

PRISM

A PPF Dispatch

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The Policy Perspectives Foundation (PPF) is a non-profit, apolitical think tank on matters of national interest. PPF's activities focus on complex and inter-connected challenges to peace, stability and development in India in cognizance of the external dimension. PPF is committed to spreading awareness, building capacity and promoting resilience.

Despite the government's efforts to contain the spread of COVID-19 there has been a surge in cases in some states of the country. In view of this the Ministry of Home Affairs (MHA) issued an order in late November with guidelines for surveillance, containment, and caution, which will be effective from December 1, 2020 and to remain in force till the end of the month. The order mandates states to strictly enforce containment measures, SOPs on various activities, and COVID-Appropriate behavior and exercise caution, and regulate crowds.

In this issue of our monthly newsletter we have commentaries on the spurt in terrorist attacks in European cities and what this means for the integration of Muslim immigrants in Europe and on the politics of women in traditional Kashmir, where decision-making power still lies with men. Kashmiri women have experienced sexual violence in all forms, yet the area has been very dark in understanding and reporting it.

This issue also includes the highlights of an extremely thought provoking webinar organized by PPF on the 'Inter-State Conflicts in India: Understanding Debates and Challenges.' The focus of the webinar was the serious challenge to harmony and cooperative federalism in the country posed by inter-state boundary and water disputes. Growing socioeconomic transformation, economic liberalization and instant information flow, competitive politics and competitive populism have given rise to inter-state conflicts. With growing economic development there is an increasing demographic pressure on natural resources such as land and water. There is rising environmental and ecological degradation. All these factors play out in inter-state water disputes.



The Terror Attack in Europe and Muslim Predicament

– Prof. Anwar Alam

The spurt in terrorist attacks within the span of just last three weeks (16th October - 2nd November 2020) in European cities (Paris and Nice in France and Vienna in Austria) leaving eight persons dead and several more injured has once again underlined as much the threat of Islamicist terrorism to the global order as the criticality of the issue connected with the integration of Muslim immigrants in Europe. The manner of killing- threat, filming, beheading, slitting of throat, stabbing, and shooting rampage-all reflects an organised lone wolf terrorist strategy of ISIS or ISIS inspired individual Islamicist terrorist. The UNSC Monitoring Committee since 2018 has consistently been red flagging the threat of regrouping and strengthening of ISIL, Al Qaida and their various affiliates and individuals inspired by similar Islamicist ideologies. What keeps the ecology of Islamicist terrorism survive despite decades of counter terror strategies and military intervention?

Analyses to such recurrence of Islamicist terrorism range from thesis of 'marginalisation of Muslims in global power structure', 'marginalisation of Muslim minorities within national power-structure', 'democratic deficit in the Muslim world' to 'the foreign policy postures of the West, particularly vis-a-vis Israel - Palestinian conflict'. However, none of these factors are specific to Muslim community alone. Colonization, imperialism, modernization and under-development have unevenly affected greater parts of the world and also most parts of post-colonial world has

lived under one or the other kind of authoritarian governance. However, violent reactions from a section of Muslim community have no parallel in other faiths, communities, or groups. In the specific context of Western Europe and the larger West, they have absorbed various groups of immigrant and refugee throughout history and have, in varying degrees, applied their respective nationalist-assimilationist model of integration to 'mainstream' them. The point here is not that only generations of Muslim immigrants have experienced unequal treatment in the matter of practice of faith, identity, and access to employment opportunities; all immigrant groups over 2-3 generation including those of co-religionist in the host countries have met similar fate. However, the most violent resistance to such processes has come mostly from Muslims, particularly from second and third generation, a significant number of them grew up in European lands as citizens.

The underlying reasons for the sustenance of Islamicist terrorism among a section of Muslim youths, historically speaking, are manifold:

First, the intervention of colonial modernity over last two hundred years has transformed all religions of non-western societies into a political-ideological entity in varying degree; Islam being affected most on account of its specific religious tradition and political history. The process of modernisation and politics of post-colonial authoritarian Muslim nation state further sharpened and politicised the various Islamic traditions. In other words, the post-colonial Muslim nation state itself was born with radical interpretation of Islam having utilised them as a political weapon in their fight against colonialism. All major foundational concepts of Islam such as

Tawhid, Sharia, Dawa, Ummah, Hijrat and Jihad underwent political transformation during the period of interface between Islam and colonial modernity. The government in these post colonial Muslim nations never confronted the Islamist conception of Islam as it was an important source of legitimacy; rather it suppressed the localised, diversified sufist orders with an objective of creating unified, modern, progressive nation state. In the process, the politics of Muslim nation state further strengthened the forces and process of Islamist conception of Islam and produced a variety of relatively more muscular forms of Islamist and Islamicist oppositions to the post-colonial statist version of political Islam. Over the years, this has resulted in erosion of much of internal catholic, syncretic, pluralistic, accommodative, and humanistic traditions of Islam. Violence and Jihadism is one of the by-products of this long drawn modern process of transformation of Islam into a political-ideological entity and breakdown and erosion of legitimacy of traditional Islamic institutions.

Second, most of Islamic traditions, save those of persecuted Sunni or Shia sects, have failed to reconcile their core values and imagined history, which is more political than anything else, with modern governing ideologies: democracy, secularism, nationalism as well as with national identity, despite the fact that most Muslims are living under geographically demarcated national boundary. Though Pan Islamism in terms of political unity of global Muslim community is historically a myth; it continues to agitate and motivate the minds of a section of Muslim community to migrate to other 'Muslim territory' to live and fight for the 'cause of Islam'. The most recent example of this trend is ISIS caliphate upon whose call a

miniscule section of Muslim youths from across the world including 'countries of strong democracies' migrated to ISIS controlled territory in Syria and Iraq.

Thus, the modern ideas of governance remained an alien, imported western product' to the Muslim societies. The classic case is Turkey, which travels from high authoritarian modernity of Kemalism to 'pro E.U Muslim democracy' under the AKP rule (2002-2012) to anti-EU/West Islamist dictatorship under the Erdogan regime (since 2013). Part of the reason for failure of Muslim societies to come to terms with modernity lies in the nature of 'Muslim politics' shaped through Islamic traditions, which gives primacy to 'individual' over the structure of governance: Constitution, Rule of Law, Consultative Assembly, procedural rationality, democracy etc. The individualized Caliphate and Imamate remained the ideal, legitimate form of governance amongst Sunnis and Shias respectively.

Third, most Islamic traditions neither accept nor reject the principle of separation of religion; rather they expect the state and government to be sensitive to Islamic values and norms. Unlike Christianity and Judaism, Islamic/Muslim polity is not theocratic in nature but a 'theo-centric'. State and governments, irrespective of its form, must be seen protecting and promoting (Islamic) values and allowing Muslims to live in accordance with Shariat Law and express them publicly. Governmental neutrality and indifference to the issue of religious identity of citizens is not appreciated; and imaginary fear of marginalisation of Muslim identity, if not socio-economic marginalization, could invite massive protest mobilisation including a violent reaction. It is no accident that protest

mobilisations among Muslim community have mostly occurred on issue connected with Islamic faith, identity, and its practices. From 'Sufi' revolt to European colonialism to Muslim outcry over 'Satanic Verses' and 'Cartoon Caricature of Prophet Muhammad' at global level - often accompanied by threat to life and assassination - and to Khalifat agitation and Pakistan movement in pre-independent India and Urdu Movement, Shahabano, Babri Masjid, minority status of Muslim University and CAA in the post independent India are but a few examples.

Fourth, Islamic radicalism and militancy is increasingly becoming a part of regional geopolitics, intra-Muslim state politics globally and internal Muslim state politics across many parts of the Muslim world. It is this context, which explained the furry of reactions by the Islamist state actors ranging from Erdogan to Imran Khan to Mahathir Muhammad to President Macron's remark of 'Islam in crisis' and his defence of Cartoon picture of Prophet Muhammad in the name of 'Freedom of Expression'. Most commentators saw the ding-dong between President Erdogan and President Macron as consequence of their increasingly slippery domestic ground. However, it is beyond that. Macron's call reflects a deep desperation and anxiety on the part of European leaders to 'manage Islam' and 'Muslim immigrants'. The E.U shared Macron's concern by calling the terrorist incident as attack on the 'our shared value'. For the Erdogan regime and most other rogue Muslim government 'the anti-West bashing' is a necessary function to be remained in power and a necessary step to emerge as leader of global Muslim community, considering the widespread prevalent of anti-west sentiment

and acceptance of conspiracy theory among the Muslim community across the globe.

Finally, the sustenance of ecology of Islamicist terrorism lies in the increasingly blurring off the distinctions between 'Islamic vision' of radicalised Muslims and 'Islamic vision' of moderate/liberal/mainstream Muslims. The blurred distinction between the two has its origin in modern times- a time in which Islam steadily lost influence, power, and prestige. The dominant solution to this 'crisis of Islam' was sought in both versions of Islam in retrieving the original, 'correct' practice of Islam of the period of Prophet Muhammad and Four Rightly Guided Caliph. Based upon particular understanding of 'Prophetic model' the vision stands for constant Islamisation of human societies with a thrust on 'superiorisation of Islam' over all other forms of human civilisations and culture. The difference between the two lies only in the method of achieving of this Islamic vision. Moderate prefers pacific methods; while radical/militant opts for violent methods as a matter of faith. The moderate or mainstream Muslims did abhor the 'culture of mass killing', but this abhorrence and condemnation, of what has come to be known as 'Jihadi Islam', does not translate into questioning the (Islamic) motive, intention, and objective of such killings. This partly explains why the act of radicalised Muslims and Islamicist terrorists are perceived to be 'Islamic' among a large quarter of Muslims as it is grounded within the Islamic discourses and traditions, notwithstanding the universal condemnation of the terrorist act by the moderate Muslims.

If the Muslim community has to come out of its current predicament, it must undertake collectively to thoroughly delegitimise and

isolate its supremacist, violent prone traditions. Any kind of apologetic outlook or self-denial syndrome or delinking of Islam and Muslim acts or blaming external contexts including Islamophobia on the part of vast majority of moderate Muslims would be futile exercise in their fight against Islamicist terrorism. Rather, the solution lies in 'treating human lives above belief.' There is a critical need to develop and nurture, as a necessity, the human capacity to tolerate and live together amidst all kinds of insult and humiliation-intended or unintended - that vast section of humanity undergoes in everyday life process in this unequal world. If everybody usurps God's right to take life for a variety of reasons- both imaginary or real- then it would be an end to the CREATION.

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Fellow with PPF.**

Inter-State Boundary and Water Disputes: A National Webinar on Inter-State Conflicts in India: Understanding Debates and Challenges

Disputes related to boundaries have been common in the North Eastern region between Assam and Arunachal Pradesh; Assam and Mizoram; Assam and Meghalaya and a lingering one between Assam and Nagaland. Longstanding water disputes such as Cauvery, Sutlej and Beas are also major examples of inter-state conflicts. There is a need to constructively resolve such disputes through arbitration and adjudication. It is in this context, the Policy Perspectives Foundation conducted a national webinar on Inter-State Conflicts in India on November 7, 2020.

The discussions during the webinar brought out the lacunae in present inter-governmental mechanisms for dispute resolution through real-life examples. How accommodative is the federal structure of the Constitution to address water disputes? other critical issues such as nature of inter-state conflicts, issues related to Union and State coordination, role of the judiciary in resolving these conflicts, rights of state in the quasi-federal Constitutional structure in the light of recommendations made by judicial commissions were addressed. Constitutional amendments and debates over the governing tendency of party-oriented politics and understanding challenges in inter-state water dispute resolution by drawing lessons from specific examples were discussed as well.

Dr. Nazima Parveen Associate Research Fellow, PPF explained that the purpose of the webinar was to discuss the policy issues concerning inter-state disputes and find interdisciplinary and holistic solutions to resolve these issues. On 31 July, 2019, Lok Sabha passed the Inter-State River Water Disputes (Amendment) Bill, 2019. The Bill is being considered as a way forward in speeding up the resolution of long festering inter-state water disputes by establishing single central tribunal instead of the existing numerous ones. The Statement of Object of the Bill issued by Ministry of Jal Shakti states that the number of inter-state water disputes is on the rise due to an increase in demand for more water by states. Though the existing Inter-State River Water Disputes Act of 1956 provides for a legal framework to address such disputes, it suffers from many drawbacks, which this Bill seeks to address. These drawbacks include lack of provision for fixing a time limit for

adjudication nor for any upper age limit for the chairperson or a member of the tribunal. Nor there is any mechanism for the continuation of work in case of any vacancy or time limit for publishing the report of the tribunal.

The Bill seeks to streamline the adjudication of such disputes and make the present legal and institutional architecture robust to overcome these challenges. However, it also raises some important concerns such as centralisation of power with the Union Government, there are fears that the Bill proposed a single tribunal which will increase dependence of the states on the Union Government. The role of elected representatives at the state level is not clear and it is also being said that the institutional set up proposed in the Bill is ambiguous, for instance what will happen to existing tribunals, will they be dissolved or how they will be managed has not been clearly explicated. Presently, there are nine tribunals in India including Cauvery, Godavari, Krishna, Mahadayi, Mahanadi, Narmada, Periyar, Ravi and Baes and Vamsadhara rivers involving various northern and southern states.

Apart from these, there are also some environmental concerns that have been raised. Environmentalists are arguing that tribunals look at a river as a channel of water and its distribution and ignoring that it is a complete ecosystem and water in a river depends on its basin and catchment area. Fears have also been expressed on transparency and data collection by external agencies. Although the Government has already constituted National Water Informatics Centre which will collect data from various bodies including Central Water Commission, India Meteorological Department, and state departments but the accountability and responsibility of the agency

in collection of data and its use for awards is not yet clear.

Despite these apprehensions, the Bill is being considered a step forward in resolution of inter-state water disputes as it has included several recommendations from Sarkaria Commission and the National Commission to Review the Working of the Constitution and the Panchi Commission aimed at improving relations between Centre and State relations. It is to be seen whether Bill addresses water-disputes effectively or raises more concerns given the regional and national electoral politics, displacement of farmers and tribal communities.

Prof. Balveer Arora, Chairman, Centre for Multilevel Federalism, Institute of Social Sciences spoke about 'Cascading Federalism and Intergovernmental Dynamics,' providing a macro perspective on disputes in the federal system and dwelt upon how dynamics of disputes should be approached in a federal union of states. The Constitution has envisioned a quasi-federal system and thus there is a tension with the idea of federalism. It is important to pay attention to how to bring in multilevel structuring and critically think if a dual polity is the best type of system for a country as big and diverse as India. A shift is required from Intergovernmental relations in the classical dual polity model (US) to the intergovernmental interaction framework as multiple actors and levels make interaction more complex. Political bargaining and political compromise help in functioning of federalism and their absence creates a problem. There is a lack of recognition of political realities and hierarchies in a federal system. Federalism and the emergence of best practices, with states functioning as

laboratories requires a vigorous institutional framework so that they can be adopted by other states as well. The GST Council is an iconic model for cooperative federalism born through a laborious process of bargaining and compromise - the two key tenets of federalism. There is a need to examine if this can experiment can be replicated after the COVID-19 pandemic.

The powers that the Centre assumes under the Disaster Management Act have been used for furthering other agendas. Intimidation and arrest of opponents of the regime a common practice, from Hong Kong to Poland. Instrumentalisation of pandemic powers for furthering political objectives leads to shrinking of public spaces and liberties and a whittling away of information and accountability mechanisms. Reviving earlier agendas viz., apprehending the Citizenship Amendment Act/National Register of Citizens/National Population Register resistance movement activists and neutralisation of Political opposition through various judicial and extrajudicial means poses a problem. This needs to be checked. Further enabling lower levels of government to meaningfully exercise their powers and responsibilities is a valuable operational asset and a lesson to fight the pandemic.

There have been many federal governance issues under the pandemic. The management of the migrant crisis brought to the fore fluctuating responses and weaknesses of inter-state coordination and horizontal federalism. The Single Citizenship concept faltered where emphasis was more on which states migrant moving from one place to other belonged not their identity as an Indian citizen.

Economic crisis and collapse of consensus in the GST Council, which worked seamlessly

from 1st (22 Sept 2016) to 39th Meeting (14 March 2020) was a major causality of the pandemic. It was an iconic mechanism for cooperative federalism but came under a cloud. The Reserve Bank of India 2019-20 Report recommended similar apex authorities for land, labour and power. Other areas were also considered such as health and education. It is not clear whether this mechanism will weaken or come out strengthened in the times to come.

Weakening of the federal governance structure through assaults on states' legislative powers through farm laws, labour, Environmental Impact Assessment. Loss of faith in the neutrality of central agencies came to light with the non-acceptance and withdrawal of permission to Central Bureau of Investigation (CBI) by seven states.

The pandemic situation mirrored the state of exception in the times of emergency. During emergency, federalism was suspended, accompanied by the disempowerment of the opposition, pandemic brought about a new kind of emergency with comparable consequences. The distinguishing features of the first emergency were three-fold, imprisonment of opposition leaders; censorship of media; and (Constitutional amendments to legitimise new dispensation.

The water disputes continuing in India have relied on judicial process and the tribunals for their resolution which is a time-taking process. The River Boards Act was enacted in 1956 but not a single river board has been constituted in the country. It is important to note that river disputes involve the lawyers and the politicians but farmers who have a big stake have nothing to with them. A bottom up approach of water dispute resolution must be

adopted involving all stakeholders at the grassroots. There is a need to reactivate river boards which will allow for resolution of disputes at lower levels.

Prof. Janakarajan Srinivasan, (Senior Consultant, Madras Institute of Development Studies, Chennai and President, South Asia Consortium for Interdisciplinary Water Resources Studies, Hyderabad) spoke about the role of multi-stakeholder's dialogue in resolving inter-state water disputes, highlighting the issues in the Cauvery river dispute between Karnataka and Tamil Nadu. The Cauvery water dispute is unique as it involves re-sharing of available water unlike other river disputes which involve sharing of surplus water. It is because of this reason that Cauvery dispute has become so intense and bitter. Prof. Srinivasan explained the intricacies involved in the longstanding Cauvery water dispute and the initiatives for facilitating dialogue and discussion between the farmers of Karnataka and Tamil Nadu to find an amicable solution to the dispute. Apart from the water dispute, Coastal erosion, rampant sand mining and pollution of river and its tributaries also pose major threats to the basin. In such a scenario, legal mechanism which look at river water disputes in silos may not work. A complete rethink of strategies which focus on protection and rejuvenation of the entire river basin addressing the problems of pollution, ecological degradation and sustainable agriculture is the need of the hour.

Prof. Rekha Saxena, Department of Political Science, University of Delhi explained the various dimensions of Union-State Coordination in India. There has been expansion in the scope of intergovernmental relations over the years as new actors have

come into the picture. There is not only interaction between Centre, state, and local governing bodies but market private players have also come into the picture. Intergovernmental relations works at two axes but in India it has been more active at vertical level and it is more informal than formal. The Union State coordination in India has been facilitated by two important aspects of Indian political system, first is the detailed provisions in the Indian Constitution regarding fiscal federalism and the second is the legacy of an established administrative procedures for Centre state relations emanating from the British Raj as well as the earlier decades of one-party dominance after independence. Intergovernmental relations remain weak in Indian federalism in absolute and comparative terms. Legislative federalism remains weak in India. The only intergovernmental forum in the case of legislatures is the conference of speakers or presiding officers of the Legislatures to discuss problems faced by these institutions and exchange experiences on possible solutions.

In the light of the recent corona pandemic, Executive federalism came to the forefront. This was the case across the globe. During the initial phases of the pandemic there was more centralisation of the power as Centre did not consult the states prior to the first and the second lockdown but later through Prime Minister's video conference with the Chief Ministers, the administrators and Lieutenant governors provided space for seeking states' inputs and suggestions to manage and mitigate the pandemic effectively.

To conclude, Indian federalism is at the crossroads and it is the dialectics of competition and collaboration that will define

its direction in the country. In the era of globalisation, the competition between the states and Centre and states has increased. However, the challenges posed by globalisation in the area of security, environment and social sectors among others require more and more intergovernmental collaboration at horizontal and vertical levels in the spirit of cooperative federalism.

Prof. Yogendra Yadav, Activist, Psephologist and President, Swaraj Abhiyan shared his experience of working with farmers of Punjab and Haryana for the last 20 years to resolve the Satluj Yamuna Link Canal (SYL) dispute. The SYL dispute is primarily between Punjab and Haryana but it also involves Rajasthan and Delhi. The dispute is not about Sutlej river water or water of Ravi and Beas. Under the Indus Water Treaty, the additional water of these rivers came to India, thus, additional water had to be apportioned adequately. The SYL dispute pertains to nature of distribution of this surplus water and to ascertain how much water is available. The initial agreement was that Punjab should get 22% of the water and final revision has increased this figure to 28% and it could probably go up to 33 or 34%. Thus, the entire debate and dispute is about how much water of Ravi and Beas should Punjab get should it be 28% or 33%. One would imagine this is a limited dispute and can be resolved. However, the Constitutional structures and democratic politics including legislatures, the executive and the judiciary and political parties have not been able to solve this dispute even after last 50 years. The dispute and its handling uncovered a plethora of problems with the way inter-governmental mechanisms work. The longstanding dispute has shown the failures of Legislature as the Act passed by the Central Government did not

explicate the mechanism for distribution of water between the two states. Likewise, the Executive failed, as Central Government washed off its hands from the case and possibly was responsible for judiciary's delayed response in the matter. The Judiciary's role in this entire matter was probably the most disappointing as tribunals could not enforce their award and more than once the Supreme Court sat on the matter for years. The Court neither demonstrated the strength to enforce its decisions and nor did it hear the contempt petitions when states failed to adhere to and implement its judgement. Political parties also fell short of making a constructive contribution towards sorting out the dispute and disillusioned the people affected. The two states despite being ruled by the same political party assumed completely contrary positions and were unable to come to a consensus.

The SYL dispute begs for alternative approaches to dispute resolution such as political negotiations supported by farmers' organisations. In the case of SYL dispute, the farmers in Haryana who have not got water for 50 years eagerly hope to get something rather than nothing. Not only this, farmers in South Haryana also say "Why North Haryana doesn't begin sharing the water it already has." Similarly, the farmers in Punjab contend that so much of the Ravi and Beas water flows into Pakistan (which it is not entitled to) which can be utilised between the two states but still the dispute is going on. Thus, farmers in the two states looked at finding feasible solutions to the problem.

Mr. Yadav also recommended a possible formula of water sharing in which Haryana should concede more share (i.e. about 33%) than has ever been agreed to by any tribunal to

Punjab. In return Punjab should agree to a timeframe to implement the terms of water sharing and passing of SYL canal through Punjab to channel water to Haryana. Thus, the resolution should not be done through tribunals or judiciary; or even state legislatures which have vested interest in accentuating the dispute. The farmers who have real stake in the matter should be brought on board for dispute resolution.

The participants raised pertinent questions around resolution of river disputer and inter-governmental conflicts. Cascading federalism encourages flow of the power to lower levels of governance and allowing those who are at the bottom of the cascade have a say in the way in which problems are tabled and dissolved. It encourages participation and collaborative resolution of problems.

In an inter-state conflict, a tribunal is set up to give an award but there are no mechanisms to enforce these awards. It was envisaged that Supreme Court should enforce these in case of non-action by contending parties. However, the Supreme Court has not been able to do so in case of recent disputes. The capacity of India's Constitutional machinery to address conflicts of this nature where public sentiment is strong has gone down. Thus, strategies of enforcement of the award must be considered.

The experience of this pandemic would enrich the understanding on how Centre and states should work together. One of the key requirements of handling the pandemic was that Centre and the state should coordinate and work together. The extent to which this was achieved and the deficiencies in the same will

go a long way in strengthening the federal system to handle similar situations.

(For the complete transcript of the webinar proceedings please visit our website www.ppf.org.in)

The Politics around Women in Kashmir

– Tehmeena Rizvi

I am a Kashmiri girl living in Delhi. When I see my counterparts here I compare it to the plight of my sisters in J&K. I see a long journey ahead of them to reach this stage that is prevailing in Delhi. Kashmir, more popularly known as the Paradise on Earth because of its enchanting beauty has long been a site of intractable conflict and one of the most conflict-ridden areas of the world. Ever since Indian independence in 1947, the people of Kashmir have been suffering due to cross border terrorism. The debate around self-determination, identity assertion and 'resistance to occupation' has increasingly been used to attract attention exploiting the 'transhistorical narrative' that fails to represent the voices and opinions of marginalized peoples of Kashmir. These ideologies and practices have always encouraged use of aggression, dominance, and violence as their currency to foment trouble. However, we cannot forget that with the change in nature of conflicts and proximity of civilians to the site of violence, the way gender roles are framed and affected has also been affected. According to a report by Human Rights Watch in 1993, the security forces often use rape as a method of retaliation during reprisal attacks. The worst

hit are the women. The repression of women is not only reflected through acts of sexual violence but also through the imposition of racial, religion and other identity-based rules of conduct. Articles, stories, narratives that comply with masculine concerns like acts of sexual violence against women are given utmost importance while the alternate narratives of the victims are relegated to a lower importance. With the change in policies, through introduction of women and child friendly legislations by the government, the condition of women is gradually improving. The new generation of girls in Kashmir going through normal education coupled with their exposure to the electronic and social media have a different perception than the previous generation. Various women rights organizations that have come up in recent years in J&K are emboldening Kashmiri women to fight against inequality. Paradoxically, the social practices in the community continue to put fetters on their freedom and choices. For instance, women in the Valley are not encouraged to pursue education in the name of Islamic culture as much as men. Hence, the visibility of women outside their homes remains negligible. Like other regions in the Indian subcontinent, Kashmiri women have also been participating actively in the building of the economy. The participation is, however, restricted to a few popular and commonly approved professions like teaching and nursing etc. Few women find place in the political history of Kashmir despite folklores glorifying their deeds and some also being revered as Saints like 'Lal-ded.' Despite progress, men still hold the decision-making power in traditional Kashmir and women have

little say even in the household affairs. Thus, like most other societies, Kashmir has well-formed patriarchal norms with usual negative impacts on the mindset of the common public. Kashmiri women have experienced sexual violence in all forms, yet the area has been very dark in understanding and reporting it. The survivors are compelled to live in guilt and shame that they might have done something to bring it on to them. They internalize the myth and carry it forward through generations. The objectification of Kashmiri women by those outside of Kashmir was on display after the abrogation of Article 370. This behavior also ties in with the larger aggressive and possessive nature of the conflict that sees Kashmir, and in turn, Kashmiri women, as something both the state and citizens of India have a natural right to own. This disturbing mindset is further explored by Seema Kazi, a fellow at the Delhi based Centre for Women's Development Studies, in her paper 'Rape, Impunity, and Justice in Kashmir'. She writes that social ostracization faced by victims and notions of 'honor' prevent them from coming forward. She further adds that, in case someone even wanted to come forward, chances of a fair investigation and subsequent prosecution were low due to 'legal immunity' given to security forces preempts the possibility of independent investigation of sexual crimes or prosecution of the guilty'. The former in this aspect mirrors the above, where yet again women are shamed by society into not standing up to their abusers, in this aspect, an imperialist dimension is added as well. Thus, above we have seen the way Kashmiri women face gender-based discrimination and violence within Kashmiri society. Young

women are also radicalized along the binary fault lines of community and social issues yet the radical groups remain highly intolerant towards women and their rights. Thus, they seek to control, coerce, and subjugate them. As such, women become the 'silent nation' in these conflict zones since they are the tools through which 'new wars' are instrumentalized.

A lot of work thus needs to be done to improve the condition of women in Kashmir. When it comes to peace building efforts, especially in the context of grassroots groups, a positive environment should be actualized through engagement. Yet, this might not be enough due to the immense generational trauma Kashmiri women carry. Safe spaces for discussions on sexual trauma and unpacking it are essential. This is especially difficult to achieve in Kashmir, because the high incidence of Post-Traumatic Stress Disorder (PTSD), depression, and anxiety among the population. There are also cautionary tales of groups like Dukhtarane-Millat which initially worked towards educating Muslim women about Islam and making them aware of their rights. However, its efforts morphed into morally policing women and encouraging them to support militants waging jihad in Kashmir.

'Women's Bus for Peace' and Line of Control Conference have been cross-border collaborations to initiate dialogue among women from India and Pakistan. In the case of the former, 40 Indian women took a 12-hour

bus from New Delhi to Lahore. In Lahore, they interacted with Pakistani women and worked towards strategies for peace informed by their positions in life. The latter was a conference held in Kashmir that focused on the importance of "diplomacy and peaceful negotiations in order to further the India-Pakistan peace process; withdrawal of forces from both sides of the LOC; decommissioning of militants; rehabilitation of Kashmiri Pandits to rebuild the syncretic fabric of Kashmiri society; and rehabilitation of detainees." Perhaps, it would be more effective to create quotas for women in Parliament, the legislative assembly, and the judiciary. As female representation would increase, it would trigger a cultural shift in gender role expectations.

The region has been witnessing disturbances through decades that has vitiated the environment for Kashmiri women to achieve their full potential. Violence of every hue remains a constant part of life's journey in the region seeing violence from close quarters irrespective of the identity with the perpetrator distorts perception for men and women alike. However, hope springs eternal. A lot is riding on the shoulders of the younger generations who should now bear the responsibility and take initiatives to bring about a change in the mindset of the people as well as the social condition prevailing.

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