

Kashmir, Article 370, and the Afterlife of Colonial Martial Race Theory

Purnima Bose (Indiana University)

Abstract

In this article, I analyze social media responses by Hindu men to the Indian government’s August 2019 revocation of Articles 370 and 35A of the Indian Constitution that codified Jammu & Kashmir’s special status. Kashmir has been under Indian military occupation since 1947 and it is now the most militarized place in the world. Hindu men reacted to the revocation of Articles 370 and 35A with glee, declaring on social media that this latest abrogation of Kashmiri sovereignty entitled them to “fair Kashmiri wives.” My article contextualizes these responses in Partition era violence against girls and women. In addition, I argue that this representation of Kashmiri women resonates with colonial era martial race theory. My larger point is that the construction of race in India is part of a complex discursive formation that includes colonial attitudes, Partition violence, regional rivalries between India and Pakistan, and the rise of Hindu nationalism.

Keywords: Kashmir, Article 370, Article 35A, Kashmiri girls and women, colonial martial race theory, Indian military occupation, Partition violence

Introduction

On August 5, 2019, the Indian ruling party, the Bharatiya Janata Party (BJP), announced the revocation of Articles 370 and 35A of the Indian Constitution that had granted special status and limited autonomy related to questions of citizenship and property ownership to the state of Jammu & Kashmir. This move stripped Jammu & Kashmir of its status as a state, splitting it into two “union territories,” which will be directly ruled by the “Centre,” Indian parlance for the federal government.¹ A day earlier, the Indian government had imposed a curfew on the region, along with a communications blockade, cutting off access to the internet, landlines, and cellular service. In the days leading up to the abrogation of the constitution, the Indian government deployed 38,000 troops to the state, who joined the 700,000 soldiers already stationed there. The massive troop presence had previously conferred on Kashmir the dubious distinction of being the most militarized place in the world.

Prior to this recent intensification of government repression, the Indian military forces had racked up an appalling record of human rights violations against Kashmiris, including torture, disappearances, sexual violence, and custodial deaths. Since 1989, more than 70,000 people have been killed in the conflict between the Indian government and Kashmiri groups, although the Indian government admits to only about 40,000 of these deaths.² Over the years, innumerable young people have also been blinded by the army’s use of pellet guns against those demonstrating in opposition to the Indian state. *The BBC*, *Al Jazeera*, *The Wire*, and *The Washington Post* have all reported on the dire conditions of Kashmiris living under the most recent round of repression: mass detentions (at least 4,000 adults and some children by mid-August 2019), severe food shortages, civilian casualties, and life-threatening disruptions to medical services.³ While the Centre insists that “normalcy” has been restored to the region, thousands of Kashmiri children, women, and men continue to defy military authorities by protesting in the streets. Resentment and anger against the Indian government is building as Kashmiris assert their right to sovereignty and to lead a dignified life.

The Centre’s authoritarianism in Kashmir, and the bellicose support for it by Hindu nationalists, enable us to comprehend how the categories

of “ethnicity” and “race” in South Asia are imbricated with religion, regionalism, and nationalism.⁴ Among many scholars, it has become a truism to assert that “race” is an ideological construction that has no basis in biology.⁵ And yet, “race” has social and political consequences in the world insofar as the production of inequality, not to mention outright repression, is often cathected to perceptions of racial difference between groups. Because “racism is everywhere a deeply anti-human and anti-social practice,” Stuart Hall cautions that we can be fooled into thinking “it is everywhere *the same*—either in its forms, its relations to other structures and processes, or its effects.”⁶ The construction of race in India is part of a complex discursive formation that includes colonial attitudes, the legacy of the violence of Partition, regional rivalries between India and Pakistan, and the rise of Hindu nationalism, which together inform the present-day actions of the Indian military in Kashmir.

My aims in this article are threefold. First, I want to explore how the gleeful responses of Hindu nationalists to the Indian government’s actions in Kashmir recycle the Partition-era conflation of the violent conquest of women with the acquisition of national territory. Second, I want to historicize the representation of Kashmiri women in relation to British colonial martial race theory. While the discourse about the martial races has been largely analyzed in terms of men and masculinity, I am interested in those rare moments when colonial officials extemporize about the “nature” of native women. And third, I want to suggest that the revocation of Articles 370 and 35A is part of the arsenal of a settler-colonial state intent on subjugating Kashmiris in order to seize control of the considerable resources in the region under a capitalist regime of accumulation.

Partition and Gendered Violence

To understand recent events in Kashmir, we must revisit the hasty and bloody Partition of the subcontinent in 1947 into Pakistan and India. The creation of an Islamic state for Muslims and a nominally secular, multicultural democracy was crucially enacted through sexual violence against Hindu, Muslim, and Sikh girls and women in what was the

original sin of the birth of two nations.⁷ Females experienced Partition as a “continuum of violence” in which their sexuality became the means by which men territorialized the two “nations” (India and Pakistan) within the context of patriarchal ideologies of shame and honor correspondingly aligned with pollution and purity.⁸ Through oral histories, Urvashi Butalia, Ritu Menon, and Kamla Bhasin have recorded the horrific experiences of girls and women, who, in some cases, voluntarily or under coercion committed suicide or were murdered by their own kin in a preemptive measure to preserve their sexual purity and maintain their family honor. Menon and Bhasin explain that the logic underwriting this form of patriarchal violence was “that actual death is preferable to death-in-life or the symbolic death of rape/abduction/conversion.”⁹ Sometimes girls and women were abandoned or bartered by their natal families in exchange for the safe passage of other family members to either India or Pakistan. Individuals of the opposing religion, in some instances, offered sanctuary to these girls and women, absorbing them into their own families. And in other cases, girls and women were mutilated, abducted, raped, and murdered by men of opposing religions.

The subsequent experiences of some survivors explicitly illustrate the constructedness of the category of “race” in South Asia. Recall that a significant number of the girls and women who had been raped later married their perpetrators. While such marriages might appear inconceivable today, these girls and women had to confront the widespread stigma against rape and the probability they would be rejected by their natal families. Marriage became the means to acquire membership in new families and communities. These girls and women resisted the attempts of the Indian and Pakistani states after independence to repatriate and “return” them to their natal families. While both countries had posited the girls’ and women’s religious identities as essentially “fixed” at a time prior to their assaults, the women themselves sometimes assumed new identities occasioned by the transformation of their rapists into husbands and the mutation of violent mobs of an opposing religion into what would become their communities following their marriages. Many of these women fought their repatriation and insisted on the right to “forget” the terrible wrongs

committed against them in the name of sectarian nationalism. In addition to religious conversion, survival for these women depended on historical amnesia and the acquisition of new cultural practices and ethnic traditions, and often fluency in a different language. Religion, region, ethnicity, and nationality, in effect, became fused under the broad rubric of identity, together constituting the larger category of “race.”

Combing through the oral histories in *The Other Side of Silence: Voices from the Partition of India* by Urvashi Butalia and *Borders and Boundaries: Women in India's Partition* by Ritu Bhasin and Kamala Menon, I am struck by the tension between the assertion of religion as a kind of biological and racial identity, on the one hand, and the accounts that demonstrate the instability of this category, on the other. Following Partition, both the Indian and Pakistani governments were inundated with petitions demanding that they locate and “recover” missing family members, including abducted girls and women. Even as government officials were confronted with girls and women who had married men of a different religion and did not want to return to their natal families, they subscribed to an essentialist, rigid view of identity. Menon and Bhasin point out that requests for the recovery of Hindu women were overlaid by the symbolism of the sacred epic, the *Ramayana*, the plot of which involves the abduction of King Rama’s wife Sita by the demon King Ravana, who has become besotted by her beauty.¹⁰ Sita is imprisoned in Ravana’s palace, where she resists his attempts at seduction. After rescuing her, Rama rejects Sita on the grounds that she has become defiled by residing under another man’s roof. She must prove her sexual purity to her skeptical husband first by undergoing a literal trial by fire and second by beseeching the earth to swallow her as evidence of her chastity. In the logic of the Hindu epic, the preservation of female sexual purity requires the self-annihilation of the woman, a lesson most likely internalized by some of the Hindu and Sikh girls and women who “voluntarily” committed suicide to escape their violation by Muslim men.

The characterization of rape as a violation of “purity” and, hence, a form of “pollution” surfaces in the account of an otherwise progressive social worker, Kamlaben Patel, who, in 1947, labored on behalf of the

Indian state to recover abducted Hindu women. She posits an absolute difference between Hindu and Muslim rape survivors. “A Hindu woman felt that she had been made impure, had become sullied, was no longer *pativrata* [e.g. the chaste, devoted wife for whom the husband is a god]. A Muslim woman did not feel like this. It was not in her blood, it is in our blood. We feel we have been polluted, we are no longer worthy of showing our faces in public.”¹¹ Here Patel essentializes cultural attitudes about rape in biological terms, depicting the association of chastity and purity as coursing through the veins of Hindu women. References to the binary opposition of purity and pollution, particularly in the context of bodily fluids, are underwritten by caste hierarchies; caste restrictions against physical contact and exchanges of cooked food maintain social stratification by limiting contact between upper and lower castes as a preventive measure against the “contamination” of social “superiors” by their “inferiors.” For orthodox believers, all non-Hindus are potential sources of pollution. Sexual assault by a non-Hindu represents a literal contamination of the body because it materializes the symbolic defilement of chastity. In claiming a monopoly for Hindu women on feelings of shame, moreover, Patel denies that Muslim women might also experience this very common response to sexual assault.

A simplistic understanding of ideology also informs Patel’s view; hegemonic culture is dominant because of its success in universalizing its attitudes, even if only partially, which are internalized to various degrees by the subcultures within its orbit. Ironically, caste attitudes are a case in point: while Islam is based on an egalitarian ethos, South Asian Muslims have absorbed some of the prejudices of caste, discriminating, for example, against those groups who handle waste. It seems likely that Muslim survivors of rape have absorbed the majoritarian insistence on reading their assaults as violations of their purity with the attendant emphasis on “shame” as *the* appropriate response to this form of violence. Given the widespread stigma against survivors of rape, Hindu women most probably did not have a monopoly on feelings of shame.

Colonial Martial Race Theory and Kashmiris

Kamlaben Patel’s invocation of “blood” and the assertion that it is

qualitatively different for Hindu and Muslim women, echoes colonial martial race theory. British attitudes about race were complex and varied across their colonies and time. By the nineteenth century, British conceptions of race were rooted in a biological view of different groups of people, which nevertheless retained a pronounced cultural element.¹² After the 1857 Sepoy Mutiny, the British colonial state categorized Indians as belonging to either martial or non-martial races, based on the belief that some groups in the native population had a hereditary predisposition to be better warriors than others.¹³ While the general population was presumed to lack fighting skills and physical courage, select ethnicities were considered to be natural warriors. As Heather Street notes, “the ‘race’ in ‘martial race’ increasingly referred to the idea that the ability to make war inhered in the *blood* of some populations more than in others—that a ‘natural’ proclivity to arms denoted a ‘biological’ proclivity as well” (my emphasis).¹⁴ Martial race theory combined ideas about climate, physiognomy, and physique into gross generalizations about behavior and, ultimately, character.¹⁵ Multiple colonial era sources categorize Dogras, Gurkhas, Pathans, Rajputs, and Sikhs as martial races.

Determinations of martial race identity, according to Kaushik Roy, were based on the colonial assessment of the community’s courage, capacity for discipline, religion, public spirit, and loyalty to the crown.¹⁶ Yet this discourse contained contradictions, and the classification of Kashmiris, in particular, was ambiguous. According to Roy, while mountainous people such as the Dogras, Gurkhas, and Pathans were classified as martial races, Kashmiris were not.¹⁷ If loyalty was an important factor in determining the designation, the general British distrust of Muslim soldiers, who had taken a prominent role in the 1857 revolt and also sought Afghan assistance to free India, might explain the exclusion of Kashmiri Muslims from the register of martial races.¹⁸

Other sources, however, allude to the possible inclusion of Kashmiris among the martial races insofar as region and religion were factors in the categorization, which itself was not stable. Gavin Rand and Kim A. Wagner warn that “the constituents of martial identities were flexible, contextual and contingent” and caution against the assumption of a “direct link” between the 1857 Mutiny and the Raj subsequently

deploying a “coherent, instrumentalized” theory of the martial races.¹⁹ My case for suggesting that some Kashmiris were classified as part of the martial races rests on four factors. First, the British included some Muslims from the northern and frontier provinces in the designation.²⁰ Second, Sir George MacMunn’s 1933 book, *The Martial Races of India*, which codifies many of the prevailing ideas about race and military prowess in the late nineteenth and early twentieth centuries, mentions Kashmiri men as “hardy, muscular, powerful, enduring and yet pusillanimous beyond belief.”²¹ Third, in another colonial racial classification of natives based on anthropometry (primarily measurements of the nose and head) popularized by Sir Herbert Risley, Kashmiris are slotted into the “Indo-Aryan” race, joining Punjabis and Rajputs, two ethnicities who were generally categorized as superior warriors.²² And fourth, references to the martial races often mention Dogras, descendants of the Rajputs who inhabited Jammu; some Dogras were Muslim converts from Hinduism.

The discourse of the martial races was a gendered one focused on categorizing native men according to their potential to be soldiers. Women infrequently get mentioned except for rare instances, and when they do, they are not differentiated according to religion. Although MacMunn does not specifically mention Kashmiri women, he does pontificate on other women from mountainous communities. He generally believes that native women of the martial races are the same regardless of their religious background. Focusing on “the strapping lasses of the Punjab” (also a mountainous region), he volunteers that “be they Sikh, or Moslem, or Dogra, or any other kind of yeoman peasant. Except for the really high caste Hindu woman, all women are much more the same in the Punjab than all men.”²³ Two characteristics predominate in his description of these women: their beauty and strong work ethic, particularly in terms of agricultural labor: “They are bonny, sony, hardworking women, these mothers and wives of men . . . Free of limb, straight of figure, strapping and comely, stand these brown daughters of Eve, good wives to good husbands.”²⁴ He doubts that “there are handsome, comelier women to be seen the world over, where good looks and health are more to be prized than finer beauty . . .”²⁵

Their abilities “at plastering” mud floors, pounding rice and grounding wheat-meal, milking cows and goats, and winnowing threshed grain excite MacMunn’s admiration.²⁶ Female worth here is calculated in the commonplace patriarchal registers of beauty and labor contributions to the household economy, a valuation that surfaces in current social media representations of Kashmiri women, following the revocation of Articles 370 and 35A of the Indian Constitution.

In Patel’s gloss on rape survivors, which I quoted earlier, the nationalist rewriting of “race” during Partition is both continuous and discontinuous with colonial martial race theory. Continuities inhere in the emphasis on “blood” as the embodiment of racial identity. Discontinuities appear in her essentialist constructions of women as Hindus or Muslims on the basis of her assertion of biological differences in their blood whereas in colonial martial race theory they are perceived as belonging to a generalized category of “woman,” rendering other aspects of their identities irrelevant. The sectarian biological view of women after 1947 contributed to the dogged campaign of both the Indian and Pakistani states to locate and “return” abducted women to their pre-Partition communities regardless of how they themselves understood their identities after the redrawing of national borders. According to official counts, 259 women and children were “recovered” from Pakistan and “returned” to Jammu & Kashmir; 211 women and children were “recovered” from India in Jammu & Kashmir and “returned” to Pakistan.²⁷

Kashmir’s Status in Post-Colonial India

The splitting of the subcontinent did not confer the right of self-determination or security to all those living within the borders of the newly created nation-states. British India consisted of a patchwork of territories governed by the Raj and nominally independent princely states, which were to be absorbed by either India or Pakistan on the basis of the religious composition of their population and the contiguity of their borders. Based on this criterion, Muslim majority Jammu & Kashmir, which bordered then-West Pakistan, should have been

incorporated into Pakistan. However, its Hindu ruler, Maharaja Hari Singh, initially refused, holding out for independence. Local revolts against him by Poonchis and Mirpuris drove him to ask the Indian government for military assistance.²⁸ The Indian government agreed to provide military support on the condition that Singh sign an Instrument of Accession, which he accepted contingent on the guarantee of special status and some autonomy for the region codified in Article 370 of the Indian Constitution. Jammu & Kashmir was allowed to have its own constitution, flag, and constituent assembly. In 1954, a Presidential Proclamation added Article 35A, granting permanent residents of Jammu & Kashmir exclusive rights to property ownership and jobs in the state.²⁹

The accession agreement also contained a promise of a UN-supervised plebiscite, contingent on the withdrawal of Pakistani forces from Azad Kashmir, to ascertain the preferences of people in the state regarding accession to India or Pakistan. The Pakistanis have yet to withdraw their forces and that plebiscite has yet to take place. Subsequently, three of the four wars between India and Pakistan have been fought over Kashmir. The ongoing conflict in Kashmir is often coded as a territorial dispute between these two countries, a characterization that obscures Kashmiri aspirations for autonomy from both countries. More than anything, Kashmiris “would like to be left alone. By both India and Pakistan.”³⁰

Fast forward to current day Kashmir and the Centre’s revocation of Articles 370 and 35A under the leadership of Prime Minister Narendra Modi, an avowed Hindu nationalist, who is a longtime member of the militant Hindu Rashtriya Swayamsevak Sangh [RSS], the parent organization of the ruling Bharatiya Janata Party [BJP]. Modi’s election in 2014 and his reelection in 2019 by a significant margin are symptomatic of the ascendancy of Hindu majoritarianism in national life: the status of religious minorities (Muslims, Christians, Dalits, and Sikhs) has become even more precarious as they become frequent targets of communal violence. Modi himself, while cleared by the Supreme Court, remains under suspicion of being complicit in the pogroms against Muslims in 2002, when approximately 1,000 were killed during his tenure as Chief Minister of Gujarat. Along with his party, he dreams of making India into a Hindu *rashtra* (nation). Kashmiris, who have lived under

a brutal Indian military occupation for the last three decades, now have to contend with growing Islamophobia under Modi's watch, an Islamophobia that is also codified in the 2019 passage of the Citizen Amendment Act which discriminates against Muslim asylum seekers from Afghanistan, Bangladesh, and Pakistan while expediting the acquisition of Indian citizenship for six other religious groups.

Article 370 and Kashmiri Wives

As if on cue, several BJP politicians celebrated the revocation of Articles 370 and 35A in gendered and racialized pronouncements that evoke the sexualized violence of Partition and underscore the patriarchal entitlement they feel toward Kashmiri women. Vikram Singh Saini, a high-school dropout who is a member of the Legislative Assembly of Uttar Pradesh, rejoiced over the change in Kashmir's status, exulting, "Muslim workers should celebrate. They can get married to fair Kashmiri girls. There should be celebrations. Everyone should celebrate, be it Hindus or Muslims."³¹ In a 2018 speech, Saini had encouraged Hindus to have as many children as possible, an exhortation that he did not press upon other religious communities. He is also on record as declaring that "Hindustan is for Hindus" and urging Muslims to move to Pakistan.³² Originally, a Persian word, "Hindustan" is the colloquial Hindi-Urdu word for "India." Its literal translation is "the place of the Hindus," which perhaps explains its appropriation by sectarian Hindus. In another incident, BJP Chief Minister of Haryana, Manohar Lal Khattar, joked that the revocation of Article 370 meant that Kashmiri women could now be imported into the state to redress the abysmal sex ratio, a consequence of high rates of female infanticide in his state.

One of the most horrifying and frankly bizarre statements by a BJP member was voiced at a 2017 rally, featuring the rabidly anti-Muslim Yogi Adityanath, now Chief Minister of Uttar Pradesh. A speaker at this rally incited Islamophobic and gendered violence, saying "Muslim women should be taken from their graves and raped."³³ When I first read this quotation, I thought that its utter depravity did not require any comment given that revulsion at the defilement of the dead is a

near universal aspect of the human condition. I want to underscore, however, that the quotation reveals how rape and violence against women do not even register as a form of physical contact. Caste restrictions prohibit bodily contact with non-Hindus and lower caste groups, particularly those who are associated with occupations that entail contact with human waste, corpses, and animal carcasses. The BJP member's injunction to rape Muslim women's corpses, does not express any concern with caste contamination, illustrating how animus towards Muslims—and I would argue women—trumps fears of pollution.

Echoing Saini's construction of Kashmiri women as marriageable commodities, social media has been replete with content from what Piyasree Dasgupta dubs "slightly desperate Hindu men" rejoicing that they can now "get girls" from Kashmir in the wake of Article 370's revocation.³⁴ As Dasgupta points out, twitter, Facebook, and TikTok feature posts with similar tropes: smiley face emojis, Hindu icons, and pictures of Kashmiri girls and women with captions advertising their availability as wives. All of these images feature a 370 hashtag.

"Surender Romio," Figure 1, evokes the aesthetic of Bollywood cinema with the cool hero sporting sunglasses and a guitar slung over his shoulder. Here, the light-skinned Kashmiri woman is wagging her finger at the male, ostensibly in a playful fashion as signified by her smile.



Figure 1. Caption reads: "Surender Romio [sic] to your Kashmiri wife."

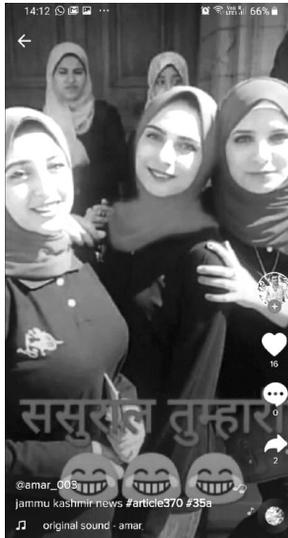


Figure 2. Caption reads: “Your In-Laws.”

In the post “Your In-Laws,” Figure 2, we get a picture of three young women in what look suspiciously like school uniforms, which serve to underscore their youth. Notably, there are no males in this picture. The caption suggests that the lucky Hindu Indian man will have access to *all* the women in the visual frame, speaking to a clichéd Orientalist male fantasy of sexual plenitude in Muslim households. Both this illustration and the previous one construct Kashmiri women as receptive to these sexual overtures as evidenced by the women’s smiles.

In Figure 3, Kashmiri women have been erased from the visual frame altogether and are represented through the Devanagari script. We get Hindu symbolism as *the* assertion of the sexual prerogative of the Hindu male. The saffron background will resonate with Hindus insofar as it is a sacred color, associated with sacrifice and the god Agni. In addition, this picture features an icon of the god Shiva, who fulfills the role of the destroyer in the Hindu triumvirate which includes Brahma the creator, and Vishnu the preserver. Shiva embodies the paradox of being the god of both sexual asceticism and fertility, symbolized in the ritual worship of the lingam, a stone representation of the phallus. The hashtag also includes the phrase, “jaishreeram,” “victory to Rama,” which celebrates the martial glory of Rama in triumphing over Ravana in the *Ramayana*. The combination of the saffron background,



Figure 3. Caption reads: “Now I can get married to a Kashmiri girl. #Article 370.”³⁵

Shiva icon, and the reference to “jaishreeram” makes explicit the threat of Hindu sexual violence against Kashmiri Muslim women.

The pictures of light-skinned girls and women in these social media images illustrate Saini’s claim that access to “fair” Kashmiri females is a laudable result of the abrogation of the constitution. We need to remember that the adjective “fair” in this instance operates on two registers: “fair” as in the valuation of light skin as attractive, and “fair” as in beauty of the kind MacMunn describes of the “comely” mountain lasses.³⁶ As in MacMunn’s gloss on the domestic skills of mountainous women, the social media posts project Kashmiri women as wives, in effect, as unpaid gendered workers who toil in the home. The projection of Kashmiri women as potential wives additionally becomes a way to saffron-wash sexual violence of the kind enacted during Partition. Marriage confers respectability and social status on women in South Asia. By asserting their right to Kashmiri wives specifically and not just Kashmiri women in general, the Hindu male creators of this content suggest that they are in engaging in a form of marital philanthropy by bestowing the status and seeming security of marriage on women from backgrounds that, in actuality, these men abhor.

If anything, Partition demonstrated that marriage can be intimately connected with violence.³⁷ For women, Partition has yielded two primary lessons. First, ethno-religious difference can make one into a target of violence. And second, sexual assault can function as an awful rite of conversion, a violent baptism into a new ethno-religious identity. To be blunt: rape became the means for the national assimilation of difference for both Pakistan and India. The lascivious responses of Hindu men to the revocation of Article 370 today evoke the Partition era imprinting of national identity on women through sexual coercion. In this case, full integration into India requires Kashmiri women to marry Hindu men. Implicit in this model of assimilation is that the children of such unions will be Hindu. This model of biological assimilation is also present in the alarmist rhetoric of “love *jihad*,” whereby militant Hindu nationalists charge that Muslim men are seducing innocent Hindu women.³⁸ The logic here is of a piece with the view of ethno-nationalists that miscegenation can be a tool of genocide; they believe it is possible

to dilute the ethno-religious blood quantum sufficiently to render the minority portion irrelevant.

Conclusion

The glee of Hindu nationalists over the potential availability of Kashmiri women to become their wives and the elimination of Jammu & Kashmir's status as a state must also be understood in conjunction with the Centre's revocation of Article 35A, which prohibited property ownership by non-Kashmiris under the cynical justification that this will spur development. In a *New York Times* editorial, Harsh Vardhan Shringla, the Indian Ambassador to the United States, piously declares that the government's actions "open the door to rejuvenate a moribund economy and promote horticulture, tourism and handicrafts that are the unique strength of [Kashmir's] culture."³⁹ Analyzing how the Indian military uses development as a tool of counterinsurgency, Mona Bhan warns of the ways in which the state's rhetoric of "compassion" and "care" can mask the expansion of its power to control people in conflict zones.⁴⁰ We should be skeptical of the Indian government's claims of the capacity of agriculture, the service sector, and cottage industries to lift a significant number of people out of poverty given that these sectors typically rely on a precarious workforce. The crude appeal to development as a justification is a public relations ploy aimed at an international audience. The revocation of Article 35A will most likely benefit Indians who can now flock to the mountains and buy property in Kashmir, while residents of the state remain impoverished.

Among Kashmiris and their supporters, there are legitimate fears that the projected influx of Indians will alter the demographic balance, making them minorities in their own land. Indeed, the migration of wealthy outsiders into the region will exacerbate social inequalities, which along with a military occupation, add up to a settler colonialism determined to actualize Indian capital at the expense of Kashmiri aspirations for self-determination and the right to live in dignity. To paraphrase Stuart Hall, the challenge for us will be to understand the differences between racial formations in a British colonial setting and

in a context where the Indian “post-colonial” state is simultaneously a colonial-settler state; we need to comprehend the construction of race “as part of the indigenous labour force and regime of accumulation within the domestic economy.”⁴¹

Given my exploration of the afterlife of colonial era martial race theory in relation to the Indian government’s revocation of Articles 370 and 35A, I would be remiss if I neglected to acknowledge that the contemporary Indian and Pakistani armies still follow the recruitment patterns established by the British with one exception. According to Omar Khalidi, in the case of India the so-called martial races are overrepresented in the armed forces, particularly Sikhs and Gurkhas, but the population of Muslims, who were included in the martial races, has dropped precipitously from 30-36% of the colonial army to around 1% at the beginning of the twenty-first century.⁴² Going back to 1947, the Indian government fretted that Muslim soldiers potentially constituted a “Trojan horse” in the event of a war with Pakistan. In the last two decades, sympathy for Hindu nationalism has also grown among senior army officers.⁴³ Khalidi warns that “[t]he Kashmir insurgency since 1989 has a direct bearing on the Indian army and the paramilitary forces’ attitude toward Muslims in India . . . Since the Indian army does not mirror the national population in its rank and file, there is reason to doubt its continued neutrality in domestic Hindu-Muslims disputes, given the adverse impact of the Kashmir conflict on communal relations.”⁴⁴

Under the 1990 Armed Forces Special Powers Act, the army has been enjoying immunity for its numerous human rights violations in Kashmir for the past three decades, casting doubt on whether it was ever neutral in its policing of civilian populations in the valley. The ecstatic reception of the revocation of Articles 370 and 35A for providing access to “fair Kashmiri wives” illustrates how colonial ethno-religious classifications, militarism, and Hindu nationalism shape the toxic construction that is race in India today.

Acknowledgement

My gratitude to Mona Bhan, Samir K. Bose, Sudesh Bose, Patrick Brantlinger, and Jeffrey L. Gould for their comments on drafts of this

article. All errors are, of course, my own.

Notes

¹Ladakh was part of the Jammu & Kashmir state, which the Centre has split into two territories. Jammu and Kashmir constitute one of the new union territories and Ladakh the second. While Jammu and Kashmir will have legislative rights, Ladakh will not.

²The 70,000 figure is dated and comes from Baba Umar, "The Dilemma of Kashmir's Half-Widows," *Al Jazeera*, October 12, 2013, accessed September 8, 2019, <https://www.aljazeera.com/news/asia/2013/09/dilemma-kashmir-half-widows-201392715575877378.html>. Haley Duschinski, Mona Bhan, and Ather Zia also cite the 70,000 figure in their "Rebels of the Street: Violence, Protest, and Freedom in Kashmir," in *Resisting Occupation in Kashmir*, eds. Haley Duschinski et al. (Philadelphia: University of Pennsylvania Press, 2018), 2. It is logical to assume that the actual number of deaths is much higher. For a year-to-year account of violations, see the excellent reports and "Annual Human Rights Review" compiled by the Jammu Kashmir Coalition of Civil Society (JKCCS), www.jkccs.net.

³For a daily account of the military occupation and resistance to it since August 5, 2019, see The Wire Staff, "Kashmir under Siege: One Month of Silence," *The Wire*, accessed September 7, 2019, <https://thewire.in/rights/kashmir-under-siege-one-month-of-silence>; and Niha Masih and Joanna Slater, "Among the 3,000 Detained by Indian Authorities in Kashmir: Children," *Washington Post*, August 29, 2019, accessed September 7, 2019, https://www.washingtonpost.com/world/asia_pacific/among-the-3000-detained-by-indian-authorities-in-kashmir-children/2019/08/29/1616b5c0-c91c-11e9-9615-8f1a32962e04_story.html.

⁴For more on a South Asian religious and regional articulation of race, see Mona Bhan, "In Search of the Aryan Seed: Race, Religion, and Sexuality in Indian-Occupied Kashmir," in *Resisting Occupation in Kashmir*, 74-102.

⁵Karim Murji, "Race," in *New Keywords: A Revised Vocabulary of Culture and Society*, eds. Tony Bennett, Lawrence Grossberg, and Meaghan Morris (Malden: Blackwell Publishing Ltd., 2005), 291.

⁶Stuart Hall, "Gramsci's Relevance for the Study of Race and Ethnicity," in *Stuart Hall: Critical Dialogues in Cultural Studies*, eds. David Morley and Kuan-Hsing Chen (London: Routledge, 1996), 435.

⁷Kalpana Kannabiran names Partition violence as foundational to other forms of violence that continue to mark post-colonial states on the subcontinent. See her "Introduction: The Habitations of Violence in India," in *Violence Studies*, ed. Kalpana Kannabiran (New Delhi: Oxford University Press, 2016), 5.

⁸See Urvashi Butalia, *The Other Side of Silence: Voices from the Partition of India*

(Durham: Duke University Press, 2000); and Ritu Menon and Kamla Bhasin, *Borders and Boundaries: How Women Experienced the Partition of India* (New Brunswick: Rutgers University Press, 1998), 57-58. Other works that treat gender and Partition violence include Kavita Daiya, *Violent Belongings: Partition, Gender and National Culture in Postcolonial India* (Philadelphia: Temple University Press, 2008); Veena Das, *Life and Words: Violence and the Descent into the Ordinary* (New Delhi: Oxford University Press, 2007); Ritu Menon, ed., *No Woman's Land: Women from Pakistan, India and Bangladesh Write on the Partition of India* (New Delhi: Women Unlimited, 2014); and Deepti Misri, *Beyond Partition: Gender, Violence, and Representation in Postcolonial India* (Urbana: University of Illinois Press, 2014). For fictional representations of Partition, see Saadat Hasan Minto, *Memories of Madness: Stories of 1947* (New Delhi: Penguin Books, 2002); and Bapsi Sidhwa, *Cracking India* (Minneapolis: Milkweed Editions, 1991).

⁹ Menon and Bhasin, *Borders*, 59.

¹⁰ *Ibid.*, 67-68.

¹¹ *Ibid.*, 77.

¹² For an account of changing conceptions of race in Britain, see Mark Harrison, *Climates & Constitutions: Health, Race, Environment and British Imperialism in India 1600-1850* (New Delhi: Oxford University Press, 1999). For an analysis of how conceptions of race varied across the British empire, see Tony Ballantyne, *Orientalism and Race: Aryanism in the British Empire* (Houndmills: Palgrave, 2002). Raymond Williams notes the influence of Francis Galton, Arthur de Gobineau, and Social Darwinism on nineteenth century British attitudes about race in *Keywords: A Vocabulary of Culture and Society* (New York: Oxford University Press, 1985), 249.

¹³ Purnima Bose, *Intervention Narratives: Afghanistan, the United States, and the Global War on Terror* (New Brunswick: Rutgers University Press, 2020), 40.

¹⁴ Heather Street, *Martial Races: The Military, Race and Masculinity in British Imperial Culture, 1857-1914* (Manchester: Manchester University Press, 2004), 8.

¹⁵ See Pradeep Barua, "Inventing Race: The British and India's Martial Races," *The Historian* 58, no. 1 (September 1995): 113.

¹⁶ Kaushik Roy, "Race and Recruitment in the Indian Army: 1880-1918," *Modern Asian Studies* 47, no. 4 (2013): 1313.

¹⁷ Roy does not explain why Kashmiris were not included in the category.

¹⁸ Omar Khalidi, "Ethnic Group Recruitment in the Indian Army: The Contrasting Cases of Sikhs, Muslims, Gurkhas and Others," *Pacific Affairs* 74, no. 4 (Winter, 2001-2002): 531.

¹⁹ Gavin Rand and Kim A. Wagner, "Recruiting the 'Martial Races': Identities and Military Service in Colonial India," *Patterns of Prejudice* 46, no. 3-4 (2012): 253.

²⁰ Rand and Wagner, "Recruiting," 232.

²¹ Sir George MacMunn, *The Martial Races of India* (Quetta: Gosha-e-Adab, 1977), 248.

²² The Indo-Aryans are one of seven other races in Risley's classificaton, including the "Turko-Iranian" type comprised of "fierce" and "warlike" men. See, J. D. Anderson,

The Peoples of India (London: Cambridge University Press, 1913), 21.

²³ MacMunn, *The Martial Races*, 261.

²⁴ *Ibid.*, 262.

²⁵ *Ibid.*, 261-62.

²⁶ *Ibid.*, 262.

²⁷ Menon and Bhasin, *Borders*, 265-67

²⁸ Duschinski, Bhan, Zia, and Mahmood, *Resisting Occupation in Kashmir*, 7. See also Christopher Snedden, *Understanding Kashmir and Kashmiris* (London: Hurst & Company, 2015), 166.

²⁹ The Constituent Assembly was dissolved in 1957 after voting unanimously to accede to India; it was subsequently replaced by a Legislative Assembly.

³⁰ Mohammed Hanif, "India Annexes Kashmir and Brings Us Back to Partition," *New York Times*, August 7, 2019, accessed September 21, 2019, <https://www.nytimes.com/2019/08/07/opinion/kashmirindia.html?searchResultPosition=13>.

³¹ Quoted in Alok Pandey, "'Now Marry Fair Kashmiri Women': BJP Lawmaker's Article 370 Shocker," *NDTV*, August 7, 2019, accessed September 21, 2019, <https://www.ndtv.com/india-news/bjp-lawmaker-vikram-sainis-article-370-shocker-now-marry-fair-kashmiri-women-2081529>.

³² Staff Writer, "BJP MLA's Bizarre Statement: Told My Wife to Keep Producing Children until Law on Population Control Comes into Existence," *Financial Express*, February 24, 2018, accessed September 21, 2019, <https://www.financialexpress.com/india-news/bjp-mlas-bizarre-statement-told-my-wife-to-keep-producing-children-until-law-on-population-control-comes-into-existence/1077883/>.

³³ Quoted in News Desk, "'Muslim Women Should be Taken from Their Graves and Raped': Where is Uttar Pradesh Headed Now?" *Global Village Space*, March 25, 2017, accessed September 21, 2019, <https://www.globalvillagespace.com/muslim-women-should-be-taken-from-their-graves-and-raped-where-is-uttar-pradesh-headed-now/>.

³⁴ Piyasree Dasgupta, "'Get a Wife from Kashmir': Article 370 News Has Sparked a Horrible Wave of Misogyny," *HuffPost*, August 6, 2019, accessed September 21, 2019, https://www.huffingtonpost.in/entry/article-370-kashmir-women-tiktok_in_5d494898e4b0d291ed064107:m2c.

³⁵ *Ibid.*, all the screenshots are from Dasguptas' article.

³⁶ Radhika Parameswaran has written extensively on colorism—the valuation of light-skin color—in India. See her "'Jamming' the Color Line: Comedy, Carnival, and Contestations of Commodity Colorism," in *Racism, Post-Race: Culture, Critique, and the Color Line*, eds. Sarah Banet-Weiser, Herman Gray, and Roopali Mukherjee (Durham, Duke University Press, 2019), 51-71; "E-race-ing color: Gender and Transnational Visual Economies of Beauty," in *Circuits of Visibility: Gender and Transnational Media Cultures*, ed. Radha S. Hegde (New York: New York University Press, 2011), 68-89; and her co-authored article with Kavitha Cardoza, "Melanin on the Margins: Advertising and the Cultural Politics of Fair/Light/White Beauty in India," *Journalism & Communication*

Monographs 11, no. 3 (2009): 213-74.

³⁷ On the link between marriage and intimate violence, see Srimati Basu, *The Trouble with Marriage: Feminists Confront Law and Violence in India* (Oakland: University of California Press, 2015).

³⁸ For more on love *jihād*, see Charu Gupta, “Allegories of ‘Love Jihad’ and Ghar Vapasi: Interlocking the Socio-Religious with the Political,” *Archiv Orientalni* 84, no. 2 (2016): 291-316.

³⁹ Harsh Vardhan Shringla, “India is Building a More Prosperous Kashmir,” *New York Times*, September 19, 2019, accessed September 21, 2019, <https://www.nytimes.com/2019/09/19/opinion/india-pakistan-kashmir-jammu.html>.

⁴⁰ Mona Bhan, *Counterinsurgency, Democracy, and the Politics of Identity in India: From Warfare to Welfare?* (London: Routledge, 2014), 188.

⁴¹ Hall, “Gramsci’s Relevance,” 435.

⁴² Khalidi, “Ethnic Group,” 544.

⁴³ *Ibid.*, 550.

⁴⁴ *Ibid.*, 551.

Submitted: Jan. 13, 2020

Reviews Completed: Jan. 23, 2020

Accepted: Jan. 23, 2020