



## Identity of Women: A Socio-historical Study of Jammu and Kashmir (1846-1947)

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**ABSTRACT:** Women are mostly identified with silence, deprivation and marginalization and are considered as the weaker or second sex, although the reality is that sex is just a biological determinant of a person, while as the gender is a social construction. It is only from the 5<sup>th</sup> five year plan (1974-78) onwards that role of women is explicitly recognized with a market shift in the approach from women welfare to women development and then empowerment. No doubt women are becoming increasingly important in the socio-economic development of both developed and developing economies but still they are found to be the submissive and dominated section of society. The occupation of women outfits a subject of much intrigue and significance. Besides, preparing sustenance women are found to perform difficult tasks like that of husking and crushing grain. Women also contribute a lot in the economy of Kashmir. Besides, food preparation and housekeeping, they also do the work of grinding the grain and home maintenance since ages. The research undertaken is quite interpretative in nature and capitalizes exclusively on women section of society. The study is of Dogra rule and reflects about the brutality done with the women in Kashmir. It attempts to explore the condition of Kashmiri women and the state of misery and exploitation she had gone through during the Dogra rule. It discusses about the prostitution, women trafficking, female feticide and no widow remarriage, which has seriously affected the condition of women during the period under study.

**Keywords:** Women, Socio-economic development and Jammu and Kashmir

### I. INTRODUCTION

Women are mostly identified with silence, deprivation and marginalization and are considered as the weaker or second sex, although the reality is that sex is just a biological determinant of a person, while as the gender is a social construction. It is only from the 5<sup>th</sup> five year plan (1974-78) onwards that role of women is explicitly recognized with a market shift in the approach from women welfare to women development and then empowerment. No doubt women are becoming increasingly important in the socio-economic development of both developed and developing economies but still they are found to be the submissive and dominated section of society. However women are found to perform exceptionally well in the socio- economic growth of a place. The occupation of women outfits a subject of much intrigue and significance. Besides, preparing sustenance women are found to perform difficult tasks like that of husking and crushing grain. Women also contribute a lot in the economy of Kashmir. Besides, food preparation and housekeeping, they also do the work of grinding the grain and home maintenance since ages. The comforts present in the contemporary era have not been always available and easily accessible. The situation for the women to deal with the house hold chores has always been much difficult. The practices of rice pounding were done in a stone mortar with a heavy pestle and then rice was extracted and cleaned. The women artisans have been found engaged themselves in the work with their husbands. Even in the shawl making, they play a vital role. During their extra time the women used to engage themselves in shawl weaving, spinning of *pushm* and *wool*, weaving of blankets and *putto* manufacturing at their homes. Raw *pushm* was given to the women, who spun it into a red of different degree of finesse. They sold it to the shopkeepers in small quantities, from whom it was brought by *karkhandars*. The quality of shawl depended upon the dexterity and skill of the spinning. The wives of *Hanjis* (boatman) engaged themselves in fishing in rivers and selling of fishes [1].

Another class was engaged in prostitution. They were known as 'Gaan'. There were two prostitution centers in Srinagar, one at *Tashwan* and another at *Maisuma*. The prostitution was registered during Maharaja Ranbir Singh's time, and they were taxed. They were sold at the tender age by their parents to brothel-keepers for Rs

100 or 200 per child [2]. The sale was recognized and recorded on stamp paper. They cannot marry, because of marriage tax which was 3-5 company rupees; whereas the tax for the sale of children for prostitution was 400 *chilki* rupees equal to 250 company rupees [3]. There were 250-300 prostitutes in Srinagar. They mostly belong to the lower casts' *i.e.* *watals*, which was considered to be the lower cast. They were divided into three classes according to their gratification and were taxed [4]. The first class had to pay 40 company rupees per annum. The second class had to pay 20 company rupees and the third class had to pay company rupees ten per annum. Rupees 7,000 was received per annum as regular tax and other rupees 7,000 more for on the sales of children [5]. In 1880, the State received 15 to 20 percent of revenue from these prostitutes [6]. The famine of 1880 seriously affected the trade in prostitution and after famine only thirty brothels and 70 to 80 were registered in Srinagar, but non-registered was counted in thousands. In the March of the same year the tax was only Rs 2 per woman per mensem, or Rs 24 per annum [7]. During this year the number of prostitutes in Kashmir was 18,715 [8]. There was no local hospital in Kashmir, and no care was taken of sick prostitutes and syphilitic diseases spread in the valley [9].

In consequences, syphilitic disease was spreading terrible throughout Kashmir. To legalize the institution of prostitution, the Dogra rulers, sanctioned 'The Public Prostitutes Rules 1921', whereby, a prostitute desirous of engaging in prostitution could do so, by registering herself as a 'public prostitute'. The chief clauses of the rules are as follows:-

1. The Rules were applicable to any part of the Jammu and Kashmir if declared applicable thereto by the minister-in-charge of municipalities [10].
2. By "Public Prostitute" was meant any woman who earned her livelihood by offering her person to lewdness for hire.
3. Every prostitute starting already in 'business' was required to have her name entered in the register of the place and obtain a certificate of registration
4. Every prostitute was required to make an application in person for registration to the officer charged with preparation of the register.
5. Any registered public prostitute might, at any time apply to have her name removed from the register on the ground that she intended to seize the business for which her name was registered and if the officer, in whose register she was entered, was satisfied with her intention, her name would be removed from the register
6. A minister-in-charge of municipalities was empowered to prohibit the keeping of a brothel or the residence of a public prostitute in any specified part of the place to which the rules applied
7. Prostitutes acting in contravention of these rules or any notice or order issued there under would, on conviction before a (judicial magistrate) be liable to be sentenced to a fine not exceeding Rs 100 or simple imprisonment not exceeding a period of one month [11]. The sale of girls and the traffic in women has been described by Arthur Brinkman, the author of *Wrongs in Kashmir* in the following words:

*'The classes engaged in it [prostitution] are owned as slaves and others, who were formerly in their position. The authority of the latter is backed by the whole power of the Dogra Maharaja, to whom reverts at their death all the wealth gathered by the prostitutes, during their infamous life. Should one of their bondwomen or dancing girl attempt to leave her degrading profession, she is driven back with the lash and the rod into her mistress's power. These facts are certain'* [12].

During the Maharaja Hari Singh many measures of social amelioration laws were enacted within the first few years of his rule. In A.D. 1928 the infant Marriage Act was enacted. Under this act, the minimum marriageable age in the case of boys is fixed 18 and in the case of girls at 14. This act also prohibited incompatible marriages. All sections of the public had been benefited by this measure, for the educated classes in the State were victims and the civil of child marriage equally with their less advanced brethren [13].

A Hindu Widows Re- Marriages Act was also passed to remove the legal disabilities on the re-marriage of widows among Hindus. A regulation has been enacted and several other measures adopted for the prevention of trafficking in women. Village officials have been responsible for prevention of, and assistance in the detection of, kidnapping or abduction. The Immoral Traffic in women act was passed. This act has been particularly beneficial to Kashmiri Muslims whose poorer women folk often fell prey to the lust of the pleasure seeking tourists [14]. Maharaja Hari Singh was one of the first among Dogra Rulers to take steps for the uplift of the depressed classes Orders were passed early in A.D 1931 for throwing open all public schools and wells to the "untouchables" [15]. Two years later, all the State temples were thrown open to these people. An amendment was sanctioned in the Jammu and Kashmir Ranbir Panel Code by which wrongful obstruction to the use of public tanks, wells, schools etc [16] in this he had face opposition from orthodox Hindus.

Female infanticide among Rajputs, which was the result of their abject poverty, was ended by law. Maharaja Hari Singh directed the posting of special Police force in Rajput villages for purposes of vigilance at the

cost of the people concerned. The district and village official agency were directed to set them in motion in his connection. As an inducement, the poor among the Rajputs were given grants of financial aid at the time of the marriage of their daughters [17].

Yet, perhaps, the most important regulation enacted by him of his rule was the Compulsory Primary Education Act which was passed in A.D. 1930. School attendance Committee were setup to ensure implementation of the provisions of the Regulation and action was taken against guardians who prevented that every town or village of 500 or more people in the State had a school of its own. Under this act primary education for boys was free and books were supplied free throughout the State on a generous scale. In addition to this, special grants were included in the budget every year for scholarship to pupils belonging to educationally backward or poorer communities.

Child trafficking was officially recognized by the state and the purchase of the girl-child by pimps and brothel-keepers was registered and sealed on stamped paper. The children sold for prostitution were usually fooled into believing that they would be married off. For most poor parents marriage was not an option, for the Dogra state taxed marriages as well, and the tax on marriage was usually so high as to be beyond the reach of the poor parents. The tax on marriage amounted to as much as Rupees 3 to 8 [18].

The suppression of immoral traffic Act of 1934 had a disastrously affected on a very large number of prostitutes [19]. The noxious custom of child marriage among the both the communities were eating into their vitals. However, among the Pandits, on account of high level of scholarly, there was an apparent ascent in the eligible periods of both young men and young girls. The Muslims especially in the towns adhered to the old custom. After independence, Kashmiri women got a boost when reforms occurred in different fields including the field of education which broke the shackles that bound women to conventional parts and traditionalist desires. Numerous Kashmiri women took up employments in different fields like, medication, educating, news coverage, police, common administrations, legal advisors and so forth and young ladies investigated every possibility.

## II. TRAFFICKING IN WOMEN

The Rajput landlords, who had been assigned immense Jagirs by the Maharaja, informs Robert Thorp, propagated the practice of women trafficking. He asserts that the Rajput Dogras held an extensive number of concubines, some obtained through purchase, others by capture [20]. Robert Thorp is, interestingly substantiated by F. M Hassnain who recounts that throughout recuperation from claiming stole Muslim young women's in the Jammu region throughout 1947-48, it transpired that these Rajput proprietors required kept Hindu young ladies advancing starting with worker groups as concubines on their families [21].

The nefarious practice of kidnapping women and trafficking in them had assumed dangerous proportions in the State. The Government realised the seriousness of this problem and had the criminal law of the state amended in order to give the administration more effective power to put an end to this evil. It was decided under Maharaja Hari Singh's period to take more rigorous steps in this direction and a committee was appointed which after going into the whole question made important recommendations which have in the main been accepted and give effect to. The section dealing with such offences in the State Panel Code was amended with a view to enable severe punishment being meted out to persons engages in this trade and a special branch of C.I.D was constituted to deal with such offences.

## III. CONCLUSION

The position and the status of women in any society is the reflection of its civilization. Socio-historical aspect has direct and most significant impact on the development of women at any place. The suffocated gender ideas have lead to the development of certain interaction pattern based on the social conservatism prevailing in Kashmir. Study shows that historically women has been discriminated and exploited on the basis of gender and certain custom and traditions too play a significant role in sex typing and exploitation of women. The apprehensions about women being subordinate and incapable have led to the mental corruption and degradation of the status of women. A very common view, rather reality of today is that any society can develop only when it is very strongly favoring the gender equality. The study too reveals that Women are over burdened across the ages and also exploited extensively physically too. The multiple roles of household, child rearing, agriculture and other activities of her family have led to the loss of her existence and value and come up with a question on her individuality and identity as well. A change in the perception is needed to give a significant status to women with honour and dignity.

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