-5000. Some of us still have dues from last year's work."*

On one hand, it is imperative for the district administration to apply the provisions of NREGA and other livelihood schemes of the government to women of the affected community, with no discrimination on the basis of caste, religion or gender. On the other hand, it is equally important for the government to act against those engaging in such discrimination or corruption. Jobs allotted under livelihood schemes are often labour intensive, making them ill-suited to women, particularly those who are pregnant, physically ill, weak or elderly.

Making the connection between everyday corruption and the heightened impact of corruption in a context of politicised violence and its implications for their security of life and livelihood was a leap that several Christian women made. Some women referred to a 'chanda' (forced donation) that is extorted by the Hindus from Christians at the time of Hindu religious festivals and rituals. Fearful of another attack on the Christian community, they pay up this form of a bribe.

Corruption shows no respect for the communal divide

and Hindu and Christian women are both vulnerable. Hindu women complained of their inability to access self-help group (SHG) schemes (such as the preparation of mid-day meals in government schools). They have to be approved through the ICDS (Integrated Child Development Scheme) supervisor, etc – to all of whom bribes have to be paid. The police are also seen as hugely corrupt and in the pocket of the liquor mafia. They have often had runs in with the police over their anti liquor campaigns.

As regards the local police, most women viewed them with suspicion and distrust. Summing up the responses of women, Saumya states, “the police had a) failed to protect them from the rampaging mobs; b) been complicit with the perpetrators; c) failed to perform their duty when the women approached them for registering their complaints; d) failed to arrest perpetrators pursuant to their complaints; and e) conducted investigations in a callous and disinterested manner. Whereas some women preferred to repose faith in the central reserve police forces (CRPF), others had been witness to the CRPF jawans’ sexual exploitation of girls in the relief camps.

## PEACE WITH JUSTICE

In the powerful ‘Women and Peace’ discourse, there is the lofty moral assumption of women building bridges across conflict faultiness, of empathising and building bonds with each other’s common suffering of loss of a husband or a son. However, that belief seems to flounder when confronted with the complex responses of women which are shaped by their location in life – belonging to the majority community, to a particular religion, caste, ethnicity or class.

*“Prior to the violence, Hindus and Christians used to drink water from the same well in my village. We would go to the forests together to collect leaves, wood and other products. We would celebrate festivals together, work on each other’s farms, and help each other. After the violence, we are not allowed to pick forest produce, and we cannot take water from the common wells.”*

As evinced from women’s perspectives on ‘peace’ in the Kandhmal context, whereas social reconciliation was critical from the viewpoint of minority women – the victim-survivors, for the majority community women re-establishing communal harmony was secondary to

other pertinent issues such as domestic violence and alcohol abuse. Indeed, the issue of domestic violence was common for both communities, but amongst some of the victim-survivors there was a nascent groping towards an understanding of the continuum of violence women face because of women’s low status. For example, a woman from the Nandagiri rehabilitation site said:

*“For women, there is no peace – either at home or outside. At home we face the demands of children and violence from husband. Outside, we face the fear of violence from the Hindu community.”*

Return and the rebuilding of lives and the re-establishment of inter community social and economic ties is crucial for the security and survival of the vulnerable minority women. It may also explain the emphasis on the Christian value of ‘forgiveness’, and the recourse to a higher justice – the justice of God, especially when punitive justice is inaccessible. Peace is the return of communal harmony.

*As lucidly stated by a dalit Christian girl, “Peace is to live in harmony with other communities as in the past, without violence, harassment or taunts, including from Hindu boys”.*

Among the Hindu women, there was a chorus of voices against alcohol abuse by the men of their families and domestic violence (related and unrelated to alcoholism). Peace was threatened by alcoholic consumption. The women spoke at length of their acts of resistance to male family members’ consumption of alcohol, and their efforts to confront shop owners and alcohol manufacturers.

Justice, for many, remains elusive, as in the case of A.B. whose husband was hacked to death. All the accused were acquitted as crucial witnesses turned hostile during trial. But A.B. was not about to give up on the judicial system.

*“I will encourage all women to lodge FIR. If they threaten the woman, we will again lodge FIR about the threat. We will not leave them free.”*

Many older mothers spoke of a higher court of justice, the justice of god. IJ (70) whose son bled to death in her arms, brutally killed by his own community, said,

*"If I am called to court, and I am alive, I will go and tell them what happened. In any case justice will be done. For they will be punished, in their own way, for what they did to my son."*

Another women had seen the judicial system work to convict the killers of her son. But even for her, the real justice would be God's justice:

*"God will give us justice. Law took its own course, and a few of the perpetrators were convicted and punished for 3 and 5 years for killing my son. But the ultimate justice is from god."*

In the violence, churches, convents, priests and nuns were attacked. While it might be expected that a Catholic nun would counsel "forgiveness", it is interesting that her colleague insists on pursuing justice.

*"Justice is very important, but when there is any problem — we should first try to solve it from within. Justice through courts is only a last resort. For killings, rape, burning of houses and other crimes — Jesus Christ taught us to forgive... We should learn to forgive and forget, not let the wounds fester. The attackers should feel that we still love them."*

A contradictory viewpoint was presented by another Catholic nun, who is presently studying law, when she said:

*"Being a nun, I teach compassion, peace and forgiveness to the women that I work with. It is true that Jesus asked us to forgive our enemy; but Jesus never asked us not to pursue the course of justice...The Bible also says that justice should flow like a river, and that wherever there is justice, there is God because God can never be unjust...Forgiving does not mean forgetting. I encourage women to assert their citizenship rights and to get their dues under law."*

With the state government persisting in its denial about the communal nature of the violence, the district administration is insensitive to the need for sustained intervention to address the deep social and security implications of the targeted communal violence to

restore the victim-survivor community to a life with dignity. Instead, the government is proceeding on the assumption that the survivors of the violence have been rehabilitated and re-integrated substantially in their villages, and that status quo ante has been established.

*As Saumya in revisiting Kandhamal five years after observed, "there is a failure to understand the health-related, economic, legal, social and cultural ramifications of communal violence. The responsibilities of the state government towards women victim-survivors of the Kandhamal violence are yet to be discharged fully with due diligence. The government's assumption that the women affected by the violence require no further assistance is not supported by ground realities".*

Personal safety of women and girls continues to be a major concern. Many women have lost complete access to land after they were forced to flee their villages. The district administration is duty-bound to assist such women in regaining access of their lands that they had to abandon when they fled their villages. Those women who have returned to their villages face continuous threat from members of the Hindu community, and have had huge difficulties rebuilding their houses in their villages, and have therefore preferred to build homes in towns. Women who fled to the slums of Bhubaneswar after the violence, have prioritised personal safety over financial issues, and are stretching beyond their means to continue living there. Women have few options for livelihood, both at rehabilitation sites as well as in slums away from Kandhamal. In rehabilitation sites, women feel insecure and vulnerable to attacks. Those who have returned to their villages face economic boycott of differing degrees. It appears that the alternatives before women — returning to villages, residing in towns or resettlement sites, and moving to the slums of Bhubaneswar — are all bleak and fraught with difficulties.

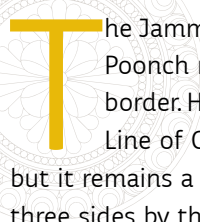
Peace initiatives of the district administration have been successful only in some villages. In villages that were hard-hit by the violence, there is a continuing need for confidence-building measures. Peace initiatives have largely excluded women, failing to tap a huge resource. At present, although there are no overt acts of violence, the peace appears to be fragile and superficial, with an underlying layer of potent fear and helplessness to possible recurrence of violence.



Naseema Akhtar, 25, who lost her left leg in a landmine explosion while crossing a field near the Line of Control (LoC), April 4, 2012. International Day for Mine Awareness and Assistance in Mine Action is observed on April 4 each year. Photo Credit: REUTERS/Mukesh Gupta

## SECTION IV: RAJOURI & POONCH: LIVES ON THE LoC

*“My fields are the nation’s killing fields!”*



**T**he Jammu division’s hill districts of Rajouri and Poonch make up 223 km of the India-Pakistan border. Here the border’s character is that of the Line of Control (LoC)<sup>11</sup> which India has fenced, but it remains a contested line. Poonch is encircled on three sides by the LoC. On the fourth side rises the Pir Panjal range which separates the hill districts from the Kashmir valley. Till 2003 when a ceasefire was declared, the noise and dust of cross fire shelling was a constant for the border villages; cross border infiltration of militants seeking all weather access routes to the valley was a routine occurrence; targeted militant attacks shifted the locus of counter insurgency operations to the hill districts in the second ‘foreign’ phase of militancy. Caught in between the two guns were the ‘borderlanders’ women and men whose fields became the nation’s killing fields, and whose lives became expendable. Over the last 60 years the border peoples, on the margins of the grand moments of war and peacemaking in the sub-continent, have had to negotiate the shifting of borders, nations and belonging. The Great Partition and the wars between India and Pakistan have most affected Rajouri and Poonch dividing territory, family and nation.

More than 70 percent of ‘Pakistan Administered Kashmir’ or ‘Azad Kashmir’ has been carved out of princely province of Jammu, making a province with 61 percent Muslims a Hindu majority province with 31 percent Muslims. That historical moment of disruption and uprooting around the accession of J&K in 1947 gets reconstructed as a contemporary moment in the lives of the border peoples as territories and people continue to shift due to the vagaries of crossfire shelling, endemic wars and the prospect of negotiated adjustments. In

2004 when there was a buzz about Pakistan President Gen Pervez Musharraf’s proposals for settling the Kashmir dispute, the people of Rajouri and Poonch were anxious that the proposed territorial ‘adjustments’ would again unsettle them. Most recently, the intensification of the LoC ceasefire violations in Poonch sector and the ratcheting up of war jingoism threatened a ceasefire meltdown in 2013 that again reminded the border peoples of the fragility of their settled lives and lands. Here, the peoples’ historical memory is a record of the violence and disruption of Partition and the wars on the border in the years — 1947-48, 1965, 1971, 1990, 1996-2000, 2002. Twice in two wars in 1947 and 1965, the people of Rajouri and Poonch succumbed to the lure of “*Kashmir banega Pakistan*” and faced its brutal consequences. Those experiences have socialised the borderlanders young and old, and produced the context of their alienation from the ethno-nationalist politics of the valley.

Active militancy has been contained but the LoC in the Poonch sector remains an unquiet border. 2012-2013 saw a return of infiltration attempts and a jump in bloody skirmishes on the LoC that threatened to destabilise the ceasefire, a major Confidence Building Measure (CBM). Moreover, 2013 saw a spurt in incidents of communal contagion in the hill districts Kishtwar, Rajouri and Jammu.

The districts of Rajouri and Poonch have an overall Muslim majority population (Rajouri 60%, and Poonch 91%). The towns have non-Muslim majorities — Poonch 66% and Rajouri 59%. Scholars maintain that markers of identity are more on the basis of caste, tribe and

Whether it is the Gujjar-Bakarwal tribes or the Paharis, despite the high level of rural women engaged in economically productive activities outside the home, girls are regarded as a liability. Low investment is made in their well being or education, early marriage is common and customary practices are sexually exploitative, especially amongst the Bakarwal tribes.

language rather than religion.<sup>12</sup> Caste is the pre-eminent category having continuity across the religious divide, e.g. Rajputs and Gujjar-Bakarwal tribal communities make up the third largest group in J&K. The Gujjar population is concentrated in Rajouri and Poonch districts. Of the Muslim population, they make up 54% and 43% respectively.<sup>13</sup> Following the government's decision to accord the Gujjar-Bakarwal communities 'scheduled tribe' status, the divide between tribal and non tribal (Paharis) categories has got further entrenched.<sup>13</sup> New faultlines are emerging Kashmiri Muslim vs Jammu Muslim, tribal vs Paharis. "Today we are confronted with the terror of division and communalisation of social relations, not any more the terror of militants or the army", said a student leader.

Hindus and Muslims, we were told, feel culturally more bonded with each other than with their co-religionists in Kashmir valley (98% Muslim). The geographic separation between Jammu and Kashmir is mirrored in their socio economic and ethno linguistic distance which has produced divergent political legacies. Kashmir's ethno nationalist identity politics do not cross the Pir Panjal range into the Jammu division. The identity politics of Jammu is characterise by the demands for reorganisation of power relations within J&K.<sup>14</sup> Whereas Kashmiri nationalism gets positioned in competition with Indian nationalism, Jammu's nationalism gets positioned as pro India<sup>15</sup> and its Gujjar and Paharis Muslims as pro Indian. Commonly voiced in Rajouri by elected Panchayat members was the refrain, "we're the ones who hold aloft the tri-colour, we work shoulder to shoulder with the army, yet we the 'nationalists' get neglected."

## STATUS AND VULNERABILITY

Accustomed to the vocal and articulate women of the valley, here the researchers were faced with the practical problem of reaching the women and found themselves 'going through the men' to hear the women. More surprising, was that when the rural women came together from neighbouring villages as a victim/survivor group as in Buddhal Tehsil, they spoke as individuals. There was little evidence of bonding, solidarity or social cohesiveness.

As Dr. Mushtaq of Surankot town explained, "The cohesiveness of society has been ruptured by the Pahari-Gujjar divide. The topography is such that people live in scattered hamlets. If they report to the police, no one will come to defend them. The level of oppression and terror is so intense, no one will come forward." Also, the social position of women being very low, it only increases their vulnerability. Whether it is the Gujjar-Bakarwal tribes or the Paharis, despite the high level of rural women engaged in economically productive activities outside the home, girls are regarded as a liability. Low investment is made in their well being or education, early marriage is common and customary practices are sexually exploitative, especially amongst the Bakarwal tribes. Independent researchers drawing upon the 2001 census, estimate the sex ratio among the Gujjar-Bakarwals to be 846:1000, literacy rate at 35% with female literacy below 10%, pulling down the state average of 883. Rajouri has a sex ratio of 863:1000, Poonch is better at 890:1000.<sup>16</sup> The Indian Planning Commission's "J&K Development Report" (2003) acknowledges the deprivation of the border areas.

“People have long been victims of the hostility between the two countries as a result of frequent shelling along the Line of Control (LOC) and the international border, which has inflicted miseries on the poor, down trodden inhabitants. (In addition) lack of employment opportunities other than in the government sector and improper functioning of some of the sectors of the state governments have also contributed to an increase in the problems of the border areas. Consequently, literacy rates still remains quite low, there is little improvement in infrastructure — schools, hospitals, paved roads, electric powers and piped drinking water are almost non-existent, especially in remote border villages. Here, it may be safely guessed that most of the developmental activities have taken place in urban areas, where the index of Social Development (which includes indicators like literacy, health care, access to other social services, etc) may rank moderately high.”<sup>17</sup>

These ‘unequal citizens’ of the borderlands of the LoC have been made to feel “security is your own responsibility”. Bright and ‘aspirational’ university students, women and men, from the border areas said, “there is nothing like ‘security’ in the region — it is only ‘insecurity’ for the common people.”

*“Militants are not our relatives that we have to defend them. They are doing what we expect of them. However, the army is supposed to provide security to us and at the border. But they are doing just the opposite. Coming into our villages, into our homes — abusing and violating us. Innocent unarmed civilians are picked up on mere suspicion.”*  
— University Students, Jammu, 2012

Their words mocked at the pride and arrogance with which a senior army officer posted in the region asserted, the army had a responsibility to uphold the power and the strength of the state and that meant balancing “when to use terror and when understanding”. Emphasising national security at the cost of human security, he scoffed at bringing human rights into a counterinsurgency theatre. On the suffering of civilians, he said, “Militants should have thought of their wives, mothers and sisters before taking up the gun”. But recalling his own family’s vulnerable position in Maoist affected Bihar, he added, “What can I say to a woman whose husband has been killed. I can philosophise, but

the minute she asks — where is my husband —there is nothing I can say. I can only ensure her children get opportunities for schooling.”

## NORMALISATION OF MILITARISATION

The strategic significance of the border districts was brought home in the India-Pakistan wars. The additional challenge of cross border infiltration and militancy since the 1990s doubled the permanent deployment of the Indian security forces. Rajouri and Poonch served largely as all weather access routes for infiltrators on their way to the valley. Targeted militancy related incidents date from 1996 when pro-independence elements and local militant leadership had been displaced by the Hizb-ul-Mujahideen, Harkat-ul-Ansar and Lashkar-e-Toiba.<sup>18</sup>

The armed forces are ubiquitous in the border belt and control huge swathes of public and agricultural land.<sup>19</sup> Endless stretches of permanent camps of the armed forces dominate the 157 km road from Jammu to the border districts of Rajouri and Poonch. “*Ajeet hain, abheet hain!*” (“we are victorious, we are invincible”) — the slogan dominated the walls of the endless stretches of camps of the armed forces along the 157 km road from Jammu to the border districts of Rajouri and Poonch. Whereas in Kashmir the Chief Minister can rebuke the inappropriateness of a slogan that suggests the conquest of the country’s own citizens<sup>20</sup> in the border districts it is not even noticed. Army authority here is unchallengeable, displacing civilian authority even in development activities.

Overall force deployment for J&K as stated in the state assembly in 2007 was 6,34,000. The army’s dedicated units for J&K, the Rashtriya Rifles, has a deployment of 65,000. According to former Union Law Minister Ashwani Kumar, 86,260 central paramilitary forces (CRPF & BSF) were deployed in 2011. Independent assessments put one armed soldier for every 20 persons in J&K.<sup>21</sup> AFSPA is in force with the state of J&K declared a ‘disturbed area’. Rajouri and Poonch hold up a mirror to the valley’s future face as active militancy abates. Some bunkers are being dismantled and thickets of troops withdrawn to less obtrusive permanent camps, but militarisation has become normalisation as a way of life. For instance, in Buddhal, once a militancy affected hub with heavy troop deployment, the Assam Rifles battalion is in the process of being withdrawn from there. However, entire hillsides on both sides of the road from Rajouri to Buddhal have become permanent camps of the Rashtriya Rifles. One

hillside was the site of a children's park. Now it is heavily fortified with barbed wire, walls and guard towers.

Further up towards Poonch is Surankote or 'little Kashmir', once the notorious epicenter of militancy on the LOC. Security forces no longer occupy public buildings – the Dak Bungalow and the schools. But left in the centre of the town is the garrisoned fastness of a CRPF camp. It looms over a clutch of educational institutions – the Government Boys Higher Secondary School, the Women's Degree College and a primary school. The shrinking school playing field is pressed in by the wall of the *idgah* (prayer ground) on one side and the concertina barbed wires and high walls of the encroaching CRPF camp. Entrance to the educational complex is through two openings, one a gap in the barbed wire, the other a securitised gate through which jawans and students enter. Armed sentries watch as students scramble through the barricades. The students, including the girls shrugged as if they did not or could not afford to notice.

Similarly, in Poonch University, young graduate students who journeyed daily from the border districts revealed a steely determination to behave as if they were cocooned from militarisation and extremism. Samina, now a mother of two recalled when as a graduate student she would take the bus from Surankot to the Degree College in Poonch. Routinely the army would stop the bus. Girls would wait in the bus, while the male passengers got down to haul up heavy ammunition boxes and supplies to steep hill posts.

Refusal was not an option, as Md Sarwar Khan learnt. Officers of the Rashtriya Rifles had stopped the Poonch-Pelera Mandi bus. According to the son, his aging father was forced to carry the heavy load. He offered to pay Rs 500 to hire a younger person to do so. Angered, the soldiers thrashed him. Forced to carry the load, he collapsed. By the time he was rushed to the local hospital, he was dead. The State Human Rights Commission directed ex gratia relief be paid as he died 'serving' the army. But no compensation was paid to his widow.

All over the border belt, the imprint of the security forces is omnipresent – donating sports equipment to colleges, building a stadium, running army schools – stamping their contribution at Buda Amarnath temple in Mandi tehsil and running vocational training centres for women. "We have a different relationship with the army," explained Dr. Shahnaz Ganai, an elected Councilor

from Poonch. "Unlike in the valley, here they are in fixed positions on the border not patrolling down our streets and in our homes, as in the valley."

*A woman teacher residing in Pandita Mohallah (Poonch) added, "The army is our security. Pull out the army, and within hours Poonch would be Pakistan."*

In Rajouri, a garrisoned town with the head quarters of the GOC Northern Command, it seemed that for the women teachers the militarisation all around them made them feel safe and secure. The army was a much better provider of civil services than the government and administration, the women said. Through its Sadbhavna program, the army "has provided us with 40 desks and 6 computers. They have also promised to build a toilet. We face a lot of problem since we do not have one." But more softly, a minority discourse could be heard, largely from the women who came from the villages closer to the border.

*"The jawans pass lewd comments at girls as they walked to school, but I complained to their commanding officer. We were careful never to drink or eat more than what was absolutely necessary. So that we would not have to go outside at night. Come early evening, we would pull down the shutters and douse the lights. We did not want to draw any attention. We did not want the militants to come. The army would follow and beat us."*

Even in Rajouri city proper the intrusive presence of the security forces has meant complex daily negotiations. The forces had taken over part of the Government Girls' Higher Secondary School including the computer lab. The principal Razia Quereshi used a chance encounter with the GOC to persuaded him to remove the camp from the school premises. The vacating troops left but not before they had vandalised the computer lab.

The contradictory layers of security and vulnerability seemed particularly difficult to untangle when we met Tazeem Akhtar, the driving force of the Pakeezah Mahila Mandal, an NGO in Poonch. Through the Nehru Kendra she is an enthusiastic participant in the army's Operation Sadbhavna<sup>23</sup> scheme of fostering exchange visits of women and children to and from J&K. The

The families of militants were under constant social harassment and mental torture from the soldiers to get their sons or husbands to surrender. In one case, a mother persuaded her son to surrender. He was tuned into a 'source' for the army. But under threat from the militants, he again started to work for them. Eventually, the militants beheaded him and stuck his head on a pike.

initiative is aimed at national integration.<sup>24</sup> But any easy labeling of pro-Indian or pro army soon got destabilised as she recounted the story of her panic reaction, a few weeks before we met. Dusk had fallen as she was returning after teaching at the school in Sawjian, a border village. Walking down the deserted hill road, she heard and saw above an army vehicle driving down the road. Panicking, she jumped, the river below. She landed on a lower ledge. The soldiers found her. She saw with relief her male colleague riding with them and got in.

As we spoke with Tazeem's circle of relatives, housewives and teachers, the weariness and wariness of living between two guns came through in the stories of life on the border in Poonch. There was sadness and bitterness over the fate of a group of four 14-15 years old boys from Srinagar. They had been lured to go across for training. A 'source' had brought them to the border at Mandi and betrayed them to the forces. They were taken into custody and executed. Tazeem's sister in law, a teacher at a school in Mandi had watched the grieving parents take the bodies back home.

They spoke of mothers who had tried to stop sons from joining militancy. The families of militants were under constant social harassment and mental torture from the soldiers to get their sons or husbands to surrender. In one case, a mother persuaded her son to surrender. He was tuned into a 'source' for the army. But under threat from the militants, he again started to work for them. Eventually, the militants beheaded him and stuck his head on a pike. In Dharal village, Rajouri district, a mother stopped the militants from taking away her two sons to join them. They left but soon returned. She was

shot point blank on 14 September 2005. Such stories — fact or fiction — have become part of lore of militancy and state repression.<sup>25</sup> "What is there to fear now? What we had to lose, we've lost, our husbands, our sons" — was the lament of the chorus of women.

## **VIOLENCE BREACHES THE SECURITY OF HOME**

The aphorism — *one person's security is another's source of insecurity* — was to haunt us as boundaries got more and more blurred. Who were these 'unidentified gunmen' in a fauji uniform or a salwar kameez — soldiers, militants or a renegades. Militarisation meant the violence of the gun be it the 'legitimate' (including excessive) use of force or the illegitimate violence of the militants. In 1998 in Sailan, a village in Surnakot tehsil, the extended family of a militant, 19 women, children and men were executed by 'unknown'. The FIR of the Sailan massacre lists rape as one of the charges. The militant had killed a dreaded SPO (an irregular local police recruit). The army's para unit stationed there was allegedly implicated in the massacre. The family's lone survivor is still pursuing justice.

Fatima Jan lives in Guntrain (Haveli tehsil) a village that is half fenced out on the LOC. Here the people are dependent upon the army for their basic welfare needs — water, electricity, schools, health care and to evacuate them from recurring cross border assaults and to counter militant infiltration. But it makes the border people all the more vulnerable to 'serving' the army as porter, guide and human shield.



The entrance to the educational complex is through two openings, one a gap in barbed wire, the other a securitised gate through which jawans and students enter.

Photo Credit: Sahba Husain

*"They call you for 'work' but once you go there is no telling whether you'll ever come back". In December 1998 Hakim Din Mohammad (my husband) was called away by Subedar Balraj 8th JK LI to the army post in Guntrian. He did not return. I went to the army post. They said he'd gone to report to the CO in Sackloo post. He used to work as a 'source' for the army. With no sign of his return, I told them I would file an FIR against the jawans. They threatened me. For four and a half years, they kept me under house arrest. [She was not allowed to exit the guarded gate of the fenced out village]. Even when one of my 6 daughters fell sick, the jawans brought a doctor home, but did not allow us to go to hospital. Only when the army unit was transferred, could I leave. I had difficulty registering a case of custodial killing, but the police blamed me for not coming forward earlier."*

Equally, the women and their families are vulnerable to the militants who come for local recruits, shelter, food and directions, only to be followed by the soldiers who beat up the villagers or worse. And then the militants come back and accuse them of being 'informers'. Girls, women and men have been summarily beheaded, or have had their ears and nose slit. Who the perpetrators of violence and injustice are, is never clear, nor is there any lofty morality of choice in being a 'source' for the army or working for the militants. At issue was survival as Shahpari from a remote border village in Buddhal reminded us.

*"It was 2000, we were at our dhok (a stone dwelling) to access alpine pastures for our animals, my husband, our 7 children and I. 13 militants came and took away him away to show them the way. I tried to stop them. Who would get grass for the animals if he went? They didn't listen. Next day three militants returned. He wasn't with them. They were angry. Had he come home? Had I sent him to report to the chowk (police)? All through the grilling, one of the militants was sharpening his knife in readiness. Gripped by terror, I appealed to one of them to spare us — we have small children to look after. Pleading I said, "I swear by the Koran, I haven't sent him to the chowk. I don't know where he is". They turned on me. What did I an illiterate woman know of the Koran. I pointed to the roti (daily bread) and said, "I'll swear by the roti. A man has to have food in his belly before even the Koran." This outraged them. They began to thrash me and the children. My husband returned at 6 pm. They killed him. An hour and half later, they killed my niece's husband at his shop down in town. He used to tailor uniforms for the army. After that for two years the army declared the dhoks off limits."*

Militants targeted Hindu families but what perhaps was even more painful was the realisation that their Muslim neighbours lured by the prospect of appropriating their lands, were now reluctant to see their return. In 2005 in retaliation for the security forces killing three militants, 10 men of three Hindu families were killed. The

A 70-year old grandmother from a fenced out village in Uri district crosses over to POK/ Azad Kashmir to join her son and grandsons. It precipitated a sequence of events that included the beheading of two Indian soldiers at Krishnaghathi (Poonch) and a near ceasefire meltdown in January 2013.

women fled the villages and were given refuge in one-room government quarters in Buddhal. With the Assam Rifles battalion about to withdraw from Buddhal, their insecurity is mounting.

*“At the time, our Muslim neighbours had helped pick up the dead bodies and perform the last rites. They did not stop us from leaving then. Now they do not want us to return to our lands. If we are attacked again, they say this time don’t look to us to pick up the bodies. Anyway without our men what worth are our lands.”*

Conflict situations destabilise the moral compass for not only the armed actors but the conflict affected society. The desperation of survival makes for ambiguity and makes for a suspension of judgment. Here you would be an army ‘source’ by day and a militant accomplice by night. In that continuum, it was not ideology but the compulsions of survival that led the Paharis, Gujjars, Bakerwals in the remote passes to ‘serve’ as the army’s porters, informers and trail blazers in the minefields. But greed too made them guide infiltrating militants and provide them food and shelter. When politics failed, the militants came with sackfuls of money (sometimes fake currency). Dr Mushtaq of Surankot remembered seeing Dhodi tribal women in their distinctive red dress buying almonds, cashews and coca cola, evidently for the militants. The political economy of conflict brought opportunities for some just as it closed life enhancing options for others.

## VILLAGES THAT STRADDLE THE LoC

In Poonch, where the LoC is never far, dependence and terror stalk the border villages, especially in the 45 totally fenced out and nearly 100 partially fenced out villages.<sup>26</sup> In Barbaad Keerni, a fenced out village once notorious as an access route for militants, in 1991 (when cross border confrontations were intense in this sector, and the Pakistan army posts on the strategic heights were positioned much closer, than the Indian army camp below,) 22 families (76 persons) went overnight across the border. Amongst Keerni’s divided families questions of identity and belonging are blurred or circumstantial. Md Sarwar works with the J&K police, his brother with the BSF in West Bengal. Returning home, they discover the parents have ‘gone over’ to Pakistan Administered Kashmir. In the wake of Kargil (1998) and Operation Parakrama (2002), and the fencing of the border, Keerni was evacuated. In 2010 they were allowed to return.<sup>27</sup>

For the borderlanders of the LOC, the border continues to be a shifting reality. Even now entire families and on occasion entire villages (Barbad Keerni, Panja Ghari, Manjakot) have fled across the border to avoid cross fire shelling or reprisals. A 70-year old grandmother from a fenced out village in Uri district crosses over to POK/ Azad Kashmir to join her son and grandsons. It precipitated a sequence of events that included the beheading of two Indian soldiers at Krishnaghathi (Poonch) and a near ceasefire meltdown in January 2013. It was a reminder of how everyday lives of the people of the fenced out border villages are co-joined with the grand India-Pakistan narrative.

As we visited the border villages the notion of security was turned on its head. In the rest of the country, people imagine the borders as secure due to the army's presence there. But who pays the cost for 'national security' was brought home to us as we were overwhelmed by a crowd of survivors of landmine blasts and cross border shelling, women and men from the villages on the LOC. One of the region's rare human rights defenders, Kawaljit Singh had called them. He was helping them petition the State Human Rights Commission (SHRC) for loss of life, livelihood and injury caused by cross border shelling and landmine explosions.

In some cases, the men had been summoned by the army to fetch wood for their bunkers, to de-weed the land near the border fencing, to scour an area for mines, to act as human shields or to hunt out militants in a cornfield. Others had routinely taken their cattle to graze and stepped on a sited land mine. There were women going about their daily chores of cooking, fetching water, milking buffaloes, when shelling and landmine blasts made them 'survivors'. Also, there were victim families, searching for 'missing' husbands and brothers. The hillsides in Rajouri and Poonch have their harvest of unmarked mass graves. Complaints before the SHRC claim 2717 and 1127 unmarked graves in Poonch and Rajouri respectively.<sup>28</sup>

*"Life is hell when you live so close to the border. The soldiers never leave us in peace. They use us as protective shields. They are the first to run for their lives in case of a landmine blast. They don't care whether we survive or bleed to death, in fact death would be a better option for us than this daily drudgery."*

Poonch district accounts for 62% of landmine victims in J&K. Landmines were laid along the border during the three wars and most recently during Operation Parakram in 2002 when an estimated 2 million mines were laid. Landmine Monitor estimates 160 km of contaminated area along the border in Jammu division.<sup>29</sup> Most mines are said to have been removed but shifted mines due to rain and snow continue to maim people on the border.

A young woman pulled up her salwar and showed her prosthetic leg. She had gone out to fetch water when she stepped on a landmine. A middle-aged woman, Alfabi from Degwar Tarwan, recalled how in 1991, she, a student of class VIII, was seated at her desk when

a shell pierced her back. She is still struggling to get a disability pension. In 2007, a 17-year-old Bakerwal boy, MdSafir, was grazing his two goats near the border in the fenced out village Began Darhal. He strayed across:

*"Two Pakistani Rangers took me away and the two goats. The goats they must have eaten. I was locked up in a local jail and beaten, frequently. Six months later in a Pak-India prisoners' exchange, I was sent back. Once back, I was arrested and taken to Jammu jail for questioning. I spent 19 days in jail. I had begun to lead a normal life. I was going again to school. In 2010 as I was grazing the goats, I stepped on a landmine. "Mein aise hi ghas per payr rakha tha jaise aap khade ho aur achanak mera pair udhgaya". (I was standing like you on a patch of grass and suddenly my leg blew off). I don't go to school. I can't walk that far."*

In these killing fields it is common to find people such as Mohamed Bashir, the survivor of a mine blast (1990). In 2001, his sister Saleema bi (22) was cooking outside her house in Khairi Dharamsaal village when a cross border shell exploded, blowing up her earthen stove and ripping apart her left arm.

*"I was newly married and with child. It was a time of intense firing on the LOC. There was a constant dust haze because of the shelling. It was noon. I was outside cooking on the earthen stove. A shell exploded. The target was that top hill post. It tore away my right arm. [12 years later with her three children around her] I can chop vegetables with a knife gripped under my right armpit, but slowly. My husband did not leave me. He's a head loader at the LoC Trade Centre. Now there is work, and our land value has gone up."*

In the twin village of Khairi Kharmara, a model village adopted for Operation Sadbhavna, Shakeel Ahmed (18) had been newly recruited as a porter for the army at Rs 4,500 a month. In November 2012 when he was carrying vegetables to the border post of the Bihar Light Infantry he stepped on a mine. The explosion blew away his heel and his foot was amputated in the civil hospital. The treatment cost the family Rs 1.5 lakhs. What about the army's liability? Before joining, his father had signed the mandatory clearance form, absolving the army of responsibility for injury.

Shakeel's family is no stranger to the uncertainties of life on the border. Eleven years ago in 2001, Shakeel's aunt Manira Bi (28) was outside milking their buffaloes at 6.30 pm. Cross border shelling was intense. It hit the animal shed. A splinter pierced her stomach and she died.

Many more are the 'missing'. Husbands who have been serving as a 'source' in the Army Liaison Unit or doing 'labor' (voluntarily or forcibly) for the security forces. Their torn bodies would be discovered on the LoC and left unrecovered for fear of exploding mines and cross border shelling. Md Qasim of Timbra, Poonch was one such 'missing' called for 'work' by the CO of the 12th Dogra regiment in 1995. The army gave his mother Rs 1800 and ration for two months and then walked away. Even when the police registers a case, witnesses become elusive. Post mortem reports disappear or are falsified.

Not surprising then that despite the enormity of the violence done to their lives and livelihood, the demand for justice was missing. It was in sharp contrast to the human rights based outrage that is the foundation of the language of grievance and resistance in the valley. There we would have heard loudly the clamour for punitive justice. Here, it was hopeless resignation and a feeble struggle for compensation. Ironically, many had paid the requisite bribes. "Even after paying the money, they still don't move our files," bemoaned Noor Hassan a 1994 land mine victim. He had paid Rs 5000 but to no effect.<sup>30</sup>

## SEXUAL VIOLENCE

Curiously in the many conversations, there was hardly any mention of sexual exploitation or rape. Rape as a weapon of war is a dominant theme in the discourse of human rights violations in the valley and evidenced in national and international reports, including the survey based analysis of Medecins Sans Frontieres (2005).<sup>31</sup> However, as co-author Sahba Hussain found in her inquiries at hospitals in Kashmir, there is a dearth of medical documentation of case records of sexual violence.

In the border districts of Rajouri, Poonch (and Doda) districts, information about the likely widespread occurrence of both 'strategic' rape and 'opportunity' rape by the armed forces and the militants is largely anecdotal. There is the occasional documented reference to rape in the Sailan massacre (1998)<sup>32</sup> and in the Shameem Akhtar abduction and murder case (1999).

*Shameem Akhtar's body was found on November 21, 1999 at a distance of 150-200 yards from her village Chandok, Mandi tehsil. As her elder sister Naseem told us — the family Abdullah Akhtar, Hanifa Begum, Shameem (15) and she had gone to sleep early after an exhausting day's labour in the fields. "At 8:30 pm there was a knock. They said they were 'mujahids'. They were looking for Rafiq, a neighbor, who was known to work with the army. He had 'stuff' that belonged to them. Our father was forced to go with them to show them the way. Half an hour later, the militants returned. Shameem refused to open the door, uncertain whether our father was with them. When mother opened the other door, she did as well. They dragged her out.*

*According to Rafiq's testimony in custody — the soldiers of the 113 bn Territorial Army had seen Shameem on her way to school. As they were dragging her uphill, a soldier holding her stumbled and dropped the torch. In the confusion she made a run for it. She was shot. Her bloodied hand prints were found the next morning on the doors she knocked. None opened. Rafiq was arrested and sentenced to 7 years in jail. Released in 2006, he now runs a shop close to Naseem's house. Thirteen years after Naseem remains traumatised, the mother Hanifa Begum is mentally challenged. According to the State Human Rights Commission (2008) three army personnel of the 113 bn TA and a civilian were accused. A court martial found one of the jawans guilty. J&K SHRC noted that "The examination of the record shows that the petitioners daughter was not only killed but before being killed she was allegedly raped by 3 army personnel of 113 bn." The family received 1 lakh compensation.*

There are state police and intelligence agency reports of militants sexually exploiting and torturing women in the border districts.<sup>33</sup> In the polarised media space of conflict, there are worthy and unworthy victims. Whereas the national media following police leads will play up reports of militants sexually abusing local women, left out of the story is the state agencies' manipulation (and in turn sexual abuse) of the hapless women who have been rescued.

Rape rarely becomes a human rights issue here. According to co-author Anuradha Bhasin-Jamwal drawing upon her long journalistic exposure to the border belt,

*“It is also how women are placed culturally in the social hierarchy which makes rape a much bigger stigma than in other parts of the state. The twin border district are not only strongly patriarchal, inter-caste marriages here are considered unacceptable. Besides access to police and institutions of justice is limited as most of the incidents take place in far flung remote villages. Access to media is also limited and therefore these stories are never heard. Even if there is a murmur of protest, it does not last long in a highly militarised area with excessive surveillance on locals by men in uniform and their co-opted informers. Also, for them the issues of bread and butter, poverty and lack of development are so grave that pursuing justice becomes secondary.”*

## OPERATION SADBHAVNA

In the late 1990s, India’s counterinsurgency operations in the Northeast and J&K acquired a new strategic orientation — WHAM — winning hearts and minds, or as it came to be called in J&K—Operation Sadbhavna.<sup>34</sup> In 2006 WHAM was formally integrated into the counter insurgency doctrine as manifest in the army’s expanding civic action profile. In 2007-2008 Operation Sadbhavna’s budget was Rs 79 crores and encompassed building infrastructure, (community buildings, water tanks, micro hydro electric projects, public health centres, schools, stadia and public toilets) as well as vocational training centres for computer training, beauty parlours, blanket weaving and model army schools. In the initial years, it targeted school going children and women. In 2013 the army was engaged in 91 civic action projects in the two border districts.

This ‘bombs and biscuits’ frame has deligitimised urgently needed humanitarian and welfare assistance, undermined civilian authority and absolved them of their responsibility to provide for citizen’s welfare. Accountability has further receded as the ‘buck stops at the CO’. Also the co-existence of dual civil-military responsibility in implementing and operationalising these projects has made for huge wastages, skewed

development priorities and corruption.

Moreover, in the context of women and girl’s socialised experience of the security forces in situations of conflict, militarised civic action initiatives have compromised women’s access to necessary welfare and life enhancing facilities. “Do’s and Dont’s” for the army include scrupulously avoiding situations which make women sexually threatened. However, complaints persist. Admittedly though in most places families do send women to army run computer centres, blanket weaving workshops etc. Army officers acknowledge that the women reached out to are diffident about getting involved, lest “it be used to win their confidence and to make them become informers.” As Arpita Anant’s study of Operation Sadbhavna revealed, “Operation Sadbhavna is not about logistics, nor is it about welfare, rather, it is an important dimension of the operations of the Indian Army.”<sup>35</sup>

What did the ‘receivers’ of the army’s civic action programme think? In the village of Khairi Karmara, in Poonch district, a model village under the Sadbhavna programme, we confronted the contradictions built into the army’s welfare projects. In 2008 with much pomp and show the Health Care Centre was inaugurated. Congress President Sonia Gandhi was present along with the Defence Minister and Ghulam Nabi Azad. Rs 7,50,000 had been allocated from the Centre and a lakh and half was spent on the arrangements. Today the buildings have not one but two padlocks. Inside can be glimpsed hospital beds and medical equipment from that earlier time when it briefly functioned. Shakira bi remembered what a difference it made to pregnant women who developed complications at night, to have a ‘hospital’ in their midst. Her brother, AlamShir had donated the land to the local army regiment. Apparently, the CO of the 93 Brigade, 56 APO had promised that one of his family members would be given a government job in lieu of the land donated. Soon after the inauguration of the Centre, the unit moved on. The promise of a government job was forgotten. To add to this confusion, it seemed that no application had been made to the state authorities to sanction the Centre and allocate state doctors for running it.

The women who had collected around us at the locked Health Centre were quite cynical about Operation Sadbhavna. “The army has built a toilet. But where is it? Right next to the Sarpanch’s house. Who is going to use it? And there is no water,” they laughed.

The students are only too aware what corruption means for their lives — a bankrupt educational system. Without hefty bribes there is no access to government jobs, basic welfare entitlement schemes and compensation.

## CORRUPTION

Operation Sadbhavna opened up the army to charges of corruption. Anant's study showed that, since there was no specific recruitment for Sadbhavna, soldiers and officers were getting involved in the nitty-gritty of getting clearances for projects, acquisition of land, inviting tenders, ensuring quality in the infrastructure projects. "The downside of being a people-friendly Army is that people no longer respect the Army. Many felt that they were being perceived by people as corrupt government officials looking to make money by awarding contracts", army officers said.

The sarpanchs, educationists, and the local leaders were openly sceptical about Sadbhavna and spoke of it as another source of corruption. As a local journalist in Mendhar observed, contractors to the army for implementing Operation Sadbhavna projects made crores, especially on rural projects. In the urban areas there was some accountability but in the rural areas, none. The CO was the only check. It was commonplace to inflate costs. Cheap computers were bought, and their cost quadrupled. A couple of 'defence contractors', one involved in building infrastructure, the other supplying foodstuffs to the forces said "commissions were routine and a cut was given at every level of the state administration". "Women administrators were amongst the most demanding", the defence contractor said. Mark ups were at least 28%. The food and milk supplier to the soldiers said that the skim off was 30 percent and the quality of the meat, vegetables and milk very poor.

There was a widespread popular perception that "militancy and the army were linked with corruption." A group of women in Poonch baldly stated that the army had a vested interest in staying on despite declining militancy — "army kidukandaari" (the army's in business). Army sources insisted that the crores of counter insurgency money goes not to the army but to the state government and the intelligence agencies. However, there is the tranche of "Security Related Expenditure" — for

'sources,' and informers. The "root of corruption is New Delhi's desperation to keep Kashmir," said a perceptive Sarpanch. The younger generation that has grown up in the shadow of militancy and has tasted the 'dividends' of ceasefire and 'pacification' resources has its own analytical understanding of corruption.

*"Militancy began in the decade of the 1980s. But corruption in J&K is not an outcome of militancy. It has historical roots. It is the elite, the ruling class that is responsible for corruption. There's also no point in blaming the army because a majority of their ranks belong to the same class as we do. The central government does not want to end the problem of militancy, as it is economically and strategically beneficial to them."*

The students are only too aware what corruption means for their lives — a bankrupt educational system. Without hefty bribes there is no access to government jobs, basic welfare entitlement schemes and compensation. The principal of a Girls College in Rajouri, Razia Quereshi decried the corrupt educational system which forced her to pass illiterates. Reshma the panch from Banwaat village, had to accept as normal the Block Development officer would cut funds, before releasing them for the NREGA scheme of guaranteed 100 days employment for the poor. What about the funds of the Border Areas Development Programme (BADP)? "It's controlled by the army and they decided who to favour".

Reshma, Alafi, Sameena, Fatima, Shahpari have few resources and even fewer choices but they refuse to be broken and become the state's expendable peoples. These unequal citizens have shown resilience and courage in rebuilding their lives and that of the community in the face of an indifferent security state and political militancy turned into extremism.




Jammu & Kashmir Community Conversations.  
Photo Credit: Sahba Husain

## CHAPTER V

# TRIPURA: A FRACTURED WORLD

*In the Northeast hills, the tiny state of Tripura epitomises the militarisation of a tribal people that once ruled the princely kingdom of the Kok Borok speaking peoples the Tripura. Bounded by Assam and Mizoram on the west, more than three fourths of Tripura is ringed by Bangladesh with which it has a 856 km long porous border.*



**B**engali migration for land and work in the tea gardens made for a regular flow but till 1930s the tribal population enjoyed a slender majority. With Tripura's merger into the Indian state and electoral politics, the indigenous tribes have seen loss of political control, loss of forests, indebtedness, landlessness and displacement. The influx of refugees following the communal killings in the east, the Great Partition and subsequent waves of conflict induced and economic migrants have transformed its demographics. By 1991 the tribal population had dropped to 30 % of the population.

The arithmetic of electoral politics saw both the communists and the Congress party woo the majority Bengali electorate, with politics becoming more and more ethnicised and violent. Deprivation and discrimination fuelled violent insurgency. Tripura was declared 'disturbed' and security laws such as AFSPA were enforced, and the army and state paramilitaries unleashed brutal repression. Ten years of insurgency came to a close when a peace accord was concluded with the Tripura National Volunteers in 1988. However, as one respondent, an educationist said, "peace has divided the tribal communities, politically and on the basis of religion." The accord produced discord giving rise to splinter groups in particular, the All Tripura Tribal Force (ATTF) and the National Liberation Front of Tripura (NLFT). The violence continued becoming an

endless round of attrition. Factionalism undermined the effort to forge a united Kok Borok peoples front of the 32 tribes. The dominant NLFT sought to aggressively promote a common Borok identity reinforcing it with Christian identity, but the animist Reangs and the Vaishnavite Jamatias resented the evangelical zeal and split. Popular support for the cause weakened as the strategy of the insurgents turned to large scale kidnapping for ransom. Between 1995-2005 there were 3500 abductions. In the context of the growing criminality of the attacks of the NLFT and especially, the abuse of women, including its own women cadre hundreds of militant cadres surrendered.

By 2010 the Left Front Chief Minister of Tripura told the state assembly that militancy was at a close. Assam Rifles' presence was reduced and replaced by the Tripura State Rifles which has a history of no less excessive and brutal use of force. Moreover, AFSPA remains selectively in force in the tribal areas, a symbol of injustice and continuing discrimination against the tribals. Insurgent activities against the state and the new Bengali settlers has significantly declined, but as evident from the comments of tribal respondents, insecurity persists. Increasingly the factions are targeting different groups of tribals as one group of insurgents take on the other to leverage the spoils of ransom and extortion. Violence has become inter tribal and routinised. Insecurity and fear still stalks but the sources are the militant factions.

Tripura's high rate of crimes against women is witness to the grave situation of women.

In the past few years the state has consistently achieved notoriety for having the highest or second highest crime rate against women in the country, more than double the national average for crimes such as torture including cruelty by husbands and relatives, molestation, rape as well as high rates of kidnapping and abduction.

Continuance of the AFSPA makes for suspicion, ethnic tension and alienation. The public image of Tripura's 'good governance' cloaks a fractured world, one in which tribal women are particularly vulnerable to violence within the family, insurgent violence and state violence.

The breakdown of social cohesion among the tribal communities, and within family structures, the criminalisation of militancy and the culture of non accountability that militarisation and attendant security laws like AFSPA have entrenched, has made for a very high risk environment especially for women. Tripura's high rate of crimes against women is witness to the grave situation of women. In the past few years the state has consistently achieved notoriety for having the highest or second highest crime rate against women in the country, more than double the national average for crimes such as torture including cruelty by husbands and relatives, molestation, rape as well as high rates of kidnapping and abduction.

Lilypar Hrangkhawl, member of the All Twipra Indigenous and Minority Association (ATIMA), noting the increasing number of violations against women, emphasised the erosion of indigenous cultural rights and the intrusion of such practices as dowry among the indigenous communities. Women's work participation in Tripura is the lowest in the Northeast. She echoed many of the women respondents in her criticism of the State Women's Commission. It was vulnerable to 'political manipulation' and evidently discriminated against the complaints of indigenous women. Tribal women respondents deeply resented their 'lowly' treatment by upper

caste Bengali settlers. As also reflected in the questionnaires 'Middle Men' a euphemism for corruption and patronage networks blocked women's access to the existing government schemes of entitlements. The one significant advancement has been the strides in girls education. Tripura has a female literacy rate of 83% but this success is again fractured with many schools remaining closed and in a dismal state in the tribal areas. Political participation at the panchayat level in the non VI schedule tribal council area, i.e. for Bengali women is high especially in view of Tripura racheting up reservations to 50%. However in the state assembly, women's political participation has been declining with only four elected, 3/4 Bengali women. In the Autonomous Tribal District Council reservation ensures but caps representation of one tribal woman within top and Executive Committee positions (12 members) and 3 tribal women in the Council (30 members).

Tripura has been neglected in comparison with the human rights focus on violations by state and non state actors in the insurgency affected states of the Northeast. Moreover, during the decades when violence was most intense, the few fact finding efforts faced serious limitations in documenting the violence and atrocities of the militants, though the women were more forthcoming on army atrocities. As Sejut Halam (65) a women in the village of Kalucherra across the Dhalai River said, "You people come here from the town once a year for your own purpose, but the extremists might attack us or beat us to extract why you have come here."<sup>37</sup>

Reang Women, Dhalai District, Tripura.  
Photo Credit: Binalakshmi Nepram,  
Founder: Manipur Women Gun Survivor's Network



## CONFLICT HAS NO FRONTIERS

The culture of impunity entrenched by security laws such as AFSPA has meant shielding the armed forces from the routine violations of the human rights of civilians including fake encounters, reprisal killings of innocents, torture, arrests, disappearances and sexual violence in the name of fighting extremism. Cordon and search operations were an opportunity for arbitrary beatings, sexual harassment and gang rape. Houses were torched and settled lives uprooted, rendering women, children and men homeless and without a livelihood. Whereas public scrutiny (national and international) on Kashmir has brought alertness regarding the use of rape as a weapon of war, in the Northeast and as evident in Tripura, the systemic use of sexual violence is the forgotten story of 'unworthy' victims. No prosecutions were initiated.

The Women's Commission in the Ujanmaidan case of mass rape, did not urge prosecution but compensation. The result is (even in the last few years when insurgency is said to be over) tribal women returning home from collecting vegetables are fair game for the members of the Tripura State Rifles (TSR) to rape, or young girls alone at a weaving training centre are sexually preyed upon by a patrolling group of Assam Rifles. In a context of impunity of sexual violence, the threshold for VAW within the family, by state and non state actors has dropped even lower. The president of ATIMA, Kwbwiti Jamatia's mapping of violence against women demonstrates the widespread prevalence of VAW and sexual abuse over these four decades.

May 31-June 2, 1988: Ujanmaidan village: 14 women belonging to Debbarma community were sexually harassed and gang raped by the 27th Assam Rifles. Hiramala Debbarma (28) said that 3 Assam rifles jawan barged into her home. She was alone, her husband was away in the jhum field. They 'ill treated' her and she fell unconscious. It was a euphemism for rape.

**June 23, 1991:** Goshirampara, five women were gang raped by police personnel of Kanchanpur police station, north Twipra.

**April 1, 1995:** CRPF led by ASI Biswanath Majumdar of Twidu police station gang raped three women in broad daylight.

**March 1997:** Assam Rifles gang raped 6 indigenous women in the Kanchapur police station area.

**1999 Takhum Kami:** TSR torched houses of 200 tribal families, women beaten and molested.

**Feb 9, 2006 PurboGovinda village:** Assam Rifles searching for extremists kicked open the hosedoor of Patindra Aslong and beat him cruelly. A jawan stuffed his mouth with a cloth and another raped his six month pregnant wife who had a miscarriage. Two other women were also raped in a neighbouring house.

Women's freedom of movement and livelihood is greatly constrained in this militarised environment, especially as offseason, husbands migrate for work or are arrested and languish in jail, often because there are no resources to bail them out. Continued violence

in the rural areas has led to starvation and prostitution. Properties are lost, looted or occupied. Displacement has impoverished once self sufficient landed cultivators and reduced them to day labourers. Food security has been disrupted and malnourishment has reached alarming levels. Girls and women's ability to access health, education and other entitlement schemes has been undermined.

**Feb 18, 1999, West Tripura:** Rabinder Dev, a Bengali trader along with four others were abducted. NLFT militants on the same day fired at a bus killing three passengers.

**Feb 27 1999 at Dattaram, Udaipur:** Purnima Ghosh was kidnapped on her way to school.

**Dec 1999, Raiyabari village:** This mixed population of Muslims and Jamatiya tribals were attacked by NLFT insurgents. Six women including a 13 year old Muslim girl were gang raped. Homes were looted, food and livestock taken. All 124 families fled to Udaipur. The displaced men, once settled cultivators have become day labourers, the women maids in other people's homes. Even four years later only 20 families have returned.

**April 2001 Gayapara village:** Padmbati Debbarma was kidnapped from her father's house by Rabicharan Debbarma of the NLFT and forced to cohabit with him. He was killed by the security forces in an encounter. Padmabati found herself stranded. Her parents feared taking her back as their village was in the grip of the rival faction ATTF. A middle ranking leader of the political party INPT gave her shelter but ended up sexually exploiting her. She has been trying to escape his control.

**July 15, 2002 Kalucherra:** Insurgents belonging to the banned NLFT raided a nursery school in broad daylight and started firing indiscriminately. Villagers and school teachers were objecting to insurgent activities in the area. Dahlia Halam (20) a nursery aide was shot and killed. Her family quietly left the village.

In the tribal areas the education and health systems have nearly collapsed during the violence. Despite the claims of the state education minister in 2001, Sources from the Tripura Upajati Juba Samity (TUJS) claim that between 1999-2000 nearly 80 % of the schools in the tribal areas were closed. Dropout rate of Classes I-X is as high as 76.8%, particularly in the Autonomous District Council (ADC). Some schools were occupied by the security forces.

This had a psychological impact on the mind of young children who in all likelihood have witnessed state terror in their homes. In many cases teachers, largely non tribal, are afraid to go to schools in the tribal areas and arrange for proxy teachers. Between 1993-2000, some 20 teachers and non teaching staff were killed, 58 were kidnapped of whom 6 are still missing. It should be added that the syllabus of the curriculum is hostile to the indigenous peoples. According to Bijoy Kumar Hrangkhawl (Member of Legislative Assembly Kulai Tripura East) the "history of indigenous people has been removed from the syllabus of primary and secondary education."

## AFSPA REMAINS

Officially as the state's Chief Minister has stated to the Assembly, insurgency has practically ended and independent assessments by the South Asia Terrorism Portal (SATP) also corroborate this. However, AFSPA introduced to fight insurgents remains in force, and only in the tribal areas. Of Tripura's 61 police station circle areas, 28 are under the act and another 6 are partially 'disturbed' where the Borok people reside. As Anthony Debbarma, a leading human rights campaigner stated, the presence of army camps in the heart of a village is a continuing source of tension and trauma for the people, who in all probability have had their husbands, brothers, sons killed and been victims of rape. 'Bored' soldiers who are culturally ignorant of the tribal way of life make for a highly volatile situation. This is reinforced by the army strategy of WHAM or civic action which particularly targets women for development and welfare activities as detailed above in the section on J&K. Indeed Operation Sadbhavna in J&K, had its earlier incarnation in Tripura and the Northeast as 'Saathi Lago' and 'Friends of the Hill Peoples'. The CC voiced a very firm demand for the withdrawal of AFSPA.

Although the insurgency is virtually over and most of the experiences of violent conflict transforming women's lives is in the near past, what was striking from the questionnaire responses was the continuing reiteration of 'security' as a concern in the Autonomous District Council area. It was a reminder of the peculiarity to Northeast insurgencies which get transformed into splinter groups of armed militants whose activities are more criminal than political. They provide the necessary muscle power to the formal structures of power and authority and also assure their patronage and survival in what Northeast scholar Sanjib Barua calls 'durable

Women linked corruption with their ‘unequal’ access to state entitlements including the availability of health and educational facilities, that was further reinforced by the army’s occupation of these facilities.

disorder’ undermining democratic process and governance. As an analyst of militancy in Tripura observed, “The nexus between political parties and insurgent groups in Tripura has become stable over the years. The NLFT is said to have close linkages with the Congress (I), while the ATTF is aligned with the ruling left front.” Even the Tribal Council, an instrument envisaged to empower the tribal population, has become an arena where the insurgents effectively alter the poll dynamics through the use of violence. Several respondents alluded to this nexus as a source of insecurity and corruption.

## CORRUPTION

The reorganisation of the Northeast into seven states was determined more by political and security concerns bypassing the criteria of economic viability. These states remain ‘special category’ states with a very high dependence on central funds up to 70-80% in central grant assistance. In Tripura as elsewhere in the Northeast such ‘peace as pacification’ funds have deepened patronage networks. Moreover, insurgency and counterinsurgency operations bring in more unaccountable funds reinforcing non accountability as elaborated in the J&K section. Speaking at the CC seminar (Aug 2012) Subir Bhaumik, one of the most influential journalists writing on the Northeast, drew attention to the “misuse” of central funds and emphasised the need for “greater accountability”. He also criticised development projects that were disadvantageous for the tribals such as the Dumbar dam which deprived and displaced the indigenous peoples.

Women respondents to the questionnaire spoke euphemistically of unequal access to government entitlements and schemes because of ‘middle men’. Lilypar Hrangkhawl of ATIMA complained about ‘political manipulation’, drawing attention to the perceived discrimination by a Bengali dominated power structure that controls institutions including the State Women’s Commission. As several respondents emphasised, such institutions have proved indifferent and even hostile to tribal interests. Women linked corruption with their ‘unequal’ access to state entitlements including the availability of health and educational facilities, that was further reinforced by the army’s occupation of these facilities.

In the context of majority-minority ethnicised politics, the tribes have been at a great disadvantage in establishing documented claims to lands and community forests resulting in significant land alienation and displacement. Corruption translates into the unequal access and capacity of the tribes to contest land alienation, especially as most revenue officials and other structures of power are dominated by non tribals.

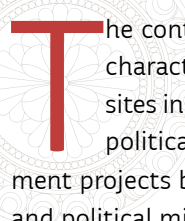
In addition, the tribal women had to pay the taxes extorted by the militants. Security forces and militants habitually ‘take’ villagers’ chickens and pork as their due. With the men migrating for work, arrested, or gone to join the militants, it is the women who are obliged to pay up whether they can afford it or not. There was sharp bitterness as articulated in the questionnaire against ‘affluent people who can buy everything with money’, while the women in some cases have been reduced to near starvation and even prostitution.



Displaced Tribal women , Tripura.  
Photo Credit: Rueters

## CHAPTER VI EMERGING PATTERNS

*In seeking to focus on the gendered experiences of conflicts in India, the wide diversity of conflicts presents a huge challenge in picking out a pattern, identifying commonalities and differences and tweaking out 'lessons' and sharing strategies.*



**T**he contexts of militarisation and its aftermath characterise J&K and Tripura, whereas the two sites in Odisha are witness to one, a democratic political struggle against predatory development projects backed by the state's military, economic and political might, and two, the aftermath of communal violence and the vulnerability of a religious minority (further marginalised by being dalit and tribal) in a context of the growing domination of 'Hindutva' majoritarian socio-economic politics. Aspects of militarisation and extremism characterise all these situations as does the widespread disappointment and disaffection of the 'conflict' affected peoples with the capacity of democratic governance, rampant corruption and the prejudice of state institutions to respond to peoples basic needs, including the provision of security and justice.

### MANY FACES OF WOMEN

The CC based reports, in exploring the social impact of conflict, focus on the gendered experience of women in conflict and its aftermath. Women's vulnerability and access to rights and entitlements is rooted in the low social position of women in these communities. However it should be added that the CCs show that women's positions differed according to their location as members of a class, caste, ethnicity, religion, region and political category (i.e. indigenous or settler). It was a reminder, that women do not exist as a prepolitical

category and their gender identity is intersected by class, caste, ethnicity, religion and region. Also, the ground experience challenges easy assumptions of women's solidarity across conflict divides as evident in the religious fault line in Kandhamal, the religio-ethnic faultlines in Rajouri & Poonch and the indigenous – settler faultline in Tripura.

Moreover, the rapidity with which the communal contagion spread and women's complicity in violence is a worrying trend. The persisting hostility to intercaste, inter religious and inter ethnic marriages is witness to the disruption of the social cohesion characteristic of multi-ethnic, multi religious communities that for centuries have lived together. Furthermore, there are new faultlines such as the Paharis-tribal divide, and the collaborator-militant sympathiser divides which further vitiates trust. The lack of social bonding among women victims was very evident in this border belt.

In Kandhamal there is no indication that women qua women opposed their community's sexual assaults on women of the 'other' community. The Christian-run orphanage and the convent school was not attacked because Hindu children studied there. While Christian minority women survivors envisaged peace as the restoration of communal coexistence and urged reconciliation, Hindu women have been complicit in the social and economic boycott of Christians. In the anti POSCO struggle, there is nothing to suggest that there was any

community of interest across class and the pro-anti POSCO divide.

In Tripura the faultlines are not only tribal and non tribal but also inter tribal amongst the 30 plus tribal communities. Significantly many respondents urged the need for unity among the tribal communities. The CCs demonstrate that women do not stand outside their community identity and their democratising struggles as in Tripura and the anti POSCO site have to be fought from within. There is no evidence to suggest that on a human rights issue or SVAW women have come together. On the contrary the Bengali dominated State Women's Commission (SWC) was found to be insensitive to the use of sexual violence by the security forces against the tribal women. On the other hand, the tribal women were reluctant to speak of SVAW by the tribal militants both out fear and a sense of loyalty to the struggle for indigenous rights.

### **'VICTIMHOOD', INSTRUMENTALISATION & AGENCY**

The gendered experience of violence was perceived as widespread and all pervasive. In particular, violence was perceived as violating the sanctity of home, school, hospital, mosque, church, convent, orphanage and respecting no boundaries. It should be added, and as feminists have increasingly emphasised, that the notion of the sanctity of the home as a site of safety and security for women is highly questionable in view of the large number of women who are violated by their own family members in the home during peace time. Also, it is argued that the societal disruption of conflict and in particular the dislocation of the rule of law and a socio-legal cultures of impunity render women even more vulnerable in situations of conflict. The notion of the 'continuum of violence' (Cockburn 1998, 2008) succinctly captures the linkage between women's everyday experience of violence and the dramatically heightened experience of violence in situations of violent conflict, both of which have their root in women's low social status.

The field based CCs were particularly keen to penetrate the silences around the experience of sexual violence and the relationship between domestic violence and SVAW in the public sphere. Existing documentary evidence further corroborated by the CCs indicated that sexual violence was widespread and prevalent and women's bodies were used as a strategy of 'war' to

humiliate, punish and destroy community 'honour'. In addition in the conflict contexts of -women without men- 'opportunity' rape and incest was common. In all these situations sexual violence was located as part of the patriarchal 'honour' discourse and a matter of social stigma for 'spoiled' women. There seems to have been no attempt to politically locate rape as a 'crime of war' or frame it as a violation of women's bodily integrity.

At the national level while there has been the very occasional fact finding initiative on VAW by the National Women Commission and by the All India Democratic Women's Association (AIDWA) such as in Tripura, it is significant that the Tripura State Women's Commission dissuaded women from pursuing justice for sexual violence against women (SVAW) and emphasised compensation. In J&K the State Human Rights Commission has been more responsive to rights violations but with the institutions of law and order so compromised in the militarised context of J&K and AFSPA, no prosecutions against the security forces have been possible, including for rape. The Kandhamal CC consolidates documentation of SVAW as well as tracks the difficult path to justice. It emphasises the state failure in not recognising the communal nature of the conflict and therefore the denial of its social consequences, especially for women, and the ensuing failure to forge gender sensitive policies.

The failure of state institutions to prosecute VAW especially in the aftermath of conflict as evinced in these conflict affected societies such as Tripura, Kandhamal and Rajouri and Poonch, has resulted in a lowering of threshold of tolerance of VAW. Also women, internalising the patriarchal hierarchy of 'worthy' and 'unworthy' victim tend to suppress their experiences, thus reinforcing the culture of silence around sexual violence. The feminist understanding of the coalescing of militarisation and extremism and the brutalisation of society found little resonance amongst the women of these areas. There was some nascent understanding that the silence around sexual violence and the culture of impunity both in the contexts of militarisation and communal violence significantly impacts upon the level of VAW in the home and the public sphere. For instance, Lilypar Hrangkhawl from Tripura, a tribal rights activist observed, that the conflict aftermath has rendered tribal women vulnerable to increased domestic violence and state and non state violent extremism. However, more characteristic was the response of the women in the anti POSCO resistance. They framed domestic violence as linked with the social evils of alcohol abuse

Within the context of armed struggle, varied forms of violence against girls and women such as revenge and teaching a lesson to the enemy, sexually violating and mutilating women's bodies — become the values and instruments of the battle and is equally internalised by the women.

and unemployment and downplayed its linkage with the movement, in interest of the more significant goals of the struggle. Indeed efforts at exploring a feminist discourse of VAW were actively resisted by the women. In the Kadhamal context rising domestic violence was not linked by the Hindu caste women with the growing brutalisation of the society in the aftermath of the communal violence and impunity.

Documentation of the gendered experiences of violent conflict invariably positions women as victims. However, as revealed in the CCs process of listening to women's voices, there were also narratives of quiet/vocal agency. In Poonch there was Reshma, the panch of Banwaat village. She reminded us of the agency that thousands of ordinary women demonstrate as they manage the survival of their families and communities under the most difficult conditions of living between two guns. Reshma's constituency of 150 voters was reserved for women and she had defeated three other women candidates. Her husband was in the police posted in Jammu, making her a vulnerable target as she tried to raise her four small children alone. "I used to sleep with a gun. My husband taught me how to use it. I've surrendered the gun now. A gun in the house may be a greater source of danger to me," she said. Militants did not knock at her door.

In Tripura, there were educated tribal women activists like Romita Reang. She was able to access education and acquire professional skills and is fired with the determination to work for the upliftment of the tribal women. She argued for more training for women so they could be empowered to demand rights and entitlements.

In Kandhamal, there was a Christian nun studying law to ensure access to justice for the community, holding out the possibility of a choice other than being forced to turn the other cheek in a situation of gross unequal power. Also, there was the resilience of women rebuilding their lives in a scarred society.

In the anti POSCO struggle women have showed a bold fearlessness in defending their land, family and community, but for all their active contribution, they are excluded from decision making and effectively instrumentalised. The marginalisation of women's contribution in the narratives of political resistance armed and democratic is a common gendered experience of conflict and peacebuilding and was emphasised in the context of Tripura the anti POSCO struggle.

As Abha Bhaiya, analysed, in these two contexts, evident is a patriarchal script that women learn and replicate, thus accepting and reproducing their own subjugation. Often at a time of fierce struggle especially in a situation of unequal power, the situation provides little space for women to challenge strategies promoted by male leadership which are gender exploitative and discriminatory. Also, within the context of armed struggle, varied forms of violence against girls and women such as revenge and teaching a lesson to the enemy, sexually violating and mutilating women's bodies — become the values and instruments of the battle and is equally internalised by the women. Sexual violence and mutilation of the body of women is used as a strategy for humiliation of the enemy. It is an extension of the patriarchal narrative that has deposited family and community honour in the body of the woman.

Even in the democratic anti POSCO people's struggle, women's bodies in a very material way became the strategy to defeat a more powerful enemy. In order to shame the police and deter them from physically moving in to arrest the protestors, women stripped themselves naked. The strategy was chosen by the male leadership, not devised by the women. Women did not critically reflect on the meaning of their bodies becoming a part of the strategy. Neither was there any possibility of questioning — why men did not strip, nor the patriarchal politics of 'shame' and 'honour'.

## INSECURITY & MILITARISATION

As evident in the CCs one woman's security may be a source of insecurity for another. Women depending upon their position saw the police-security forces as a source of security, while for others they were a source of insecurity and fear. Significantly, even those whose position enabled them to regard as 'friendly' the security forces and be beneficiaries of the army's welfare and 'integration' programmes, were unable to transcend their socialised fear of the army when faced with a situation of personal vulnerability. It is noteworthy that in the anti POSCO struggle context, one of the major demands of the women was to have withdrawn the police camps which were set up in the centres of villages to counter the anti POSCO resistance. However, it should be added that class solidarities did assert themselves over functional oppositional roles. Both women (as well as students in J&K) said why blame the soldiers, they are poor like us and just doing a job. Class solidarity seems to have encouraged the women in the anti-POSCO struggle to make a point of emphasising that they treated the police they held hostage quite well.

Also protracted conflict situations become 'grey' areas. Particularly, in situations of militarisation and extremism the ubiquitous 'unidentified persons' could be a soldier or militant or both a 'source' of the army by day and a militant worker by night. It explains why with such passion students assert "there is no security only insecurity" a phrase that resonates in J&K and Tripura under the regime of AFSPA. Its corollary is the shifting of the moral compass when there are only greys and managing survival does not permit choices. Significantly, whereas in Tripura despite the criminalisation of militancy, identification with the 'cause' as well as fear prevents women from betraying the militants to the police, in Rajouri & Poonch it is more fear and greed than politics. In Kandhamal the situation of extreme unequal power drives the disempowered in the aftermath of the communal assault to 'turn the other cheek' to the neighbor perpetrator.

The CCs explore girls and women's negotiations with a situation where 'militarisation' has got normalised as in J&K and in the tribal inhabited areas of Tripura. These situations, especially Tripura, highlight the 'permanent' entrenchment of the military presence (and its takeover of land and displacement of civilian authority), regardless of the level of active militancy. It begs the questions — whose security is being safeguarded? Do women feel more secure? The CCs showed the implications for

women's freedom of movement and the constraints on their ability to mobility, that undermines access to livelihood, education and health. In Jagatsinghpur, Rajouri & Poonch and Tripura the women's strong demand to remove military occupation of public areas such as schools and hospitals points to the negative physical and psychological impact of militarisation of civilian spaces. The entrenchment of socio-political regimes of 'durable disorder' (Sanjib Baruah 2005) characteristic of the Northeast with the residues of armed groups providing the necessary muscle power to the formal structures of power and authority, and thus forging a nexus of militant, politicians and business interests — is disempowering for women. They are at a gendered disadvantage in accessing such patronage networks that control entitlements and rights, rendering them even more vulnerable to exploitation.

In particular the deepening militarisation of development institutionalised through such programmes as 'Sadhbhavna' and 'Friends of the Hill People' has seen the encroachment of the security forces in civilian areas, and the displacement of the responsibilities of civil authorities to provide basic needs. Globally, the militarisation of development and welfare has been a highly contentious issue. It extends militarisation in the civilian sphere and civilian corruption into the military sphere. The socialisation of women and children through the lived experience of brutal military repression makes women and children wary of accessing the military's control of basic civilian entitlements. Moreover, the army's priorities are strategic not developmental, distorting proprieties and resulting in huge wastages of very scarce resources. Youth and women were singled out as 'soft targets' exposing them to the risk of being seen as informers. A senior officer who initiated the military's civil action project in Tripura to produce cloth from pineapple fibre admitted that initially the women were wary lest "it be used to win their confidence and to make them become informers."

## ELUSIVE JUSTICE AND IMPUNITY

Emergency laws such as AFSPA and anti democratic laws such as state Public Security Act (PSA) have suspended fundamental rights and the rule of law in these 'disturbed areas'. It has fostered a culture of impunity that has produced denial of justice even for crimes of murder and rape. In the few cases in which the police do file First Information Reports (FIRs), under AFSPA prior sanction is required from the Defence and Home

In addition the social-legal construct of rape in the law and order system and the evidentiary difficulties inherent in a situation of mass politicised violence makes access to the normal structures of justice for the survivors a hugely challenging and indeed demoralising attempt.

Ministries for prosecution. Permissions have not been granted. Despite the Supreme Court specifically ruling that murder and rape does not fall within the ambit of performance of official 'duty' which would oblige impunity, there have been no prosecution for the crimes of rape and murder. Instead, the army has opted for non transparent court martials which as the 2014 acquittal in the Pathribal fake encounter case attests, are not seen as credible or trustworthy. Also, the process of the court martial provides no access or sense of justice having been done to the victim. Moreover, as in the Shopian (J&K) case of alleged rape and murder of two women, police intimidation of witnesses and falsification of forensic evidence makes the possibility of accessing justice, impossible.

In addition the social- legal construct of rape in the law and order system and the evidentiary difficulties inherent in a situation of mass politicised violence makes access to the normal structures of justice for the survivors a hugely challenging and indeed demoralising attempt. Lobbying by women's groups to effect much needed changes in the law of evidence for mass sexual violence in the context of communal violence, failed in the end to get reflected in the pending anti communal violence bill rendering justice elusive for the victim/survivors of the Kandhamal violence.

State agencies continue to be indifferent and hostile to VAW. It is striking that in three of the CC sites, so disempowered do the conflict affected feel that their right to access justice is displaced by the struggle for compensation and reconciliation. In Tripura even the SWC urged not justice for SVAW but compensation. In Kandhamal, Rajouri & Poonch and Tripura women have been left vulnerable and forced to live with their violators who roam free and audacious. It is noteworthy that in Tripura the tribal women demanded access to

legal aid to assert their right to justice. In Kandhamal, despite all odds a nun asserts the right to justice by choosing to study the law. For in Kandhamal the powerful block access to justice and victims plead for reconciliation seeking to survive in a corrupted system that denies not only equality but even the claim to humanity of the marginalised minorities. The breakdown of social cohesion especially in situations of communal violence, militarisation and extremism makes for greater distrust, undermining social and gender bonding and reinforces vulnerability.

In Jagatsinghpura, Odhisa, state law and order agencies are used to file 'false' cases against people engaged in democratic protest, perverting the very notion of justice. Women must be able to access (particularly in tribal and remote areas) legal aid, human rights information and public awareness of AFSPA- its jurisdiction and provisions to how to assist them to obtain justice.

## **CORRUPTION**

As long as there is greed, there is corruption, a journalist said to us. It is systemic. The CCs brought a gendered lens to the every day experiences of corruption in situations of democratic resistance, violent armed conflict and pacification. The CCs viewed corruption not only a violation of human rights but also as an important cause of women's personal, economic and political insecurity. They explored the interlinkages between corruption in its multiple forms and militarisation and extremism. They emphasised that militarisation in fostering a culture of impunity and non accountability further deepens corruption. Moreover the incursions of the military into the civilian spheres of development, especially in an environment where there is systemic corruption, corrupts the military.

Corruption fuels conflict and itself reinforces corruption. The political economies of conflict are non accountable producing huge distortions and inequalities. Counter insurgency strategies and the politics of pacification and appeasement shovel wild money that spawns non accountable patronage networks undermining democratic institutions and transparent processes. Extortion is rampant in these conflict affected areas. Women, especially women without men, are rendered particularly vulnerable in accessing basic needs and rights in conditions of systemic corruption reinforced by insecurity and militarisation. The CCs reflected a high degree of cynicism and demoralised resignation at the widespread and prevalent nature of corruption — which taints everything, hollowing out the education system, undermining land rights, access to jobs, welfare and development schemes, compensation entitlements, and even the soldiers food entitlements.

In Tripura and J&K the state setting its sight on national security ‘bribes’ in the name of counter-insurgency and pacification reinforcing patronage networks, distorting development, corroding institutions and entrenching non accountability. The women in an LoC village in Poonch poignantly and succinctly captured the wastefulness of badly designed and implemented facilities which were so desperately in need such as a Public Health Centre (PHC) with life saving facilities all locked up beyond the reach of the pregnant women whose lives and whose babies’ lives might be lost while struggling to reach a distant hospital. All because as is the way of ‘doing’ in the area, the local CO had promised a ‘job’/bribe in the hurry to acquire land for the PHC in time for a flashy inaugural with Sonia Gandhi which then failed to deliver. In this model village a public toilet had been built, a demand especially of the women. Who decides where? The army’s favourites -this time it was the sarpanch who wanted it as an adjunct to his house. The last laugh was on him. There is no water.

In Tripura expressions like ‘middle men’ and ‘political manipulation’ are used to convey the entrenched structures of discrimination and disadvantage vis-à-vis the tribals at the levels of governance, institutions (State Women’s Commission) and accessing basic entitlements. On the other side is the rampant extortion of the militants, once accepted as ‘taxation’, now seen as oppressively criminal. The nexus of politicians, business and militants is based on corruption. The women drew attention to the need to encourage independent media agencies to investigate and publicise corruption

involved in land deeds, the links between insurgents/ corporate business and politicians and third parties and corruption in the military which particularly hurts the ordinary soldier.

In Odisha, the women in the resistance struggle are well aware of reinforcing layers of corruption that has brought POSCO to their land and the position of the government as the protector of globalised corporate interest and not of poor citizens. In Kandhamal, the power of the Hindu caste majority corrupts, absolutely, the law and order institutions that are suppose to protect them. Police stand by while the most vulnerable and marginalised are attacked, sexually tortured and brutally killed.

No sector is aloof from the taint. The political economy of militarisation as one woman summed up is ‘dukan-dari’ (business). Practices of impunity reinforce non accountability. Corruption and patronage networks thrive on non transparency. With the militarisation of development, people perceive the army is as entangled in day-to-day corruption of inviting tenders, awarding ‘favourites’, making ‘deals’. So inured are women and men regarding corruption that you hear of the notion of ‘efficient corruption’ and ‘inefficient corruption’ — the difference being bribes will be paid, but while some will actually get the work done, others will just pocket the money.

As a student in Jammu said — from the militants, they expect nothing more or better, but the army is there for ensuring the security of all citizens. So then why is it oppressing innocents, corroding everything around it?

Running through these conversations is a deep sense of being unequal citizens. And yet our conversations with the women were also a strong reminder that when ‘all is burning’ — it is the women who begin to rebuild broken homes and broken lives. The images that stay are that of women survivors resilient and strong like Reshma, so proudly showing us a small homestead that she transformed into a vegetable garden with a few fruit orchard trees, a pucca roof that she waited 10 years to build waiting for militancy to end, three buffaloes, a daughter married, a son who migrated to Saudi Arabia for work, a daughter-in-law and two grandchildren. She is one of the thousands of elected women in the local self governance tier of the government. She is building a brighter, hopefully more inclusive future — that is as long as the ceasefire holds. She does not talk of peace.

## RECOMMENDATIONS

### PREAMBLE:

We emphasise that South Asia has a diverse and plural society which needs to be celebrated and any imposition of homogeneity will lead to more conflict. Deepening inequalities, discrimination and lack of respect for dignity, autonomy and people's right to self-determination has created instability and conflicts.

We recognise that globalisation and its accompanying development paradigm have contributed to the marginalisation of peoples, dispossessing them of their lands and livelihood, displacing them from their homes and increasing structural inequality.

People have been denied the right to determine their national security imperative and the ways of achieving justice, human rights and sustainable security, keeping in view the vision of a peaceful and stable South Asia.

Denial and exclusion of women from democratic processes and peace building has resulted in derogation of democracy, inequality and injustice in the region.

We are resolved to open spaces for women's participation at every level and aspect of peace building. We emphasise that women have an equal stake in building peace and stability, in constructing dialogue and discourses of peace. Women shall take the initiative to politically transform peace processes to ensure equality in all power relations especially the relations between women and men.

Women are resolved to play a role in re-building post war and post conflict societies where justice, equal citizenship, non-discrimination become values to be respected and observed.

### GENERAL RECOMMENDATIONS:

1. Security for women needs to be of utmost priority for the government actors whose duty it is to provide security to their citizens. Women should be protected from all physical, mental, economic, livelihood violations encompassing all factors in the human security definition but not exhaustive of that list. A zero tolerance policy should be established for sexual violence. Amend and implement existing state and national laws, stopping impunity of state and non-state actors including family members. Ensure rehabilitation, access to justice and compensation for all violations.

2. Demilitarisation of civilian zones including schools and health centres as well as military occupation of public land. Gender and ethnic sensitivity training for all armed actors and a stop to impunity.
3. Increase quality and access for women to public facilities by investing and ensuring the maintenance of schools, health centres etc in adequate proximity to all those who need the services, particularly for vulnerable groups such as (widows, female-headed households) in remote areas and with no discrimination. Curb 'middle man' corruption and militarisation hindering women's access to facilities. Civil society should investigate all forms of corruption through documentation, publicity and advocacy towards stopping low and high level state and non-state actor corruption extending to businesses and multi-national corporations.
4. Support organisations working on women's rights such as those documenting violations, raising awareness, providing legal aid, ensuring the access and right of people to their natural resources and livelihoods thereby ensuring their access to justice and entitlements and responding to women's demands for training and knowledge. Encourage unity/reconciliation by hosting women's rights events across ethnic, communal and religious faultlines thereby building networks.

### SITE SPECIFIC RECOMMENDATIONS:

#### ODISHA: THE ANTI POSCO MOVEMENT — VOICES OF WOMEN FROM THE CENTRE STAGE

##### Recommendations for the state:

1. Ensure that every effort is made and possible action is taken to revoke the ownership of landpattas (entitlement documents and ownership papers) of those families who under duress signed off their land rights for a meagre compensatory amounts.
2. Guarantee to set up a well equipped and well staffed health and well being centre for the residents of the affected villages, with special services for women's overall and reproductive health needs as well as for other members of the community, especially children as an immediate remedy. There are many women with gynecological ailments and other ill health conditions due to neglect and state atrocities. With a number of criminal cases against women (and men) and warrants against them in the police station, any movement outside is prevented by the fear of arrest

and actual arrest which prevents women and men to seek and receive health care.

3. Take immediate measures to resume schools, hospitals, etc in the affected villages and all basic services are reinstated as people of the affected areas have been deprived of all these services as their fundamental right. In the name of development the area witnesses reinforced inequality of access and entitlement by the poor and the displaced.
4. Not to use educational buildings such as schools, colleges, community halls or any other public service building for housing the police/military in villages. In addition to the loss of basic services, the presence of the police adds to the possibility of sexual violence and abuse, enhancing insecurity for women and creates fear for the community.
5. The law enforcement machinery must abide by the rule of law and not use any violence during peaceful protests and demonstrations and abide by the constitutional right of freedom of movement and not keep anyone captive under the threat of violence.
6. The state must desist from making any transaction/agreement between any state institutions supported by the central or state authorities and the multinational or other private interest companies taking over the right of people to access their natural resources that belong to the citizens of the country and livelihood without wide consultation with the affected people.

#### KANDHAMAL:

##### **Recommendations for the government and civil society:**

1. Implement measures to compensate and rehabilitate women and girls affected by the violence (particularly vulnerable populations such as widows), including expenses for seeking justice and accountability, medical treatment, trauma and psycho-social counselling, provision of sustainable livelihood, allotment of jobs on compassionate grounds, disbursement of interest-free loan for rebuilding of houses, provision of educational or vocational skills necessary to equip them with a sustainable form of livelihood and provision of safe and secure housing; ensure that allotment of lands and houses are on the names of the woman/joint names of woman and man, as applicable;

2. Identify unreported cases of sexual and gender-based violence, and ensure their registration, investigation and prosecution. Take pro-active measures to prevent threat of sexual and gender-based violence to women survivors and their daughters, involved in various proceedings related to the Kandhamal violence, as well as to women human rights defenders/social activists who assist them;
3. Take a concerted effort to include and facilitate participation of women in peace committees and peace-building initiatives at the village, block and district level;
4. Initiate a comprehensive assessment by the National Commission for Women and National Commission for Minorities on the status and needs of women and girls affected by the violence, with appropriate recommendations to state and central agencies.
5. Create accountability mechanisms for government officials who fail to discharge their duties with due diligence, including in promptly responding to and protecting women and girls, registration of their complaints related to sexual and gender-based violence and other crimes, investigation and prosecution thereof and in providing reparations in contexts of communal violence;
6. Formulate and implement a) a policy to provide reparations to women affected by communal violence; b) a law on communal and targeted violence that integrates gender concerns; c) a law on witness protection with an integration of gender concerns; and d) a national policy framework on internal displacement, incorporating the UN Guiding Principles on Internal Displacement and the specific needs of women IDPs.

#### JAMMU KASHMIR:

1. We strongly advocate the strengthening of the ceasefire in Jammu & Kashmir and the pursuit of a just and fair settlement of the Kashmir question taking into consideration the views of the peoples of Jammu and Kashmir. Furthermore, the need to implement the confidence building measures (CBMs) identified by the Hamid Ansari Working Group, in particular the CBMs related to the cross-LoC issues.
2. Strongly endorse the demand for the repeal of AFSPA which has become symbolic of the excessive and arbitrary abuse of power and the culture of impunity

in the state. Violations of law and order should be dealt with by the police not emergency legislation.

3. Develop fast track mechanisms and a built-in civic accountability structure for ensuring justice for human rights violations perpetrated by state and non-state actors, as well as objects such as landmines. The directives of the State Human Rights Commission for compensation/rehabilitation in the aforementioned cases be steadfastly implemented.
4. Call for the demilitarisation of the border areas:
  - Landmines: Both India and Pakistan are not signatories to landmine ban treaty. India, however, is signatory to 1996 amendment of Protocol II of the Convention on Conventional Weapons (CCW), which forbids use of landmines in civilian areas. India and Pakistan must sign and ratify the convention. There is urgent need to address this issue and in particular to pay attention to its gendered implications including compensation and medical support should be promptly delivered.
  - Vacate public lands: Removal of armed forces from occupation of public land and accountability for military occupation of public lands. Vacate the land and the illegal occupation of civil buildings with a timeline.
  - Cease the militarisation of development: Including Operation Sadbahvna and take cognisance of the implication of the militarisation of development undermining democratic accountability and civilian responsibility. Many of these programs are specifically oriented towards youth and women and they have further gendered implications.
5. We note with concern the practice of civilians contracted for work by the army (porters) signing documents waiving the responsibility of the security forces for injuries and other incidents in the course of the work. Civilians that 'work' for the army must be recognised and duly compensated.
6. Enable women to directly address issues of complaint, security and militarisation by promoting their meaningful participation in decision making structures especially by drawing upon existing entitlements to quotas.

#### TRIPURA:

1. Ensure the women's commission is adequately addressing the needs of indigenous women by monitoring their progress on issues such as girls' education in tribal regions where the situation has been grossly understated by the government and documentation exists of remote and tribal areas with no facilities and schools that have been closed for years. Also ensure tribal women are in decision making positions on the commission and are participating meaningfully in the commission. Begin discussions on the development of a Indigenous women's commission which would address the concerns of tribal woman and process complaint reports.
2. Promote the education, empowerment and leadership of tribal women within their communities, in political parties and within the Autonomous Tribal Council.
3. Facilitate unity through inter-ethnic and inter community round-tables with civil society (independent of government intervention) to identify common issues women face.
4. Increase support given to civil society groups working on women's issues (particularly cross-ethnic and cross-community), independently without political interference with a focus on youth groups as critical to the collective.
5. Removal of AFSPA due to its obsolescence and grave impact on women's security, long history of human rights violations and disruption to the lives and culture of the people, particularly in Tribal areas. AFSPA is applied only to indigenous areas, a discriminatory practice which reinforces an undesirable divide despite the fact that the state is supposedly in a 'post conflict' situation.
6. Implement the women's reservation bill of 50% women (including fulfilling reservations particularly for tribal and scheduled caste women) as office bearers and in the three tier panchayat system to tackle issues of security for women, corruption in relation to women's access to schemes/facilities and militarisation. This 50% quota extends to the Autonomous Tribal Council and should be fulfilled. Furthermore, women should be empowered in their local tribal systems and decision making processes.



Kandhamal, Odisha.  
Photo Credit: Saumya Uma

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# ENDNOTES

- 1 Which would trigger the application of international law of armed conflicts
- 2 The Armed Forces (Special Powers) Act (AFSPA), was made law by Parliament on September 11, 1958 and grants special powers to the armed forces in what the act terms as “disturbed areas”. It was introduced as a legally enabling framework for the army and para-military forces to combat insurgency beginning with Nagaland and has since been extended to several states of the Northeast and Jammu and Kashmir. It is at the root of the culture of impunity and has been repeatedly criticised as sanctioning arbitrary abuse of power. The fourth and sixth sections of the Act enables security forces to “fire upon or otherwise use force, even to the causing of death” and ensures that no criminal prosecution will lie against any person who has taken action under this act. In 54 years, not a single army, or paramilitary officer or soldier has been prosecuted for murder, rape, or destruction of property.
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- 5 [http://hdr.undp.org/en/media/hdr\\_1994\\_en\\_overview.pdf](http://hdr.undp.org/en/media/hdr_1994_en_overview.pdf). Human security shifts the emphasis from the territorial security of states to the security of women and men as widened to include freedom from fear and freedom from want. Mahbubul Haq was the initial architect of the concept of a more holistic understanding of security which had as its central referent-people not states. See Mahbubul Haq, “New Imperatives of Human Security,” RGICS Paper No. 17, Rajiv Gandhi Institute for Contemporary Studies (RGICS), Rajiv Gandhi Foundation, New Delhi, 1994, page 1, cited in Kanti Bajpai, “Human Security: Concept and Measurement,” Kroc Institute Occasional Paper #19:OP:1, August 2000, page 11.
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- 18 See Christstine Farr analysis that bulk of the Pak origin mujahids to J&K have their roots in the J&K refugees of Partition and the subsequent waves of migrants.
- 19 GOI answer Rajya Sabha 71,266 acres of land in J&K requisitioned by the Indian army on payment of rent. The Kashmir Walla March 13, 2013 <http://www.thekashmirwalla.com/2013/03/71266-acres-of-land-under-indian-army-possession/>; researcher Gautam Navlakha cites an independent estimate claiming that in J&K, Armed Forces of the Union occupy legally and illegally about 400 sqkms and more than 1572 buildings which includes 98 schools. Sanhati, 2010
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- 26 Fencing of the IB and the LoC was completed by 2006. On the LoC a 'disputed' boundary, fencing was fiercely resisted by intense cross border shelling. Consequently in several sections the fence was constructed several kilometers into the interior as in Keerni village Poonch, which left a significant portion of the village fenced out. This came to be called *Barbad Keerni*. (Devastated Keerni). For details see Jamwal.
- 27 Cluster colonies were set up for about a dozen fenced out villages with people forced to live in their new locations setting up temporary houses in 5 *marlas* of land. They were given permission to go to their fields only for set specified hours in the day. By 2010 most villagers had gone back to their homes but the cluster colonies have not been wound up.
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- 30 For human casualties, the compensation is a pittance. Rs 75,000 for deaths, which are rare. India uses light weight plastic MM16 landmines which are targeted to blow off the limbs of the victims. For injuries, the government pays only Rs 5,000 - Rs 10,000. Besides, the Locomotive Disability Act, which can ensure jobs for the physically challenged, is not applicable to Jammu and Kashmir.
- 31 Medecins San Frontiers in a survey of two border districts of Kashmir in 2005 found that "Sexual violence has been routinely perpetrated on Kashmiri women, with 11.6 per cent of the respondents saying they were victims of sexual abuse." The figure is much higher than that of Sierra Leone, Sri Lanka and Chechnya, said the study. Asia Watch/Physicians for Human Rights reporting in 1993 at the peak of the Indian army's anti-militancy campaign wrote, "There can be no doubt that the use of rape is common and routinely goes unpunished." (Human Rights Watch 1993)
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Founded in 2011, the Women's Regional Network (WRN) is a network of individual women civil society leaders from Afghanistan, Pakistan and India working together to strengthen women's rights and security. WRN is animated by a vision of women working collaboratively within and across borders to ensure human rights, equitable development and the full participation of women in building a just peace. At its launch, members of the Network identified three interlinked areas of concern—security, militarisation and extremism, and corruption—as a priority for all three countries.

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