Chapter – I

Women in Conflict: Theoretical and Analytical Framework
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The social, economic and political impact of Maoist insurgency on Nepalese women in Nepal is taken as a case for analyses in the proposed study. Nepal is going through a period that is crucial to its future. After two years of a long and not so easy peace process, important reforms are beginning in an attempt to lay the basis of a new society, tackling some of the structural causes that led to the outbreak of the armed conflict. Nepalese women have been deeply affected by Maoist armed conflict that took place between 1996 and 2006, and, as with many other conflicts, its origin and course have had a notable gender dimension. The purpose of the study is to offer an analysis of the armed conflict and its impact on Nepalese women from a gender point of view. With this intention, the study seeks to look into the status of Nepalese women and to analyze how State’s discriminatory policies have created the conditions for the rise of Maoist Insurgency. Second, it would analyse the impact of Maoist insurgency on social, cultural, economic and political condition of Nepalese women. Third, the study would seek from a gender perspective, paying particular attention to the consequences of armed conflict and women’s active involvement in it. Fourth, it would examine women’s role as combatant in the Maoist ranks as well as the fact that the negotiation process which has led to the signing of the peace agreement largely excluded women. It would also look into some of the challenges so that the post-war rehabilitation process takes place in the most inclusive and least discriminatory way possible, giving room for broad transformations in order to put an end to the exclusion of Nepalese women.

Conflict is a relationship between two or more parties who have or think they have incompatible goals. While it starts with a disagreement over an issue, there is always a background that fuels the conflict. Power is a core issue in a conflict which parties seek to attain at any cost. Power can be used either to fuel conflict or to help build peace (Fisher 2000: 2). In this chapter, the study will focus on the theoretical and analytical framework

\[\text{Fisher particularly dwells with how people response to conflict, from which one can draw many lessons of the kind of conflict that exist all over and how it is managed; For more detail on conflict see Fisher, Simon et al. (2000); For trend and causes of conflict see Smith, Dan (2004)}\]
of women in conflict in South Asia in general and Nepal in particular. It will try to explore the impact of armed conflict on gender relations, analysing the distinct ways both women and men are affected. It will also emphasise on gender-specific disadvantages experienced by women that are denied by conventional interpretations of armed conflict and post-conflict reconstruction processes. While conflict in is a vast subject including territorial disputes, language, communal differences, ethnicity or race, natural resources, migration and political aspects, this study takes into account only those conflicts that have witnessed armed struggle between two or more groups. Second, the study does not make any distinction on the basis of intensity of conflict.

A better understanding of armed conflict is possible only when one assesses the underlying ideology, which is the driving force behind the conflict. Armed conflict is defined as “a contested incompatibility which concerns Government and/or territory where the use of armed force between two parties, of which at least one is the Government of a state, results in at least 25 battle-related deaths.”\(^2\) A major armed conflict is defined as “a contested incompatibility that concerns Government and/or territory over which the use of armed force between the military forces of two parties, of which at least one is the Government of a state, has resulted in at least 1000 battle related deaths in any single year” (Eriksson 2003: 122). According to Sollenberg (1999: 15) an earlier definition of a major armed conflict defined it as “prolonged use of armed force between the military forces of two or more Governments, or one of one Government and at least one organized armed group, incurring the battle related deaths of at least 1000 people during the entire conflict and in which the incompatibility concerns Government and/or territory”. For the purpose of this study, armed conflict is defined as an armed conflict between two groups, of which one is the state, in which violence has been used by either or both parties resulting in human and material casualties.

In South Asia, armed conflict has been primarily intra-state rather than inter state.\(^3\) And it differs in its nature, causes of birth, intensity etc. For example, the armed conflicts

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\(^2\) Uppsala University’s Conflict Database has been following this definition. Also see Wallensteen, Peter and Margareta Sollenberg, “Armed Conflict 1989–2000,” *Journal of Peace Research*, 38 (5), pg. 629 http://www.pcr.uu.se/research/UCDP/

\(^3\) South Asia is one of the most conflict prone regions of the world. It has witnessed three inter-state wars, two partitions, irregular low intensity conflicts.
in Pakistan are related to terrorism, jihad and sectarianism; secessionism in Sri Lanka; left wing, terrorism, communalism and secessionism in India; and left wing in Nepal. Even Bangladesh and Bhutan also have witnessed armed conflicts in the recent past. Maldives has been the only country in South Asia that has remained free from any armed conflict.

Revolutionary class struggles have plunged Nepal, Bihar, Chhattisgarh and Andhra Pradesh in India into ‘People’s War’. Separatist movements in Kashmir and Assam, Manipur and Nagaland in Northeast India have led to armed conflict.\(^4\) For example, the Naga\(^5\) people’s armed struggle (in Naga areas in Northeast India) for independence against the Indian state is the longest-running internal conflict in post-independence India.\(^6\) Arbitrary arrests, extra judicial killings, disappearance, rape, torture, arson and regrouping into collective camps leading to economic dislocation and famine have affected every family in the region. Inter factional feuds among the Naga and between the Naga and other communities have further intensified the violence.\(^7\) The loss of human lives in Kashmir since the armed conflict began in 1989\(^8\) is many times more than the combined casualties in the four wars fought between India and Pakistan. The conflict has precipitated a humanitarian crisis of tragic magnitude. Today Kashmir has been described as the most militarised zone in India due to the presence of more than half a million troops.

In Sri Lanka, the civil war that lasted for more than two decades has transformed the whole of north and east of the island into war-ravaged zones under the shifting control of the Sri Lankan Government and the LTTE (Liberation Tigers of Tamil Eelam). The Tamil minority’s post-colonial political struggle for cultural and political fight against the


\(^5\) Naga are a conglomeration of a number of distinct tribes belonging to the Mongoloid racial group that share a set of physical and cultural traits. For more information on Naga history and struggle for self-determination see Kumar, Ram Narayan and Laxmi Murthy (2002)


\(^7\) The latest ongoing ethnic conflict being the Naga – Dimasa conflict (2009) in the North Cachar Hills (N.C.Hills), Assam. The reporting on the Dimasa-Naga ethnic clash has been carried out in all major national (Hindustan Times, Telegraph, The Hindu) and regional (Morung Express, Nagaland Post, The Assam Tribune, The Sangai Express etc.) newspapers since February 2009.

\(^8\) The armed conflict here refers to the *azaadi* movement in Kashmir. Post accession, Kashmiris had a divided outlook; some agreed with the accession to India, some wanted Kashmir to be a part of Pakistan while there are those who wanted an independent Kashmiri nation-state.
Unitarian, state-building policies of the Sinhalese majority has become a full-blown, militarised, ethnic conflict revolving around the demands for a separate Tamil state.\(^9\)

In Bangladesh, after sixteen years of armed struggle for autonomy in the Chhittagong Hill Tracts (CHT) a fragile peace accord has been negotiated. The division of India and Pakistan left the legacy of an unresolved dispute over Kashmir. Religious fratricide communalised the consciousness of vast masses on both sides of the border.\(^10\) The chronic cycles of violent continue to wreak havoc in the urban area of Sindh pitting Urdu-speaking immigrant people against the state, the Sindhi community and others.\(^11\) Communal and sectarian violence is endemic in India and Pakistan which could plunge South Asia into a nuclear war. And, in Bhutan, 90,000 ethnic Nepalese have been forcibly evicted and, the Revolutionary class struggle (Maoist insurgency) have plunged Nepal into a ‘People’s War’ that lasted for a decade.

Although not the newest of internal conflicts in South Asia, the Maoist movement in Nepal has become the focus of attention lately because, after a decade old ‘People’s War’ (1996 to 2006), Nepal is going through a crucial time to its future.\(^12\) After two years of a long and not so easy peace process, important reforms are beginning in an attempt to lay the basis of a new society, tackling some of the structural causes that led to the outbreak of the armed conflict.

Mansoob S. Murshed and Scott Gates (2005) talks about Maoist insurgency as one of the highest intensity internal conflicts in South Asia. They argue that the concept of horizontal or inter group inequality, with both an ethnic and caste dimension is highly relevant in explaining the Nepalese civil war. S. D. Muni (2003) in his book Maoist

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\(^12\) The elections, which are part of a Comprehensive Peace Process ending a decade long Maoist insurgency, elected a House to write the new constitution of Nepal. An interim Government comprising eight parties, including the formerly outlawed Maoist Party, was adamant to hold the polls in June 2007 initially but because of the fears that conducting the elections without first engaging with traditionally marginalised and excluded groups will delegitimise the elections before it is held. The election was held in April 2008.
Women in Conflict: Theoretical and Analytical Framework

*Insurgency in Nepal*¹³ provides the general understanding of the roots and the emergence of Maoism in Nepal right from its birth in India in 1949 with the aim to actively participate in the anti-Rana struggle of 1950-51 to the historical events – evolution of ‘People’s War’ in 1996 under the leadership of Communist Party Nepal (Maoist) and the development that took place in the process. He gives a wide range of problems and prospects of Maoists and elaborates in detail, about their support base and political goals. He also dwells with responses that the Maoists get from the Nepal Government and International organizations, and highlights the growth and determination of Maoists which is the result of mass poverty, social oppression and class slavery etc. where the poorer section felt alienated due to economic backwardness and political instability of the country.

N. K. Jha (2003) also identifies the objectives, strategies, and magnitude of Maoist insurgency and its implications for security and stability of Nepal. He views that Maoists activity in Nepal has serious implications not only for the security and stability of Nepal, but also for India due to its long open border and the close socio-cultural linkages which the two countries share. K. M. Dixit and S. Ramachandaran (2002) outline contemporary Nepal, particularly its evolution over the last dozen years of democracy. Nepal is an enormously complex country because of its physical and demographic diversity and distinct history, but its society has seen monumental changes since the People’s movement of 1990. Their book *State of Nepal*¹⁴ contains contributions on different facets touching all the issues like ethnicity, religion, culture, economy, education, media, civil society, party politics, democracy, etc. of Nepali state and its people. On the hand, Arjun Karki and David Seddon (2003) provide an introduction to the ‘People’s War’ in Nepal where they try to bring together a unique collection of document, including statements and analyses by the Maoists leadership as well as critical essays by various political analysts and activists on the left in Nepal. The book *The People’s War in Nepal*¹⁵ reveals the thinking behind the strategy of the Maoists, and underlines the importance of gender, ethnicity and caste as well as class in the armed struggle being waged ‘against neo-feudalism and imperialism’. The contributors chart the evolution of the ‘People’s War’ and provide a range of

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commentaries on the Maoist movement and the insurgency by member of other Left groups (some of them sympathetic and some of them highly critical). It also offers some possible alternatives for radical change.

II

Ample research has shown that in any conflict situation, although women are placed in a disadvantaged position and are affected the most; yet, they are the humanitarian voices and politically conscious that rises out stronger and louder. They are the mothers grieving for sons dead and missing, widows struggling to keep the family and community alive; they are the refugees displaced from home, raped and murdered in war. Women used to be the silent victims of the ravages of war. But, one has seen that beyond the passivity of victimhood, conflict has seen women come out to mobilise resistance, confront the security forces, the administration and the courts by forming a coalition for peace, or become guerrillas and soldiers or emerged as agent of social transformation and conflict resolution. Of the few organisations that have been able to establish its voice at the negotiating table, during the Indo-Naga peace talks is:16

... Naga Mother’s Association (NMA) interventions began with dealing with societal issues, such as drugs and alcohol abuse, and livelihood related issues, such as campaigning for jobs and pensions. In 1994, NMA started the ‘Shed No More Blood’ campaign where they initiated peace dialogues with the insurgent groups and Government. Naga Women Union, Manpur (NWUM) is also working together with the NMA to keep the Indo-Naga peace talks going. NWUM work at the grassroots level to increase democratic participation in the peace process, and is involved in capacity building workshops for civil society groups so that with increased participation of people, there will be support at the popular level for the peace processes.

According to Chenoy “this group of women sees itself as empowered and privileged, since they have broken out of convention and traditional roles for women.” However, the most common category is that of women as victims of rape and other forms of sexual assault.

There have been many postulations made about what kind of role women play in conflict situations and how their status as women is impacted due to the gender nature of

16 Based on the researcher’s involvement/association with the Naga Mother’s Association (NMA) and the Naga Women’s Union Manipur (NWUM) in Naga areas.
conflict. Scholars pose such questions as what is the nature of the different forms of violence that women face, during a conflict situation, both in the public and the private sphere. Are women merely victims in a conflict or does the situation allow them some forms of agency? Is the realisation of their agency a direct outcome of the conflict, and is this a widespread phenomenon? Moreover, does it lead to a significant, long-term transformation in gender relations, after the conflict has ended? Do women themselves want such a transformation to take place?

Women and conflict in South Asia will be seen as a beginning in honing a framework of analysis which may prove helpful in exploring a myriad woman's experiences of organised politicised violence in the region - the experience of women activists in the dalams of the 'People's War Group' in Andhra Pradesh, India, \(^{17}\) women in caste and communal violence across India, Pakistan and Bangladesh, women's anti-militarism activism in Northeast India and Baluchistan and cross-border mobilisation for peace between Indian and Pakistan.

This research will built on studies done by scholars like Kumari Jayawardene (1986) on women in nationalist struggles in the Third World. An Academic like Partha Chatterjee (1989) have turned over the material to produce critical insights into the closures inherent in the nationalist projects and the inevitable limits to women's empowerment not because of the priority of nationalist issues but because of the specific role assigned to women and the family in the nationalist project. Regional studies of women in the nationalist struggles of the Quit Kashmir movement, the Nupi wars in the Northeast and in the revolutionary struggle in Telegana and Tebhaga \(^{18}\) in India provide a rich historical resource.

The relative barren landscape of a gender analysis of political violence in South Asia was highlighted by the dramatic impact made by the partition studies of Ritu Menon and Kamla Bhasin (1998) and Urvashi Butalia (1998). Till then, in the violence of partition, women had been visible only as gross statistical generalisations of abducted women (or rape victims of the 1971 partition of Pakistan and Bangladesh). Ritu Menon


and Kamla Bhasin’s study *Borders and Boundaries* and Urvashi Butalia’s work, *The Other Side of Silence* provide rare insights into the lived experience of women caught in conflict and the gender politics of partition.

International feminist scholars like Susan Brownmiller, Jennifer Turpin and Rhonda Copelon recognise that the scale and ethnically defined nature of rape in Bosnia is not unique. Historically, the use in war of genocidal rape, i.e., aimed at destroying the racial distinctiveness of a people, is located in earlier incidents such as the mass rape of more than 200,000 Bengali women by Pakistani soldiers in the Bangladesh Liberation War in 1971 (Copelon Rhonda 1998: 63). Twenty-five years later, the Women’s Action Forum (WAF) of Pakistan in March 1996 formally apologised to the women of Bangladesh for the mass rape and humiliation of Bangladeshi women (Menon, Ritu 2004). However, there has been no corresponding acknowledgement of the mass rape in 1971 of ‘Bihari’ women (Urdu-speaking immigrants in East Pakistan) by Bangla militants.

Post independence, despite the escalation in ethnic armed conflicts and the growing discipline of women’s studies, there have been relatively few systematic attempts to engage with a gender analysis of conflict. The occasional gender study of violence indicated how unchartered the field was, e.g., Veena Das (1986) essay on the anti-Sikh carnage in Delhi, Valli Kanapprothipillai’s (1986) analysis of ‘The Survivor’s Experience’ and Malathi De Alwis (2002) on the Sinhala Mother’s Front (SMF) during the Janta Vimukti Perunama (JVP) insurrection in Sri Lanka. On the whole though, it was through the human rights discourse that women’s experiences of political violence were made visible but that discourse is one of victimhood.

Early essays at documenting women’s peace activism in the Nupi Lan women’s revolt in Manipur, Northeast India, open up a field of study which is still waiting for an author. In history, the Nupi Lan women’s war of 1904 and that of the Meitei women of

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21 In most of the conflict across the world, rape is now being used as a weapon against women to humiliate communities and to also escalate men. For more detail on rape as crime against women in times of war see Lorentzen, L.A. and J. Turpin (eds.) (1998); for studies on rape as a weapon war see Turshen, Meredith (2001).
Manipur in 1939 remain only footnotes for a long time. Its modern incarnation is the women’s struggle in the 1990s against human rights violations and excesses by the security forces. Black laws like Armed forces Special Powers Act (AFSPS) 1958, turned North-eastern state in India into a garrisoned state with a ratio of one soldier to four civilians. Traditional form of struggle was adopted like the Meira Paibis. This was summarised by Binalakshmi Nepram thus:

“...Meira Paibies have organised campaigns against the rise of alcohol consumption that resulted in the Government declaring Manipur a dry state. They also have the support of insurgents operating in the valley, and have expanded their activism to focus on atrocities committed by security forces.”

All over the region, there are pockets of spontaneous, sporadic and fledging women initiatives to reduce the impact of violence and to build peace, initiatives which remain invisible, unrecognised and undervalued. In the Naga Hills of Manipur, India, in Churachandpur district bordering Myanmar, the ferocity of internecine violence between two Kuki tribes Thadou and Paite, brought 5,000 women across the conflict divide out on the streets in 1995 to appeal for peace. They forced the village elders to broker peace which still holds. In Assam, Bodo Women’s Justice Forum (BWJF) has appealed to Santhal women to create a neutral space for a dialogue. In Balochistan, Pakistan, women, men and children marched against the Kargil war. Women peace activists have taken the lead in voicing protests against the nuclear tests in the Chagai hills of the province, linking it with regional discrimination and denial of democratic rights.

However, South Asia is also marked by the failure to build solidarities across issues of internal and external militarisation. This has weakened not only the peace movement but also women’s peace activism both internally and across borders. National women’s group

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22 Jain, Devaki (1980), Women’s Quest for Power: Five Indian Case Studies, Sahibabad: Vikas Publishing House
23 Based on the researcher’s interview with Binalakshmi Nepram on 13th May 2009 in New Delhi. Binalakshmi Nepram is the founder of Women Gun Survivor Network in Manipur who is now base in Delhi. Meira Paibis refers to the legendary women torch-bearers of the Meitei community (in Manipur, Northeast India).
24 Based on the presentation made by Zomi Mother’s Association (ZMA) President at the time of researcher’s participation on a workshop on ‘Displacement, Development and Militarisation’ organised by ‘The Other Media’ from 8-10th December 2008 in Manipur. Similar kind of ‘women activism’ was also shared by the participants from various communities in Northeast.
26 Manchanda, Rita (2001), op.cit., No. 11, pg. 32
have been reluctant to forge solidarity even on a human rights plane with women in ethnic conflict situation, especially in pro-separatist national identity struggles like in Kashmir. The WAF initiative in Karachi stands out for its singularity.27

An analysis of women’s experiences of communal/ethnic conflict remains confined to the victimhood paradigm as in the case of the anti-Sikh ‘riots’ in Delhi in 1984. This is evident in Chakravarty and Haksar’s (1987) book Delhi Riots28 record of testimonies of Sikh widows. However, in an attempt to move away from victimhood, Veena Das (1986) essay, ‘Our Work to Cry: Your Work to Listen’29 explores how widows of the Delhi Sikh carnage took the symbols of mourning and pollution and gave it a political meaning. In defiance of the authorities, who wanted them to terminate their mourning, these women fashioned a language of protest against the utter injustice of their situation through prolonged mourning and the adoption of symbols of pollution and dirtiness. In a companion piece on the transformation of the social reality of Tamil women in the aftermath of the 1983 ethnic violence in Sri Lanka, Valli Kanapathipillai (1986) looks at the central role played by women in the process of reformulating their world as they learnt to operate bureaucratic and judicial system.

Various conflicts in the world have proved that sustainable solution cannot be achieved unless women are included in all aspects of conflict resolution of peace building. Skjelsbaek and Smith (2001) provide the theoretical nature of gender and armed conflict and debate on how men and women are perceived differently by their behaviours, thinking and design policies. They describe different ways in which gender differences are conceptualized and what the implications of these differences might be. Besides defining and identifying the main characteristics of conflict, Amani El Jack (2003) covers various gender dynamic, gender impacts, gender equality and human rights aspects of armed conflict right from its inception to its culmination. Based on the study of armed conflict, she analysed that both women and men are affected in distinct ways in any conflict

27 Manchanda, Rita (2001), op.cit., No. 11, pg. 32
28 Chakravary, Uma and Nandita Haksar (1987), Delhi Riots, New Delhi: Lancer
situation. She argues that it is not only in terms of sexual violence, that men suffer but also experience human rights abuses that are different from, but equally unjust to those afflicting women – whether as prisoners of war, as soldiers or as people who diverge from gender norms (e.g. homosexuals, male pacifists). She argues that men are also directly targeted in armed conflicts and also make up the majority of casualties caused by small arms and light weapons (SALW). The increasing number of households headed by women in conflict zones is an illustration of men’s specific vulnerability. Yet even when there has been documentation of men’s experiences as victims of abuse on the battlefield, men continue to be described as ‘masculine heroes.’ Dubravka Zarkov (2001) argues that in the case of the former Yugoslavia, the refusal to identify men as victims of sexual violence during armed conflict was rationalised in terms of power relations during war as well as in the subsequent nation-building process, which dictated who could be labelled victims of sexual abuse. In other words, a woman can be a victim but a man is never a victim, which is a denial of one of the gendered realities of armed conflict.

Krishna Kumar (2001) discusses the nature of civil wars and the ways it affect women and gender relations. He recounts the impact of conflicts on women and gender relations under the three broad categories of social and psychological, economic and political effects. In his book Women and Civil War, series of case studies on women’s organisations in post conflict societies like - Rwanda, Cambodia, Georgia, Bosnia and Herzegovina, and El Salvador were discussed. Continuing in the same vein, Coomarswamy and Fonseka in their book Peace Work argue that women advocate for peace more because they are the worst affected by war, and therefore are more motivated and open to support a peaceful, political resolution. While the contributors (Rubina Saigol, Charlotte Bunch, Ritu Menon, Sheila Meintjes and others) in the book address the in-depth reality of each site of conflict in Sri Lanka, Philippines, Japan, Ireland, Yugoslavia, South Africa and the Indian subcontinent, they also deal with the experiences of women peace workers

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30 Women and men experience violence differently during and after conflict, in their capacities as both ‘victims’ and ‘perpetrators.’ Sexual violence is largely inflicted on women and girls, but men and boys are also raped during armed conflicts in a form of violence designed to shatter male power. For more detail see Caroline O. N. Moser and Fiona C. Clark (2001).
across these different sites in a comparative perspective, the diverse strategies used by peace workers and their relative success or failure and the importance of female participation in forging partnerships for a lasting peace. Manchanda (2001) also points out that on the basis of their shared experiences of oppression and injustice in their everyday lives, women bring different, perhaps more egalitarian values to the negotiating table. Moreover, because women have a more immediate and ontological understanding of the root causes of conflict, it is beneficial to incorporate their insights into the peace processes.

On the other hand, Meintjes, Pillay and Turshen (2001), reflect on some of the challenges that women had to face in confronting their own work towards peace. Although, the authors fail to provide a comprehensive analysis on women and peace building, attempts were still made to reflect on some key issues that have emerged constantly during the conflict. Notwithstanding the fact that women have always played vital roles in building peace at the community level, they had at the same time been significantly absent at other levels, especially the more public and political. Gaps in theory and practice were mutually-reinforcing, and for many years, made a convenient - if not convincing - case for leaving women’s voice out of the peace discourse, and keeping the discussions and deliberations on peace exclusively in the hands of men.

In trying to emphasise on developing comparative and overarching analytical frame for understanding women experiences and perspectives and sharing strategies to strengthen women’s peace activism in conflict situation, Manchanda, Sijapati and Gang (2002) explain how to get women’s experience and perspective integrated into humanitarian work and peace processes, to share strategies and build coalitions. Cynthia Cockburn (1998) in her book *The Space Between Us*33 draws the direct and indirect impact of armed conflict on women. She insists that sustainable solution cannot be achieved unless women are included in all aspects of conflict resolution to peace building.

In order to understand the social, cultural, economic and political impact of Maoist insurgency on Nepalese women, it is imperative to know and understand the status and situation of women in Nepal (that will discuss in the next chapter in detail). During the

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Fourth World Conference on Women held in Beijing (1995), the situation of South Asian women was one of the bleakest faced by women in any part of the world. The bleak scenario, remarkable in itself, was all the more depressing given that, as the Beijing Conference began, the Prime Minister of Bangladesh, Pakistan and Sri Lanka, as well as the President of Sri Lanka, were all women. Indeed, these countries were headed by women who wholeheartedly supported gender equality but despite that women in South Asia still remain far behind men in enjoying basic human rights, let alone participating on an equal footing with men in educational institution, the job market or in the Government.

Women of South Asia in general and Nepal in particular are suppressed and treated as inferior and unequal in every facet of the society. Besides, they are 'made' backward by economic, political, social and cultural forces, and religious books.34 It is in this background, Maoists felt that the sense of deprivation among the vulnerable section (including women) successfully attracts their support.35 N. Desai & U. Thakkar (2001) argues that women in South Asia are still considered to be lower than men. Women are still entangled in the net of social exploitation and discrimination as society emerged from the ancient to the feudal and then to the capitalist mode of production. Apart from all the exploitations and discriminations that Nepalese women face, Paudel Sharma (2005) argues that women’s life in Nepal are strongly influenced by their fathers and husbands as reflected in the practice of patrilocal residence, patriarchal descent, and by inheritance systems and family relations. Meena Acharya (2005) highlights the activities carried out in Nepal to raise the status of women in the social, political and economic spheres. She argues that patriarchy still poses as a big obstacle for the overall development of women. She also focuses on the plans and policies of the Government which began to include the women issues. But, the lack of gender sensitivity seen in the implementation of programmes and policies has greatly slowed down the progress.

Kamla Sarup (2004) argues that HIV&AIDS and conflict create a double jeopardy for women. An increasing number of HIV&AIDS positive women in the far western region of Nepal, where the impact of the conflict is more severe - prove that the spread of the

34 For further study on the profile of Nepalese women see Acharya (1994, 2000 and 2005).
35 For detail phenomenal participation and involvement of Nepalese women in the Maoist movement, see Chapter V.
Women in Conflict: Theoretical and Analytical Framework

disease is mainly because of the conflict. She emphasises that women who are displaced are compelled to take an exploitative job, which ends up in sexual exploitation, which in turn, results in increasing risk of HIV&AIDS. Awareness of HIV&AIDS and health services has not been able to reach the rural areas of the country due to the ongoing conflict.36

On the other hand, Forum for Women, Law and Development (FWLD) report discussed factors like prejudiced religion and customs, acute lack of education, physical weakness that women face during pregnancy and after childbirth, physical dominance of men, etc. that forced women into a position where it is very difficult to fight against the social injustice. It also highlights that, since women don’t have control over their own bodies and property or citizenship rights, they are forced to have an inferior life. Even the few women who do try to fight this oppression are often hounded out of their communities because they are labelled as troublemakers. Shobha Gautam (2004) argues that these discriminatory factors created a vacuum whereby the Maoists have tried to fill the gap by forming people's courts in many villages that attempt to address and resolve the problems faced by women and their families. The Maoists encourage women to form community judicial committees and also create an environment for them to resolve their own problems, thereby generating the feeling that women are helping themselves. She stressed on by saying that it is a failure on the part of Government for neglecting such needs of the minorities’ especially women. This has turned the Maoists movement into a powerful force and consequently, has contributed to the escalation of the war. Hisila Yami (2006), popular known as Com. Parvati37 gives a clear picture of Maoists impact on Nepalese women who

36 Similar kind of impression was also shared by Shobha Gautam on 17th June 2008 at the time of researcher’s visit to Kathmandu. Shobha Gautam is a Director of Institute of Human Rights Communication Nepal (IHRICON). She held that problems like trafficking, domestic violence, discrimination against women since their birth, child marriage, polygamy and unequal marriages, dowry system, rape and other sexual violence and the sexually transmitted diseases (including AIDS) forced women to suffer across doubly in a Nepali society but such issues has not been address neither by the Government nor the Maoists especially in the remote villages where the it Government or NGOs programme could not reach because of the ‘People’s War.’

37 Hisila Yami (Com. Parvati), is the foremost women revolutionary leader of Nepal. One of the two women leaders to reach the Polit-Bureau of Communist Party of Nepal (Maoist), which has led a ‘People’s War,’ for a decade. She has worked in the Women’s Department and International Department of the Party. She started her revolutionary life as a student activist in India since 1978. She was elected General Secretary of All India Nepalese Student Association in 1981-82. Upon her return to Nepal in 1983, she pursued her profession as an Architect but continued with her revolutionary activities particularly in the women’s movement. She was elected Treasurer of Nepal engineers Association in 1985-87. While she worked clandestinely for the
are struggling against poverty, rugged geography without basic infrastructure and discriminatory Hindu feudal state by participating in the ‘People’s War’ (PW) led by the Communist Party of Nepal (CPN (M)) since 1996. She argues that the party is able to give the correct fusion of gender oppression with class oppression pertaining to poor women belonging to all oppressed castes, nationalities and regions. And by doing so, it enable to unleash the fury of women against the feudal state that is perpetuating women’s oppression ideologically, politically, militarily, economically, socially and culturally. She goes by on saying that oppressed Nepalese women are treated as strategic partner in not only completing the revolution, but also in preventing counter-revolution in ‘People’s War.’ Women are considered as most reliable forces that will push for continuous revolution until communist stateless system is achieved when complete Women’s Liberation can be achieved. And lastly, Yami also justified violence as counter-violence against both state and domestic violence.

III

In Nepal, what is commonly referred to as the ‘People’s War’ is an outcome of mass poverty, social oppression and class cleavages, etc. where the poorer section (including women) of the Nepali society felt alienated due to economic backwardness, political instability, mis-governance and socio-political discrimination. The Maoists took the advantage of these vulnerable sections and promised them a better future. The Maoists claimed that they would remove the monarchy and the servile Government and replace it with a Communist State, which would end the exploitation of poverty stricken farmers and labourers in remote Nepal. They encouraged the weaker section of people, including women to form community judicial committees and also create an environment for themselves to resolve their own problems, thereby generating the feeling that women are

*communist Party, she rose to become the President of All Nepal Women’s Association (Revolutionary) in 1995-97. Before she went underground with the initiation of the ‘People’s War’ in February 1996, she was in the forefront of the militant mass movements. She was jailed for 20 days during the historic people’s movement of 1990. She was repeatedly arrested even after the advent of multi-party parliamentary democracy once in 1990 and twice in 1995, for her political activities. Born in a well-known Newar family in Kathmandu in 1959, she received most of her education from India. She did Bachelor of Architecture from School of Planning and Architecture in New Delhi (India). She did her Masters of Architecture from New Castle-upon-Tyne (UK) in 1993-95. She was a lecture at Institute of Engineering, Phulchowk Campus (Lalitpur) from 1984-1996. Com. Hisila Yamiis was a member of the Interim Legislature Parliament since January 2007, after the CPN (Maoist) signed a peace accord with the Government to hold Constituent Assembly election planned for June 2007. She is currently the Minister for Tourism and Civil Aviation.*
helping themselves. ‘People’s War’ has seen women bore burnt of violence from the police, security forces and Maoists. In the absence of men, women becomes sole bread earner searching for livelihood outside their community and as conflict progresses the body of women becomes the site of struggle as rape, molestation and mutilation increases to terrorise and subjugate the local populace. Those women admitted to rape by the ‘enemy’ loss respect and protection of their family and community. Thus, such cases of sexual atrocities were kept secret by the families because of the societal stigma.

In this study an attempt will be made to trace both the positive and negative impact of “People’s War” on Nepalese women. It would also map out that armed conflicts no longer belong solely to men; women from different section of society are also involved in it. For instance, the involvement of Nepalese women in “People’s War” shows that armed conflict no longer belongs to men alone. Far from political game and power wrestling, Nepalese women also fight for their survival and for the protection of their children, the future generation of Nepal. Their role in conflict area is important, as they not only involved in the armed struggle but also practice negotiation between the conflicting parties in their day-to-day life.

Given these factors, it is expected that by studying the socio-economic and political oppression of Nepalese women and the impact of Maoist insurgency on Nepalese women as discussed above, it would bring about/reveal some missing links in the State policy towards all forms of discrimination against Nepalese women and exclusion of Nepalese women in decision making process, which could lead to suggestions for improving the policy.

It is in this context the following hypotheses would be put to test:

• Through its discriminatory policies, State creates conditions for massive mobilisation of women for conflict whose impact on them is far-reaching.
• In internal conflict women play multiples role as combatants and peacemakers.
• Women’s responsibilities increase manifold during conflict situation.

This study is based on analyses of primary and secondary sources. Primary source includes field visit, personal interaction, discussion and interviews with various Nepalese
personalities - media person, academician, human rights lawyers and activists, student activists, widows, displaced people, political party members - CPN (Maoist) and CPN (UML), Maoists women combatants, community leaders, women’s organisation like All Nepalese Women Association (Revolutionary), Social Workers, etc. Various Government/Institutions, NGOs, INGOs (UN) reports, documents and data were used for the study. The statements of various groups, organisations and agencies were also taken into account. Existing literatures, published journals and newspaper clippings were also explored to broaden the understanding of the subject. To enrich the study, relevant material from the Internet and working papers published by research institutes were also be used.

Although it is true that the impact of conflict differs from region to region, and peoples’ experiences of conflict depend on their own specific context, there are still some common trends present in all situations of conflict. Although women experience significant disadvantage in the course of armed conflict, it does not necessarily mean that men are always perpetrators and women are victims. 38 Regardless of the type of conflict, the concept of men going to war at the 'front' and women staying safely at home with children and the aged no longer reflects the reality of war. As discuss above the dichotomy of 'conflict' and 'safe' zone has been problematised by feminists. According to them war comes to women even as they work on their lands and in their homes. 39 War targets their homes – abducting, displacing or killing them along with their children.

While it is true that armed conflict opens up for women the ‘public’ sphere chiefly understood to be controlled by men, it is also problematic to dichotomise the men and women's spheres as 'private' and 'public' in a strict sense. 40 Most writings have essentially promoted the notion that men withdraw into the ‘private’ sphere during conflict time and women emerge to occupy the ‘public’ sphere. However, such interchanging of roles/spheres may not be so drastic in all situations depending on the nature of the roles.

and space in different societies. The inequality that women experience during and after armed conflict in all societies derives from dominant understandings of gender roles. It refers to the perceptions of appropriate behaviour, appearance and attitude for women and men that arise from social and cultural expectations. In the context of conflict, perceptions of women as wives, mothers and nurturers persist, whereas men are cast as aggressors and soldiers. However, there is no such clear distinguished role in absolute terms.

As we have seen in Kashmir conflict or in the Chittagong Hill Tracts of Bangladesh, how protracted curfews and high-risk security regimes obliged women to innovate survival strategies for the family and community. It was the mothers, wives and sisters who made the rounds of detention centres and torture cells looking for the disappeared and entered into negotiation with the institutional power structures such as security forces, administrators, courts etc. As they are seen as less threatening, and also less watched, they used their traditional invisibility in the ‘public’ sphere to create space for their activism.

Women in Kashmir conflict shows how women’s political activism was rooted in their everyday concerns of managing survival, i.e., ‘stretched’ roles. From the image of the sorrow mother who grieves in ‘private’ but sacrifices her son for the cause, is the transformation of the mother as an agency, who takes her ‘private’ grief into ‘public’ space thus politicising it, e.g., the Association of the Parents of the Disappeared Person

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41 This may be argued in the context of the various communities in the northeast India especially in the case of Nagas. This is because gender roles and space are shared to a considerable degree and strictly defined only on certain specificities. Hence, the demarcation between the ‘private/informal’ and ‘public/formal’ spheres in a strict sense becomes not only problematic but sometime misleading in the context of the Nagas.
42 Jack, Amani El (2003), op.cit., No. 39, pg. 15
45 During the azaadi movement (1989), two women’s organization came to the forefront at this time, Dukhtarane Millat (DM) and Muslim Khawateen Markaz (MKM) and took an active part in protesting against army excesses, helping separatists, and organizing for food during curfews.
47 Manchanda, Rita (2001), op.cit., No.11, pg. 21
Women in Conflict: Theoretical and Analytical Framework

(APDP).\(^{48}\) In the case of Kashmir conflict, motherhood is seen not only for mobilisation of resistance but also for co-operation in support of militarism and nationalism.

One of the impacts of the protracted armed conflict has been the increasing number of widows and half widows. Thousands of women in Kashmir are going through identity crisis owning to the phenomenon of enforced disappearance (persons disappeared in custody), which led them to fate of half widows (whose husband's death is not ascertained). For women, who were widowed in the conflict their plight at least, they saw the last remains of their husband, but for half widows life has become tough. They don't know whether their husband is alive or dead. They live on hope that somewhere in this world their husband might be alive and might return one fine day. There is no accurate number of widow and half widow available but according to media reports and local sources, their number ranges between 2,000 – 2,500.\(^{49}\) Armed conflict has also affected women in many ways - physically, psychologically and economically. The number of cases in the only psychiatric hospital in the Valley has shown an alarming increase. The symptoms shown by the patients include depression, phobias, emotional instability and Post Traumatic Stress (PTS) disorder. Depression is more apparent in "half widows" as they are unable to perform last rituals which would lessen their grief.

In the context of Nepal, Sri Lanka and Rwanda, some women who took up arms or enter soldiery behind the lines have discovered what it is like to be an equal fighter in the struggle for liberation.\(^{50}\) They fought in the wars and often seek for equal treatment in the militaries, which shows that women are now coming forward asking their rights.

In Sri Lanka, protracted armed conflict has opened up analogous space for agency and empowerment for women. At one end is the violence is catapulting of women into

\(^{48}\) Parveena Ahangar is a Kashmiri mother who lost her son who was arrested by the security forces in August 1990 after mistaking him for a militant. Since then, she has assisted fellow victims like her, and one of those who established the Association of Parents of Disappeared Persons (APDP) in 1996. A paragon of courage, she mobilizes other families of the disappeared in Kashmir to fearlessly work against impunity.

\(^{49}\) According to the Association of the Parents of the Disappeared Persons (APDP), around 10,000 persons remain missing till date and thousands of habeas corpus petitions are pending before the J&K Court but the Security Forces have declined to respond to the Court's summons, leaving Kashmiri citizens without the protection of law and justice. Of the disappeared, they say between 2,000 and 2,500 people were married, and almost all were males.

high office, e.g., Chandrika Kumaratunga. Then there are the ‘nationalist’ women in the ranks of the LTTE and Sri Lankan military, whom the prevailing feminist discourses, see as captive to a patriarchal nationalist project. There is also the social structural transformation wrought by protracted violence in the daily lives of thousands of invisible Tamil women who have become heads of households. In Nepal, women were also seen negotiating a ‘public’ space without men by innovating a language of resistance, taking up non-traditional task like ploughing, stepping into the ‘public’ space and forming all-women elected village development councils. Women have become guerrillas in the ‘People’s War’ and make up one third of its fighters in the Maoists strongholds. The women’s question and in particular land rights for women is an integral part of the Maoist revolutionary programme.

It is further seen that violent conflict has made women’s organization like Sinhala Mothers Front (SMF) and Tamil Mothers Front in Sri Lanka (TMFS), Women’s Action Forum (WAF) in Pakistan, Hill Women’s Federation (HWF) in Chittagong Hill Tracts and the Naga Mothers Association (NMA) and Naga Women Union Manipur (NWUM) in Northeast India undertake new roles as moralisers for war or for peace in their communities. As seen in Sri Lanka, where women use their role as mothers to stage public protest and in so doing overturn simple generalisation about mother’s being victimised or idealised and the emergence of Naga women as peace agent in the fifty-year nationalist struggle in northeast India.

In the iconography of war, the woman of peace is a Mother. For instance, in Chechnya conflict in the 1990s, the media reported how Russian mothers went to the front to take back home their soldier sons, away from the fighting. This image was powerfully reinforced by the media. The mother's narrative highlights the conservative logic of the biological connection in the binary stereotype of women and peace, and men and war.

Some feminist peace analyst are uncomfortable with this logic of “mother and peace” (as

51 It has been reported that in Mirule, a village in Rolpa district is a village without men. It is a Kham Magar Village of around 265 houses and in the first year of insurgency, Mirule held the largest number of killing in Rolpa district. And, when the elections took place for Village District Council (VDC), there was no condition for men to enter their villages and contest. Therefore, illiterate peasant women came forward and all six-elected member of the ward were women including the chairperson.
52 See Chapter V for more detail.
53 Banerjee, Paula (2001), op.cit., No. 6, pg. 135
54 Manchanda, Rita (2001), op.cit., No. 11, pg. 16
discuss above) which ends up implicitly affirming the structural inequality between men and women at the heart of patriarchy. As Brock-Unte (1989) defines it, patriarchy is ‘a form of social organisation based on the force based ranking of the male half humanity over the female half, patriarchy has to do with power over people, mostly power to control women and nature’.

Women were actively involved as combatants in ‘People’s War’ in Nepal, LTTE in Sri Lanka and even in Rwanda. Women in LTTE and Rwanda have been perpetrators in the ethnic/communal attacks and massacres of women and children. However, it is a fact that men predominate across the spectrum of violence.

The argument rests on the psycho-social construction of feminine and masculine in patriarchal societies which connects women and peace. Women have always been connected with primary child bearers and nurturers by this construct that privileges values such as the ethics of care and rewards cooperation and not competition and conflict, privileged in the socialisation of men in patriarchy. Women have always been structurally excluded from decision making on security issue and indeed from politics. Culturally, militaries need men and women to behave like binaries, i.e., women need men to protect them and men go to war to protect women. This false consciousness or ambiguous logic of ‘protecting women’ was exposed during an African regional meet on child soldiers in Mozambique. Defending the conscription of children, Government officials – all men – asked, ‘What will happen when all of us are dead? Somebody has to protect the women.’ representatives of non-Governmental organisation (NGOs) – all women – replied: ‘Women will protect themselves.’ At stake was not only how to tackle conflict but how to avoid it. ‘If a child at 14 is fighting, who’s to say at 24 he won’t want to go back to fighting and look for excuses to do so’.

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56 Manchanda, Rita (2001), op.cit., No. 11, pg. 22
57 For elaboration of the linkage between patriarchy and militarization, see Chenoy, Anuradha (2002) Militarization and Women in South Asia, New Delhi: Kali for Women, pg. 101-110
58 Women in Kashmir do not have any representation at the formal political level and therefore have no say in the peace process.
59 This was shared by Thandi Modise (1999), a South African MP, on 5-7 May at the ‘Women, Violence Conflict and Peace-building: Global Perspective’, conference organised by International Alert, London.
Amidst the ambiguities of peace as a woman’s issue because of biological or cultural, is the argument that peace is a women’s issue because of reasons of justice. Cynthia Cockburn, a feminist researcher and peace activist maintains that ‘if women have a distinctive angle of peace, it is not due to women being nurturing. It seems more to do with knowing oppression when we see it.'\(^{60}\) Knowing what is to be excluded as women, gives them special insights into the structure of unequal relations at the root of conflict. Women, therefore, are more likely to see a continuum of violence, because they experience the connected forms of domestic and political violence that stretches from the home, to street to the battlefield. A ‘feminist’ culture of peace fundamentally critiques unequal structures of domination and is built on learning to live with difference without aggression. In short, peace politics are crucial for everyone in unequal relationships between women and men in all spheres of life and the family.\(^ {61}\) It is a radicalisation of the women and peace connection. A feminist peace politics thus connects with the struggle against racial, ethnic and class oppression.

Peace is much more than an absence of conflict or an absence of fear of direct physical violence which Brock-Unte (1989) calls a ‘negative peace’. A ‘positive peace’, she argues, includes absence of structural inequalities in micro structures built up within a country or between countries so that the life chances of some are reduced and the environment irretrievably degraded.\(^ {62}\) Women’s notion of peace is mediated by the vision of a ‘just peace’ and a ‘positive peace’. Women’s peace movements have been a major influence on current trends towards the redefinition of security. They have argued that real human security lies in protection against harm of all kinds, in a healthy environment capable of sustaining all life and respect for human dignity for all. Women’s experiences of providing for day-to-day human security and their more comprehensive perspectives on what constitutes security are essential to the redefinition of security.\(^ {63}\)

\(^{60}\) Comment made at a UN Working Group on Women and Armed Conflict preparatory meet for Beijing +5 meet. Also see Cockburn, Cynthia (1999) “Gender, Armed Conflict and Political Violence”, background paper presented on 10-11 June to the World Bank, Washington DC


\(^{63}\) Manchanda, Rita (2001), op.cit., No. 11, pg. 18
Understanding women and peace connection is to understand the gender impact of armed conflict on women. It is true that in modern form of organised political violence, women are the worst sufferers. Women are victims of the physical and psychological violence of dislocation, fragmentation of families, loss of children and men, rape and murder. Women experience the economic violence of conflict even before its physical outbreak. Militarization entails a diversion of scarce resources from the social sectors of greater concern to women. The disruptions due to armed conflict make the socially assigned responsibility of women to feed and care for the children and the aged, all the more difficult. While the men go underground and join the militias, it is the women who remain at the home, unless forced to flee. Indeed, for women, negotiation with conflict begins ‘after the bomb stop falling’. Conflict produces women headed households in a patriarchal society where women are structurally and socially disadvantaged.

Cultural violence against women gets magnified as conflict promotes macho values which legitimise misogyny. ‘The violence used against Palestinian men (in Palestine conflict) has made them violent at home, in the work place and in their free time’, observed Palestinian Member of Parliament (MP) Dalal Salmeh. In Karachi, women members of Muttahida Quami Movement (MQM) observed that even normally calm men would start threatening their wives with guns after the conflict. Men compensate for their loss of power by assaulting women physically. Moreover, with women seen as symbolic and physical markers of community identity, there is the pressure (on both men and women) to embrace identity constructs which undermine women’s autonomy of being, as in the

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64 Meintjes, Sheila, et al. (2001), op.cit., No. 38, p.7
65 As in the case of ‘People’s War’ in Nepal, LTTE in Sri Lanka, NSCN in Naga area in Northeast India etc.
wailing of Palestinian women after the Intifada uprising or in India’s Kashmir after the outbreak of insurgency. This practice recedes as the intensity of conflict eases.

There is need, however, to guard against romanticising the issue of women and peace politics. Women have been known to actively support violent and sectarian organisations and have been guilty of perpetuating the ‘them’ and ‘us’ divide at the heart of conflict. Mothers have risen to oppose a conflict that kills their sons, but equally they have raised sons to be soldiers to be sacrificed in the name of nationalism. And yet in the end, as Thandi Modise, an MP from South Africa observed;

...for women, it doesn’t matter which side you are on, on both sides children get maimed and killed and women get raped. It makes it difficult for women to choose sides and enables them to reach across the ethnic divide. This is particular so when the violence is perceived as illegitimate, that is violence for violence’s sake. But the neutral space is a contested on with competing ideologies at play of nationalism, community, class, race, and gender.70

Arguably, the fact that the women’s historical experience is one of living disarmed (in a monstrously armed world), as the feminist historian Bernice Carrol describes it, ‘gives women special skills to assess the role of weapons and war and to offer alternative models of behaviour in dealing with conflict and social change’.71

IV

Armed conflict is growing in its complexity. While the nature of warfare itself has drastically changed due to the development of sophisticated weapon technology, nations are placing greater emphasis on increasing and reinforcing military strength which worsens existing pattern of sexual violence against women in two main ways. Firstly, incidences of ‘everyday’ violence, particularly domestic violence increase as communities break down during and after conflicts.72 And, women and children are most likely to be uprooted and driven from their homeland as refugees and displaced people. Even, during their unwanted journey from one place to another they experience every type of violence, which mostly

70 This was shared by Thandi Modise (1999), a South African MP, on 5-7 May at the ‘Women, Violence Conflict and Peace-building: Global Perspective.’
includes sexual abuse. Yet, women being caretaker of families in such condition as well have to play a central role to support their families in exile.\textsuperscript{73}

Secondly, ‘everyday’ violence escalates in the context of masculine and militarised conflict situations.\textsuperscript{74} The establishment of rape camps and the provision of sexual services to occupying armed forces in exchange for resources such as food and protection are two examples of Gender based violence (GBV)\textsuperscript{75} during and after conflict.\textsuperscript{76} Conflict breeds distinct types of power relations and imbalances. In the context of conflict, for instance, violence against women is more than the exercise of power over women. By raping women, who symbolically represent the purity and culture of the nation, invading armies are also symbolically raping the nation itself.\textsuperscript{77}

Sexual violence against women both by the security forces and the militants is no accident of violence conflict. History has demonstrated the link between war and the control of women’s sexuality and reproduction. Rape is not an accident of war. It is weapon used against women to humiliate communities and to emasculate men.\textsuperscript{78} Being young and pretty has little to do with becoming a victim of war-time rape.\textsuperscript{79} Rape and the sexual assault of women in situations of conflict are now recognised as a war crime. It is not a private crime, the ignoble act of an occasional soldier. Rape in conflict is neither incidental nor private. For instance, in Kashmir, both security forces and armed militants

\textsuperscript{73} Meintjes, Sheila, et al. (2001), op.cit., No. 38, p.7
\textsuperscript{75} Article 1 of UN Commission on Status of Women Declaration defines Violence as “Any act of gender based violence that results or is likely to result in physical, sexual or psychological harm or suffering to women including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life....”
\textsuperscript{76} Integrated Regional Information Networks (IRIN) (2007), The Shame of War: Sexual Violence against Women and Girls in Conflict, New York: UN Office of the Coordination of Humanitarian Affairs (OCHA), pg. 11
\textsuperscript{78} Turshen, Meredith (2001), op.cit., No. 74, pg.58
\textsuperscript{79} The use of rape as a tactic to terrorise a community into submission is nowhere more apparent than the Northeast India and Kashmir. Even during the ceasefire periods, e.g., in Nagaland, such instances of rape and molestation by the security forces had continued. The situation of women in these conflict regions has been in the news and has even been taken up by international agencies of repute and credibility. Yet little justice has been done. For detail study on rape as a weapon of war see Turpin, Jennifer (1998).
have systematically used rape as a weapon to punish, intimidate, coerce, humiliate or degrade.\textsuperscript{80}

The various and systematic forms of violence that civilian women experience at the hands of armed combatants, whether state armies or paramilitary personnel, in situation of armed conflict and displacement were extensively documented and highlighted in the former Yugoslavia, Rwanda, and other parts of Africa and Asia. This process culminated in the UN resolution that established rape as a war crime and saw the appointment of Sri Lanka lawyer, Radhika Coomaraswamy as the first UN Special Rapporteurs on Violence against Women in 1994.\textsuperscript{81} Highlighting gross violations of women’s bodies and lives in situations of conflict and displacement has been part of an important intervention by feminists and activists to promote women’s rights as human rights internationally.\textsuperscript{82}

In Sri Lanka, several instances of checkpoint rape by the Sri Lankan Government’s security forces have been reported. Though rape has not been practiced as a systematic policy of ethnic cleansing by any group in the Sri Lanka conflict, unlike Bosnia, women suffer particularly from the poor security situation in the border areas. Their mobility and thus ability to go out to work is severely curtailed due to fear of frisking and checkpoint rape, not to mention anxiety about being caught in crossfire. Mothers are often fearful for their daughters’ safety and sexual vulnerability and tend to confine them to the home or refugee camp. Simultaneously, a sexual service industry has developed in Anuradhapura area, where soldier return from the conflict areas, with many homeless and displaced women engaging in prostitution.\textsuperscript{83} The fear of ‘checkpoint rape’ is a constraint on women’s ability to move around and venture out of their immediate locale for work or any other purpose. Conditions are considerably worse for displaced women who are forced to live in refugee camps where privacy is minimal if not non-existent and levels of generalised violence, alcoholism and domestic violence are high.

\textsuperscript{82} Senanayake, D.R. (2001), op.cit., No. 50, pg. 111
\textsuperscript{83} Senanayake, D.R. (2001), op.cit., No. 50, pg. 116
Through the lobbying efforts of women’s organisations, the Rome Statute of the International Criminal Court (ICC) now recognises and prosecutes sexual and gender violence as war crimes and crimes against humanity. According to the statute, these criminal offences include ‘rape, sexual slavery (including trafficking of women), enforced prostitution, forced pregnancy, enforced sterilization, other forms of grave sexual violence, and persecution on account of gender’.

After incidences of sexual violence, women are often rejected by family or community. Despite pity for the trauma the women have suffered, the society marks the victims as ‘damaged goods’. Women also have particular healthcare needs as a result of these violations. For example, they require additional nutritional and health support if they are pregnant or lactating. Food scarcity and inequalities in food distribution are exacerbated during periods of armed conflict, rendering women and girls more susceptible to malnutrition. The increase in the rate of HIV infection in conflict zones is also a worrying trend – women face an increased risk, and therefore need special psychological, health and social support.

Although men are most often the perpetrators of rape and violence in armed conflict and women the victims, men themselves may also be subject to physical and sexual abuse. Sexual abuse, torture and mutilation may be directed at men either as detainees or prisoners of war. In Northern Uganda, research conducted in the early 1990s showed an increased prevalence of Sexually Transmitted Infections (STIs) among men, ‘allegedly due to indiscriminate rape of men’ by the National Resistance Army (NRA).

Agency for Co-operation and Research in Development’s (ACORD, 2002) conducted a workshop on sexual violence, confirming the difficulty of quantifying the extent of male

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87 Jack, Amani El (2003), op.cit., No. 39, pg. 16
Women in Conflict: Theoretical and Analytical Framework

Rape as victims are reluctant to speak out.\(^8^9\) Dolan (2002) argues that ‘the level of stigma attached (to male rape) is even higher than that associated with female rape’, and ‘undermining men’s sense of masculinity becomes a key channel for men to exercise power over other men’.\(^9^0\) In this sense, rape or violent sexual abuse as demonstrations of ‘masculinity’ or power are potentially weapons that can victimise both women and men in conflict zones.

Men are also the indirect targets of violence against women. The rape of women has long been considered a public act of aggression, where raping and ‘dishonouring’ women is a way of ‘violating and demoralising men’.\(^9^1\) Women are perceived to be the preservers of family honour, and often symbolise a nation’s racial purity and culture. The ‘abuse and torture of female members of a man’s family in front of him’ is used to convey the message that he has failed in his role as protector.\(^9^2\) It represents an attack on the entire country at the same time it violates women’s human rights.

‘Everyday’ violence has transformed women’s lives. Women become indirect victims of the arrest, torture, disappearance and loss of loved ones. Also, women become direct victims of the physical violence of rape, kidnapping and murder. For instance, in Kashmir valley, protracted curfews, crackdowns, arson and violence has left no house untouched either directly or indirectly. ‘It was to turn us all into (trauma) patients,’ said Abiba, the sister of the Jammu and Kashmir Liberation Front (JKLF) chief Yasin Malik. Post-Traumatic Stress (PTS) disorders have reached epidemic proportions among women and children. In an independent survey by the Government Mental Hospital in Srinagar in July –August 1999, Prabal Mahato found that PTS cases rose from 1,700 in 1990 to 17,000 in 1993 and to 30,000 in 1998.\(^9^3\)

\(^9^2\) Turshen, Meredith (2001), op.cit., No. 74, pg. 59
It is true of war that the most vulnerable sections of society – the women, children and the aged – bear the brunt of violent conflict situations. Violent conflict hits the social sectors of greatest need for women and their families. Health, education and welfare services are disrupted and undervalued as monies and energies are diverted to fight insurgency. Moreover, given woman’s reproductive role, the implications of generalised violence for women are gender specific. Dislocation in health services particularly hits maternal health and the survival of children. Violence also results in woman’s reluctance to travel at night even if they have severe medical problems leading to a sharp increase in prenatal deaths.

Women who take on new roles such as heads of households, principal income generators and decision makers in the absence of their male folk are in reality merely carrying a double burden. In Kashmir, after the first year of economic dislocation caused by violence upheaval, the economy of the state adopted rapidly, establishing direct market outlet for the valley’s fruits, handicrafts, shawl and carpets in the rest of India. But in families which had lost male earning members, women and children were staring at sharp drops in income levels and even destitution. This is despite that traditionally 50 percent of the workforces in the handloom and handicraft sector in Kashmir are women.

Violence such as forced prostitution, trafficking for sexual or other types of slavery, and forced pregnancy are experienced by women and girls during and after conflict. Also, the impact of GBV has distinct consequences for women and girls including sexual mutilation, sterility, chronic reproductive/gynaecological health problems and marginalisation from family and community due to stigma associated with sexual abuse.

‘Forced displacement is the clearest violation of human, economic, political and social rights. In South Asia and elsewhere, we have seen people often been uprooted from their homelands due to political, religious, cultural and/or ethnic persecution during

95 Manchanda, Rita (2001), op.cit., No. 46, pg. 70
conflict. Whatever the cause, displacement is a source of human rights violations and results in distinct types of disadvantage for both women and men.

It does not necessarily mean that people leave or are forcibly removed to destinations that are far from their homes during and after armed conflict. Armed conflict in the 1990s saw millions of people internally displaced, or still living within the borders of their country. It is often viewed as a temporary or transitory phenomenon. However, experience in countries such as India, Sri Lanka, Pakistan, Bangladesh and Nepal shows that it is actually a prolonged process.

In 1989-90, Kashmir valley also saw a popular upsurge for self-determination which brought women, men and children out on the streets raising the cry for aazaadi (independence). Within the mass popular protest was the undertow of a fledgling armed militancy. The Indian state retaliated with severe repression and military force. And in an ensuing armed conflict, more than half-a-million people have been displaced.

Even in Sri Lanka, since the armed conflict commenced, the population of displaced people has fluctuated from half-a-million to 1.2 million of the country’s population at various points in the conflict. Figures of displaced persons are however controversial. The University Teachers for human Rights, Jaffna, in 1993 estimated that half-a-million Tamils have become refugees overseas. The decennial census of Sri Lanka scheduled for 1991 was not taken due to the conflict. Estimates are that 78 percent of the internally displaced are ethnically Tamils, 13 percent are Muslims and eight percent are Sinhalese. Many displaced people, Tamils, Muslims and Sinhalese alike, fled the Sri Lankan army and LTTE brutalities. Globally, many generations have been displaced as a result of armed conflict.

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98 Counter-insurgency operations, by the Indian army against local militia groups hiding along the border with Burma (Myanmar), as well as ethnic clashes, have resulted in the displacement of thousands of ethnic groups like Kuki, Naga, Hmar and Paite, Dimasa, Karbi, Bodo in North-eastern states of India. For detail study see Turner, Mandy and Nepram, B. (2004).
99 Manchanda, Rita (2001), op.cit., No. 46, pg. 70
100 People displaced during the insurgency and the shelling in the border districts of Jammu and Kashmir on both sides of the LOC include an exodus of 200,000 Kashmiri Pandits, 70,000 Kashmiri Muslims to India and 120,000 to Pakistan and in Kargil and border districts, 35,000 in Pakistan and 100,000 in India.
101 According to Ministry of Rehabilitation and Reconstruction in Sri Lanka estimated that there were 1,017,181 internally displaced people in Sri Lanka while 140,000 were displaced overseas (some of the latter have sought asylum status) at the end of December 1995.
conflict, with a significant number of those affected having being displaced more than once and for significant periods of time.\(^{103}\)

However, the legal status of Internally Displaced Peoples (IDPs) continues to be a serious concern because UN Refugee Convention of 1951\(^ {104}\) protects only refugees outside of native borders, but does not cover IDPs. The international community has limited options to protect people displaced within their own borders, if their home country is not willing to cooperate.

Displacement disproportionately disadvantages women. It results in reduced access to resources to cope with household responsibility and increased physical and emotional violence. It also implies social exclusion and poverty conditions that are themselves likely to prolong conflict. Forced displacement is frequently used as a *strategy* of war that targets gender relations through family breakdown and social destabilisation.\(^ {105}\) It often leads to shifts in gender roles and responsibilities for both women and men. Demographic changes due to conflict have led to more women becoming heads of households. This has contributed to changes in the division of labour that have created new opportunities for women but in some respects further marginalised their place in society.

Despite experiences of vulnerability and trauma during the process of displacement, some women benefit from displacement. They are given priority for training and development programmes in health and education, as well as in income-generating activities.\(^ {106}\) The skills that women gain enable them to assume new roles within their households, becoming the main breadwinners when men have been killed or have problems finding employment after removal from their homes and communities.\(^ {107}\) This

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\(^{107}\) Ibid, pg. 212
shift in responsibilities represents a move away from stereotypically ‘masculine’ and ‘feminine’ roles. However, men may react to these changes with depression, alcoholism and an escalation of violence against women in public and private.\textsuperscript{108}

The (relatively) small gains women obtain during displacement do not necessarily translate to more equitable gender relationships. Advancement of ‘women’s interests at a superficial, women-focused level that fails to challenge overall paradigms of gender differences leaves women with new roles to fulfil but no institutional leverage to fulfil them effectively’.\textsuperscript{109} Furthermore, there is concern that existing international laws and resolutions use the term gender but actually focus specifically on women. Although this is important, they simply do not provide the tools to understand gender impacts, minimising the potential to foster more equitable gender relations.\textsuperscript{110}

V

States and organisations persistently fail to enforce international laws and conventions designed to protect the human rights of women and promote gender equality. Assistance providers, be it Governmental, Non-Governmental or multilateral, have been slow to tackle the escalation of women’s human rights abuses, particularly during and after armed conflict. In fact decision-makers sometimes discourage or even prevent the development of gender-sensitive initiatives.\textsuperscript{111} Historically, mainstream definitions of human rights, while seemingly gender neutral, have been predominantly based on men’s experiences. Article 2 of the 1948 UN Universal Declaration of Human Rights recognises human rights as a universal ideal of respect for humanity that all people are entitled to, but makes no specific mention of women. Indeed, few Governments and NGOs are committed in domestic or foreign policies to women’s equality as a basic human right. In zones of conflict, the denial of women’s human rights has reinforced oppression and discrimination.

\textsuperscript{108} Meintjes, Sheila, et al. (2001), op.cit., No. 38, p.8
\textsuperscript{110} Jack, Amani El (2003), op.cit., No. 39, pg. 23
When combined with other forms of power imbalance, this denial has more devastating consequences.\textsuperscript{112}

An emphasis on human rights is important but insufficient in dealing with issues related to gender equality. Violations that occur during all stages of armed conflict are often considered simply to be the consequences of war and not necessarily human rights violations, and are frequently overlooked.\textsuperscript{113} First, women experience specific vulnerabilities and violence like forced pregnancy, sexual mutilation and sexual slavery at the hands of soldiers while men may suffer physical or sexual mutilation and experience trauma after witnessing this type of abuse against family members in times of armed conflict. But, these types of violations are seen as ‘private’ issues or unavoidable outcomes of conflict as opposed to human rights violations. Secondly, human rights are also violated in conflict through imprisonment, torture, disappearances and forced conscription; but again, these acts are considered to be inevitable outcomes of war rather than violations. Women and men experience violations of human rights in distinct ways. Men of combat age constitute the majority of those killed during fighting, endure imprisonment and are forcibly conscripted. Meanwhile, women and children in conflict zones constitute the majority of civilian casualties as well as the majority of those displaced and impoverished.\textsuperscript{114} And lastly, political representation and participation are basic human rights. But whether in conflict or not, political institutions frequently exclude women. Women are under-represented in national and international organisations in both conflict and post-conflict arenas. This violation of human rights is not defined as such, but rather, is seen as a reflection of ‘normal’, patriarchal structures of power in play.

In short convention human rights approaches will continue to overlook serious violations unless they recognise the gender effects of armed conflict as basic rights violations and not as private, normal or inevitable consequences of armed conflict. For instance,

\textsuperscript{113} Zaman, Habiba (1999), “Violence against Women in Bangladesh: Issues and Responses” Women's Studies International Forum, 22 (1), pg. 41
\textsuperscript{114} Byrne, B., (1996), op. cit., No. 72, pg.1
In post-conflict, post-Taliban Afghanistan, the effort to redefine women's rights as human rights and not as 'private' or 'cultural' matters is an ongoing struggle. The new Karzai Government claims to have overturned Taliban laws and says it now upholds international human rights laws. However, the opportunity for significant post-conflict changes to gender relations seems diminished. As was the case under the Taliban regime, many women continue to be imprisoned for travelling without male accompaniment or marrying without male permission.

Whilst a Government-endorsed poster campaign encourages parents to put girls in schools, female teachers are being threatened with death and schools are being firebombed. Despite a shortage of doctors, Najiba Asseed, a woman who returned to Kabul University Medical School, faced severe opposition from her husband and death threats from her brother. She applied for a divorce to the new Women’s Ministry, but was encouraged to ‘quit medical school, go back to her husband and have children’ (Garapedian 2002).

The human rights of women (and girls) are embodied in a number of international human rights instruments and international humanitarian laws. These instruments collectively condemn all forms of violence against women. Many of them also contain specific references to the inclusion of a ‘gender component’ in ‘peace and security’, most notably United Nations Security Council (UNSC) Resolution 1325, the Windhoek Declaration and Programme of Action (1993); UN Declaration on the Elimination of Violence Against Women (1993); Beijing Declaration & Platform for Action (1995); Optional Protocol to CEDAW (1999); Windhoek Declaration: The Namibia Plan of Action on ‘Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations’ (2000); UN Security Council (UNSC) Resolution 1325 on Women, Peace and Security (2000); European Parliament Resolution on Gender Aspects of Conflict Resolution and Peace building (2000).

In October 2000, the UN Security Council held a debate on Women, Peace and Security, which led to the passage of Security Council Resolution 1325 on 31 October 2000. Among other things, the Resolution recognises that an understanding of the impact of armed conflict on women and girls and effective institutional arrangements to guarantee their protection and full participation in the peace process, can significantly contribute to international peace and security. The UN calls on all parties involved in conflict and peace processes to adopt a gender perspective. This will include supporting local women’s peace initiatives and indigenous processes for conflict resolution. The NGO Working Group on Women, Peace and Security is working to ensure the implementation and raise the visibility of UNSC Resolution 1325 and incorporate more women in peace and security issues. United Nations (UN, 2000), United Nations Security Council Resolution 1325,

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117 In October 2000, the UN Security Council held a debate on Women, Peace and Security, which led to the passage of Security Council Resolution 1325 on 31 October 2000. Among other things, the Resolution recognises that an understanding of the impact of armed conflict on women and girls and effective institutional arrangements to guarantee their protection and full participation in the peace process, can significantly contribute to international peace and security. The UN calls on all parties involved in conflict and peace processes to adopt a gender perspective. This will include supporting local women’s peace initiatives and indigenous processes for conflict resolution. The NGO Working Group on Women, Peace and Security is working to ensure the implementation and raise the visibility of UNSC Resolution 1325 and incorporate more women in peace and security issues. United Nations (UN, 2000), United Nations Security Council Resolution 1325,

ods-dds-ny.un.org/doc/UNDOC/GEN/N00/720/18/PDF/N0072018.pdf?OpenElement, (accessed 23 June 2003);
Declaration: Namibia Plan. These laws and resolutions stress that those negotiating and implementing peace agreements should adopt a gender-sensitive perspective and address the protection and rights of women and girls during conflict and in post-conflict reconstruction.

Although the importance of these laws, resolutions, conventions and commitments must not be understated, they are limited in their application. International commitments are difficult to enforce in practice because of the limited interpretations of human rights that deny various forms of gender-specific violations, as discussed in the previous section. Also, a range of cultural, historical and patriarchal justifications exist for the exclusion of gender concerns in both human rights and human security approaches. This oversight is reflected in the use of language in international laws, in that emphasis is placed on women and girls in isolation as opposed to gender and gender relations. Despite the availability of this information, communication and information sharing with respect to these laws and commitments within organisations and between policymakers and grassroots organisations has been poor.

UNSC Resolution 1325 on Women Peace and Security is undeniably a breakthrough for establishing broader human rights guidelines, particularly for women’s human rights, at the international level. For instance, Sanam Anderlini an expert on the resolution (in Nepal) says that,

... UNSC Resolution 1325 is a very interesting resolution. In a sense it became a reality because women from conflict areas pushed for it, and wanted it, and recognized that unless you have an international legal framework which this is, it's very difficult to have a legitimate space to bring your issues out. However in the context of the UN system it's a Chapter 6 resolution in the Security Council which means if you don't implement it you are not going to be punished for it. So it's more about consensus building, more about advocacy, more about awareness raising and sensitizing, and different actors picking up different pieces of it. In a sense it ends up having teeth by virtue of the fact that people feel ownership of it themselves. It's not one institution, one person, one entity, it's in every sector people are picking it up and saying what can I do with this so I think that's going to be the power (Base on the interview with PANOSCOPE, 2007).

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120 PANOScope, a fortnightly radio magazine produced by Panos Radio South Asia
121 PANOS RADIO South Asia (2007), Panoscope: The Interactive DVD”, Kathmandu: PANOS South Asia,
Unfortunately, the resolution does not provide much guidance on what a ‘gender perspective’ consists of, and where the term ‘gender’ is used, it is used interchangeably with ‘women and girls.’ It denies many of the gender concerns that arise in armed conflict. These concerns require an understanding of how existing power imbalances between women and men are experienced during and after armed conflict and how these inequalities might be removed to improve gender relations.\textsuperscript{122}

It is appalling that even though equal rights and security are recognised in theory, the practice remains unequal because women and men do not have equal opportunities to claim these rights, due to differential access to economic, political and legal resources.\textsuperscript{123} Civil society, particularly women’s organisations, can play a role in raising awareness and ensuring Governments and NGOs are held accountable.

In country like Nepal and Sri Lanka in South Asia, the issue of reintegration of women ex-combatants in post-conflict society is important since women actively participated/were involved in the ‘People’s War’ and LTTE in these two countries. The integration of gender-aware frameworks into Disarmament, Demobilisation and Reintegration (DDR)\textsuperscript{124} is necessary in post-conflict reconstruction because it enhances the equal participation of women and men in negotiating conflict resolution and peace-building processes, either as ex-combatants, or as family and community members receiving ex-combatants. One of DDR’s most important functions is arguably the provision of training and support for ex-combatants to help them understand the way their society has changed as a result of conflict and how they might re-integrate into post-conflict social structures.\textsuperscript{125} In case of Nepal, Kanak Mani Dixit opined thus:\textsuperscript{126}

"...When the Communist Party of Nepal (Maoists) decided to join forces against the King in the winter of 2005 and the spring of 2006, they also decided to address the issue of managing arms which would essentially mean a process in which there


\textsuperscript{123} See Chapter II for Socio-Economic and Political status of Nepalese women.

\textsuperscript{124} Disarmament, Demobilisation and Reintegration (DDR) is a programme designed to re-integrate ex-combatants back into post-conflict society.

\textsuperscript{125} Jack, Amani El (2003), op.cit., No. 39, pg. 40

\textsuperscript{126} Based on the interview with Kanak Mani Dixit on 14th June 2008 at the time of researcher’s visit to Kathmandu right after the historic 2008 election. Kanak Mani Dixit is the editor of Himal South Asia magazine.
would be setting down of arms by the rebel force. But the reason the term demobilisation has not been used in the Nepali context and instead the Nepali term for arms management has been used -- and in Nepali it comes through as Haitiyaar Byabashpan - a unique terminology used in the Nepali context which possibly can be example for conflict resolution for other parts of the world that when a rebel group, at least the leadership, has conceded the need to come into open politics but the rank and file do not as yet concede defeat. The only reason that demobilisation as a term is not being used is because he feels that, it would be hard for the Maoist leadership to sell the idea to the cadre whom they have been leading for the past eleven years with the promise of a People's War to capture state power in Kathmandu through force of arms."

The UN has recognised that ensuring ex-combatants, their families and communities and those assigned to re-integrate them have an understanding of the gender dimensions of armed conflict and post-conflict reconstruction, since it is essential to lasting peace and development.\footnote{This is illustrated in Point 13 of UNSC Resolution 1325, which calls for 'all those involved in the planning for disarmament, demobilization and reintegration to consider the different needs of female and male ex-combatants and to take into account the needs of their dependants'; United Nations (UN), 2002, Women, Peace and Security, Geneva: United Nations, www.un.org/womenwatchidaw/public/eWPS.pdf, (accessed 12 August 2003).} Women combatants are often more marginalised than other groups of women in conflict and post-conflict societies due to their involvement in direct military combat, which is stereotypically understood to be a male domain. Unlike male ex-combatants, female ex-combatants are often excluded from participating in new political structures and overlooked by veterans' organisations (Farr, Vanessa 2002: 112).\footnote{Similar kind of impression was also shared by Chenoy, Banerjee, Jajo and others in the case of NMA and NWUM.} Kokila from Sri Lanka narrates her story;

... 'Before the struggle started our society was very conservative and rigid. Women had no place among men. They would not talk with their head[s] up. Who thought that they would take up arms? But in the last 10 years there has been a tremendous change. We see young women in the battlefield fighting equally with the men ... Now women all over the world participate in armed struggles. Why not our women? Instead of dying screaming, being raped by an aggressor army, it is a relief to face the army with [your own] weapon.'

'Our women have proved that they can do anything ... Our women are going to police work. This was not there before ... I appreciate their heroic acts, self-confidence and the sacrifices they have made for the land of their own. They protect not only the land, but also the entire women of this land'. (Excerpt from narrative of Kokila from Sri Lanka, in Bennett et al. 1995).\footnote{Bennett, O. et al (eds.) (1995), Arms to Fight, Arms to Protect: Women Speak Out About Conflict, London: Panos Publications, pg.146}
Although some women cite positive experiences as combatants and/or perceive the work of female combatants as a step forward, these changes are not often sustainable due to the gender-blind administration of DDR. In the absence of gender-sensitive approaches, reintegration services may be set up for men but not for women. In the case of Nepal, this is a big challenge for those women ex-combatants. The question of whether they will receive equal demobilisation grants is still a big question. Moreover, it is not only ex-combatants who require support and assistance. Many Nepalese women in receiving communities become heads of households in the absence of male breadwinners. Male ex-combatants, expecting to return to their role as breadwinner, are confronted with the reality that women are managing on their own and this shift away from stereotypical female and male roles is not easily reversed. Meanwhile, women, having performed in a non-stereotypical role as combatants, may expect to maintain the leadership or independence they gained during conflict, whereas men expect them to come home and continue to fulfil the stereotypical role of wife/nurturer/mother. These are some of the challenges that need to be tackled by the CPN (Maoist) as well as the Nepalese Government.

VI

Nepalese women have been deeply affected by armed conflict, and, as with many other conflicts, its origin and course had a notable gender dimension. Various factors have provided evidence of this dimension, such as the use of gender violence or the large number of women combatants in the Maoists ranks, as well as the fact that the negotiation process led to the signing of a peace agreement that largely excluded women.

Removing the mask of apparent neutrality from armed conflicts and peace processes, concealing as it does logic of power and exclusion, means demonstrating that the reality of

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130 Related questions were also raised by Rita Manchanda on the issue of women combatant who are still in the cantonment at the time of researcher's visit to Kathmandu on 15th June 2008. Manchanda is associated with SAFHR.


women is much more complex and diverse. Magallón (1999) includes some of the central elements making up the feminist standpoint, in research:

The questions raised and pursued by feminist research begin from a standpoint rooted in women's experiences, always based on the complexity involved in recognising that there is no "experience of woman", but rather women's experiences [...]. This implicitly assumes the lack of neutrality of problems and is equivalent to stating [...] that behind every problem is a subject who considers it as such. [...] a feminist point of view reacts critically to the fact that many of the questions and research that men have formulated and pursued concerning women have been intended to control, exploit and manipulate them. It consequently suggests that the search for explanations and theories should serve women rather than meeting the demands of institutions or welfare departments.

Meanwhile, adopting the gender perspective involves making it clear that the differences between men and women are a social construct resulting from the unequal power relationships that have historically been established. Gender as a category of analysis is intended to demonstrate the historical and situated nature of sexual differences. Analysing armed conflicts without taking the gender dimension into account means carrying out partial, incomplete analyses, leaving causes and consequences to one side, and taking the experience of only part of the population – men – and universalising it. The gender perspective seeks to expose this partiality. Therefore, analysing this process from a gender standpoint becomes very important, as this discrimination can be found at the root of the armed conflict in Nepal and has been present not only throughout the conflict but also in the shaping of the peace process that has put an end to it. It also makes it possible to highlight the importance of not leaving other discrimination, which has also been central in configuring the social and power structure in the country, outside the analysis. Many feminist theorists, particularly those from the area of post-colonial studies, have highlighted the need to analyse gender discrimination alongside other types of exclusion, such as those related to ethnic group or social class, which, in the case of Nepal, become tremendously important.

The concept of the "feminist standpoint" has basically been developed by Donna Haraway, a feminist theorist who has argued the position that knowledge is situated and embodied; that is, it must necessarily be partial, locatable and critical (Haraway 2007: 328, 329), as opposed to scientific currents claiming that the origin of a problem is not important. She advocates situating the subject (researcher) on the same plane as the object (person being researched) in order to demonstrate the subject's interference in the research (Magallón 1998: 50). Only by recognising and making clear that all views of reality are partial can a more objective view of it be achieved.

The armed conflict that took place between 1996 and 2006 was deeply gender, not only concerning its consequences, but also involving its origin, the ideologies underlying it and the discourse generated around it, both by the parties confronting one another and in the analyses carried out in politics and in academic research.

When it comes to analysing an armed conflict from a gender perspective, the clearest dimension for the application of this analysis and the one that usually generates least controversy concerns the consequences. The research and literature on armed conflict has been gradually – although still insufficiently – incorporating analysis of the different effects contemporary armed conflicts have on men and women as a result of the gender relationships occurring in any society.

Despite the fact that the majority of the research carried out on the armed conflict in Nepal has omitted the gender dimension, there are some studies which have included it, basically analysing the issue of women’s participation in the People’s Liberation Army (PLA) and the impact the armed conflict has had on women. Analyses of other issues demonstrating the importance of this dimension in the development of the conflict have not been so plentiful, however. It must be highlighted that in Nepal, both the work of women’s organisations and feminist activism have taken place above all in the area of development, and only recently has there been a notable interest in incorporating the gender dimension into the analysis of the armed conflict (Neupane and Sharma 2007). It must be pointed out that, after the end of the armed conflict, and associated with the claims made by different women’s groups calling for more space in the peace negotiations and in the political institutions charged with leading the transition, more research centres, NGOs and international organisations have redoubled their efforts to give this issue greater visibility.135

As Tamang (2002) points out, the heterogeneity of Nepali society has also been shown in the gender structure. Nepal has been characterised by having multiple gender norms, something clearly connected with the ethnic and caste divisions in the country,

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135 Institute of Human Rights Communication (IHRICON, 2006), Sexual violence in the “People’s War”: The Impact of Armed Conflict on Women and Girls in Nepal, Kathmandu: IHRICON, pg. 35