

W O M E N W I T H O U T B O R D E R S

A RETURN TO NOWHERE?

*Pakistani wives of former militant returnees
stuck between citizenship and 'maximum
indeterminacy' in Kashmir*

A POLICY PAPER BY ALIYA BASHIR

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THE POLICY CONTEXT.

In the context of South Asia as well as globally, women's agency in mediating constructs of identity, human rights, and resistance has attracted a great deal of academic attention. But a particular community of women--wives of former militant returnees in Kashmir, a northern-most Himalayan territory and site of an enduring conflict between India and Pakistan--has been left out from broader policy conversations on women and conflict, something that this policy paper focuses on.



THE POLICY RECOMMENDATIONS.

This policy paper proposes that both governments and civil society actors turn their attention to the wives of former militant returnees in Kashmir. It argues that there is a dire need for both New Delhi and Islamabad to initiate diplomatic-humanitarian engagement, beyond their current exchange of national security and war rhetoric, and to facilitate either the return of these women to their families in Pakistan or acknowledge their identities as citizens/state subjects of Jammu and Kashmir. A cohesive community rehabilitation program would reduce their social and institutional alienation. Both community and institutional support is vital for them to be made part of the community. This can be realized via a joint initiative by the government and civil society, which must address their financial concerns, facilitate vocational training, skill building, and offer possible employment opportunities.

'REHABILITATION POLICY': BRIEF BACKGROUND

In 2010, the Government of Jammu & Kashmir announced a 'rehabilitation policy' for former militants who had crossed over to the Line of Control and were stuck in Pakistan. In the heydays of armed insurgency during the early 1990s, hundreds of Kashmiris infiltrated the international border to receive arms training in Pakistan to wage a war against the Indian rule in Kashmir. While many came back as trained fighters and rebelled against New Delhi in their fight for azadi ('freedom'), others were unable to return. Disillusioned with the

possibility of their return, they settled in Pakistan, entering into wedlock with Pakistani girls, and raising families.

The rehabilitation policy, announced at a time when India and Pakistan were sharing a warm relationship, came as a hope for the stranded Kashmiris to return to their home. But returning meant bringing together their wives (Pakistani citizens) and children. When the families reached Kashmir, everything seemed surreal and women were awed by the beauty of the place particularly the sprawling apple orchards. This early romance was soon eclipsed by police raids and confiscation of their passports, particularly those of women.

” *The state has by and large failed to repatriate and rehabilitate the wives of former militants - women are the worst hit* ”

The gaps in the rehabilitation policy have left around 800 of their family members, including 400 of the former insurgents, with inadequate, incoherent, and inconsistent challenges. The state has by and large failed to repatriate and rehabilitate them. Women are the worst hit. They have not been granted citizenship nor do they have a proper documentation to return to their native country, Pakistan. Their husbands too have not been easily accepted either by their relatives or the society due to their past. As a consequence, they continue to face employment issues, property disputes, and remain under surveillance. The women have been denied the right to political participation and are even ineligible for a ration card. Not accepted by their communities, women are susceptible to suicide, domestic violence, and mental health trouble.

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RETURNEE WIVES AT THE CUSP OF 'MAXIMUM INDETERMINACY'

I argue, following the gender theorist Judith Butler, that the bare lives of these women, who feel living in a prison, have reached their 'maximum indeterminacy', their identities rendered into an unknown, undefined being, lacking any legal rights or counsel because the law and state do not recognize them as citizens. For more than a decade now, these women have been fighting for official credentials as state subjects, which would allow them to take part in normal public life including the right to vote.

Apart from an indifferent response from the state, most of these women also feel unaccepted in their communities with no engagement from institutions or civil society to highlight and back their day-to-day struggles. They are concerned about the future of their children and feel they are vulnerable to any exploitation if they are not rehabilitated financially as well as socially. Sustenance is the key to their survival, which at the moment looks implausible.

Because of their Pakistani identity, the wives of returnees always remain suspects in the eyes of the establishment and society. While local Kashmiris are afraid to forge connections with them because of the fear

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of retribution from the government, the state has a deep mistrust towards them. And in the wake of a hostile relationship between India and Pakistan, opening up has further become a challenge.

WOMEN'S GENDERED STRUGGLES

Women in Kashmir already struggle with pre-existing gender inequalities and discrimination. Their role as agents of peace in the conflict has largely been unrecognized. So, for the women from across the border, the things are doubly difficult, caught brutally in the ongoing violence in the region, both epistemic and physical.

As an exercise in gender-sensitive peace building, there is a crucial need to ensure that priorities of these women are made central to peace and security decisions at all levels in achieving a sustaining peace. This can be done by bridging social, cultural, and political barriers to instrumentalize reintegration of this minority group of women.

Gender experts working in the region argue that the women who have been the direct victims of conflict often feel powerless and burdensome to their families. Yet, they don't realize that despite all the difficulties, through their patience, perseverance, compassion, and empathy, they are taking care of their families both in presence as well in absence of male heads. But the community of Pakistani wives has collectively stood with each other through a single voice, raising slogans and demanding justice, carrying placards on the streets and reiterating their demand for citizenship or repatriation.

” *The community of Pakistani wives has collectively stood with each other, and their struggles also mirror stories of resilience of local Kashmiri women who have been fighting daily* ”

These women's struggles also mirror stories of resilience of local Kashmiri women who have been fighting daily at micro and macro levels within their homes to ensure peace, whether it's through small household chores or participating alongside men in protests on the streets.

HUMANITARIAN ENGAGEMENT FOR REHABILITATION

There is a dire need for both New Delhi and Islamabad to initiate a diplomatic-humanitarian engagement, beyond their current exchange of national security and war rhetoric, and facilitate either the return of these women to their families in Pakistan or acknowledge their identities as citizens/state subjects of Jammu and Kashmir.

There is a dire need for both New Delhi and Islamabad to initiate a diplomatic-humanitarian engagement

A cohesive community rehabilitation program will reduce their social and institutional alienation, which at the moment has reached a saturation point. It is thus vital that they receive both community and institutional support so that they are made part of the community. This can be realized via a joint initiative by the government and civil society, which must address their financial concerns, facilitate vocational training, skill building, and offer possible employment opportunities. Initiatives like these will help them to bond with the society and reduce their social alienation while their children can contribute hugely to the society. This dynamic interaction has the potential to foster hopes of family rebuilding, social cohesion, and peace building.

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TOWARDS AN INTER-CULTURAL DIALOGUE FOR SHARED FUTURE

In our interactions with mothers in Kashmir as part of the MotherSchools programme by Women without Borders (WwB), the focus was on inter-cultural dialogue and empowerment of females so as to be active agents in preventing violent extremism. This was very urgent and important because women in Kashmir have been relegated to marginalia in the process of prevention of violent extremism. The WwB project made early efforts to transform this by offering mothers a conceptual toolkit to mediate in the lives of at-risk children.

For the returnees and their wives (who hold no identity) are concerned, however, the challenges seem manifold. Their children's chances of getting caught in a new cycle of conflict and

” *The returnees' rehabilitation will open new pathways to tap women's potential and allow them to significantly contribute to a secure, humane, and shared future* ”

violence is likely if both the government and local communities share an ambivalent relationship with them. The task at hand thus is not only to offer solidarity at a horizontal level but also support and back their struggle for official recognition at a vertical plane, which would start with breaking the walls of separation, silence, and fear between the community and the returnees. The returnees' rehabilitation will open new pathways to tap women's potential and allow them to significantly contribute to a secure, humane, and shared future.

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About the Author:

Aliya Bashir is an independent journalist covering India and Indian-administered Kashmir with a focus on human rights, gender justice, women's issues, the environment, healthcare, education, and minorities. She has written and reported for The Guardian, Time, Lancet Psychiatry, The New Humanitarian, Reuters, Global Press Journal, TRT World and many more. She is the winner of the 2015 Schizophrenia Research Foundation-Press Institute of India 'Media for Mental Health' award for best reporting on mental health issues in India. A HEFAT trainee, she has won reporting grants from International Women's Media Foundation and Population Reference Bureau.

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Women without Borders (WwB) is an international nonprofit organisation headquartered in Vienna. Since 2001, WwB has been building capacity through women leadership and empowered dialogue efforts to address gender-based violence and violent extremism, the world over.